



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report ABP-300606-18

Strategic Housing Development

450 no. residential units (350 no. houses, 100 no. apartments), childcare facility, new roundabout on the Celbridge Road (R404) and associated road alignment to facilitate vehicular access with revised entrance arrangement to the Wonderful Barn Complex (Protected Structure), and incorporating landscape features and signage to the Wonderful Barn Complex (Protected Structure); associated internal roads, pedestrian and cycle paths and linkages; open space and all associated site and development works.

Location

Barnhall, Leixlip, Co. Kildare.

Planning Authority

Kildare County Council

Applicant

Ardstone Homes Ltd.

Prescribed Bodies

National Transport Authority

Irish Aviation Authority.

Transport Infrastructure Ireland.

Observers

Catherine Murphy TD

Cllr Joe Neville

Cllr Anthony Larkin

Kathleen Hickey

Gary May

James O'Donnell

Carol Predergast

Ronan O'Beirne

Daryl Egan

Rinawade Residents Association

Shane Murphy

Tom and Maria Cullen

Peter and Susan Benie

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Ide Curren

MU Barnhall Rugby Club

Rachel Ward

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Date of Site Inspection

24th March 2018

Inspector

Stephen O'Sullivan

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1.0 Introduction

- 1.1. This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

2.0 Site Location and Description

- 2.1. The subject site, which has a stated area of 19.1ha, is in the townland of Barnhill, Leixlip, Co. Kildare, to the south-west of the town. Existing residential development, suburban in style, is located to the north-east and west of the site while the Wonderful Barn Complex with its open grounds are located to the south. Further south is the M4 motorway. The subjects site encloses the Wonderful Barn Complex on three sides.
- 2.2. The site is irregular in shape and could be described as an inverted V with the apex representing the most northerly part of the site. The boundaries to the south are largely undefined. The subject lands are presently under grass and comprise primarily three field areas. It is relatively flat with a slight fall from north to south. Access to the site is from the Celbridge Road.
- 2.3. The primary development area is stated to be within the control of the applicant, Ardstone Homes Ltd, while a residual area along the southern edge is within the control of Kildare County Council and is included so as to provide a landscaped edge to the public park and provision of/connection to services to facilitate the proposed development, including attenuation areas for surface water runoff.

3.0 Proposed Strategic Housing Development

- 3.1. The development would include 450 residential units, a childcare facility and a new roundabout at the access from the Celbridge Road. The residential units would comprise 350 houses and 100 apartments as follows –
 - 48 two-bedroom houses of 87m²
 - 189 three-bedroom houses, of between 110m² and 126m²

- 113 four bedroom houses, of between 219m² and 137m²
- 16 one-bedroom apartments, of between 54m² and 56m²
- 42 two-bedroom apartments, of 84m²
- 42 three-bedroom duplexes, of between 119m² and 120m²

The majority of the houses would be two-storey semi-detached units, but there would also be detached houses and terraces between three to six houses long. House types C3 and C4 would contain habitable accommodation at second floor level within the roof structure that would have a ridge height of 10.5m. The apartments would be in five blocks, mainly three storeys high, three of which would be at the western end of the site and another two in its northern part. The floor area of the residential development is stated to be 52,915m².

- 3.2. The development would include a childcare facility of 538m² in the northern part of the site, with a stated capacity of 105 childcare places.
- 3.3. The layout of the development would include one curved street that ran from the Celbridge Road around a curve set back c200m from the barn and then to the south-western part of the site. Houses would front onto the northern side of that road facing the parkland around the barn. Other local streets would run to the north and west of that street to provide access to the rest of the proposed houses and apartments. There would be two linear open spaces parallel to some of those streets that were oriented to provide views towards the barn, with other open spaces around the apartment buildings. The development would also include landscaped areas on the southern side of the main street that would integrate with the proposed parkland around the barn, as well as open spaces at the access from the Celbridge Road. These spaces would provide attenuation for surface water runoff from the development. The stated area of public open space is 2.38ha.
- 3.4. A new roundabout with an inscribed circle diameter of 28m would be provided at the access with an arm serving the housing and another providing access to the barn. The two other arms would be on a realigned section of the Celbridge Road. There is no other proposed vehicular access, but three locations are shown on the north-western site boundary for pedestrian and bicycle access to adjoining housing estates at Rinawade Lawns, Rinawade Rise and Rinawade Grove/Park. One of the linear

open spaces within the development would abut existing open space at Rinawade Rise. 929 parking spaces would be provided, mainly in the form of 2 in-curtilage spaces for each house. 175 spaces would be provided to serve the apartments. 13 spaces would be provided at the creche, and another 41 visitor spaces throughout the scheme.

4.0 Planning History

PL09. 218895, Reg. Ref. 05/182 – the board granted permission for a development of 451 houses, a creche and shop on the site in July 2007. The planning authority had decided to grant permission. This permission was not implemented.

5.0 Section 5 Pre Application Consultation

5.1. A pre-application consultation with the applicants and the planning authority took place at the offices of An Bord Pleanála on the 2nd October 2017. The documentation submitted for the consultation showed a development of 394 houses on the site. The main topics discussed at the meeting were –

- The development strategy for the site including density, mix of housing type, connectivity and the location of the creche
- Part V
- Wastewater infrastructure constraints

Copies of the record of the meeting and the inspector's report are on this file.

5.2. An Bord Pleanála issued a notification that it was of the opinion that the documents submitted with the request to enter into consultations required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development. The following is a brief synopsis of the issues noted in the Opinion that needed to be addressed –

- The density of the proposed development with reference to the minimum density required under the guidelines on sustainable urban residential development, as well as the mix of unit types. If such consideration resulted in higher buildings, than a justification for any exceedance of the local area

plan should be submitted that referred to adjacent houses and protected structure.

- Part V provision.
- Wastewater infrastructure constraints, their nature, proposals to address them and their timelines

The opinion notification pursuant to article 285(5)(b) also referred to specific information that should be submitted with any application as follows –

- A site layout plan showing pedestrian and cycle connections through the adjoining residential development to train stations and bus stops, as well as such links from the surrounding areas to the Wonderful Barn complex.
- An architectural heritage impact assessment considering the proximity of the Wonderful Barn
- A detailed landscaping plan showing boundary treatments and retention of existing trees and hedges
- A noise impact assessment addressing noise from the motorway
- Photomontages of proposed development relative to existing houses.
- A transport impact assessment
- The capacity of the proposed roundabout with reference to other zoned lands in the vicinity.

5.3. The application is accompanied by a Statement of Response to the notice issued by the board. The following is a short synopsis the response to the items raised in the Opinion –

- With regard to residential density and the location of the creche, the applicant states that the number of proposed homes has been increased to 450. The density should be calculated on the basis of a net site area of 13.07ha, excluding the 1.1ha occupied by a distributor road and the 1.09ha landscape buffer zone at the site entrance. This yields a net residential density of 34.22 dph. This would be in keeping with the advice in the guidelines to encourage new densities in the range of 35-50 dph on outer suburban greenfield sites while discouraging those of less than 30 dph. It would also be consistent

with the range of 30-50 dph sought for such sites under the development plan, and the target of 30dph and the maximum of 35dph established for this site under the local area plan. The development now includes 100 apartments in five blocks of up to three storeys. The location of the proposed blocks was chosen with reference to objective BHO1.3 of the local area plan so that they do not appear beside the face the barn complex nor are they along the boundaries of the site with existing two-storey housing. It is also proposed to provide elements at 10.5m height in the streetscape of houses on street 1 in character area 2 in order to provide some visual interest and variation along this long street, but more than 220m from the barn complex and away from the crescent that forms its backdrop in the vista from Castletown House. The location of the proposed three storey buildings would therefore reconcile the national policy objectives to provide residential development at a reasonable density with the objectives to protect the setting of the protected structure and existing houses on adjoining land stated in the local area plan. The creche is located centrally within the proposed scheme but not on the main avenue in order to be close to the maximum number of houses and encourage pedestrian trips, as well as improving integration with existing housing on the neighbouring estates which do not have childcare facilities, and avoiding child safety issues and traffic conflicts by having the development on a less trafficked road. The maximisation of the number of houses within walking distance of the creche would be in keeping with the advice in the childcare planning guidelines.

- After detailed consultation with the council, 45 Part V units are proposed throughout the scheme.
- With regard to wastewater, the applicant has consulted with Irish Water and developed a proposal to upgrade the Barnhall pumping station by installing a 277m³ storage tank, augmenting the existing storage tank and installing telemetry which would allow a pumping arrangement that would limit peak outflows that cause issues at two vortex units on Old Hill and Pound Street. Irish Water have indicated preliminary agreement to this proposal, subject to details to be addressed in a connection agreement. The development would therefore not increase peak flows in the public sewer.

6.0 Relevant Planning Policy

6.1. National

- 6.1.1. The government published the National Planning Framework in February 2018. Objective 13 is that, in urban areas, planning and related standards in particular 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.
- 6.1.2. The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas were issued by the minister under section 28 in May 2009. Section 1.9 recites general principles of sustainable development and residential design, including the need to prioritise walking, cycling and public transport over the use of cars, and to provide residents with quality of life in terms of amenity, safety and convenience. Section 5.11 states that densities for housing development on outer suburban greenfield sites between 35 and 50 dph will be encouraged, and those below 30dph will be discouraged.
- 6.1.3. The Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments were issued in March 2018. Section 2.4 states that peripheral urban locations are generally suitable for development at densities of less than 45 dph that includes a minority of apartments. It contains several specific requirements with which compliance is mandatory. The minimum floor area for one-bedroom apartments is 45m², for two-bedroom apartments it is 73m² and for three-bedrooms it is 90m². Most of proposed apartments in schemes of more than 10 must exceed the minimum by at least 10%. Requirements for individual rooms, for storage and for private amenities space are set out in the appendix to the plan, including a requirement for 3m² storage for one-bedroom apartments, 6m² for two bedroom apartments and 9m² for three-bedroom apartments, not counting hot presses.
- 6.1.4. The minister and the minister for transport issued the Design Manual for Urban Roads and Streets (DMURS) in 2013. Section 1.2 sets out a policy that street layouts should be interconnected to encourage walking and cycling and offer easy

access to public transport. Section 3.2 identifies types of street. Arterial streets are major routes, link streets provide links to arterial streets or between neighbourhoods, while local streets provide access within communities. Section 4.4.3 states that radii on turns from a link street to a local street may be reduced to 4.5m. A maximum radius of 1-3m should be used on local streets. Section 4.4.1 states that the standard carriageway width on local streets should be 5-5.5m, or 4.8m where a shared surface is proposed. Section 4.4.3 states that large roundabouts with radii of more than 7.5m are not appropriate for urban areas. Where they already exist road authorities are encouraged to replace them with signalized junctions. Small roundabouts may be appropriate where the traffic flow would not warrant a signalized junction.

- 6.1.5. Section 13.8 of the Guidelines for Planning Authorities on Architectural Heritage Protection issued in 2004 advises that new development outside the curtilage and attendant grounds of a protected structure may have an impact if it is visible in important views to or from the structure, depending of the location of the new works and the nature of the setting of the structure. Proposals should not have an adverse effect on the special interest of the structure.

6.2. **Local**

- 6.2.1. The Kildare County Development Plan 2017-2023 is the operative development plan. Leixlip is identified as a Growth Town II in the Core Strategy, to which a target of 3,315 additional dwellings by 2023 is set. Table 4.2 indicates that residential development on greenfield suburban sites in large towns should be at densities between 30 and 50dph. Policy MD 1 is to ensure that a wide variety of housing types, sizes and tenures. The Wonderful Barn Complex, a designated Protected Structure (RPS No. B11-15) is located to the south of the subject site. PSO 4 seeks to protect a number of views at Castletown House including views between Castletown House and the Wonderful Barn.
- 6.2.2. The planning authority made the Leixlip Local Area Plan 2017-2023 on 18th December 2017. The site is designated as Key Development Area (KDA) 1 with an estimated capacity for 450-525 homes at a density of between 30-35 units per hectare according to table 4.1 of the plan. Most of the site is zoned 'Objective C (New Residential)', although parts of it are zoned under 'Objective F (Open Space

and Amenity)'. The plan includes objectives to provide pedestrian and cycle paths through the site to the barn from Rinawade Grove to the north and from Rinawade Lawns to the west. Objective BHO1.3 (b) is to prohibit development that will block or interfere with a significant focal point or view. Objective BHO1.8 is to promote the Wonderful Barn complex as a tourist attraction and to rearrange the access and provide car parking, restore the buildings and insert complementary commercial uses.

A design brief for KDA1 is provided at section 12.1.1 of the plan. The layout has housing behind a crescent road opposite the barn complex, with a vehicular access from the Celbridge Road at the eastern end of the site. Roads will be designed in accordance with DMURS. Buildings will be two-storeys and limited to 8m in height, with density at 30 dph, but 35dph may be achieved where the quality and design of the layout is particularly high and there is no undue impact on the setting of the barn. Apartments would not be appropriate. There should be 15% open space. Layout should have regard to key views. Existing green infrastructure features should be retained by incorporation into open space and boundaries of the development. Section 13.2.1 also states that the junction on the Celbridge road should be completed prior to the commencement of development, and pro-rata childcare should be provided after 100 homes are completed.

- 6.2.3. On 6th March 2018 the minister made an order under section 31 of the act requiring the council to prepare a new draft local area plan. The order referred to the failure to zone sufficient land for residential development to achieve the targets set out in the core strategy of the development plan, and a failure to give priority the development on land close to the town centre and railway stations in a sequential manner. Specific reference was made to the two pieces of land, one beside the railway station at Confey and another across the Celbridge Road from the application site that were not zoned under the LAP as finally adopted.

7.0 Third Party Submissions

7.1. 24 submissions were received from persons under section 8(1)(vii) of the act. They stated general concerns about the nature of the proposed development as well as concerns specific to neighbouring property. They can be summarised as follows-

- Development would be premature pending the adoption of a local area plan.
- The development would exacerbate traffic congestion in the area and would threaten public safety particularly that of children at play. The proposed roundabout is in a hazardous location beside a bend on the Celbridge Road. Traffic should be directed away from the town. The submission from Deputy Murphy recommended that a new link road be considered to the west of the Hewlett Packard site.
- The public transport services in the area are no adequate to cater for the demand from the development, as the bus services are infrequent and the rail services are congested. The new and realigned roads, including the Celbridge Road, should provide bus stops.
- The development would place greater demands upon the piped services for Leixlip than they are capable of accommodating. In particular the foul sewerage system and water supply would not be able to cope with the additional demand.
- The development would place greater demands on the social services in Leixlip than they are capable of accommodating. In particular the schools in the town could not cater for the proposed development.
- The density of development is excessive and not in keeping with the character of the area. The proposal to have apartments and three storey houses would contravene the local area plan for Leixlip and would be visually obtrusive
- The proposed development would encroach upon the Wonderful Barn and damage the heritage of the area. It would obscure the views of the barn from adjacent properties. Proper access needs to be provided to barn and the proposed amenity space around it during and after construction. The developer should make a contribution towards facilities there, including a Men's Shed.

- The proposed development would lead to the loss of hedgerows and would damage the natural heritage of the area.
- The proposed works would disturb rats and the consequent vermin problems would threaten the health and amenity of neighbouring residents. Construction traffic and spoil heaps on the site also threaten the amenity of residents. The developer should provide a contact person to deal with residents' complaints during works. The access to the Celbridge Road should be provided first so that no construction traffic uses roads in adjoining estates.
- The development should maintain and reinforce the hedgerow and boundaries between the site and the adjoining housing estates, including the fence at Rinnawade Grove. The proposals for the treatment of the boundary with the back of the houses at Castletown and Elton Court has not been properly described. The developer should provide the boundary treatment required by the neighbour that included a 2m high block wall, as required under the 2007 permission, that did not interfere with drainage from the neighbouring property or encroach upon it or existing vegetation.
- The creation of links from the proposed development to existing estates would facilitate anti-social behaviour and create problems with parking, traffic and noise. This would injure the secluded and self contained character of those estates in an unacceptable manner. Some submissions stated those links should be omitted. Others requested that adequate public lighting be required and that the entrance of the creche be positioned away from the link to Rinawade Park to discourage customers from parking in that estate.
- The proposed development would overshadow, overlook and overbear existing houses to an unacceptable extent. Particular concerns were raised with regard to houses 1, 2 and 6 Rinawade Lawns beside the western end of the site where the setback of the proposed houses from the shared boundary is stated to be inadequate, as are the proposals for pedestrian links, public lighting and boundary treatments
- There is inadequate open space in the housing development.

Several submissions stated that, notwithstanding concerns with particular aspects of the proposed development, there was no objection in principle to residential development on the site. The submission from MU Barnhall Rugby Club referred to the absence of recent population growth in Leixlip, as recorded in the census, and to an absence of vitality in the town centre as evidence that additional development would be beneficial.

8.0 Planning Authority Submission

8.1. The report from the Chief Executive of the planning authority can be summarised as follows-

- Having regard to the designation of Leixlip as a large growth town in the county development plan, whose core strategy allocates 10.2% of the county's growth capacity to the town for the period 2017-2022, to the zoning of the site for residential development since 2002 and the previous grant of permission upon it for 466 homes under PL09.218895, it is considered that the proposed development would be in keeping with the proper planning and sustainable development of the area, notwithstanding concerns with aspects of the development that can be addressed by conditions.
- The site is designated as Key Development Area 1 under the 2017 local area plan (currently subject to ministerial direction). The plan provides a design brief for development here which indicated a setback of development from the barn, and a density of development of between 30-35dph. The proposed development complies with the vision set out in the design brief, with a legible form that establishes a sense of place that is responsive to the heritage of the area. The duplex units at Block 5 do not properly address the residential amenity of existing houses at Rinawade Lawns and should be reconfigured. The height restriction of 8m in the LAP is intended to protect the character of the barn complex, prevent conflict with the vista from Castletown House and respect the built pattern of the area. So some duplex units set back from the edges of the development might be acceptable, but those at Block 5 are not. The three storey houses along street 1 would involve an abrupt and inappropriate change in scale. The layout provides a proper protection area

around the barn and public open space, except around Block 5. The amount of open space achieves the 15% standard. So the development is generally in accordance with the provisions of the local area plan.

- In quantitative terms, the proposed density of 34 dph is in accordance with the standards set at Table 4.2 of the development plan, as is the proposed plot ratio of 0.28 based on gross site area. No statement has been submitted to support the proposed housing mix. The storage areas in apartments 1B1, 2B1 and 3B1 are deficient because they include the hot press. This can be addressed by condition. The Part V proposals are generally acceptable. The parking standards at table 17.9 of the development require 2 spaces per home, which should be specified in any grant of permission. The Transportation Department has reported that there is a 50% shortfall in parking for the childcare facility.
- With regard to qualitative criteria, the proposed three storey building is not acceptable near the two storey houses at Rinawade Lawns. Building heights should also respect the historical connection between the barn and Connolly's Folly. Detailed designs are required of the proposed pedestrian connection. The proposed roundabout has been provided with proper pedestrian and cycle facilities. Facilities for bus stops should be provided near the entrance to the development. The proposed creche should be reconfigured to discourage people parking at Rinawade Grove without interfering with the vista to Castletown House. The proposed development is at the absolute maximum appropriate for a suburban site. Street no. 1 provides a distinctive boundary to face the parkland around the barn, the landscaping there should maintain an open aspect. The layout is generally acceptable but consideration needs to be given to the impact of houses 2.07 and 2.08 on the neighbouring houses at Elton Court. The end blocks of type C3 and C4 should be omitted due to the abrupt transition in scale which they create. Terraced housing should not be concentrated in areas 3 and 4. Details of bin storage are required. Type D7 should be omitted provide a continuous building line or to reduce the prominence of the rear façade. Blocks 3, 4 and 5 should be reconfigured, as should the houses at 15.01, 15.03, 15.05 and 15.07 to avoid impacts on Nos. 1, 2, 5 and 6 Rinawade Lawns.

- The EIA report is generally acceptable, with proper description of the baseline environment and of the alternatives considered by the developer, although further consideration needs to be given to the proposed three storey buildings and their impact on houses to the west of the site and of views to Connolly's Folly from the top of the barn. Any grant of permission should require implementation of all mitigation measures.
- The planning authority provided conditions to be attached to any grant of permission. The would require *inter alia* the omission of the apartments in blocks 3, 4 and 5 and the houses at the western end of the scheme; a rearrangement of the creche and the parking and open space around it; revised house designs for units C3, C4 and D7; and details of pedestrian connections to the north of the site and pedestrian facilities at the proposed roundabout, as well as of cycle parking and bus stops.

8.2. A record was submitted of a meeting of the elected members for this area where the current application was discussed. The comments of the members included statements that –

- The area is not suitable for three storey apartment buildings as stated in the LAP.
- The existing hedgerow forming the northern boundary of the site should be retained and reinforced.
- The proposed boundary treatments should not interfere with the drainage to the rear of houses at Castletown and Elton Court.
- Construction traffic should only access the site from the Barnhall side.
- The developer must ensure the control of vermin during construction.
- Facilities should be provided for bus stops on the Celbridge road and at the parkland around the barn.
- Pedestrian links to the north are welcome but they need to have proper lighting to counteract anti-social behaviour and the link at Rinawade Park needs to be configured to avoid people using it to access the creche with their

cars. Access should be provided from Beach Park to the open space around the barn.

- A 30 kph speed limit should apply within the development.
- A loop road should be provided at the crèche.
- Proper construction practices need to be implemented.
- The developer should provide a financial contribution towards facilities at the barn complex.

8.3. The Water Services Section of the council stated that the surface water drainage strategy was generally sound. 3 catchments were identified for the proposed housing with detention basins provided for each with a capacity for a 1 in 100 year event with an additional 20%. There is a need to consider the possible impact of runoff to the M4 in conjunction with TII. There is a risk that any revisions to drainage required post consent might require a revised layout for the scheme that would invalidate the permission.

8.4. The Transportation Department had no objection subject to conditions, including details of the roundabout, pedestrian crossings and a vehicular link to the Rinawade Estate.

8.5. The Environment Section stated concerns about flooding, and required details of solid waste management.

8.6. The Housing Section stated that the Part V was broadly in line with the council's requirements, but that storage areas in apartments 1B1, 2B1 and 3B1 needed to be increased because the hot press should not be included in the calculation.

8.7. The Architectural Conservation Officer stated that suburban housing would negatively impact the historic rural character and setting of the protected structure. Development should be guided by a conservation plan for the former Castletown Demesne.

9.0 Prescribed Bodies

9.1. The submission from the National Transport Authority stated that permeability was a crucial issue. The provision of the three proposed pedestrian links to the housing

estates to the north was essential as they would provide the links to the railway station and the more frequent bus routes along Green Lane. It is not clear when or how they would be provided. Any grant of permission should be contingent upon them. The proposed roundabout and realigned R404 needs to be revised to provide proper cycle and pedestrian facilities in accordance with the National Cycle Manual. Proper bicycle parking needs to be provided for the proposed apartments and creche.

- 9.2. The submission from Transport Infrastructure Ireland states that the M4 is suffering from increased congestion and the impact of the development upon it needs to be considered. The development would generally be more than 1.5km from the railway stations so the adequacy of public transport and access to it should also be considered. The trip distribution at the proposed roundabout is important and the split stated in the TTAR needs to be justified. Trip generation figures should be derived from the specific circumstances of a proposed development rather than from a generic database such as TRICS.
- 9.3. The Irish Aviation Authority stated no objection to the proposed development.
- 9.4. The other prescribed bodies for this application are Irish Water, the Department of Culture, Heritage and the Gaeltacht, An Taisce, the Heritage Council, Fáilte Ireland, and An Comhairle Ealaíonn.

10.0 Policy Assessment

10.1. Nature of development

- 10.1.1. The site is zoned for residential development under the local area plan. The proposed development is in keeping with that zoning. Residential development is not proposed on the marginal parts of the site that are zoned for open space. The site directly adjoins the built up area of a town. The zoning of the site has been shown to be in keeping with the population targets for the town set out in the core strategy of the county development plan, so the proposed development would be consistent with that plan as well. It is noted that the Leixlip Local Area Plan 2017-2023 is subject to a ministerial order under section 31 of the planning act. However it is not likely that compliance with the terms of that order would affect the zoning of the current application site, which was also zoned for residential development under

the previous local area plan and formerly had the benefit of planning permission for such development. The making of the minister's order would not, therefore, require consideration of the current application to be delayed.

- 10.1.2. The site is in a suburban greenfield location. It is within 500m of the bus stops on Green Lane and the Celbridge Road, but the services at those stops are not frequent. It is slightly more than 1km walking distance from the train station at Louisa Bridge, and so would fall outside the definition of a public transport corridor at section 5.8 of the Sustainable Urban Residential Guidelines. Nevertheless the proposed houses would be within a reasonable walking distance to the various social and commercial facilities in Leixlip, including the railway station, if the proposed pedestrian accesses to the Rinawade estate are provided. As such residential development on the site would be in keeping with the general principles of sustainable residential development set out in section 1.9 of the of the guidelines.
- 10.1.3. The design brief for the site is the local area plan stated that building heights should be restricted to 8m and that apartments are not appropriate. Several of the submissions from the public also stated that the site was not suitable for apartments and that development there should be confined to two-storey houses. The planning authority's submission also expressed reservations about the construction of apartments and three storey houses. However this position is not consistent with the provisions at section 2.4 of the Guidelines for Planning Authorities on Apartment Design issued in March 2018 which advise that apartment development is generally suitable at intermediate urban locations, or as a minor part of residential development at peripheral urban locations. The apartments form only a minority of the proposed element, at 22%, and as such would be suitable for a peripheral urban location under the apartment guidelines. These guidelines specify a walking distance of 1,500m to a railway station as the boundary between intermediate and peripheral urban areas. Many of the proposed homes would be within this distance and could be regarded as in an intermediate urban zone, which would further support the construction of apartments on the site. The proposed apartments also serve the widen the housing mix in the development, and would thus improve the extent to which it met the various housing needs of the community. The provisions of the more recent apartment guidelines are therefore preferred to the restrictive

approach set out in the local area plan. The proposed apartments are therefore acceptable in principle on policy grounds.

- 10.1.4. Having regard to the foregoing, it is concluded that the principle of the proposed residential development of the site is in keeping with the provisions of national and local planning policy and is therefore acceptable.

10.2. **The amount of development**

- 10.2.1. The applicant has provided a calculation of the net density of the proposed development as 34.2dph, excluding the main road and larger areas of open space that form a setting for the Wonderful Barn from the net site area. This approach is in keeping with the advice at Appendix A of the sustainable urban residential guidelines and is acceptable. The density is somewhat below the range of 35-50dph for greenfield sites recommended in the guidelines, but does not fall below the minimum of 30dph. As stated above, the site would be just outside the 1km walking band which defines public transport corridors in those guidelines, so the minimum density of 50dph would not apply. The proposed density is also consistent with the range of 30-50dph recommended at table 4.2 of the county development plan for greenfield site. Table 4.1 of the local area plan states that the KDA1 would be suitable for the development of 450-525 homes. The proposed development would provide 450 homes and would exhaust the capacity of the KDA1 area for development. It would therefore provide the minimum amount of housing that would be consistent with the local area plan. The amount of development proposed in this application is therefore considered to be in keeping with applicable national and local policy, although it is at the minimum end of the range that those guidelines and plans require. Omitting the proposed apartments or significant number of the houses would therefore undermine the extent to which the proposed development achieved a sustainable density of development that made proper use of the site to provide housing in accordance with public policy.

10.3. **Childcare**

- 10.3.1. The proposed development includes a childcare facility with c100 places in accordance with the requirements of the Guidelines for Planning Authorities on Childcare Facilities issues in 2001.

10.4. **Part V**

10.4.1. The proposal specifies 45 units to be provided under Part V of the planning act, including 16 one-bedroom apartments, 8 two-bedroom apartments, 11 two-bedroom houses and 10 three bedroom houses. This amount to 10% of the proposed homes, distributed throughout the overall scheme. The council has indicated its agreement in principle with these proposals. This is adequate to allow consideration of the application to proceed.

11.0 Environmental Impact Assessment

11.1. Statutory Provisions

This application was submitted to the Board after 16th May 2017, the date for transposition of Directive 2014/52/EU amending the 2011 EIA Directive. The Directive has not, however, been transposed into Irish legislation to date. In accordance with the advice on administrative provisions in advance of transposition contained in Circular Letter PL1/2017, it is proposed to apply the requirements of Directive 2014/52/EU. The application was accompanied by an Environmental Impact Assessment Report (EIAR), which is mandatory for the development in accordance with the provisions of Part X of the Planning and Development Act 2000 (as amended) and Schedule 5 of the Planning and Development Regulations 2001-2015. Item 10 of Part 2 of Schedule 5 provides that an EIA is required for infrastructure projects comprising of:

(b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

The development site has a stated area of 19.1ha and exceeds the above threshold and EIA is thus mandatory in this case.

The EIAR is laid out in two volumes and has a Non-Technical Summary. Section 2 of the main volume describes the existing environment, section 3 describes the proposed development, section 4 provides a consideration of alternatives, sections 5 to 15 identify likely significant effects on the environment with reference to various factors, section 16 considered the interactions between the effects on different factors of the environment and section 17 contained a summary of all the proposed

mitigation measures. Section 1 provided details of the expertise of various people who were responsible for particular sections of the EIAR.

I am satisfied that the information contained in the EIAR has been prepared by competent experts and complies with article 94 of the Planning and Development Regulations 2000, as amended, and the provisions of Article 5 of the EIA Directive 2014. I have carried out an examination of the information presented by the applicant, including the EIAR, and the submissions made during the course of the application. A summary of the results of the submissions made by the planning authority, prescribed bodies and observers has been set out at Sections 7, 8 and 9 of this report. This EIA has had regard to the application documentation, including the EIAR, the observations received and the planning assessment completed in Section 11 below.

11.2. Alternatives

Article 5(1)(d) of the 2014 EIA Directive requires:

(d) a description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment;

Annex (IV) (Information for the EIAR) provides more detail on 'reasonable alternatives':

2. A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.

Section 4 of the EIAR stated that the location, nature and scale of the proposed development were determined by the planning authority in its making of the county development and local area plans. The section provides an account of the alternative layouts and designs considered by the applicant, with the final proposal preferred due to its ability to provide a setting for and protect views towards the protected structure, the desirability of locating the creche within walking distance of the largest possible number of houses, and the achievement of a sufficient density of

development on zoned and serviced land which requires the building of apartments. The description of the consideration of alternatives in the EIAR is reasonable and coherent, and the requirements of the directive in this regard have been properly addressed.

11.3. Likely Significant Direct and Indirect Effects

11.3.1. The likely significant indirect effects of the development are considered under the headings below which follow the order of the factors set out in Article 3 of the EIA Directive 2014/52/EU:

- population and human health;
- biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC;
- land, soil, water, air and climate;
- material assets, cultural heritage and the landscape; and
- the interaction between those factors

11.3.2. Population and human health

Section 5 of the EIAR is entitled population and human health, although it refers to the social and economic effects of the development only. It notes that population growth in Leixlip from 2002 to 2016 was c3.25% which was significantly lower than that for the country (31%) and county (65%) as a whole. The relatively low level of population growth in the town is likely to be the result of a restriction on the housing supply rather than of a lack of demand or any demographic characteristic of the local population. The proposed development would therefore be likely to have a significant long term positive effect on the population of the town.

Section 8 of the EIAR refers to noise and vibration. The operational phase of the development would not be likely to generate significant effects for residents of existing houses in this regard. The additional traffic generated by the development would increase noise levels by less than 0.3dB. The operations and machinery used during construction would be not likely to breach the noise limits for construction set out in table 8.4 of the Noise Action Plan adopted by the council, which include an

L_{Aeq} level of 70dB between 0700 and 1900 Monday to Friday, or a vibration limit of 12mm/s derived from BS 5228, at residential and other noise sensitive properties. However management measures are proposed to ensure such compliance, including noise monitoring and procedures for liaison with neighbours. The conclusions of the EIAR in this regard are based on extensive experience with similar projects and are considered reliable. It is therefore concluded that the noise and vibration emitted by the development is not likely to have significant effects on the population or human health.

The main source of noise in the area is the motorway. The proposed development would introduce additional population near the motorway who may be affected by that noise. The application included documentation to address this issue, but outside the EIAR in a separate Inward Noise Assessment Report. The report indicated that higher performance glazing would be required on certain houses in the southern part of the site facing towards the motorway to achieve the internal noise levels required to comply with the standards in BS8233, including a level of 30dB L_{Aeq} in bedrooms at night. The standards used in the report are appropriate and the proposed glazing measures are likely to be successful in mitigating the impact of noise on the population occupying the proposed houses. As noise, particularly night-time noise, has an effect on human health it is proper to deal with this issue under EIA and to require the use of the higher performance glazing as a mitigation measure. The applicant's inclusion of information on the subject in a separate document outside the EIAR does not prevent or prejudice its proper consideration under EIA. Subject to this procedural issue, it is concluded that the proposed development would not be likely to have any significant adverse impact on the population or human health arising from the location of an increased population on the site.

Several of the submissions from the public referred to a risk of rats being displaced during construction with consequent impact on neighbouring houses. It was also raised by the elected members of the council. This is a reasonable concern as any substantial groundworks have the potential to cause this problem with vermin. It was not specifically addressed in the EIAR. Nevertheless this assessment concludes that it would not be likely to give rise to a significant adverse effect on the population or human health precisely because it is a ubiquitous issue which can be managed in

accordance with good construction practice. While it is neither necessary nor permissible for mitigation measures in this regard to be agreed post consent, it would be reasonable and prudent to specify that the construction management plan that has already been proposed make specific reference to the issue, given that it has been raised in several submissions. Similarly, the said plan should be required to provide a point of contact for the public with the development during construction, as requested by some of the submissions.

Having regard to the foregoing, it is concluded that the proposed development would not be likely to have significant adverse effects on the population or human health, and that it would be likely to have a significant positive effect on the population through its provision of housing.

11.3.3. Biodiversity with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC

Section 10 of the EIAR refers to biodiversity. It refers to a survey of the site that showed that the predominant habitat on the site was dry meadow that was formerly in agricultural use but is now mowed. It also identified hedgerows and treelines. The site is not in or immediately adjacent to any area designated for nature conservation. Survey results indicate that species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC are not present on the site. This is consistent with its condition as improved grassland on the urban fringe. The SAC at Rye Water/Carnton is c750m to the north of the site. Neither surface water nor foul effluent from the site drains to the SAC. The proposed development would result in the loss of the grassland habitat on the site, as well the loss of part of the treelines and hedgerows and disturbance to the remainder. Mitigation measures include the retention of a significant level of hedgerow and treeline both on the northern site boundary and along the linear open spaces within the site, the planting of up to 700 additional trees, and avoiding works to the trees and hedges during breeding from March to August in accordance with the Wildlife Act, 1976. The layout of the development and the landscaping proposals have had sufficient regard to the desirability of retaining hedgerows on the site without unduly restricting residential development, which is sufficient to meet the reasonable concerns in this regard stated in several of the submissions from the public. Given the absence of habitats and species of high ecological value on the site and its immediate vicinity, and the

absence of a hydrological or ecological link between the application site and the SAC at Rye Water/Carnton, or any other Natura 2000 site, this information is adequate to demonstrate that the proposed development would not be likely to have significant adverse effects on biodiversity.

Appropriate Assessment

The application was accompanied by an appropriate assessment screening report. The site is not in or immediately adjacent to any Natura 2000 site. It is occupied by improved grassland formerly used for pasture and currently mowed, as well as some associated hedges and treelines. Surface water from the development would drain to the Liffey reservoir above the weir at Leixlip, while foul effluent would flow through the municipal sewers to the treatment plant for the town, which is also on the Liffey and which has the capacity to cater for the additional sewage. Both the foul and surface water outfalls on the Liffey are below the SAC at Rye Water/ Carnton and there is no hydrological or ecological pathway from the application site to that SAC. It is therefore reasonable to conclude on the basis of the information on the file, which is adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on the SAC at Rye Water/Carnton sitecode 1398 or on any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

11.3.4. Land and soil

With regard to land, as set out in section 1.4.1 of the EIAR, the proposed development would result in the replacement of rural, agricultural lands with urban land used for residential purposes and open space used for recreation. The scale of the loss is justified by the accommodation and amenity that the development would provide contiguous to the existing built up area of the town. The proposed development would not, therefore, have significant adverse effects with respect to land.

As described in section 6 of the EIAR, the development would involve the stripping of topsoil from the site, but it would all be reused on site for the landscaping of private and public open space. The estimated cut of subsoil layers would be 30,000m³, of which 10,000m³ would be used for fill during development, leaving another 20,000m³

to be removed from the site. Given the soil resources available in the region, this movement would not represent a significant adverse effect on the environment. The EIAR describes measures for the handling of spoil during construction to ensure that it did not pose a threat to the quality of waters or the amenities of neighbouring properties. These measures are reasonable and represent good construction practice, and are a proper response to the concerns on the latter impact raised in several of the submissions from the public. Subject to their implementation, the proposed development would not be likely to have significant adverse effects with respect to soil.

11.3.5. **Water**

Storm Water

As set out in sections 7 and 13 of the EIAR, the site is relatively flat and forms a single catchment which drains to a 900mm surface water sewer that crosses the site and subsequently flows under the motorway to the Liffey reservoir. The flood hazard mapping by the OPW does not record flooding in the immediate vicinity of the site, although a preliminary flood risk assessment indicates that a 1 in 100 year fluvial flood risk arises to its southwest, and the CFRAM flood extents map for Leixlip indicates that the site is not affected by fluvial flooding and the site is shown in flood risk zone C in the local area plan. The characteristics of the development include a surface water drainage system that would attenuate runoff to greenfield levels. The use of settlement ponds and the storage of fuel in bunded areas are proposed as mitigation measures during construction to avoid impacts on the quality of waters, while the installation of an oil interceptor is proposed as a measure to avoid such an effect during operation. The surface water drainage system has been designed to provide three catchments for the housing development. The runoff from each would be attenuated in separate infiltration basins before discharge to the sewer. A separate storage system is proposed for the roundabout on the Celbridge Road to attenuate runoff before its discharge to another sewer along that road. Each catchment has been designed separately to provide storage for a 1 in 100 year storm and to limit runoff from the site to 29 l/s to meet the standards set in the Greater Dublin Strategic Drainage Study, with a total attenuation volume of 2,950m³. Surface water runoff from roofs would be directed along permeable surfaces in driveways to further limit runoff. The submitted information in this regard is

comprehensive and coherent. The council has stated that it accepts the basis for the design of the surface water drainage system. It is therefore concluded that the proposed development would not be subject to an undue risk of flooding and would not exacerbate the risk of flooding on other lands, and would be in accordance with the Guidelines for Planning Authorities on Flood Risk Management.

Foul effluent

Foul drainage occurs along a sewer that runs parallel to the motorway to the south of the site to the Barnhall pumping station that lifts effluent to the gravity system in Leixlip village which discharges to the recently upgraded wastewater treatment plant for the town. The daily discharge from the development has been calculated as 277m³. While the treatment plant has adequate capacity, there are constraints on the network leading to it, in particular at two vortex units at Pound Street and Old Hill within Leixlip village. Measures are described to address the deficiencies at section 13.4.2 of the EIAR by upgrading the 310m³ emergency storage tank at the Barnhall pumping station to ensure that the proposed development does not increase the peak flowrate from the station. The works would involve raising the cover levels on the manholes to match the incoming sewers, which currently prevent the tank from filling, and by extending its volume by 277m². Telemetry will also be installed at the station. This strategy is reasonable and well founded. It is described in more detail in appendix J to the Infrastructure Design Report and Drawing No. 162045-3018 submitted with the application. It is also in keeping with the response from Irish Water to the pre-connection enquiry dated 29th September 2017 which stated that the proposed connection to the Irish Water network could be facilitated subject to the carrying out of such works. Therefore, notwithstanding the general concerns regarding the foul drainage network stated in submissions from the public, it is considered that the foul drainage of the proposed development would not impede the operation of the sewerage network or threaten the quality of waters.

Water supply

A 250mm watermain crosses the site which would provide a suitable connection point for the development, according to Irish Water. It is not considered likely, therefore, that the proposed development would be likely to affect the water supply

for existing houses in the town, notwithstanding the concerns expressed on the matter in submissions from the public.

Having regard to the foregoing, it is concluded that the proposed development would not be likely to have significant adverse effects on the environment in relation to water.

11.3.6. Air and climate

The operational phase of the development is unlikely to have a significant effect on air quality. Section 9 of the EIAR modelled the likely impact on levels of CO and PM_{2.5} from traffic generated by the development and found them to be negligible. This conclusion is likely to be accurate, given the marginal effect that the development would have on traffic levels generally. The construction of the development would have a potential impact on air quality from emissions of dust and fumes from machinery. Section 9.5.1 of the EIAR describes various measures to mitigate such effects, and refers to a dust minimisation plan at appendix 9.C. These measures represent good construction practice and their effectiveness is established. Subject to their implementation, the proposed development would not be likely to have adverse effects on air.

The proposed development is not likely to have any significant impact on the climate.

11.3.7. Material assets

In addition to the watermain and sewers in the vicinity of the site, there are also electrical services including an overhead medium voltage line that crosses the site and a high voltage line that runs parallel to the motorway to the south of the site. The relocation of the medium voltage line will be coordinated with ESB networks, according to section 13.6 of the EIAR. There is a gas distribution line parallel to the Celbridge Road, and telecommunications lines along that road and in the housing estates around the site. Connections to those utilities is to be agreed with the relevant providers. The proposed development would not have been likely to have a significant adverse effect on these material assets. The proposed development would substantially increase the housing stock of a town whose population has recently been stagnant, and the additional stock would be on zoned and serviced land. It would therefore have a significant positive impact on the material assets available in the area.

11.3.8. Cultural heritage

Sections 14 and 15 of the EIAR refer to cultural heritage, with regard to architecture and archaeology respectively. The former describes Castletown House and Demesne and its connection to the Wonderful Barn that was constructed in 1743 during a famine. The conical structure is on a circular plan and reaches a height of over 20 with a flat roof that provides views to the house and to the Obelisk built at the same time. The view of the barn from the house itself is restricted, and the vista towards it is from the demesne is more prominent and appropriate to its status as a barn. Historical maps are reviewed to illustrate the treatment of the area between the barn and Castletown House as well as the emergence of the structures around it and Barnhall House. They indicate that there was no historically defined vista from the barn to the obelisk although the latter would have been a prominent feature in views from the top of the barn. Residential and industrial developments have altered the character of current views from the top of the barn, as has the motorway. Section 8 of the EIAR proposes a more restrictive limit for vibration arising from construction at the barn, at 6mm/s, which should be adequate to ensure that there is no damage to its built fabric. The EIAR concludes that proposed development would not directly impact on the barn or any features of architectural significance, or on the visual relationship between the barn and Castletown House, but it will feature in views from the barn to the north. It would also have a positive effect by improving the approach to the barn complex from the Celbridge Road. Conversely many of the submissions from the public object to the proposed development on the grounds that it would have a significant and negative impact on the setting of the protected structure. The report from the architectural conservation officer of the council makes similar observations which imply that residential development, particularly if it is higher than a two-storey house of 8m, is not suitable within the viewshed of the barn.

The conclusions set out in the EIAR with regard to the likely effects of the proposed development on the setting of the Wonderful Barn complex, and thus upon architectural elements of the cultural heritage of the area, are accepted. The setting of the barn is peri-urban. The layout of the development would maintain a 200m separation distance from the barn complex. The houses and apartments which the proposed development would introduce would not significantly alter the prevailing use or size of the buildings to the north of the barn. The additional height and

second storey proposed on the apartment buildings and some of the houses would not have a conspicuous effect in this regard, either on general perceptions of the scale of the suburban development in the part of the town closest to the barn or on the views from it to the Obelisk, as the increased height would be of negligible scale relative to the horizontal extent of any of the relevant views. Furthermore the layout and design of the proposed development would reinforce visual links between the built-up area of the town and the barn and would establish new pedestrian links. It would also provide a much improved edge for the town opposite the barn, with a coherently designed street frontage facing it rather than the backs of houses. It is therefore considered that the proposed development would have a significant and positive effect on the setting of the barn and its relationship with Leixlip in both functional and visual terms, and would therefore have a significant positive effect on cultural heritage.

With regard to archaeology, there are no recorded monuments on the site. An archaeological survey was carried out in October 2017 using geophysical methods and test trenching. They indicated that the remains of circular enclosure of c40m diameter on the northwestern site boundary, which was interpreted as the surviving remains of a medieval ringfort. As the layout of open space on the site is determined by views of the barn, the developer does not propose to preserve this site in situ but by record. This approach is justified and is sufficient to ensure that the proposed development would not be likely to have significant adverse effects on cultural heritage with respect to archaeology.

11.3.9. The landscape

Section 11 of the EIAR refers to the landscape. The site occupies relatively flat grassland between the urban fringe and a motorway. Other than forming part of the setting for the protected structure at the Wonderful Barn, it is not particularly sensitive or prominent in the landscape nor could it be reasonably described as scenic. The likely effects of the proposed development on the setting of the barn are considered in section 10.3.8 above. The proposed development would comprise mainly two storey buildings interspersed with three storey elements. This pattern of heights is the same as that which predominates on the adjoining lands, which are mainly occupied by two-storey houses but which also have three-storey apartment blocks. The proposed development would therefore extend suburban development

of a similar type to that occurring in the town into flat grassland for a relatively short distance towards a motorway. It would not, therefore, have a significant effect on the landscape or on the character of the surrounding area. The insignificance of its impact in this regard is illustrated by the photomontages contained in the EIAR.

11.3.10. **The interaction between the above factors**

Section 16 of the EIAR refers to the interaction of effects on the factors of the environment described above. There is a close relationship between the effect of the development on soil, air and human health due to the potential emissions of dust during construction. This has been adequately addressed in section 6 of the EIAR and the mitigation measures proposed to suppress dust. There is always a close relationship between the impact of development on water and its impact on biodiversity. These potential effects have been properly considered in sections 7, 10 and 13 of the EIAR which address the impact of the development on habitats with regard to its hydrological position relative to the SAC at Rye Water/ Carton and describes standard measures to control sediment and hydrocarbon runoff during construction. The proposed measures with regard to the handling of soil are also relevant to the likely effects on water, and hence on biodiversity. The EIAR also provides specific measures to overcome the constraints on the foul sewerage network between the site and the treatment plant at Leixlip, which has implications for material assets as well as water quality and biodiversity. The positive effect that the proposed development would have on material assets by increasing the housing stock of the town would have a consequent positive effect on population. Although the landscape setting of the Wonderful Barn is very different to that at the time of its construction, it remains an element of its significance in terms of cultural heritage, so the effects of the proposed development on both factors are related. Adequate information has been provided in the course of the application to allow these interactions to be properly considered in the environmental impact assessment.

11.4. **Reasoned Conclusion on the Significant Effects**

Having regard to the examination of environmental information contained above, and to the EIAR and other information provided by the developer, and the submissions from the planning authority, prescribed bodies and observers in the course of the

application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- A significant positive impact with regard to population and material assets due to the increase in the housing stock that would be available in the town
- A significant positive impact on cultural heritage by improving the visual setting for the protected structure at the Wonderful Barn and providing better functional and visual links between it and the existing built up area of the town
- Noise and vibration impacts during construction which will be mitigated by environmental management measures including management of vehicles and plant; sound reduction measures; limited hours of construction; ongoing contact with local residents and monitoring of typical noise levels, and the exposure of occupants of the proposed development to noise from the motorway which will be mitigated by the installation of higher performance glazing on windows facing the motorway in the southern part of the development as proposed in the application
- Impacts on air during construction which will be mitigated by a dust management plan including a monitoring programme.
- Impacts on water which will be mitigated by the proposed surface water system and attenuation with respect to stormwater runoff, and by the proposed improvements to the Barnhall pumping station with respect to foul effluent

The proposed development is not likely to have significant adverse effects on human health, biodiversity, land, soil or the landscape.

Having regard to the above, the likely significant environmental effects arising as a consequence of the proposed development have been satisfactorily identified, described and assessed. They would not require or justify refusing permission for the proposed development or requiring substantial amendments to it.

12.0 Assessment of other issues

12.1. Access

- 12.1.1. The proposed development would be likely to have a marginal impact on traffic levels on the road network in the area, given its scale, location and its access to the public road. This is consistent with the analysis carried out by applicant, using the TRICS database and the OSCADY and PICARDY junction models. The proposed development would not be likely to generate traffic congestion or obstructions to road users that would justify refusing permission or significantly altering it. The general arguments regarding traffic in several of the submissions from the public are not accepted, therefore. The internal layout of streets and footpaths and their specification generally accord with the advice given in DMURS. Vehicular access would be from a new 4 arm roundabout on the Celbridge Road, one arm of which would lead to the proposed housing and another to the barn complex. The roundabout would have an inscribed circle diameter of 28m, a radius of 7.5m, and provides raised pedestrian/cycle crossings on each arm. The junction would therefore be a compact roundabout and in compliance with section 4.4.3 of DMURS, although it would be the largest acceptable size for such a roundabout. However the roundabout gives rise to other concerns and a signalized junction there would be preferable. In the first place, the roundabout and the various functional structures that it would require would occupy a substantial amount of land on the main access from the public road towards the Wonderful Barn, and would tend to diminish the visual quality of the approaches to the protected structure. Secondly, the use of a roundabout would not allow the regulation of traffic flows from the proposed housing if this was considered necessary to protect the capacity of the Celbridge Road, which is a link road that carries a bus route. However the third concern is the most significant. There is large tract of undeveloped land that runs from the opposite side of the Celbridge Road from the site which extends towards the town centre. The direction from the minister regarding the 2017 local area plan refers specifically to this land and its role in the sequential development of Leixlip. The roundabout proposed in the current application would appear to unnecessarily constrain the options for providing access to this land from the Celbridge Road. It is therefore recommended that the roundabout be omitted and a signalized junction be designed

instead with proper regard to the development potential to the lands on the other side of the Celbridge Road. This would also give in opportunity to explore whether bus stops could be provided near the junction to serve the future housing.

- 12.1.2. The provision of proper pedestrian and cycle access to the existing residential parts of the town from the proposed development is an important factor in its compliance with the proper planning and sustainable development of the area. This access would significantly reduce walking distances for residents to the railway station, bus stops and various other facilities including schools, and so would do much to encourage and facilitate travel by sustainable modes. It would also significantly improve access from the north and west of the town to the open spaces and planned amenities at the Wonderful Barn. It is also required to comply with the objectives for pedestrian and cycle routes shown on the Transport Map of the Leixlip Local Area Plan 2017-2023. The layout of the existing estates at Castletown and Elton Court preclude such permeability on the north-eastern site boundary because it consists entirely of back garden walls. However it is possible to the north-west of the site towards the Rinawade Estate. Informal and unsupervised pedestrian access already occurs across this boundary. The details submitted with the application show potential pedestrian and cyclist connections at three points at Rinawade Park, Rise and Lawns respectively. Given the importance of such access, their provision should be specifically required under any grant of permission.
- 12.1.3. Adequate parking has been proposed for the houses and apartments in accordance with the standards set down at table 17.9 of the development plan. The requirement for bicycle parking facilities for the proposed apartments can be addressed pursuant to a condition on any grant of permission. The location of the proposed creche maximises the number of houses within walking distance of it, including those in the existing as well as the proposed houses in the area. The proper planning of the area would not be served by discouraging access to it from the Rinawade estate to the north, as proposed in some of the submissions on the application. The proposed number of parking spaces for the creche is appropriate in this location. It is noted that the submission from the planning authority referred to a shortfall in parking for the childcare facility. However section 17.7.6 of the development plan makes it clear that the standards set at table 17.9 for non-residential development are maxima, so no shortfall arises in this regard.

12.2. Urban Design

- 12.2.1. The proposed development would achieve an acceptable standard of urban design that would pay due respect to its context as well as providing a suitable residential environment. The development is set back from the protected structure, while its layout provides a stronger urban edge with street frontage opposite it. The layout also aligns open spaces with views towards the Wonderful Barn which would facilitate functional and visual links between it, the proposed housing and the existing housing to the northwest. The barn complex is not particularly tall relative to the horizontal extent of the views towards it and it is screened by existing vegetation, so it would not be a prominent feature in the surrounding area. Nevertheless the layout of the proposed development would protect its visibility and would render the urban structure more comprehensible to those that are familiar with it. The layout also defines smaller residential environments within the site that would have adequate enclosure and permeability, and allows for a substantial amount of the existing trees and hedges on previous field boundaries to be retained.
- 12.2.2. The landscaping proposals are comprehensive and suitable. The proposed mounding beside the access roundabout would lessen its visual impact on the residential area and the setting of the protected structure, while that to the south of the western part of the scheme would minimise the impact of the motorway on the proposed homes that would be closest to it.
- 12.2.3. The design of the buildings would provide a suitable degree of visual interest, and the use of gable fronted houses would help to address corners throughout the scheme. The central location of the proposed creche and the use of some three storey buildings would increase the variety and legibility of the overall development, which is otherwise of a single use class where two-storey houses would be the predominant form.
- 12.2.4. It is therefore concluded that the design and layout of the proposed development would provide a suitable extension for the built up area of the town and an appropriate context for the protected structure, as well as an attractive place to live. They are therefore acceptable

12.3. Residential Amenity of Existing Properties.

- 12.3.1. The proposed three storey buildings would not be in the immediate vicinity of existing houses on adjoining sites and would not affect their residential amenities. The proposed two-storey houses would generally maintain a separation distance of more than 22m from the rear of the existing houses opposite them. In the instances where this separation is not achieved, the proposed house designs take adequate account of the need to protect the neighbouring property from overlooking, overshadowing and overbearing. Thus house type A includes a lower gable projection of less than 7m beside the site boundary and has no first storey windows on this elevation. House type J is a bungalow.. House types G3 and types H1 to H4 have a shallow floor plan with no windows onto habitable rooms at first floor level at the back of the house. The uses of types H and G would ensure that the houses on plots 15.01, 15.03, 15.05 and 15.07 did not unduly overlook or overbear the adjoining properties at Nose 1, 2, 4 and 6 Rinawade Lawns, which was a concern raised in several of the submissions on the application.
- 12.3.2. The provision of proper pedestrian and cycle links between the proposed development and the Rinawade estate is a crucial element in the proper integration of the development with the existing built fabric of the town. The proposed locations of those access point are onto public areas within the existing estate and would not unduly threaten residential amenity if properly executed. The proposed development would allow greater supervision of those access points than the existing informal gaps in the hedges that now allow pedestrians to enter the estate from the application site. The arguments in the submissions that proper lighting should be provided at the proposed accesses in reasonable, and should be reflected in any grant of permission.
- 12.3.3. Submissions were also received from residents of neighbouring houses to the north-east of the site in the Castletown and Elton Courts estate which objected to the development impinging of their boundaries, including the existing hedges there and the drainage at the rear of their properties. It was suggested that the treatment of the boundaries should be subject to the agreement of the neighbouring homeowners in each case. To require such an approach would unduly delegate the board's duty to decide the application in front of it. A condition to that effect would not be sufficiently precise to be valid. Nothing in a permission granted on foot on this

application would allow the developer to impinge on other person's property, but conversely it would not be reasonable for a permission to allow neighbours to extend their control into land in the ownership of the applicant. The submitted landscaping proposals provide for the erection of a 1.8m rendered block wall along the shared boundary at this location. This is the standard approach where new residential development backs onto existing houses. It would provide adequate protection for the residential amenities of the properties on both sides. However it would be prudent to specify that the developer took reasonable measures to avoid the boundary treatment impinging on the drainage of neighbouring land.

12.3.4. Subject to conditions requiring such safeguards for neighbouring properties, it is not considered that the proposed development would seriously injure the amenities of property in the vicinity of the site.

12.3.5. Certain submissions suggested that a contribution be levied on the proposed development towards the provision of public amenities at the Wonderful Barn complex. The proper means to do so would be through the general contribution scheme adopted by the elected members of the planning authority. The works involved would certainly benefit the proposed development and indeed the whole town. However they would not give rise to costs that were exceptional and specific to the development, and so would not be suitable for a special contribution under section 48(c) of the planning act.

12.4. Residential Amenity for Future Occupants

12.4.1. The proposed development would provide a substantial amount of public open space near the site access and in two linear spaces focused on the barn, and it would comply with the standard of 15% of site area set down in the development plan. It would also be beside a sizable public park. The public open space provision is therefore acceptable. The houses would all have rear gardens of useable shape and size, achieving a minimum of 63m². The internal accommodation provided in the proposed houses is sufficient. Proper separation is provided between the proposed houses, and between them and the proposed apartments.

12.4.2. Each of the apartments would have access to private open space in the form of terraces or balconies that meet the standards set out in appendix 1 of the design guidelines for new apartments in terms of size and shape. The minimum standards

are significantly exceeded in most cases, except for the one-bedroom apartments on upper floors where the minimum of 5m² is proposed. Each of the apartment buildings would have the benefit of adjoining communal open space in line with requirements in the guidelines. The internal space standards of all the apartments exceed the minimum requirements, and apart from 8 upper floor one-bedroom units, by more than 10%. The sizes and layouts of the internal rooms also meet the requirements of the guidelines. There is a minor deviation with regard to the calculation of the storage areas in conjunction with hot presses, but given the significant exceedance of the minimum floor areas required by the guidelines, this can be resolved by condition without prejudicing compliance with any of the other standards. The floor to ceiling heights in the apartments are 2.7m. The apartment buildings do not exceed three storeys, and so shared cores are not required and there are no single aspect units. This also allows bin storage for each apartment, which is shown on the plans. The shared bicycle parking required under section 4.17 of the guidelines has not been demonstrated, but as it can be provided without alternations to the form and layout of the buildings this matter can be properly resolved under a condition attached to any permission. The board is therefore advised that the proposed apartments would provide a proper level of residential amenity for their occupants and would comply with the requirements of the 2018 apartment design standards, including its specific planning policy requirements of which Nos. 3, 4 and 5 that are applicable in this case.

- 12.4.3. The proposed development provides a reasonably diverse mix of housing types and sizes that is considered appropriate to the suburban location of the site. As stated in section 10.3.1 above, it would therefore provide a range of accommodation that met the needs of various members of the community.
- 12.4.4. Having regard to the foregoing, it is concluded that the proposed development would provide an acceptable standard of residential amenity for its occupants.

13.0 Recommendation

- 13.1. I recommend that the board grant permission for the proposed development subject to the conditions set out below.

14.0 Reasons and Considerations

Having regard to the site's location adjoining the built-up area of Leixlip on lands with a zoning objective for residential development in the Leixlip Local Area Plan 2017-2023, to the nature, scale and design of the proposed development, the availability in the area of a wide range of social infrastructure, to the pattern development in the area, and to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, issued by the Department of the Environment, Heritage and Local Government in May, 2009, the Sustainable Urban Housing: Design Standards for New Apartments issued by the Department of the Environment, Community and Local Government in December, 2018 and the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March, 2013, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the area and the setting of the protected structure at the Wonderful Barn, and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

15.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application 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 and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement, such issues may be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity

2. The development shall be carried out in accordance with a phasing plan that shall be agreed with the planning authority prior to the commencement of development. In particular, this plan shall stipulate that –
 - i) None of the authorised dwellings may be occupied until the upgrade works to the Barnhall pumping station that are described in Appendix J of the Infrastructure Design Report and Drawing No. 162045-3018 have been completed to the satisfaction of the planning authority and have been certified as such, and at least one of the proposed pedestrian/cycle routes between the authorised development and the existing streets to the north of the site shown on the Transport Linkages Plan on drawing no. 162045-9040 submitted with the application has been constructed and opened for use, and
 - ii) No more than 50% of the authorised units may be occupied until the creche has been built and the other two proposed pedestrian/cycle accesses to the streets in the Rinawade estate shown on the Transportation Linkages Plan have been constructed and opened for use.

Reason: To ensure orderly development of the site and the timely provision of supporting infrastructure and proper connections between the authorised development, the existing built-up area of the town, public transport facilities and the open space around the Wonderful Barn complex

3. The proposed roundabout at the access to the development from the Celbridge Road shall be omitted and shall be replaced with a signalised junction designed in accordance with DMURS, that includes proper provision for pedestrians and cyclists and which shall be capable of providing access to serve development on lands on the eastern side of the Celbridge Road. The revised design shall also address the desirability of providing bus facilities on that road. The revised design for the junction shall be agreed with the planning authority prior to the commencement of development.

Reason: To avoid prejudicing the consideration of future development on lands around the town in a sequential manner

4. Mitigation and monitoring measures outlined in the Environmental Impact Assessment Report submitted with this application shall be carried out in full, except where otherwise required by conditions attached to this permission. The required mitigation measures include the fitting of higher performance glazing on certain residential facades as described in the Inward Noise Impact Report submitted with the application.

Reason: In the interest of protecting the environment and in the interest of public health.

5. Prior to the commencement of development the applicant shall submit for the written agreement of the planning authority details of the following-
 - The layout and lighting of the three pedestrian and cycle accesses between the development and Rinawade Grove, Rise and Lawns shown on the Transportation Linkages Plan.
 - Secure and sheltered bicycle parking for the apartments in accordance with the standard of 1 space per bedroom and 1 visitor space for 2 apartments set out in section 4.17 of the Design Standards for New Apartments issued in March 2018. The parking shall be in overlook locations convenient for each authorised apartment.
 - Internal storage areas for each apartment that meet the standards required in the appendix to the Design Standards for New Apartments, calculated without including hot presses.

Reason: To provide proper permeability between the development, the existing built up area of the town and the open space at the Wonderful Barn and to comply with the applicable standards on bicycle parking and storage for apartments.

6. Proposals for street names, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and numbers shall be

provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

7. 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.

8. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. In particular the developer shall take all reasonable measures to ensure that the treatment of the boundaries with adjoining residential properties does not interfere with the proper drainage of those properties.

Reason: In the interest of public health

9. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

(a) Location of the site and materials compounds including areas identified for the storage of construction refuse; areas for construction site offices and staff facilities; site security fencing and hoardings; and on-site car parking facilities

for site workers during the course of construction and the prohibition of parking on neighbouring residential streets;

(b) The timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; measures to obviate queuing of construction traffic on the adjoining road network; and measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network; all construction traffic shall access the site from the Celbridge Road;

(c) Details of the implementation of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

(d) Measures to control nuisance to neighbouring houses during construction arising from vermin;

(e) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;

(f) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority. The developer shall provide contact details for the public to make complaints during construction and provide a record of any such complaints and its response to them, which may also be inspected by the planning authority.

Reason: In the interest of amenities, public health and safety

10. 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.

11. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management

12. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that 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,
 - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

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

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

13. 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 Bord Pleanála for determination.

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

14. Prior to commencement of development, the applicant 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 Bord 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

15. 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 Bord 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

Stephen J. O'Sullivan
Planning Inspector

5th April 2018