



An
Coimisiún
Pleanála

Direction
CD-022450-26
ACP-324315-26

The submissions on this file and the Inspector's report were considered at a meeting held on 04/09/2026.

The Commission decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Planning

Commissioner:

Mary Gurrle
Mary Gurrle

Date: 07/09/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

The Board performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, (consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State).

In coming to its decision, the Commission had regard to the following:

- (a) the location of the site within the development boundary of Maynooth and within the Railpark Key Development Area as designated under the Maynooth Environs Joint Local Area Plan 2023-2029,
- (b) policies and objectives for the area as set out in the Maynooth Environs Joint Local Area Plan 2023-2029, including the zoning objectives for the subject site, and the permitted uses therein.
- (c) the nature, scale and design of the proposed development which is consistent with the provisions of the Kildare County Development Plan 2023-2029, as varied, and appendices contained therein,
- (d) policies and objectives set out in Project Ireland 2040 – National Planning Framework, First Revision (April 2025) and the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031,
- (e) Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness,
- (f) the provisions of Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January, 2024,
- (g) the provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in July, 2025,
- (h) the provisions of the Urban Development and Building Heights Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in December 2018,
- (i) Childcare Facilities, Guidelines for Planning Authorities, 2001,
- (j) development Management Guidelines, 2007,
- (k) the provisions of the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of Environment, Community and Local Government in 2019,
- (l) the Climate Action Plans 2024 and 2025 prepared by the Government of Ireland,
- (m) the objectives and targets of the National Biodiversity Plan 2023-2030,
- (n) to the pattern of existing and permitted development in the area,

- (o) the submissions received,
- (p) the grounds of appeal,
- (q) the reports from the planning authority, and
- (r) the report of the Planning Inspector.

Appropriate Assessment - Stage 1

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development, the documents submitted with the planning application and appeal including the Appropriate Assessment Screening Report, the Inspector's Report, and the submissions on file. In completing the screening exercise, the Commission adopted the report of the Inspector and concluded that it is not possible to exclude that the proposed development alone will not give rise to significant effects on the Rye Water Valley/Carlton Special Area of Conservation (Site Code: 001398) in view of the site's conservation objectives, and that a Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement was, therefore, required.

Appropriate Assessment - Stage 2

The Commission considered the Natura Impact Statement submitted by the applicant and all other relevant documentation on the file and completed an Appropriate Assessment (Stage 2) of the implications of the project on the Rye Water Valley/Carlton Special Area of Conservation (Site Code: 001398), in view of the site's conservation objectives. The Commission considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment. The Commission concluded that the project, individually or in combination with other plans or projects, would not adversely affect the integrity of the Rye Water Valley/Carlton Special Area of Conservation (Site Code: 001398) in view of the site's Conservation Objectives and qualifying interests. This conclusion is based on the following:

- the nature, scale and location of the proposed development,
- the contents of the applicant's Natura Impact Statement,

- detailed assessment of construction and operational impacts,
- effectiveness of mitigation measures proposed in the Natura Impact Statement, Environmental Impact Assessment Report and the outline Construction & Environmental Management Plan, and
- the application of planning conditions to ensure the mitigation measures proposed are undertaken.

Environmental Impact Assessment

The Commission completed an environmental impact assessment of the proposed development, taking into account:

- (a) the nature, scale, location and extent of the proposed development,
- (b) the environmental impact assessment report and associated documentation submitted with the application,
- (c) the submissions from the planning authority, applicant, third parties and prescribed bodies in the course of the application; and
- (d) the report of the Planning Inspector.

The Commission considered that the Environmental Impact Assessment Report, updated by the Environmental Impact Assessment Addendum Report received by the planning authority on the 6th day of March, 2026 and supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

The Commission is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU.

Having regard to the examination of environmental information contained above, and in particular in the Environmental Impact Assessment Report (as amended) and supplementary information provided by the applicant, and the submissions from the planning authority, prescribed bodies and the third-party appellant, the Commission

considered and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are:

Population and Human Health:

- Positive socioeconomic effects on population and human health associated with increased employment and demand for services during the construction phase. Positive effects from the provision of additional housing in a mix of house types and tenure, the additional childcare facility, the additional community space and additional local services in the form of a health centre and retail units and the provision public open space and recreational facilities.
- Construction-related impacts in the form of disturbance, noise, vibration, dust, contaminants, and traffic etc would be temporary and short term and mitigated/managed by a suite of appropriate construction phase management measures, including dust management, the control of construction hours and the implementation of a construction traffic management plan, resulting in no significant residual impacts during construction.

Biodiversity:

- Construction stage would result in the loss and/or damage/fragmentation of habitat. The loss of existing hedgerow/tree lines and grassland cover resulting in a reduction in foraging opportunities, habitat connectivity and structural diversity within the site. However, this would be compensated through the implementation of the landscaping scheme which provides an overall net increase of hedgerow (396 metres) and treeline (1,647 metres) within the site and through the implementation of a Biodiversity Management Plan for the site.
- Direct/indirect effects from the disturbance and/or displacement of fauna during construction and operational stage, would be mitigated by further pre-commencement surveys, a suite of appropriate construction phase

management (included in a Construction and Environmental Management Plan), lighting design, the appropriate timing of works and various enhancement measures including the provision of bird boxes, swift bricks, bat boxes, pollinator friendly planting and unmanaged log piles. Mitigation to control the spread of invasive species (Cherry Laurel) has also been proposed, this would be finalised through the submission of an Invasive Species Management Plan, requested by way of condition.

Land, Soil, Water, Air and Climate:

- The development of these lands would result in the loss of and removal of in-situ soil but would facilitate appropriate development and improved amenities in accordance with the proper planning and sustainable development of the area.
- Direct negative effects arising for land, soils and geology during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including several pollution prevention and control measures resulting in imperceptible residual impacts on land, soils and geology.
- Impacts on groundwater and surface water quality would be mitigated by standard good practice measures including a Construction Environmental Management Plan, by the implementation of suitably designed drainage infrastructure and Sustainable Urban Drainage System (SuDS) measures and connection to public mains water and wastewater networks.
- No significant impacts on climate and air quality are anticipated due to the nature and scale of the development.
- Potential effects arising from noise and vibration during construction which will be mitigated by appropriate construction management measures.

Material Assets, Cultural Heritage and the Landscape:

- Direct negative impacts on nine known archaeological features discovered on site during test trenching would be appropriately mitigated through further archaeological investigations and preservation by record (fully excavated by hand) in advance of construction. Direct impacts on

unknown/undiscovered archaeological remains/features during the construction phase would be mitigated by appropriate archaeological monitoring with provision made for resolution of any archaeological features/deposits that may be identified, resulting in no residual impacts for archaeological, architectural and cultural heritage.

- The proposed development will fundamentally alter the character and appearance of the landscape, however, once operational, the proposed development will read as part of the built-up area and would have no significant direct or indirect effects on the landscape, visual amenity of the area or on any protected view. The cumulative effect with the Maynooth Eastern Ring Road will be profound but is acceptable in the context of the planned expansion of Maynooth.
- Potential for light short-term negative impacts in terms of construction traffic to be mitigated as part of a Construction and Environmental Management Plan. There will be no significant negative impact on traffic junctions in the immediate area in the operational phase and any potential impact will be mitigated by way of design and through the implementation of a Mobility Management Plan.
- Potential effects on waste management during construction will be mitigated by a Construction and Environmental Management Plan and a Construction Demolition Waste Management Plan.

The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, as set out in the Environmental Impact Assessment Report, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Commission adopted the report and conclusions of the Inspector. Overall, the Commission is satisfied that the proposed development would not have any unacceptable effects on the environment.

Conclusions on Proper Planning and Sustainable Development

Having regard to the nature and scale of the proposed development, the location of the site within the Railpark Key Development Area on lands zoned C(2) - Residential and N – Neighbourhood Centre as set out in the Maynooth and Environs Joint Local Area Plan 2025-2031, the provisions of the Maynooth and Environs Joint Local Area Plan 2025-2031 including the design brief and urban design framework for the Railpark Key Development Area, and to the policies and objectives of the Kildare County Development Plan 2023-2029, it is considered that, subject to compliance with the conditions set out below, the proposed development would make a positive contribution to the provision of housing and local services in the area and would provide an acceptable form of residential amenity for future occupants; would not seriously injure the residential or visual amenities of the area or of property in the vicinity; would be acceptable in terms of urban design, height and quantum of development; would be acceptable in terms of traffic and pedestrian safety; and would not adversely impact any European Site or the environment. The proposed development would accord with the provisions of the Maynooth and Environs Joint Local Area Plan 2025-2031 and the Kildare County Development Plan 2023-2029 and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 6th day of March, 2026 and 13th day of March 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The period during which the development hereby permitted may be carried out shall be 10 years from the date of this Order.

Reason: Having regard to the nature, scale and location of the development, the Commission considers it appropriate to specify a period of validity of this permission in excess of five years.

3. The number of units hereby permitted is 581 units.

Reason: In the interest of clarity.

4. The mitigation measures contained in the submitted Environmental Impact Assessment Report (EIAR) and as revised by the Environmental Impact Assessment Addendum Report, received by the planning authority on the 6th day of March 2026, shall be implemented.

Reason: To protect the environment.

5. The mitigation measures contained in the Natura Impact Statement (NIS) shall be implemented.

Reason: To protect the environment.

6. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority, a revised Biodiversity Management Plan (BMP) that includes the following:

- (a) A revised meadow planting plan that shall prioritise natural regeneration and management using the local seed bank, rather than wholesale reseedling.
- (b) Provision of small mammal gaps linking back gardens to improve site permeability for species such as hedgehogs.
- (c) The creation of wildlife corridors around the boundary of the site, in line with the tree protective fencing.

Reason: To ensure the best alignment of the Biodiversity Management Plan with the All-Ireland Pollinator Plan and to support mammals protected under the Wildlife Act.

7. Prior to the commencement of development, the developer shall submit for the written approval of the planning authority, an Invasive Species Management Plan detailing the removal and disposal of Cherry Laurel (*Prunus laurocerasus*) and any other invasive non-native species identified on site. Additionally, no invasive non-native species (such as laurel of any kind) shall be introduced/planted through landscaping, and all planting shall be free of invasive contaminants. Details of the Invasive Species Management Plan for this site shall thereafter be incorporated into the Construction Environmental Management Plan.

Reason: The purpose of this requirement is to prevent the spread and establishment of invasive non-native species, thereby safeguarding the ecological integrity of the site and its surroundings.

8. All works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where they consider that the continuation of the works is likely to result in a significant pollution or siltation incident or impact on protected habitats or species, and on-site works will cease until authorised to continue by the planning authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period.

Reason: To ensure compliance with mitigation measures and to protect biodiversity.

9. Unless otherwise agreed in writing with the planning authority, prior to the commencement of development, the proposed development shall be carried

out in accordance with the Phasing Plan submitted to the planning authority on the 6th day of March, 2026 and in accordance with the following criteria:

- (a) The creche facility shall be constructed as part of Phase 1 of the development and shall be completed to practical completion stage and made available for fit out and occupation prior to the commencement of Phase 2. Evidence to demonstrate compliance with this condition shall be submitted to the planning authority prior to the commencement of Phase 2.
- (b) No more than 50% of the residential units within Phase 2 shall be occupied until such time as the Public Park (POS1) and all associated recreational facilities including the associated services building have been completed to the written satisfaction of the planning authority and have been made available for use.
- (c) The residential units permitted shall not be occupied until the Maynooth Eastern Relief Road (MERR), and associated infrastructure works have been completed and are operational to the satisfaction of the planning authority.

The timing of each phase shall be subject to the following: -

- (i) Prior to the commencement of the first phase and any subsequent phase, full details of all necessary infrastructure both on and off the site i.e. roads, drainage, water, sewerage, public lighting etc, required to fully service that particular phase shall be submitted to, and agreed in writing with, the planning authority.
- (ii) Prior to the commencement of the first phase and any subsequent phase, full details of the public open space and car parking provision required to fully service that particular phase shall be submitted to, and agreed in writing with, the planning authority.
- (iii) No development shall commence on any subsequent phase until the preceding phase has been completed to the satisfaction of the planning

authority, including the provision of all necessary infrastructure required to fully service the preceding phase.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings. in the interests of proper planning & sustainable development.

10. Prior to commencement of development, the developer shall submit revised detailed design drawings addressing the recommendations of the Stage 1 Quality Audit, including pedestrian/cyclist permeability, tactile paving, safe zones in shared spaces, and cycle facility details. These shall be agreed in writing with the planning authority.

Reason: In the interests of pedestrian, cyclist and vehicular safety.

11. Details of the materials, colours and textures of all the external finishes to all proposed buildings and structures shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

12. (a) Details of all signage to be provided to commercial/non-residential units of the development shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development
- (b) Apart from the agreed signage, no additional signage, advertisement or advertisement structure (including that which is exempted development under the Planning and Development Regulations, 2001 (as amended)), shall be erected or displayed on the buildings or within the curtilage of the site unless authorised by a further grant of planning permission.
- (c) No external roller shutters or their housings, awnings, canopies or grilles, shall be erected without a prior planning permission.

Reason: In the interests of clarity and visual amenity.

13. Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility

14. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities

15. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

16. Prior to commencement of development, the developer shall submit final detailed drawings showing the integration of all SuDS measures with the internal road network and connections to the MERR drainage system. These shall confirm compliance with Kildare County Council SuDS Guidance Document (2024).

Reason: In the interest of proper drainage arrangements and sustainable development.

17. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

18. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This scheme shall comply with a wildlife-friendly lighting strategy that minimises light spill, avoids illuminating retained or newly created habitats, and protect bat flight lines and commuting routes. Details of the lighting design shall be submitted to, and agreed in writing with, the planning authority prior to the installation.

Reason: In the interests of amenity and public safety and to prevent disturbance and habitat fragmentation for nocturnal species.

19. Prior to commencement of development, the developer shall submit a comprehensive site-specific Final Construction Environmental Management Plan and Traffic Management Plan for the written approval of the planning authority. These plans shall provide details of intended construction practice for the development with measures to reflect mitigation described in the submitted Environmental Impact Assessment Report and Natura Impact Statement for the application and shall demonstrate full integration and coordination with the delivery and operation of the Maynooth Eastern Ring Road (MERR), including access arrangements, phasing, and traffic safety measures. No works shall commence until written confirmation of compliance is received. These plans shall:

- (a) demonstrate full integration and coordination with the delivery and operation of the Maynooth Eastern Ring Road (MERR), including:

- (i) permanent and temporary access arrangements,
 - (ii) phasing of works aligned with the MERR programme, and
 - (iii) traffic safety measures and protocols for coordination with the MERR contractor.
- (b) include detailed provisions for:
 - (i) haul routes for construction traffic
 - (ii) noise control measures in accordance with BS 5228 and best practice, and
 - (iii) measures to prevent debris and mud impacting the existing road network, including wheel-wash facilities and road sweeping,
 - (iv) measures to protect public safety, including compliance with the Department of Transport, Tourism and Sport (DTTAS) Traffic Signs Manual for all construction site warning signage.

A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development. The planning authority may alter the Construction Environmental Management Plan in the event of traffic congestion or safety issues arising.

Reason: To manage construction activities, minimise disruption to the surrounding area, and safeguard public safety and residential amenity during the construction phase.

20. Prior to the occupation of any residential unit hereby permitted, the developer shall provide access points onto the Maynooth Eastern Ring Road (MERR), including the proposed signalised junction, as per ROD drawing number 24.111-ROD-GEN-SW_AE-DR-CH 300001 received by the planning authority on the 6th day of March, 2026. These proposals shall comply with the requirements of, and be completed to, the satisfaction of the planning authority. The proposed works shall tie into the MERR without necessitating any

modifications to the approved MERR scheme. No alterations to the approved MERR layout shall be required to facilitate the proposed development.

Reason: In the interest of traffic safety and the orderly development of the area.

21. (a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and the design standards outlined in Design Manual for Urban Roads and Streets (DMURS)
- (b) Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.
- (c) Stage 2 and 3 Road Safety Audits shall be provided in accordance with the requirements of the planning authority.

Reason: In the interests of amenity and of traffic and pedestrian safety.

22. All roads and footpaths and cycleways shown to adjoining lands shall be constructed up to the boundaries to provide access to adjoining lands with no obstruction including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001, as amended. These areas shall be shown in a drawing which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

23. (a) All the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points, and all of the in-

curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points.

- (b) Non-residential parking areas shall include at least two active EV charging point and ducting for 20% of spaces.

Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

- 24. Bicycle parking shall be provided in accordance with Section 15.7.2 (Cycle Parking) of the Kildare County Development Plan 2023–2029. All bicycle parking facilities shall comply with the Design Manual for Urban Roads and Streets and best-practice design guidance (e.g., Sheffield stands or equivalent), ensuring safety, accessibility, and appropriate spacing.

Reason: To promote sustainable transport and ensure adequate, secure, and accessible bicycle parking.

- 25. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity

- 26. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be

measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development

27. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials within each house plot and/or for each apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

28. The development shall comply with the Acoustic Design Statement received by the planning authority on the 2nd day of October, 2025 ensuring that internal and external noise levels meet the requirements of BS 8233:2014 and the thresholds set out in the Kildare County Noise Action Plan.

Reason: To ensure that internal and external noise levels are maintained within acceptable limits in accordance with BS 8233:2014 and the Kildare County Noise Action Plan, to protect public health and ensure the enjoyment of residential amenity.

29. All landscaping works for each phase shall be completed, within the first planting season following commencement of that phase of development, in accordance with landscape drawing number 24KE04 DR-0201 from AIT Landscape received by the planning authority on the 6th day of March, 2026. All planting shall be adequately protected from damage until established. Any

plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

30. (a) Prior to the commencement of development, the developer shall submit to the planning authority for the written agreement, detailed proposals for the boundary treatment along the western boundary of the site adjoining the Rockfield housing development. The submission shall include:
- (i) detailed recommendations from a suitably qualified arborist in relation to the retention, protection, long-term management, and maintenance of the existing hedgerow along this boundary,
 - (ii) detailed proposals from a suitably qualified landscape architect (or qualified landscape designer) for additional/ supplementary planting along the boundary sufficient to form a dense continuous screen,
 - (iii) details of all tree and hedgerow protection measures required to facilitate the installation of a new boundary fence, including temporary and permanent protection works,
 - (iv) a topographic survey clearly identifying and accurately delineating the land ownership boundaries,
 - (v) full details and specifications for the installation of a weld-mesh or Hercules-type fence to secure the boundary, and
 - (vi) confirmation that all boundary treatments are aligned precisely with, and run tight to, the legal boundary to avoid the creation of a gap between boundaries.
- (b) All fencing/railings within the permitted development shall be black powder coated galvanised fencing/railings.

Reason: To ensure boundaries are clearly identified and avoid areas of no man's land between property boundaries and in the interests of residential amenity and privacy and visual amenity.

31. The areas of public open space shown on the submitted plans shall be reserved for such use. These areas shall be levelled, soiled, seeded, and landscaped in accordance with the landscaping scheme submitted to the planning authority on the 6th day of March, 2026. The areas of public open space shall be maintained as public open space by the developer until taken in charge by the Local Authority.

Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose, in the interest of residential amenity.

32. Prior to commencement, the developer shall submit a revised Taking in Charge (TIC) map for the written agreement of the planning authority. The map shall clearly identify three areas, areas to be taken in charge, areas not to be taken in charge and areas to be maintained by a management company. The TIC proposals shall consider future access and maintenance arrangements for all areas and services including roads, footpaths, open spaces, drainage (SuDS) features, public lighting, EV charging, and boundary treatments.

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

33. The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking in Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November, 1998. Following completion, the development shall be maintained

by the developer, in compliance with these standards, until taken in charge by the planning authority.

Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.

34. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company
- (b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

35. The proposed development shall be delivered in accordance with the Local Infrastructure Housing Activation Fund (LIHAF) affordability commitment pertaining to the Maynooth Eastern Ring Road and in accordance with the signed letter of undertaking between the landowner /developer and Kildare County Council dated 25th October 2017, or any subsequent superseding written agreement. The developer shall show compliance with the requirements of this condition, prior to the sale of any unit in the proposed development, unless otherwise agreed in writing with Kildare County Council.

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

36. (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the

number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

- 37. Prior to commencement of development, the developer or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not

reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area

38. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

39. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or,

in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.