



An
Bord
Pleanála

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

Inspector's Report ABP-301230-18

Strategic Housing Development

462 no. dwellings comprising 319 no. houses, 142 no. apartments and 1 no. refurbished gate lodge (a protected structure); 106 no. student accommodation units (483 no. bedspaces); neighbourhood centre containing a crèche, café, gym and retail unit.

Location

Mariaville, Moyglare Road and Dunboyne Road, Maynooth, Co. Kildare

Planning Authority

Kildare County Council

Applicant

Cairn Homes Properties Limited

Prescribed Bodies

Dept. of Culture, Heritage and the

Gaeltacht
Irish Water
NTA

Observers

50 submissions – see Appendix I

Date of Site Inspection

16th May 2018

Inspector

Sarah Moran

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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 site is located on farmland associated with the protected structure Maria Villa, a country house and grounds nearby to the north of the town centre of Maynooth, Co. Kildare. Maynooth is a large university town, well served by public transport including regional and local bus services and a suburban rail train station. The M4 motorway passes to the south of the town and is accessed via junction 7. The development site is nearby to the west of Carton Demesne, adjacent to the NUI Maynooth (NUIM) campus to the south west and c. 800m to the north of Maynooth train station
- 2.2. The site fronts onto the Moyglare Road, c. 350m from the Manor Mills shopping centre to the south and c. 400m from Maynooth Main Street. Aside from the road frontage, the western end of the site is defined by the Maria Villa gate lodge (part of the Maria Villa protected structure), the Divine Word Missionaries complex on the Moyglare Road and lands to the rear of St. Mary's Church and its associated parochial hall, both protected structures. There are two schools on the opposite side of the Moyglare Road from the site, i.e. St. Mary's Boys N.S. and Maynooth Community College. The large Moyglare Hall housing development is further to the north along Moyglare Road and abuts part of the western side of the site. There is a large new education campus currently under construction beyond Moyglare Hall, also on the Moyglare Road. The eastern side of the site has a frontage to the Dunboyne Road, which runs onwards towards the Co. Kildare boundary. There are several large housing developments on the opposite side of the Dunboyne Road including Castlepark estate, Pebble Hill, Lyreen Park and Carton Square. The lands on the eastern side of the site are also bound by a Kildare County Council (KCC) wastewater pumping station, which fronts onto the Dunboyne Road. The remainder of the site boundary is defined by the Lyreen River, with an undeveloped, zoned site

on the opposite side of the river, also fronting onto the Dunboyne Road. A small area at the southern tip of the site fronts onto the Lyreen River opposite Pound Park. The northern limits of the site are defined by the Meadow Lodge Fishery, accessed from the Dunboyne Road, and further agricultural lands.

- 2.2.1. The site is a large (21.26 ha), undulating, irregularly shaped tract of land, traversed by the Lyreen River to the east and its tributary the Crewhill Stream to the south. Levels fall steeply to the river. It ultimately discharges to the Rye Water at the Rye Water Valley / Carton Special Area of Conservation (SAC) (Site code 001398). There are several field boundaries with associated hedgerows, mature trees and ditches within the site. The site includes the existing Maria Ville gate lodge (part of the Maria Villa protected structure) and a 2 disused storey building at the northern end of the Divine Word Missionaries complex. There are 2 no. wayleaves within the site, one running along the Crewhill Stream at the southern end of the site and part of the River Lyreen and the other at the Dunboyne Road site frontage, adjacent to the KCC pumping station.

3.0 Proposed Strategic Housing Development

- 3.1. The development involves 462 no. residential units and 483 no. student bedspaces as follows:

UNIT TYPE	NO. OF UNITS	%
Houses		
3 bed	219	47
4 bed	100	22
Refurbished gate lodge	1	<1%
Apartments		
1 bed	26	6
2 bed (incl 2 bed duplex)	83	18
3 bed (incl 3 bed duplex)	33	7
Total Houses and Apts	462	100
Student Accommodation		

Student Unit Type	No. of Units	No. of Bedspaces
4 bed own door unit	4	16
Studio Bed	20	20
Studio / twin cluster	4	8
3 bed unit	1	3
4 bed unit	3	12
5 bed unit	20	100
6 bed unit	54	324
Total	106 student units	483 bedspaces

The student accommodation is provided in Blocks A, A2, B, C, D, and E, at the southern end of the side of the site, to the rear of the Divine Word Missionaries complex and facing the Crewhill Stream. The student accommodation use includes short term letting outside of term time. The stated overall residential density is c. 40 units/ha excluding student housing and 42.5 units/ha including the student accommodation.

3.2. The development is laid out around a central spine route, 'Lyreen Avenue', linking the Moyglare Road and the Dunboyne Road, as per LAP roads objective TRO 2(g). The layout provides new signalised junctions at both road frontages, with a vehicular and green way bridge over the Lyreen River on the eastern side of the site and vehicular and pedestrian / cycle connections over the Crewhill Stream. It also includes:

- Demolition of a vacant 2 storey building previously used as residential accommodation for the Divine Word Missionaries (564 sq.m.).
- Pedestrian plaza at the Moyglare Road entrance with a local neighbourhood node containing a crèche (601 sq.m.) with outdoor play area; café (191 sq.m.), gym (1,010 sq.m.), a retail unit (438 sq.m.) and student accommodation. Adjacent car and cycle parking for the student accommodation and commercial land uses.
- Renovation and extension of the Maria Villa gate lodge (a protected structure), to be used as a single dwelling with its own access to the Moyglare Road.

- Open space, landscaping and amenity areas including the Lyreen Riverside Park.
 - An ESB substation in Block B of student accommodation and 4 no. ESB kiosks.
- 3.3. The development is to connect to the public water supply and sewers on the Moyglare Road and the Dunboyne Road. A new surface water drainage system is proposed, to discharge to the Crewhill Stream and Lyreen River, which is to be partially culverted.
- 3.4. The development is expected to be constructed in 3 phases over a 48-54 month period as follows:
- Phase 1, the TR0 2(g) link route and associated Moyglare Road and Dunboyne Road junctions and Lyreen River bridge; renovated gate lodge; neighbourhood node; student accommodation (106 no. units); apartment Blocks 1 and 2 (46 no. units); riverside park and 117 no. houses at the northern end of the site.
 - Phase 2, 113 no. houses on the western side of the site, associated infrastructure and landscaping.
 - Phase 3, 7 no. duplex apartment blocks (56 no. duplex units) on the western side of the site; apartment Blocks 3 and 4 (56 no. units) at the Dunboyne Road access; 89 no. houses and associated infrastructure and landscaping on the western side of the site.
- 3.5. The applicant has submitted Part V proposals comprising the transfer of units at the development site to the planning authority, excluding the student accommodation.
- 3.6. The application is accompanied by an Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS).

4.0 Planning History

4.1. 05/3054 PL09.221881 Development Site

- 4.1.1. Relating to a 2.6 ha site adjoining the Divine Word Missionaries complex with frontage to the Moyglare Road and bounding the Lyreen River. Permission sought for demolition of former convent building and construction of 139 no. dwelling units (106 apartments and 33 houses), crèche, car parking, landscaping, drainage and site works, access from Moyglare Road. Permission was refused by the PA for 4 no. reasons relating to (1) prematurity due to deficiency in the road network serving the

area; (2) prematurity pending the construction of the Maynooth Outer Relief Road; (3) prematurity pending the determination by the PA or the road authority of a road layout for the area or any part thereof; (4) serious traffic congestion, traffic hazard and obstruction of road users. The Board granted permission, which has since expired.

4.2. 09/521 Development Site

- 4.2.1. Relating to the same site as 05/3054. Permission granted for demolition of the 2 storey building on the site and construction of 100 no. residential units in a mixture of houses and apartments and a crèche. Condition no. 2 of the permission omitted the apartment blocks (30 no. units), 3 no. maisonettes, the crèche and 8 no. houses in the interests of residential and visual amenities. The permission has since expired.

4.3. 13/828 PL09.243635 Maynooth Education Campus

- 4.3.1. Relating to a site to the north west, beyond Moyglare Hall along the Moyglare Road. Both KCC and the Board granted permission for 2 new two-storey post primary school buildings, a sports facility and a new roundabout on the Moyglare Road.

4.4. 14/637 PL09.245305 Residential Development on the Dunboyne Road

- 4.4.1. Relating to a 6.22 ha site on the Dunboyne Road, north of Castlepark estate and opposite Meadow Lodge Fisheries. Permission sought for 112 houses and a crèche with a new access and realignment of the Dunboyne Road including new footpath from Castlepark to the existing roundabout. Both KCC and the Board refused permission on grounds relating to traffic congestion and traffic hazard.

4.5. 16/167 PL09.247614 Adjacent Site on the Dunboyne Road.

- 4.5.1. Relating to a 2.02 ha site to the south east of the subject site, between the Lyreen River and the Dunboyne Road. Permission sought to demolish a dwelling and construct 34 no. houses with access to the Dunboyne Road. Kildare County Council refused permission for one reason relating to flood risk. The Board granted permission.

4.6. ABP-300371-17 and ABP-301775-18 Adjoining Site at Mill Street

- 4.6.1. ABP-30037-17 refers to a pre-application consultation relating to an adjoining site to the south east on the opposite side of the Lyreen River, behind St. Mary's Church and accessed from Mill Street. The proposed development comprised 135 no.

apartments with retail / crèche to the ground floor. The Opinion issued by ABP considered that the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development:

1. Flood Risk and surface water management, including the identification of the lands within Flood Zones A and B and the need for a justification test.
 2. Potential impacts on the setting and visual impacts on St. Mary's Church, a protected structure.
 3. Development Strategy including the configuration, layout and urban design of the development.
 4. Traffic and Transportation including traffic generation arising from the proposal vis-à-vis existing traffic conditions within the town centre of Maynooth; justification for the proposed quantum of car parking having regard to the availability of public transport in the area for both the residential aspect of the scheme and for the crèche; design of car parking with regard to DMURS and the provision of a satisfactory location and layout for the crèche parking.
 5. AA in relation to potential effects on nearby designated sites particularly the Rye Water / Carton SAC with regard to their conservation objectives.
- 4.6.2. There is now a current SHD application for the adjoining site, ref. ABP-301775-18. Permission is sought for 135 no. apartments in 3 no. blocks, crèche, restaurant/café, 190 basement car parking spaces, 370 bicycle storage spaces, refuge storage areas at basement level, provision of open space areas and all associated site works.

5.0 Section 5 Pre Application Consultation

5.1. Pre-Application Consultation

- 5.1.1. The pre-application consultation related to a proposal to construct 403 no. residential units (332 no. houses, 71 no. apartments) and 164 no. student units (476 no. bedspaces), retail, café, crèche and gym.
- 5.1.2. A section 5 consultation meeting took place at the offices of An Bord Pleanála on 23rd October 2017. Representatives of the prospective applicant, the planning authority and ABP were in attendance. Following consideration of the issues raised

during the consultation process, and having regard to the opinion of the planning authority, ABP was of the opinion that the documentation submitted required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development. The issues raised were as follows:

1. Residential Density

To include a planning justification or rationale for the proposed development having regard to, inter alia, the minimum densities provided for in the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual') as they refer to city and town centre sites. Particular regard to be had to the need to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to Maynooth Town Centre and to established social and community services in the immediate vicinity

2. Public Open Space

The design rationale / justification for the open space proposed particularly in the context of the surveillance of the open spaces (pocket parks and linear spaces), addressing level changes (Lyreen River and Crewhill Stream), the usability of the active open space on the site and the integration with adjacent public open spaces (Pound Lane Park) in the context of the landscaping proposals. Particular attention to be focused on the design rationale for the placement of houses on lands zoned F - Open Space and Amenity in the Maynooth Local Area Plan.

3. Design, Layout and Unit Mix

The layout of the proposed development particularly in relation to the 12 criteria set out in the Urban Design Manual and DMURS. Density, unit mix, configuration of the layout in terms of connections to adjacent sites, design and alignment of roads, avoidance of street duplication giving rise to a roads dominated layout, the creation of a high quality urban extension to Maynooth Town Centre and the creation of character areas that reference the landscape character of the site should be given further consideration. Particular regard to be given to Chapter 4 – Street Design of DMURS, which refers to a need to consider the multifunctional role of the street and apply a package of 'self-regulating' design measures.

4. Part V of the Planning and Development Act 2000 (as amended)

Further consideration to have regard to the requirements of the Housing Section of KCC, as well as guidance from the DoHPLG.

The applicants were advised in all instances that further consideration of the issues may require an amendment to the documents and / or design proposals submitted.

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

1. Full and complete analysis and drawings that detail the visual impact of the proposed development along Moyglare Road. Specific attention to be paid to the design rationale for greater scale and massing along the road in the context of development in the vicinity and the proximity to Maynooth Town Centre. Information should include elevation and section drawings, long sections and photomontage images.
2. A detailed landscaping plan which clearly shows the proposed treatment of boundaries and indicates retention of existing features such as trees or hedgerows, vernacular farm gates and existing stone bridges, where applicable.
3. An assessment of the traffic impact of the proposed development in the context of the delivery of a linkage street between Moyglare Road and Dunboyne Road.
4. Full and complete long section drawings that show the relationship between the proposed development and the varied topography of the site, specifically in the vicinity of the Lyreen River and Crewhill Stream.
5. Additional documentation relating to appropriate flood risk assessment that demonstrates the development proposed will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk. A Flood Risk Assessment to be prepared in accordance with 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices') and take account of the impact of proposed bridges and culverts.
6. A sufficiently detailed phasing arrangement for the proposed development to be provided.

5.2. Applicant's Response to Pre-Application Opinion

5.2.1. The application includes a statement of response to the pre-application consultation, as provided for under section 8(1)(iv) of the Act of 2016, which may be summarised as follows:

- The total no. of residential units has increased from 403 at pre-application to 462 with a consequent increase in overall density from 36 units/ha to the proposed overall net density of 40 units/ha on the residentially zoned lands and 42.5 units/ha including the student accommodation. The density varies across the site with higher densities at Moyglare Road and Dunboyne Road to reflect proximity to the town centre and lower densities in the context of the Maria Villa protected structure and Moyglare Hall residential scheme. The LAP provides for a density of 35 units/ha at this site. The site is 'inner suburban' in nature with regard to the guidance provided in the 'Guidelines for Sustainable Residential Development in Urban Areas', as it is within 1km of Maynooth train station and close to the town centre and associated amenities.
- The layout does not include any houses in the 'F' zoned lands. It provides for substantial overlooking of open spaces within the scheme and a high degree of passive surveillance and accessibility. The development incorporates natural features of the site including hedgerows and trees, the Lyreen River, Crewhill Stream and ditches. The design intention is to provide an ecological corridor along the riparian habitats that pass through and along the site's boundaries. The development includes c. 15% of public open space on the residentially zoned lands, as required by the LAP. There is a hierarchy of open spaces including a range of active and passive uses, 'kick about' spaces, a playground, play areas and pocket parks, all interconnected by green links with the Lyreen Riverside Park as a focal point. The open spaces are to be finished to a high standard, as per submitted landscaping proposals. The design team considered the possibility of a pedestrian bridge link to Pound Park at the south eastern corner of the site but concluded that, due to various issues including flood risk, the bridge would be a significant structure that could impact on the open space at Pound Park and reduce the coherence of the linear park within the development. An alternative

solution is proposed to provide a link through the adjoining SHD to the south east, on to Mill Street.

- The proposed layout has been revised with regard to the provisions of DMURS, the need to create a high quality extension to Maynooth Town Centre, the inclusion of separate character areas with reference to the landscape character of the site; street character and tree planting strategy; shared surface treatment to courtyard home zones; variety of finishes and scale of development; refinement of boundary treatments to include landscaping; improved overlooking of public open spaces; following best practice principles of the Urban Design Manual including the 12 criteria; achievement of permeability and legibility. The development will include 10% social housing and a mix of uses at the neighbourhood node, also a mix of dwelling types and tenures including student accommodation.
- The applicant has entered into initial discussions with KCC Housing Section in respect of Part V and has submitted detailed proposals on foot of same.

6.0 Relevant Planning Policy

6.1. National Policy

6.1.1. The following is a list of relevant section 28 Ministerial Guidelines:

- ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ including the associated Urban Design Manual.
- ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities’ as updated March 2018.
- ‘Design Manual for Urban Roads and Streets’ (DMURS)
- ‘The Planning System and Flood Risk Management’ including the associated ‘Technical Appendices’
- ‘Architectural Heritage Protection Guidelines for Planning Authorities’
- ‘Childcare Facilities – Guidelines for Planning Authorities’

6.1.2. The development has also been considered with regard to the following national policies on student accommodation:

- National Student Accommodation Strategy (2017)
- Dept. of Education and Science Guidelines on Residential Development for 3rd Level Students (1999) and the supplementary review document of July 2005.

6.2. **Kildare County Development Plan 2017-2023**

6.2.1. The Core Strategy identifies Maynooth as a ‘Large Growth Town II’, as per the Settlement Strategy for the Greater Dublin Area 2010–2022 and allocates 10% of the County’s population to the town for the plan period. The plan identifies such towns as strategically positioned to make the most of their connectivity and high quality connections to Dublin city centre, whilst also supporting and serving a wider local economy. Development plan Table 3.4 identifies a core strategy allocation of 3,542 housing units for the period 2016-2023.

6.2.2. Housing policy HSO2 applies a 10% Part V social housing requirement to sites zoned for residential or a mix of residential and other uses.

6.2.3. Development plan section 4.7 states that the provision of appropriate student accommodation will enable Maynooth University to continue to develop as a national and international centre for education and research. It states:

“Purpose built student accommodation is generally of a higher density with a range of ancillary facilities appropriate for student living. Student accommodation should be located convenient to the University by foot, bicycle or public transport and generally, either within the college campus or appropriately zoned and located lands within Maynooth Town.”

Objective SNO6 is to facilitate the development of appropriately located and designed student accommodation to allow Maynooth University to continue to develop as a national and international centre for education and research.

6.2.4. Movement and transport objective MTO 2 is to prepare a Strategic Land Use and Transportation Study for North East Kildare including the Metropolitan area towns of Leixlip, Maynooth, Celbridge and Kilcock. Objective MTO 3 is to review and implement Integrated Transport Studies for Maynooth, Leixlip, Celbridge, Naas,

Newbridge, Kildare and Athy. Table 6.1 identifies priority road and bridge projects including:

- Moyglare Road, Maynooth LAP roads objective PC04(e) L1012
- Inner Relief Road, Maynooth LAP roads objective TR02(d) R148 to L1012 c. 3km – Kilcock Road to Moyglare Road
- Maynooth Outer Orbital Relief Road, Maynooth LAP roads objective TR02(b) L1012 Moyglare Road and Dunboyne Road (Co. Meath) to be delivered by Meath County Council under Section 85 agreement.

Objective MO6 is to improve safety and capacity at the M4 Maynooth Interchange (Junction 7) and to investigate the provision of a future improved connection to the M4 at this location or elsewhere near Maynooth. Table 6.2 lists regional roads identified for improvement, including the R157 from the R148 junction at Maynooth to the Co. Meath boundary.

- 6.2.5. Educational objective EFO3 is to support the development of Maynooth University as a leading centre for international, national and local “lifelong learning and development”.

6.3. Maynooth Local Area Plan 2013-2019

- 6.3.1. Several zoning objectives apply at the subject site. The submitted Statement of Consistency identifies the relevant areas as follows:

Zoning Objective	Location	Site Area
C New Residential	Frontages to Moyglare Road and Dunboyne Road, centrally located areas within the site.	16.2 ha
F Open Space and Amenity	The banks of the Lyreen River	4.75 ha
E Community and Educational	At the Moyglare Road frontage, adjoining the Divine Word Missionaries complex.	0.33 ha
B Existing Residential	Maria Villa gate lodge at Moyglare Road.	

- 6.3.2. LAP settlement policy states a residential unit allocation of 2,245 for the period 2013-2019, based on the target under the previous 2006–2017 County Development Plan

and the number of units already constructed in the period 2006-2012. Of this target, 1,022 no. residential units are to be provided on 29.2ha of 'New Residential' zoned land, with the remaining units mainly provided through existing planning permissions and the development of brownfield sites. LAP Map 6 identifies the Mariavilla lands between the Moyglare Road and the Dunboyne Road as a key location for new residential development. Table 11 indicates an allocation of 402 no. units for the Mariavilla lands (11.5 ha) and 73 no. units at the Dunboyne Road site (2.1 ha), based on a residential density of c. 35 units/ha. LAP housing policy HP5 requires applications for residential developments >20 units to demonstrate the provision of an appropriate mix of dwelling types having regard to the following:

- The nature of the existing housing stock and existing social mix in the area.
- The desirability of providing for mixed communities.
- The provision of a range of housing types and tenures.
- The need to provide a choice of housing, suitable for all age groups and persons at different stages of the life cycle.
- The need to cater for special needs groups.

Housing policy HP6 states:

“To restrict apartment developments generally to the University campus and town centre locations or suitably located sites adjoining public transport connections. Apartments will not be permitted where there is an over concentration of this type of development. Higher density schemes will only be considered where they exhibit a high architectural design standard creating an attractive and sustainable living environment. Duplex units shall not generally be permitted.”

Housing policy HP 7 is to facilitate and co-operate in the provision of community facilities in tandem with residential development including local services, schools, crèches and other education and childcare facilities. Policy HP 8 requires applicants for residential developments >25 units to demonstrate how the proposed increase in population will be accommodated in terms of education provision. Housing objective HPO 1 includes the encouragement of a variety of house types, sizes and tenure to cater for the needs of the population and facilitate the creation of balanced communities.

- 6.3.3. Roads objective TRO2(g) is the construction of a road between the Dunboyne Road and the Moyglare Road, across the development site. Objective PCO 3 is to provide footpaths and public lighting including (c) along the Dunboyne Road between Convent Lane and Kildare Bridge and (e) along the Lyreen River from the Pound to the LAP Boundary. Objective PCO4 is to facilitate and encourage the development of cycle paths including (a) along the Lyreen River from the Pound to the LAP Boundary and (e) along the Moyglare Road.
- 6.3.4. LAP Map 2 identifies the subject site and the Lyreen River as an area where development proposals are to be subject to a Site Specific Flood Risk Assessment (SSFRA). Policy FRA 8 includes the creation of a buffer zone between the Lyreen River and new development, of an extent to be determined in consultation with a qualified ecologist and following a Flood Risk Assessment but not < 10m. Any hard landscaping proposal shall be located outside of any buffer zone areas.
- 6.3.5. Policy NH4 seeks the protection of specific trees of special amenity value at various locations including Maria Villa and the Lyreen River, ref. LAP Map 4. LAP Map 5 indicates treelines at the Lyreen River and north of Maria Villa as hedgerows and treelines identified for protection. LAP policy GI8 is to retain these key hedgerows and to integrate them into new developments. Policy AR4 is to develop appropriately zoned linear open spaces and walkways along the Canal and River Lyreen for amenity and recreational purposes and link the open spaces located along the extent of both. Policy AR11 is to create a 50m set back either side of the Lyreen River at Mariavilla where possible, to create a linear park that will link with Pound Park and Carton Estate and also to create a linkage to Carton Avenue.

6.4. **Applicant's Statement of Consistency**

- 6.4.1. The applicant has submitted a Statement of Consistency as per Section 8(1)(iv) of the Act of 2016, which indicates how the proposal is consistent with the policies and objectives of section 28 guidelines, the County Development Plan and the LAP and other regional and national planning policies. The following points are noted:
- The development is located at the edge of a public transport corridor, within c. 1km of Maynooth train station and c. 300m-400m from Maynooth town centre and Dublin Bus services. The proposed density and housing mix result in the sustainable development of residentially zoned land at a density. The

development is in accordance with relevant local, national and development plan standards for residential development. It includes neighbourhood land uses to serve the immediate area. The housing mix will accommodate a mix of household types. Policy HP6 does not preclude apartment and duplex units but generally limits them to certain locations. Consistent with development plan policies on building height, site coverage, overlooking.

- The student accommodation will support the objectives of the National Student Accommodation Strategy for providing additional purpose built student accommodation. This element of the scheme is to be located on residentially zoned lands and lands adjacent to the Divine Word Missionaries complex zoned 'E' for educational land uses. While student accommodation is not specifically permitted in principle on residentially zoned land, this location is considered appropriate with regard to the general support for student accommodation in the County Development Plan and the support for same on 'E' zoned lands and should be considered on its merits.
- The development will deliver a link street between the Moyglare Road and the Dunboyne Road in accordance with LAP objective TRO 2(g). This will activate a strategic area of the town and help to achieve effective density and consolidation rather than urban sprawl, in accordance with the National Planning Framework. The layout improves pedestrian and vehicular connectivity in the wider area and within the scheme with minimal use of cul-de-sacs. The application includes a DMURS compliance report.
- The development will provide a green network and a significant park at the Lyreen River, also a hierarchy of public open spaces. A 50m set back to the Lyreen River is provided in accordance with LAP policy AR11. The natural heritage of the site including trees and hedgerows is to be preserved as much as possible in accordance with development plan policies.
- The application includes a SSFRA and hydraulic analysis in accordance with the 'Guidelines for Planning Authorities on The Planning System and Flood Risk Management'. Drainage measures in accordance with the GDSDS.
- The renovation of the Maria Villa gate lodge is an appropriate use of the protected structure and the development is in accordance with guidance provided

in the 'Architectural Heritage Protection Guidelines for Planning Authorities'. It is at a sufficient distance from Maria Villa so as not to impact on the protected structure, with agriculturally zoned lands in the intervening area.

- The childcare facility is designed with regard to the 'Guidelines for Planning Authorities on Childcare Facilities'.
- The application includes a statement from Irish Water confirming that a connection to the IW network can be facilitated subject to a valid connection agreement being put in place, as per the Draft Water Services Guidelines for Planning Authorities.

7.0 Third Party Submissions

7.1. The submissions were primarily made by or on behalf of local residents, particularly residents of The Rise, Moyglare Hall, Lyreen Park, Castlepark, Carton Square and Pebble Hill. There were submissions by elected representatives, i.e. Bernard Durkan T.D., Catherine Murphy T.D., Cllr John McGinley (co-signed with Emmet Stagg), Cllr Paul Ward and others, Cllr Tim Durkan, which raise similar issues. The main points made in the submissions may be summarised as follows. There were also 4 no. submissions by special interest groups, which are summarised separately below.

7.1.1. 3rd Parties General Issues

- Lack of consultation with local residents in advance of lodging the application.
- The population of Maynooth grew by 16.6% between the last 2 censuses. The projected population increase for 2021 is >19,000. There is also particular pressure on residential accommodation, infrastructure and services in Maynooth due to the presence of a student population of 10,000. There are currently several new housing developments in Maynooth, adding to pressure on existing infrastructure.
- Lack of community facilities, capacity in local schools, health centres, to serve the development.
- Impacts on property values in the area.

- Concerns about provision of social housing within the development in close proximity to Moyglare Hall. Part V units should be indistinguishable and mixed throughout the neighbourhood.
- Delayed construction of Maynooth Education Campus due to the construction firm entering examinership. Concern that the existing secondary school will be inadequate to cater for demand from the development, also increased pressure other local educational facilities that are 'bursting at the seams'.
- Contravention of LAP policy HP6 in relation to apartments in Maynooth.
- Contravention of LAP policy in relation to residential density. The proposed density of development is far higher than 40 units/ha when the link route is taken out and 3 of the proposed residential zones have densities > 50 units/ha. Densities within the site should not be > 45 units/ha in order to be in keeping with surrounding estates.
- Development should be phased such that important infrastructure is provided in advance of residential units being completed.

7.1.2. 3rd Parties Traffic, Transportation and Access

- Development will generate additional traffic congestion in Maynooth. The road network is inadequate for existing traffic, prematurity pending completion of new outer ring road and an additional M4 connection in advance of the development. The future prospects of the Maynooth Outer Orbital Road (MOOR) are uncertain, ref. KCC meeting March 2018.
- The new access will add to existing traffic on Moyglare Road and Dunboyne Road at peak times, in addition to other recently proposed / permitted developments in the area, including the nearby Maynooth Education Campus on Moyglare Road, which will accommodate c. 2,000 students. The Maynooth Transport Plan 2017 indicates that junctions at the Dunboyne and Moyglare roads are already at a capacity >100%, also the Dunboyne Road / Main Street junction. The plan also indicates that the Moyglare and Dunboyne roads have very high AM and PM peak traffic.

- The 2016 Census indicated that 90.55 of households in Kildare own at least 1 car, 42% of households had 2 cars, 7% had 3 cars and 2.55 had 4 or more. 13% of 3rd level students drove to college every day. Transposing these figures to the proposed development, it would produce an estimated 708 cars and the student accommodation would give rise to 63 cars on site.
- The link route does not achieve the objective TRO 2(g) as it provides a link street with numerous unregulated access rather than a strategic route for through traffic to reduce traffic levels in the town centre. The link would act as a bypass for the university and be used by large volumes of traffic, based on figures provided in the Maynooth Transport Plan 2017, particularly in the absence of the MOOR. The design of the surrounding residential and commercial areas should be informed by the road design rather than the other way around.
- Possible conflict between the Dunboyne Road access and traffic exiting Castlepark estate.
- The R157 Maynooth to Dunboyne Road is an 'accident black spot' due to numerous road fatalities on dangerous bends. There are dangerous tailbacks at the R157 / R148 junction nearby to the north east, this needs to be redesigned to accommodate additional traffic. The Dunboyne Road is substandard due to its narrow, twisting nature and floods regularly. The road is currently used as a pedestrian route for many school children but has very inadequate pedestrian facilities limited to a narrow footpath on one side of the road. Need to extend the 50 kph speed zone on the Dunboyne Road. Traffic hazard at the proposed Dunboyne Road access due to narrow width, nearby bend and flood risk. Traffic impacts on adjacent HSE Day Care Centre and sheltered housing. Recent refusal of permission for 112 houses on Dunboyne Road due to traffic issues. Lack of footpaths and road improvements on the Dunboyne Road to cater for increased traffic in recent years. Constraints to such improvements due to the presence of fishing lakes on one side and the protected structure Pebble Hill House on the other, also narrow width and hilly topography. Traffic levels on the Dunboyne Road will increase in the absence of the MOOR as the road is used as

a 'rat run' as well as local traffic. Further congestion at the junction of the Dunboyne Road and Maynooth Main Street.

- Flaws in the submitted Traffic and Transport Impact Assessment (TTIA). Traffic estimates for the Dunboyne Road are inaccurate. No reference to a new permitted estate of 36 no. units at Mariavilla and additional traffic generated by same, also traffic generated by housing developments at Carton Wood and Carton Grove. Need for information from a sequential test carried out in the context of a retail strategy for Maynooth in 2009. Traffic generation based on the TRIC UK model is unsuitable for projecting traffic impacts for Maynooth, Dept. of Transport data for Ireland indicates a much higher mean annual car travel distances due to a more dispersed population and poorer public transport links. The TRICS modelling exercise does not include substantial student car commuting flows. Traffic modelling omits a development of over 500 houses at Moyglare Hall, currently under construction, to access to the Moyglare Road close to the subject development. Traffic projection does not incorporate the Environs of Maynooth Plan from Meath County Council and substantial growth of one-off housing in rural Co. Meath.
- Traffic safety issues a result of the possible future connection to Moyglare Hall from within the development. Use of Moyglare Hall as a 'rat run'. Roads within Moyglare Hall are not designed for through traffic. Impacts on pedestrian and child safety in the estate. Loss of existing turning circle within The Rise.
- Development is distant from and not connected to public transport facilities, at least 30 minutes walk from Maynooth train station and 20 minutes to the nearest bus stop.
- Development will generate increased on-street parking in surrounding estates, particularly due to the proximity to the town centre and the introduction of pay parking in Maynooth in 2016, also associated with the proximity of nearby schools.

- The greenway along the Royal Canal is still under construction and not connected to the development by cycle routes. Lack of adequate cycle facilities in the area.
- Train services are already at capacity, need for more trains at peak times. Existing parking difficulties at Maynooth train station would be exacerbated by the development.
- Traffic hazard as a result of construction HGVs accessing the site at the Dunboyne Road.

7.1.3. 3rd Parties Residential Amenities and Visual Impacts

- Development is out of keeping with the character of Maynooth. Apartment buildings should be limited to 3 storey height and / or relocated to lower parts of the site. Possibility that apartment units will have transient occupancy as student accommodation with consequent impacts on the local community.
- Apartment buildings on the Dunboyne Road are out of keeping with the suburban / rural character of the area due to design and materials and would have adverse impacts on residential amenities relating to overshadowing and light / noise / air pollution. Proximity of houses on Dunboyne Road to those in Castle Park estate.
- Adverse impacts on residential amenities and property values associated with the proposed future connection to The Rise within Moyglare Hall. Residents of The Rise purchased their homes based on the assumption that their houses were located on a cul-de-sac. Creation of a separation between neighbouring residents. A pedestrian connection will be used as a short cut to the school, potential for associated antisocial behaviour. Loss of enclosure and resultant risks to young children. Concern about height of development in proximity to properties in The Rise, related overshadowing. Submissions request that adjacent development is moved or re-orientated to create adequate distance to properties in The Rise.
- Potential security risk associated with the retention of a laneway between The Rise and the development, associated antisocial behaviour and litter. Request for

adequate boundary treatment to his area at a minimum. Similar issues arise in relation to the provision of laneways to the rear of terraced houses within the development. Lack of demarcation between public and private areas within the development, raising issues of privacy, security and personal safety. Residents of Moyglare Hall request conditions requiring (i) the omission of any future connection between the development and Moyglare Hall and (ii) a continuous boundary wall along the shared boundary, signatures of 264 no. residents are submitted.

- Landscape and visual impacts on properties in Castlepark in proximity to the Dunboyne Road.
- Construction impacts on residential amenities relating to traffic, light, noise, vermin, air pollution, impacts on trees, construction run off to neighbouring properties. Need to keep the development site secure during construction, related potential adverse impacts on neighbouring properties. ABP is requested to include conditions to limit construction hours and noise and dust levels, also to require a Construction Method Statement.

7.1.4. 3rd Parties Cultural and Natural Heritage Issues

- Proximity to the protected structure Maria Villa House.
- Potential impacts of apartment buildings at the Dunboyne Road entrance on the setting of Pebble Hill House protected structure and Carton Demesne nearby.
- Potential impacts on archaeological monuments in the area.
- Adverse impacts on local wildlife. Proximity and hydrological connection to Rye Valley SAC, potential impact of proposed bridge on same. Rye Water is also a salmonid river. Potential impacts on bat habitats along the Dunboyne Road.
- AA does not adequately consider impacts of storm water outflow, surface road drainage, tyre, plastic and other debris, concrete and sediment discharges on the SAC. The Lyreen River is already classed by the EPA as of poor quality at the development site and has already suffered a fish kill associated with the failure of the Maynooth pumping station.

- NIS provides inadequate cumulative assessment. The Rye and its tributaries already drain the university campus, housing development and a business campus.

7.1.5. 3rd Parties Drainage / Flooding

- Development could result in flooding in the area. History of flooding of the Rye Water in Maynooth, associated problems downstream in Leixlip. Recent flooding of the new Millerstown estate on the Lyreen River near Kilcock. Local roads have been flooded on numerous occasions, ref. OPW flood maps.
- Part of the development may be on a flood plain.
- High water table at this location.
- Flooding impacts would be exacerbated by future climate change.
- Inadequate capacity of existing wastewater treatment facilities, i.e. Lower Liffey Valley Regional Sewage Scheme and the existing sewage station at the Dunboyne Road. The existing Lower Liffey Valley Sewage Scheme has failed during peak University usage. Scheme will have to cater for several already permitted new developments. Application is therefore premature.

7.1.6. 3rd Parties Water Supply

- Concern that the local water network does not have capacity for the development. Any permission should be conditional on the developer achieving agreement with Irish Water in relation to any upgrade works to take place.
- Current issues regarding water pressure in Maynooth. Application is premature pending upgrade of the Maynooth water supply.

7.2. **Ladras Property Company Ltd.**

7.2.1. This submission is made by the owner of the adjoining site to the south that was the subject of pre-application consultation with ABP ref. ABP-300371-17. The main points made may be summarised as follows:

- No objection in principle to the development. Submission relates to potential impacts of the student accommodation Block E on the observer's lands. The

proposed Block E layout fails to incorporate appropriate provision of pedestrian / cycle routes and a civic space, refers to relevant policies set out in the NPF, the Urban Design Manual, DMURS and the County Development Plan.

- The proposed site layout for the observer's lands is submitted. The layout of the observer's development is proximate to Block E, c. 8.6m and 16m at the closest building corners. The intervening area presents opportunities for provision of pedestrian / cycle connection and a civic space / open area to connect both schemes, also improved connectivity between car and cycle parking areas and the River Lyreen walkway.
- The observer submits a proposed revised layout for this part of the site such that Block E is repositioned c. 10m in a north easterly direction to allow for provision of a walkway and useable open space area between Block E and the adjoining development. It is submitted that this issue could be addressed by way of a condition of permission.

7.3. **Maynooth Students Union**

- Maynooth Students Union urges the Board to approve the development unaltered and in due time. The student accommodation element is welcomed.
- Maynooth and its students are facing a housing shortage. Many students have long daily commutes due to the high cost of housing in Maynooth. This has an impact on university life and student welfare and academic potential. Any reduction in the proposed no. of students bedspaces would have adverse impacts on the student population.
- The proposed apartment blocks allow for a more efficient use of space and are in keeping with the character of the neighbourhood. There are numerous similar and larger complexes in the area, including the Divine Word Missionaries complex, Moyglare Hall, the 6 storey Manor Mills complex and the 9 storey Courtyard development within the university campus.
- The link road will make the student accommodation more accessible from the university campus. It will reduce traffic in the centre of Maynooth.

- Maynooth currently needs a community hall and an upgrade to the Dunboyne Road. Development levies could be used to finance these projects.

7.4. **Maynooth University**

7.4.1. The University welcomes the development in principle but states concerns in relation to the following issues.

- The submission is accompanied by a review of the submitted Traffic & Transport Assessment (TTA), which focuses on the Moyglare Road site access, in close proximity to the NUIM access to Moyglare Road. Traffic safety issues for vehicles, cyclists and pedestrians at the Moyglare Road access in relation to the NUIM access. The submitted TTIA indicates that the junction is sensitive to fluctuating traffic flows. The model is based on an assumption that 3 private houses will generate 1 car leaving the site in the morning, this is a very low estimate. It underestimates the amount of right turn movements from Moyglare Road into the site, in practice there will be queuing at this location. Even based on these optimistic assumptions, the modelling indicates that the NUIM access will be over capacity. The modelling lacks sufficient clarity to enable the University to determine that their access will not be negatively impacted by the development. it would be desirable to see if signalisation of the NUIM access would have any impact on the junction capacity. The University would have to resolve any issues that arose when the access is completed. It does not have ownership of the road frontage and would have limited ability to retrospectively fix issues that arise.
- The submitted TTIA does not include modelling for the event that the MOOR Part VII does not go ahead.
- There is no cycle provision between the student accommodation and NUIM. The Road Safety Audit proposes to reduce footpath width.
- The application includes a hydraulic model of the Crewhill Stream between 6m upstream of the Moyglare road culvert and the point where the stream converges with the Lyreen River. The pre and post development scenarios clearly demonstrate a change in flood extents in the section immediately upstream of the

Moyglare Road culvert. Full details of the change in flood extents have not been demonstrated and there is no available information to identify the full extent of the upstream reach which is effected by these changes. There is no assessment of the consequential effects of such a flooding change, the overland routes likely to be experienced and if there is potential for any consequential damage to lands within the NUIM campus.

- The University requests a condition requiring the submission and agreement with KCC of a more detailed flood risk assessment prior to the commencement of construction.

7.5. Moyglare Stud Farm

- An equine business located to the north west of the development site, on the Moyglare Road. Increased traffic on the Moyglare Road threatens the operation of the stud farm and the use of its land due to adverse impacts on the health and wellbeing of thoroughbred horses. Recent residential developments and the Maynooth Education Campus already threaten the viability and successful operation of the stud farm.
- Refers to specific County Development Plan policies to protect / promote the equine industry and protect it from urban sprawl, i.e. ECD4, EQ1, Table 5.2. Development would contravene the land use zoning of the stud farm to retain and protect agricultural uses, including bloodstock.
- No indication as to the progress of Part VII improvement works to the Moyglare Road or the MOOR. No proposed upgrade of the Dunboyne Road towards Maynooth town centre. Lack of public transport facilities serving the development.
- Inadequate cycle parking provision within the development.
- Flaws in submitted TTIA including assumption that there will be no pass-by or diverted trips to the crèche in peak hours. Lack of progress on new road infrastructure projects referred to in the TTIA, which form the basis of its trip assignment exercise. The road network analysis is based on an assumption that the MOOR will be completed by 2024, no assessment based on existing road network or alternative scenario that MOOR is not complete. It is therefore not possible to gain a clear understanding of the quantum of traffic travelling through

the surrounding road network. TTIA does not define the basis for its traffic redistribution assumptions based on completion of the MOOR by 2024. The TTIA traffic model does not consider 2 key junctions on Main Street.

- Construction traffic impacts on the stud farm. This matter is not adequately assessed in the submitted Construction Management Plan. Request that construction HGVs and deliveries be prohibited from accessing the development from the Moyglare Road from Co. Meath, as part of the construction traffic management plan.

7.6. **Third Party Submissions Conclusion**

I have considered all of the documentation included with the above third party submissions.

8.0 **Planning Authority Submission**

8.1. KCC has made a submission in accordance with the requirements of section 8(5)(a) of the Act of 2016. It summarises observer comments as per section 8(5)(a)(i) and the views of the relevant elected members of the Maynooth Municipal District, as expressed at their meeting of the 4th May 2018. The planning and technical analysis in accordance with the requirements of section 8(5)(a)(ii) and 8(5)(b)(i) may be summarised as follows. The submission includes several technical reports from relevant departments of KCC, which are incorporated into the following summary.

8.1.1. PA Comment on Principle of Development

- The PA considers the proposed development to be acceptable in principle as it is consistent with the development plan core strategy and settlement strategy and with the relevant LAP zoning objectives.
- The PA recommends that permission be granted for the scheme subject to specific amendments set out below.

8.1.2. PA Comment on Housing Mix, Design, Density, Layout

- Includes report of KCC Parks Dept.
- The application does not include a Statement of Housing Mix, as required by development plan policy MD03. The PA considers that there is a need for multi

generational single storey units within the scheme. The student accommodation mix is acceptable.

- LAP policy HP6 on apartments. The development includes 28 no. duplex units and 106 no. student accommodation units. C. 25% of the standard residential units are apartments. The neighbourhood node and student accommodation blocks and the western portion of Moyglare Road are c. 880m from the train station, within walking distance. However, the duplex units and Dunboyne Road apartments are further, c. 1km. The PA considers that there is an over concentration of apartment units, which is inconsistent with LAP provisions, in particular HP6. It recommends the omission of Blocks 3 and 4 at the Dunboyne Road with the area to be reconfigured as residential housing units only. It also recommends the omission of duplex Blocks 4-7 and the reconfiguring of the area to provide more traditional housing unit forms.
- The development provides a net density of 40 units/ha, which is considered to be in accordance with development plan Table 4.2 and LAP provisions. However, when the density is broken down by neighbourhood and the proximity of lands to the town centre and public transport routes is taken into consideration, the density of the Dunboyne neighbourhood is considered excessive at 50 units/ha. This element of the scheme should be revised.
- The proposed stated plot ratio of 0.34 is considered appropriate with regard to the size of the site, the extent of the linear park and LAP provisions.
- The Parks Section report recommends refusal on the basis of insufficient provision of functional open space, with incidental areas that allow for limited recreational use due to their narrow and linear design, also the applicant has not provided functional open space to compensate for the use of open space within the scheme for roads, residential units and a cycle path. The PA planning analysis comments that the overall open space provision is in excess of development plan requirements but somewhat deficient on the zoned lands. The provision is considered acceptable in the context of the delivery of the Lyreen River Walk. The Lyreen neighbourhood should be reconfigured to provide a pocket park measuring c. 400 sq.m.

- The private open space provision is acceptable. It is not considered that the student amenity space in Building A will impinge on the Divine Word Missionaries complex. It is unclear how the communal amenity space for Building A2 will be managed given that it will be a thoroughfare to the student accommodation, details of same should be submitted for agreement. Development plan standards require a private open space provision of 60 sq.m./unit, a revised duplex design may be necessary to facilitate a rear garden for the 3 bed duplex unit.
- The design and layout of the student accommodation should be amended such that Block E is moved further to the east to provide a greater separation to the adjoining lands, whilst maintaining the potential for connection to those lands in the future.
- The design, scale and layout of apartment Block 1 should be amended to reflect the stepped / penthouse design of Blocks 3 and 4, in order to ensure an east of transition to the overall scheme and to protect the character of the existing gate lodge and Maria Villa house. The design of Block 2 should be similarly revised in the interests of architectural harmony.
- The development fails to provide a pedestrian connection to Pound Park to the south, which would provide ease of access to Main Street. The EIAR suggests alternative options taking into consideration the issue of flooding of the Lyreen River. Ref. LAP policy AR11 to create a linear park to connect to Pound Park and Carton Estate and to create a linkage to Carton Avenue. Recommends a condition requiring a special contribution towards the delivery of a new pedestrian crossing at this location.
- The rear access alleyways should all be omitted and covered and bin storage provided to the front of each mid terraced unit.
- The submission recommends several amendments to specific house units within the scheme, also that all end units fronting onto roads or areas of public open space shall provide for dual fronting dwellings.

8.1.3. PA Comment on Part V

- Includes report of KCC Housing Section.

- The costs submitted are over the caps set down by the DoHPCLG for the construction of social units. Recommends that the developer should enter into an agreement to transfer 10% of the site and to identify the location of such lands.
- The PA does not consider that the Part V proposals have adhered to government circular guidance, which requires 'pepper potting' units throughout the scheme.

8.1.4. PA Comment on Roads and Traffic Issues

The submission on this matter includes a report by KCC Transportation Division, which recommends refusal for the following reasons:

- Junction design. The application does not provide a 4 arm junction at the Moyglare Road site access. Concerns about potential severe congestion, as detailed in the submitted TTIA. Also lack of access to Maria Villa gate lodge. Both Moyglare Road and Dunboyne Road junctions are not designed to DMURS standards.
- Internal roads layout does not comply with DMURS. Inadequate footpath and cycle path widths, lack of Toucan pedestrian crossings, car parking bay sizes, inadequate road access to commercial parking, lack of turning bays.
- Inadequate vehicular, pedestrian and cyclist permeability to the adjoining Ladrass development. Pedestrian / cyclist permeability to Moyglare Hall and across the Lyreen River does not comply with DMURS.
- Lack of a Road Safety Audit for the entire development, only for the link road and some recommendations of the submitted RSA have not been incorporated into the design.
- No mobility management plan with NUIM.
- There is a shortfall in parking provision with regard to development plan standards. It is unclear how the parking for Building A1 will be capable of accommodating the range of uses within this area or how it will be controlled. A condition requiring a parking management plan for this area is recommended.
- A bus stop / lay by should be incorporated into the neighbourhood node area of the development as a condition of permission.

8.1.5. PA Comment on Site Services

- Includes reports of KCC Water Services.
- The submitted surface water drainage and flood risk strategies are broadly acceptable, some technical issues that would normally be addressed by way of further information.
- The effects of proposed culverts and bridges need to be re-examined in terms of their impacts on flood storage and flow levels and flood mitigation measures during construction, associated fluvial flood risk associated with removing the existing agricultural entrance culvert. Any proposed cleaning / vegetation removal along the Crewhill Stream should be assessed with appropriate flood risk mitigation measures.

8.1.6. PA Comment on Architectural Heritage

The report of KCC Conservation Officer includes the following comments:

- The development will significantly change the existing rural character of the attendant grounds and demesne of the protected structure Maria Villa and the associated gate lodge, also the protected structures RC Presbytery and St. Mary's RC church. Recommends mitigation measures for protected structures, also screening to prevent any impacts to views and prospects within Maynooth ACA.
- The Divine Word Missionaries complex merits inclusion on the Co. Kildare RPS. There will be significant visual and physical impact from the development on the demolition of its north boundary.
- The development will significantly change the existing riverside character of the Maynooth ACA north west boundary. Recommends mitigation measures.

8.1.7. PA Comment on EIAR

- The format and structure of the EIAR are considered to be acceptable, also the consideration of alternatives, the environmental aspects assessed, construction mitigation measures.
- Recommends a condition regarding phasing subject to the agreement of the PA, including a specific requirement that the link road be completed in Phase 1 prior to the occupation of any residential units, to allow for the development of the

student accommodation and commercial elements alongside revised apartment and duplex units.

9.0 Prescribed Bodies

9.1. Dept. of Culture, Heritage and the Gaeltacht DAU

- 9.1.1. The Dept. agrees with the proposal to fully excavate the archaeological features identified during the geophysical survey and confirmed by archaeological test excavations to be archaeological in nature. Full archaeological excavation of these features should be carried out in accordance with the terms of an excavation licence. Recommends conditions in relation to archaeological monitoring and costs of archaeological works.

9.2. Irish Water

- 9.2.1. Based upon details submitted by the developer and the Confirmation of Feasibility issued, IW confirms that subject to a valid connection agreement and Project Works Service Agreement being put in place between IW and the developer, the proposed connection to the IW network can be facilitated.

9.3. National Transport Agency

- 9.3.1. The NTA is supportive in principle of the quantum and density of development and of the proposed mix of uses, with regard to the proximity of the site to Maynooth town centre and related public transport, education and retail facilities. The development will deliver LAP roads objective TRO 2(g) and the internal road layout is sufficiently permeable to facilitate the use of sustainable transport nodes for local trips. The following points are made in relation to specific issues.

9.3.2. NTA Connectivity and Permeability

- The development is enclosed aside from the link between the Moyglare Road and the Dunboyne Road. The submitted Infrastructure Design Report concludes that several potential connection points to adjoining lands are not viable, primarily due to land ownership issues. A farm track severs the site from Moyglare Hall along the northern boundary. There is a possible future connection at the southern corner of the site across lands in 3rd party ownership. The development should, at a minimum, not preclude connections to 3rd party lands.

- The applicant could examine an alternative connection to the town centre via a new crossing of the Lyreen River to connect to Pound Park. This would connect to public land and improve connections to public transport, support the use of sustainable transport modes and connect Lyreen Linear Park to Maynooth town centre. Relevant LAP policies AR4 and AR11 are noted. Any grant of permission should be contingent on the provision of a pedestrian / cycle link from the southern corner of the development to the town centre.
- The student housing should also be connected to the Lyreen Valley Park. The current proposal does not include a clear and legible link.

9.3.3. NTA Lyreen Avenue Design and Connections to External Road Environment

- The proposed junctions at Moyglare Road and Dunboyne Road potentially compromise the safety of Vulnerable Road Users (VRUs). In particular, the Part VIII scheme for Moyglare Road includes a 2 way cycle track on the eastern side of the road.
- Concerns about the off-set junction layout at the Moyglare Road access relative to the NUIM access. Such layouts can be problematic for traffic flow and junction safety. Recommends that the proposed 4 arm junction with access to NUIM be provided as part of the development, with Lyreen Avenue realigned in line with the NUIM entrance. The revised junction should allow for the inclusion of pedestrian and cycle facilities to cater for the strong crossing demand from the NUIM campus. Also suitable transitions between the junction and the Part VIII cycle track on Moyglare Road and adequate means of cycle detection.
- Lyreen Avenue is designed as a street rather than a road, however it has an important traffic function as a relief road for the wider Maynooth area. The NTA considers that the route should be designed as a street rather than a link road and should not be designed to cater for through traffic, which would diminish residential amenity within the scheme.
- Cycle tracks within the development should be in accordance with the NTA National Cycle Manual.
- Removal of the turning pockets at the junctions would allow for the introduction of appropriate footpaths and cycle paths, would reinforce the function of Lyreen

Avenue as a link street rather than a relief road and would ensure compliance with the approved Part VIII layout of Moyglare Road.

9.3.4. NTA Public Transport Services

- The NTA is currently examining options for a bus service on Moyglare Road. It is anticipated that bus infrastructure will be required in the vicinity of the existing NUIM / Moyglare Road junction. Bus facilities should be provided for the junction of Lyreen Avenue and Moyglare Road. The NTA would welcome the opportunity to discuss these requirements with the applicant.
- A new pedestrian / cycle connection across or along the Lyreen River would improve accessibility to existing bus and rail services.

10.0 **Assessment**

10.1. The following are the principal issues to be considered in this case:

- Principle of Development
- Design and Layout
- Landscape and Visual Impacts Including Protected Structures
- Traffic and Transport
- Drainage, Flood Risk and Site Services
- Part V

These matters may be considered separately as follows.

10.2. **Principle of Development**

10.2.1. Site Specific Zoning and Roads Objectives

The development site includes several site specific zoning objectives under the Maynooth Local Area Plan 2013-2019:

- The Maria Villa gate lodge at the Moyglare Road frontage, a protected structure, is zoned as 'existing residential'. The structure is to be retained, renovated and extended, in keeping with the zoning objective.

- A total of 16.2 ha of the site is zoned as 'C' for new residential development, i.e. areas at the Moyglare Road frontage and behind the Divine Word Missionaries complex; a parcel of land at the rear / northern end of the site, adjacent to Moyglare Hall and lands at the Dunboyne Road frontage. These are to be developed as residential accommodation, as permitted in principle under the LAP. Part of the 'C' zoned lands at the Moyglare Road frontage are within the neighbourhood node and are to be developed as a café, creche and student accommodation. The 'C' objective provides for 'associated local shopping and other services incidental to new residential development'. The matter of student accommodation is considered separately below.
- A strip of land along the Lyreen River has the 'F' Zoning objective, i.e. recreation, open space and amenity provision. The layout provides a linear park along the river banks.
- The existing building within the Divine Word Missionaries complex and its associated grounds (stated area 0.33 ha) are zoned 'E' for community and educational uses. This area is to be developed as part of the neighbourhood node with student accommodation, including retail, gym and student services. These are considered to be in accordance with the stated objective for 'E' zoned lands, i.e. to facilitate the existing and evolving requirements of NUIM including associated student accommodation, recreational and cultural facilities and tourism and commercial development.
- The layout provides a link between the Moyglare Road and the Dunboyne road in accordance with the LAP Roads objective TRO2(g).

The development is therefore considered to be generally in accordance with all of the site specific LAP objectives.

10.2.2. Student Accommodation on Residentially Zoned Lands

The use 'student accommodation' is not provided for under the LAP zoning objective 'C', for new residential development.

The National Student Accommodation Strategy 2017 aims to achieve an increased supply of purpose built student accommodation with the construction of at least an additional 7,000 bed spaces by end 2019 and at least an additional 21,000 bed

spaces places by 2024 over a current baseline figure of 33,441 bed spaces. LAP section 7.1 notes that NUIM had approximately 8,400 students as of 2013 and estimates that 50% of the student population resides in Maynooth. There were currently 900 students residing in University provided campus accommodation and a further 100 students staying in University accommodation located off site. The National Student Accommodation Strategy states that a total of 296 no. student bedspaces were completed at NUIM at September 2016, with a projected additional 115 no. bedspaces to be completed in 2017. An additional provision of 2,555 no. bedspaces is identified as a 'potential project' in appendix A of the Strategy, to be delivered in 4 phases with an initial phase of 300 bedspaces in 2020, 200 in 2021 and further phases of 1,055 and 1,000 to be delivered after 2021. Appendix 1 of the applicant's submitted Statement of Consistency provides additional information on the existing and permitted student accommodation provision in Maynooth. Aside from the provision of 296 no. bedspaces in 2017 identified in the National Student Accommodation Strategy, there are also current permissions for 77 no. bedspaces within the University (reg. ref. 17/158) and 117 no student units at Buckley House, Parson Street (reg. ref. 16/328, PL09.247476). The submitted Design Statement states that there are currently 1,263 purpose built student accommodation bedspaces in Maynooth, 1,200 of which are provided by NUIM. Based on a student population of 10,000, this is a 12% provision rate, compared to an average rate of 24% in the UK.

The NUIM website states that the University had an enrolment of over 12,000 students for the 2016/2017 academic year. Having regard to the existing provision of purpose built student accommodation at Maynooth, as outlined above, it is considered that the proposed provision of 483 no. student bedspaces would not result in an over concentration of student accommodation. Any future proposals for additional student accommodation in the area would be considered on their merits as they arose. The development site is considered a suitable location for student accommodation given its proximity to the NUIM campus with regard to the provisions of development plan section 4.7 and objective SNO6, as set out above.

The student accommodation is to be managed by an on-site management team with 24 hour security and the imposition of strict rules regarding anti-social behaviour. I am satisfied on this basis that it will not result in adverse impacts on residential

amenities. The buildings are to be used as tourist / visitor accommodation outside of term time. This is provided for under the definition of student accommodation in the Housing and Residential Tenancies Act 2016. It is not considered that the tourism use would create any significant additional adverse impacts on residential amenities, subject to the proper ongoing management of the scheme.

10.2.3. Settlement Policy, Quantum and Density of Development

Table 3.4 of the development plan core strategy identifies an allocation of 3,542 housing units for Maynooth for the period 2016-2023. LAP section 3.4 identifies a target of 2,245 housing units to be constructed in the period 2013-2019, to be largely provided for on new residentially zoned land on green field sites. LAP Table 6 lists residentially zoned sites including the 'C' zoned lands at Mariavilla and Dunboyne Road, both of which are to be developed at a density of 35 units/ha. LAP Map 6 identifies the Mariavilla lands between the Moyglare Road and the Dunboyne Road as a key location for new residential development. LAP Table 11 indicates an allocation of 402 no. units for the Mariavilla lands (11.5 ha) and 73 no. units at the Dunboyne Road site (2.1 ha), based on a residential density of c. 35 units/ha.

The proposed development of 462 no. residential units and 483 no. student bedsplaces will result in an overall stated density of 40 units / ha on the residentially zoned lands, excluding the link street and student housing or 42.5 units/ha including the student accommodation. The density varies across the site with densities of 57 units/ha at the neighbourhood node and student accommodation, 54 units/ha at Moyglare Road, 50 units/ha at the Dunboyne Road access and lower densities adjacent to Maria Villa and Moyglare Hall at 32 units/ha.

I note that the density was increased from c. 36 units/ ha at pre-planning stage, on foot of advice from ABP. The site is located at the edge of a public transport corridor, within c. 1km walking distance of Maynooth train station and c. 300m-400m from Maynooth town centre. In addition, the NTA submission states that it is currently examining options for a bus service on Moyglare Road. The Section 28 'Guidelines for Planning Authorities for Sustainable Residential Development in Urban Areas' encourage densities of 35-50 units/ha at outer suburban/greenfield sites and minimum net densities of 50 units/ha at sites with 1 km of a rail station or 500m of a

bus stop. The development also supports the NPF objective of compact urban development with enhanced opportunities for walking / cycling and reduced car use. In particular, housing development in the Mid-East region is to be based on employment growth and accessibility by sustainable transport modes. I note that the PA considers the proposed density to be consistent with development plan Table 4.2 and LAP provisions and I agree with this assessment. The proposed overall residential density is considered appropriate on this basis. I note the stated concerns of the PA regarding higher densities at the Dunboyne Road section of the development, this matter is considered further below.

10.2.4. Housing Mix

Aside from the student accommodation, the development of 462 no. dwellings comprises 47% 3 bed houses, 22% 4 bed houses, 6% 1 bed apartments, 18% 2 bed apartments and 7 % 3 bed apartments.

I note the changes in household size in Co. Kildare as per development plan table 2.1 with a fall in average household size from 3.07 persons per household in 2006 to 2.75 in 2017, despite a significant increase in household numbers from 186,335 to 222,130 in the same period, a trend which is projected to continue as per the housing strategy set out in development plan Appendix 1. Development plan section 4.6 states that Kildare has a rapidly increasing '65 and over' age cohort, representing 7.9% of residents of the county. LAP housing objective HPO 1 includes the encouragement of a variety of house types, sizes and tenure to cater for the needs of the population and facilitate the creation of balanced communities. Development plan policy MDO 3 requires the submission of a 'Statement of Housing Mix' to demonstrate the need for residential accommodation based on local demand and the demographic profile of the area. The applicant has not submitted same.

The KCC submission considers that there is a need for multi generational single storey units within the scheme and notes LAP housing policy HP6, which generally restricts apartment developments to the University campus and town centre locations or suitably located sites adjoining public transport connections. Apartments will not be permitted where there is an over concentration of this type of development and duplex units shall not generally be permitted. The PA considers that there is an

over concentration of apartment units in the proposed scheme. It recommends the omission of Blocks 3 and 4 at the Dunboyne Road and duplex Blocks 4-7, with these areas to be reconfigured as more traditional housing unit forms.

The development includes c. 28 no duplex units and is c. 31 % apartments, aside from the student accommodation. The proposed provision of apartments is considered acceptable given the proximity of the site to Maynooth town centre, the NUIM campus and Maynooth train station and the demographic profile of Co. Kildare as discussed above. While the concerns of the PA regarding the apartments at Dunboyne road are noted, this location is also within walking distance of the town centre and Blocks 3 and 4 are satisfactory with regard to design and impacts on residential amenities. In addition, the proposed duplex apartments are considered to provide an acceptable standard of design and residential accommodation within the scheme and I see no reason to omit them. I agree with the submission of the applicant that the apartments and duplex units are necessary to achieve a reasonable mix of housing units and the need to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to Maynooth Town Centre and to established social and community services in the immediate vicinity. I consider the overall housing mix to be reasonable as it avoids a preponderance of large, detached houses and includes a mix of unit types and sizes. I also note that there is no significant concentration of existing / permitted apartment developments in the immediate vicinity, such as would result in an over concentration of apartment development.

10.2.5. Crèche and Community Facilities

LAP housing policy HP 7 is to facilitate and co-operate in the provision of community facilities in tandem with residential development including, in particular, local services, schools, crèches and other education and childcare facilities. Policy HP 8 requires applicants for residential developments > 25 units to demonstrate how the proposed increase in population will be accommodated in terms of education provision. The applicant has not submitted details of same and I note the concerns of third parties regarding pressure on local schools. LAP section 3.9 notes that Maynooth has a secondary school and 4 primary schools and that some school facilities are currently inadequate. However, I also note that the construction of new secondary school facilities has commenced on the Maynooth Education Campus

nearby, as permitted under PL09.243635, and will presumably be completed notwithstanding any current delay.

The proposed crèche facility of 620 sq.m. could cater for c. 100 children with regard to the industry standard of c. 3-4 sq.m. floorspace per child. The 'Guidelines for Planning Authorities on Childcare Facilities' recommend the provision of a childcare facility with 20 places for each 75 no. dwellings. The development includes a total of 352 no. 3 and 4 bed apartment and house units, which would entail a requirement of c. 94 childcare spaces. The proposed crèche would meet this requirement.

The gym and café are acceptable in principle at this location and enhance the amenity of the scheme.

10.2.6. Principle of Development Conclusion

To conclude, the proposed density, housing mix, retail, gym, café and student accommodation are considered to be acceptable in the context of the location of the site in close proximity to the NUIM campus, the centre of Maynooth and Maynooth train station and in accordance with relevant LAP, development plan and national policies and with the requirements of the site specific zoning objectives.

10.3. **Design and Layout**

10.3.1. Proposed Layout

The development has been designed around the constraints present at the site, i.e. the TRO 2(g) LAP roads objective and the associated accesses from the Moyglare Road and the Dunboyne Road; the LAP land use zonings; the Lyreen River and Crewhill Stream and associated flood zones; the undulating topography and existing field boundaries and the context of the Maria Villa protected structure, along with the Divine Word Missionaries complex, St. Mary's Church and the associated Parochial Hall protected structures.

The residential layout is divided into 4 no. 'neighbourhoods' as follows:

1. Local Neighbourhood Node and Student Accommodation at Moyglare Road

This area is to the east of the Moyglare Road access and separated from the rest of the scheme by the Crewhill Stream. There are 2 distinct elements. Blocks A, A1 and A2 centre on a new pedestrian civic space facing the Moyglare Road and contain the neighbourhood uses and student accommodation. Block A, 4 storey, contains a retail

unit, gym and student services on the ground floor with 116 no. student bedspaces on the upper floors including a student amenity courtyard at first floor level, overlooking the grounds of the Divine Word Missionaries complex. Block A1, 2 storey, contains the crèche with associated play area facing the linear open space at the Crewhill Stream on the western side of the building. Block A2, 3 storey, is a standalone block containing 4 no. 4 bed 'own door' student clusters with a landscaped area to the rear. The area also contains car and cycle parking and refuse storage. The remainder of the zone is situated to the rear of the Divine Word Missionaries complex with pedestrian and vehicular access over the Crewhill Stream, with the Lyreen River to the east. It contains 4 no. 3/4 storey blocks of student accommodation, Blocks B, C, D and E with a total of 352 no. student bedspaces. Blocks B, C, D and E are split level to accommodate a sharp drop in levels at the stream and river banks. There are landscaped courtyard spaces between the blocks and a basketball court adjacent to the vehicular access. Stated density of 57 units/ha.

2. Moyglare Road Neighbourhood

Located at the western end of the site, accessed from the Moyglare Road, between the spine route and the Maria Villa gate lodge. The lodge is to be renovated and extended as a single residential unit with its own grounds, accessed via the existing entrance to Maria Villa. There is an open space to the east of the gate lodge, which is overlooked by the 4 storey apartment Blocks 1 and 2 (46 no. units in total) at the Moyglare Road access. There are 7 no. 3 storey duplex blocks along the western side of the spine route, containing a total of 56 no. 2 / 3 bed duplex units. The remainder of the area contains 48 no. 2/3 storey houses. Overall stated density of 54 units/ha.

3. Dunboyne Road Neighbourhood

Located to the east of the Lyreen River, with frontage to the Dunboyne Road. The 4 storey apartment Blocks 3 and 4 (20 units in each) are situated on either side of the spine route at the Dunboyne Road access. The remainder of the area contains 41 no. 2 storey houses with 2 storey housing facing the Dunboyne Road frontage. The Lyreen Riverside park is laid out along the river banks, including play areas on both sides of the river. An open space along the southern boundary of this area, including

the retention of the existing hedgerow, provides a buffer to the adjoining wastewater pumping station. Stated density of 50 units/ha.

4. Mariavilla and Lyreen Valley Neighbourhood

Located between the Lyreen River and Moyglare Hall, containing a total of 230 no. detached, semi-detached and terraced houses on either side of a central spine open space, the 'Mariavilla green link', which runs westwards from the riverside park thorough the neighbourhood and forms a buffer with the Maria Villa lands. There is a smaller open space, 'Mariavilla Green', on the western side of the neighbourhood, close to Moyglare Hall, also a buffer retaining existing hedgerows along the boundary with the grounds of Maria Villa. This area has a stated density of 32 units/ha, designed to be compatible with the neighbouring Moyglare Hall development and to provide a context to the Maria Villa protected structure.

10.3.2. DMURS, Vehicular and Pedestrian Connections

The layout has a road hierarchy comprising the spine route 'Lyreen Avenue' including the Lyreen bridge between Moyglare Road and Dunboyne Road, link streets and local 'home zones' or shared surfaces with a mix of curtilage and on-street parking. There is good pedestrian and vehicular permeability within the scheme with limited use of cul-de-sacs and provision of pedestrian and cycle links. The overall layout and roads hierarchy are generally considered to be in accordance with the principles of DMURS. In addition, the provision of several house types provides variety and interest and results in good legibility and there is satisfactory treatment of corner units. KCC comments that the internal roads layout does not comply with DMURS with regard to inadequate footpath and cycle path widths, lack of Toucan pedestrian crossings, car parking bay sizes, inadequate road access to commercial parking, lack of turning bays and no provision for a bus stop / lay by. KCC Transportation Section recommends conditions, which may be imposed to address these issues if permission is granted.

The proposed accesses to the Moyglare Road and Dunboyne Road are discussed below in section 10.5.1. The link route required by LAP objective TRO 2(g) has a boulevard layout with continuous housing frontages, pedestrian and cycle routes, parallel parking and street trees, rather than that of a distributor road. The bridge is laid out as a 6.5m wide carriage way with footpaths and cycle lanes on both sides.

The layout includes a 4m wide pedestrian / cycle green way along its entire length, with 3 no. pedestrian crossings. There are concerns as to whether the boulevard layout can cater for traffic demand, in accordance with the TRO 2(g) objective. The NTA notes that while the route has an important traffic function as a relief road for the wider Maynooth area, it should not be designed to cater for through traffic, which would diminish residential amenity within the scheme, and should be designed as a street. I agree with this recommendation.

The northern and western parts of the development are laid out to allow for future connections to adjoining lands. A particular issue arises at the western side of the site, abutting Moyglare Hall, with an intervening agricultural access inside the shared boundary. It is proposed to retain this access but the site layout also indicates 'future connections' to existing cul-de-sacs within Moyglare Hall. Residents of Moyglare Hall state concerns about safety impacts of through vehicular traffic, also possible anti-social behaviour associated with the agricultural access and the presence of access laneways to the rear of houses nos. 444-447 and 452-455. The design report states that the Moyglare Hall access cannot be provided at present due to the intervening agricultural track. This point is accepted. The PA recommends the omission of the rear access alleyways with the provision of bin storage provided to the front of each mid terraced unit. However, I consider that the retention of bin storage to the rear of houses is a more satisfactory arrangement and note that the laneways are to be gated and accessible to local residents only, precluding their use for anti-social behaviour.

The south-eastern corner of the development abuts an adjoining development site and is immediately opposite Pound Park on the other side of the Lyreen River. LAP policy AR4 provides for the development of linear open spaces and walkways along the River Lyreen and policy AR11 is to create a 50m setback at either side of the Lyreen River at Mariavilla where possible, to create a linear park that will link with Pound Park and Carton Estate and also to create a linkage to Carton Avenue. The proposed layout indicates a pedestrian / cycle greenway in this part of the site, running from the spine route over the Crewhill Stream and terminating at a 'possible future connection' north of student accommodation Block E, towards the adjoining site to the south. That site, which is situated to the rear of St. Mary's Church and is accessed from Mill Street, is the subject of the current SHD application ABP-301775-

18 relating to 135 no. apartments in 3 blocks. The 5 storey Block B of that scheme directly abuts the boundary shared with the development site, close to the student accommodation Block E, albeit at a lower ground level. The adjoining site owner submits that the proposed Block E layout does not incorporate appropriate provision of pedestrian / cycle routes and a civic space adjoining the shared boundary. The landowner requests that Block E be repositioned c. 10m in a north easterly direction to allow for provision of a walkway and useable open space area between Block E and the adjoining development. The PA also recommends that Block E be repositioned to provide a greater separation to the adjoining lands, whilst maintaining the potential for connection to those lands in the future.

I note that the student accommodation Blocks C, D and E are all within the 50m buffer to the River Lyreen specified in LAP policy AR11, however the policy states that this is to be achieved 'where possible'. Furthermore, there is no direct pedestrian or cycle connection between the student accommodation and the green way. In addition, the layout does not include a bridge connection to Pound Park on the opposite river bank, as required under LAP policy AR11. The PA recommends a condition requiring a special contribution towards the delivery by the Council of a new pedestrian / cycle bridge over the Lyreen River. The EIAR consideration of alternatives states that this area is severely impacted by Flood Zones A and B, which significantly increases the potential footprint of any bridge over the Lyreen River as it would have to accommodate predicted flood levels and riparian separation distances, resulting in a span of up to 40m and an associated land take. It is submitted that such a structure would have adverse impacts on the coherence of Pound Park and reduce the coherence of the linear park within the proposed development. Instead, the 'possible future connection' to the lands to the south is compatible with the adjoining layout proposed under ABP-301775-18, which indicates a continuation of the greenway along the river bank and out towards the town centre via an access from Mill Street. This would create a connection between the greenway serving the proposed development and Mill Street. Connectivity could also be enhanced by a condition requiring a direct pedestrian / cycle connection between the greenway and the student accommodation. Obviously, however, the completion of a link to the town centre would be dependent on the successful completion of the adjoining scheme.

I consider that the layout of the student accommodation is generally acceptable notwithstanding its proximity to the Lyreen River. The LAP objective AR11 states that this distance should be achieved 'where possible' and, the SSFRA does not indicate any significant flood risk as a result of the proposed design. However, the layout should be revised to provide a direct pedestrian / cycle connection between the student accommodation and the adjacent greenway, to continue on the lands to the south when that site is developed. A condition requiring a special development contribution to provide for the construction of a pedestrian bridge over the Lyreen River by the PA may be imposed. I note that the development permitted on the opposite side of the river under PL09.247614 includes extensive public open space along the river and a walkway, which could be upgraded to a pedestrian / cycle connection, leading to Pound Park. I do not see any particular need to create a large separation distance between the student accommodation and the adjoining development given the intervening drop in ground levels.

10.3.3. Landscaping and Public Open Space Provision

KCC Parks Section recommends refusal on the basis of insufficient provision of functional open space. Development plan section 17.4.7 requires an open space provision of 15% of the development site area. Given the stated overall site area of 21.26 ha, there is a total open space provision of 6.655 ha including the public open spaces in residential areas, amenity spaces and the linear park on the 'F' zoned lands, i.e. c. 31% of the site area. The stated public open space provision on the 'C' zoned lands with the site is 2.7 ha or 15%, in accordance with the development plan requirement. This quantitative provision is therefore satisfactory.

The development provides a hierarchy of open spaces. The principal public open space is the 'riverside park' on the 'F' zoned lands at the Lyreen River valley, in compliance with development plan policy NH6 "*To conserve and protect the natural habitats in the local river systems*" including the Lyreen River and its tributaries and associated woodlands, scrub, hedgerows and trees, also LAP policy AR11 to create a 50m setback to the Lyreen River at Mariavilla. The riverside park includes pedestrian and cycle routes in compliance with LAP policy AR4, which requires linear open spaces and walkways along the Lyreen and NH6 "*To conserve and protect the natural habitats in the local river systems*" including the Lyreen River and its tributaries and associated woodlands, scrub, hedgerows and trees. The park also

provides a vista to the Maria Villa lands and continues with landscaped areas along the Crewhill Stream at the student accommodation and neighbourhood nodes.

In addition, there are landscaped buffers along the western site boundaries shared with the Maria Villa lands; landscaped areas between the Mariavilla gate lodge and apartment Blocks 1 and 2 at the Moyglare Road access; civic spaces at the neighbourhood node and student accommodation; smaller 'pocket parks' within the scheme and green networks. I consider that the development is well served with open spaces overall. The incidental open spaces throughout the scheme are generally well overlooked and landscaped and there is a good provision of 'kick about' spaces and play areas. The civic space and student amenity spaces provide additional amenity areas for that part of the development and are satisfactory. I note the landscaping strategy, tree survey and tree protection plan submitted. I consider that the proposed open spaces are well overlooked, will provide a high standard of amenity and will allow for the retention of a substantial amount of the existing hedgerows and mature trees at the site, in particular the treelines along the boundary with Maria Vila. I accept that the 'Mariavilla green link' at the southern side of the Lyreen neighbourhood is relatively marginal. However, the area is also close to the central Mariavilla open space and the riverside park. I therefore consider that it is adequately served by public open space and do not agree with the recommendation of KCC Parks Section that this area should be reconfigured to provide a pocket park.

10.3.4. Quality of Residential Accommodation

The development includes a mix of 2 storey and 2.5 storey detached, semi-detached and terraced houses in several finishes, including units specifically designed to address corners. The house layouts have private rear gardens with satisfactory dimensions and adequate bin storage. The PA submission recommends several amendments, which may be considered separately as follows:

- Unit B1V on site no. 52 in the Moyglare Road neighbourhood to be omitted due to its orientation and potential for overlooking of the adjoining unit. A reconfiguration of house types within this row should provide for a dual frontage dwelling to address the access road to the south and west. Site no. 56 should be omitted and the adjoining dwelling on site no. 57 amended in order to provide a

continuous building line to the access road. I do not consider that house no. 52 will result in significant overlooking of the adjoining unit, however I agree that a dual fronted house should be provided at this location. Site no. 56 projects beyond the building line to the rear but I do not consider that it would result in a significant adverse visual impact and it should therefore be retained.

- Design of unit type A5 on site 232 in the Lyreen / Mariavilla neighbourhood to be amended to provide a more active frontage to the local road. This point is accepted and a relevant condition should be imposed. The PA considers that unit B3V on site no. 256 breaks the building line and should be revised to maintain the building line. It also recommends that units facing the main access roads within this neighbourhood project beyond the building line and should be revised to provide a consistent building line or proposals to landscape the rear boundary walls should be submitted, ref. sites 344, 356, 318, 327, 311, 334, 283, 294, 276, 301, 242 and 353. I consider that the proposed configuration of the Lyreen / Mariavilla neighbourhood is acceptable subject to the implementation of the proposed landscaping, as it will not significantly detract from visual or residential amenities and will result in an efficient use of land.
- Also within the Lyreen / Mariavilla neighbourhood, unit BV1 on site no. 461 should be omitted or redesigned alongside unit 460 in order to mitigate any adverse impacts on the adjoining properties within the Moyglare Hall. These units are to the immediate north east and perpendicular to adjacent houses within Moyglare Hall. They have been designed to preclude overlooking from first floor level. Significant overshadowing issues do not arise given the orientation. I therefore consider that they should be retained as proposed. The remaining units along the Moyglare Hall boundary are satisfactory and will not result in any significant impacts on residential amenities.

The duplex apartments are laid out with active frontages to the internal streets and private terraces for each unit facing Lyreen Avenue. The 3 storey height provides a satisfactory strong urban edge to the link route. Adequate bin storage and cycle parking are provided. This layout is satisfactory. The ground floor 2 bed apartment

type D1 and 1st / 2nd floor 3 bed apartment type D2 have total floor areas well in excess of the standards specified in the Design Standards for New Apartments for 2 and 3 bed units, with internal floor areas meeting or exceeding the requirements. The PA comments that development plan standards require a private open space provision of 60 sq.m./unit and that a revised duplex design may be necessary to facilitate a rear garden for the 3 bed duplex unit. However, the proposed private amenity space areas are well in excess of those specified in the apartment standards and are therefore acceptable.

Apartment Block 1 at the Moyglare Road neighbourhood (3 floors + penthouse) has 22 no. units comprising 6 no. 1 beds, 15 no. 2 bed units and 1 no. 3 bed unit. The adjacent block 2 has 24 no. units, i.e. 8 no. 1 bed units and 16 no. 2 bed units. All units have total floor areas well in excess of the targets specified in the apartment standards and satisfactory internal layouts. Both blocks have 6 units per core. Block 1 has 7 single aspect units (32%) and Block 2 has 8 no. single aspect units (33%), i.e. well below the maximum specified in the apartment standards. Private open spaces are provided in the form of balconies / terraces which meet the minimum standards for private amenity spaces and have acceptable dimensions. Bin and bicycle storage are provided in a separate block. The PA comments that Block 1 and 2 should be amended to reflect the stepped / penthouse design of Blocks 3 and 4, in order to ensure a visual transition to the overall scheme and to protect the character of Maria Villa house and gate lodge. However, the proposed design is considered acceptable as is with regard to the assessment of visual impacts and impacts on the setting of protected structures below.

Apartment Blocks 3 and 4 at the Dunboyne Road neighbourhood are both 3 floors + penthouse and both have 20 units in total. Both have 6 no. 1 bed units, 12 no. 2 bed units and 6 no. 3 bed units. All units have total floor areas well in excess of the targets specified in the apartment standards and satisfactory internal layouts. Both blocks have 6 units per core and 6 no. single aspect units (30%). Private open spaces are provided in the form of balconies / terraces which meet the minimum standards for private amenity spaces and have acceptable dimensions. The layout includes communal open spaces of 250 sq.m. for Block 3 and 137 sq.m. for Block 4 with refuse and bicycle storage provided in a separate blocks.

I am satisfied that the development will provide a satisfactory standard of residential accommodation with regard to national and development plan policies.

10.3.5. Quality of Student Accommodation

The proposed overall mix of student accommodation is as follows:

Student Accommodation Type	No. of Units	No. of Bedspaces	%
Studio bed apt	20	20	4%
Twin studio apt	4	8	2%
Clusters	4	16	3%
3 bed student apt	1	3	1%
4 bed student apt	3	12	2%
5 bed student apt	20	100	21%
6 bed student apt	54	324	67%
Total	106	483	100%

The development may be considered with regard to the Dept. of Education guidance as follows. I also note the guidance provided for student accommodation in section 16.10.7 of the City Development Plan, which may be used for reference purposes.

Dept. of Education Guidance	Proposed Provision
Each unit to consist of minimum 3 bed spaces, maximum 8 bed spaces.	All are in accordance with this requirement except for 44 no. studio, twin studio and 4 bed 'clusters', see below.
Minimum GFA 55 sq.m., maximum GFA 160 sq.m. Study bedrooms to be arranged in units with a common entrance, access stairs and corridors and ancillary facilities.	These standards are met.
Provision of shared kitchen / dining / living room at a minimum of 4 sq.m./ bedspace.	This is complied with according to the submitted Housing Quality Assessment.
Single ensuite study bedroom 12 sq.m. Single disabled study bedroom with ensuite 15	This minimum standard is exceeded in all instances.

sq.m.	
Circulation and storage provision.	This requirement is met.
Adequate amenity open space provision. DCC development plan requires a minimum of 5-7 sq.m. / bedspace	Landscaped courtyards and a basketball court. Adequate in quantity and quality. Blocks A1 and A2 6.5 sq.m. / bedspace Blocks B, C, D, and E 7.5 sq.m. / bedspace
Communal facilities not > 12% of the total floor area.	The student accommodation has a total GFA of 4,178, i.e. a requirement of c. 501 sq.m. of communal facilities. Block A ground floor common room 113 sq.m., 1 st floor common room 42 sq.m. Communal facilities serving Blocks B, C, D, and E 213 sq.m. Gym and café adjacent, also proximity to NUIM campus. This provision is considered to meet the requirement.
Part M	Universal design statement submitted.
Bicycle storage provision.	This requirement is met.
Refuse storage provision	This requirement is met.
Corridors not > 15m from 'landing' area.	This requirement is met.
No. of apartments per lift core not > 30.	This requirement is met.
Minimum 1 / 50 bedspaces designed for disabled	This requirement is met.

The scheme includes 20 no. studio units, 4 no. twin studio units and 4 no. 4 bed 'clusters' in Block A2. These types of accommodation are not provided for the Dept. of Education guidance. Section 16.10.7 of the current Dublin City Development Plan 2016-2022, which serves for reference purposes, provides the following guidance in relation to studio units:

“Single / double occupancy studio units that provide en-suite bathroom facilities and kitchenettes / cooking facilities will also be considered, with a minimum gross floor area of 25 sq.m. and a maximum gross floor area of 35 sq.m.”

The proposed studio units have floor areas within these parameters. In addition to the studio units, Block A2 is a standalone provision of 4 no. 4 bed own door 'student clusters' with communal living / dining areas on the ground floor. I consider that the design and layout of these units provides a satisfactory standard of residential amenity. I consider that these additional accommodation types are acceptable given that the Dept. of Education Guidelines dates back to 1999 and that a wider variety of student residences is necessary to cater for the varied needs of a modern, diverse student population. I am satisfied that the development will provide a good quality of student accommodation.

10.3.9. Design and Layout Conclusion

To conclude, I consider that the design and layout of the development are generally satisfactory with regard to national and development plan guidance for residential development and that there is a reasonable standard of residential accommodation for future residents of the scheme.

10.4. **Landscape, Visual and Architectural Heritage Impacts**

10.4.1. The site is located on the edge of the urban area of Maynooth and close to established residential areas. It is not prominently visible over a wide area due to the lowlying, rolling topography of the vicinity. Maynooth is located in the Northern Lowlands landscape character area of Co. Kildare, designated as 'Class 1 Low Sensitivity' in the Landscape Character Assessment, i.e.:

"Areas with the capacity to generally accommodate a wide range of uses without significant adverse effects on the appearance or character of the area."

Landscape policy LL 1 applies:

"Recognise that the lowlands are made up of a variety of working landscapes, which are critical resources for sustaining the economic and social well being of the county."

In the local context, the Maynooth Architectural Conservation Area (ACA), comprising the grounds of St. Patrick's College and the area around Main Street is to the south west of the development site. Carton Demesne is nearby to the east. The following protected structures are in the immediate vicinity of the development site:

Protected Structure	RPS No.	NIAH no.
Maria Villa (including the associated gate lodge)	B05-09	11900506
St Mary's Catholic Church, Mill Street	B05-08	11803101
Maynooth Parochial House, Mill Street	B05-63	11803108

Potential visual impacts at locations in the vicinity, including relevant sensitive receptors, may be considered separately as follows. This assessment of visual impacts is informed by the site inspection, the EIA Landscape and Visual Impact Assessment, the submitted photomontages and the model submitted with the application.

10.4.2. Visual Impacts to Moyglare Road

The Moyglare Road frontage will be characterised by the new civic space in front of the neighbourhood node containing buildings A, A1 and A2. These present active frontages at ground floor level and have a good quality of architectural design and finish with a composition including a clock tower. The plaza has hard landscaping and makes a satisfactory contribution to the urban realm. In addition, existing trees at the western side of the frontage are to be retained and enhanced with landscaping. This will partially screen the 4 storey apartment Block 1 in views from Moyglare Road. This location corresponds to viewpoints 1a, 1b, 2 and 3 in the EIAR LVIA, which assesses impacts as permanent and neutral / beneficial. It is considered that the development achieves a satisfactory physical interaction and visual impact at Moyglare Road and would not compromise the setting of the protected structure Maria Villa gate lodge or the associated tree lined avenue. In addition, the more urban character of this part of the scheme is in keeping with its proximity to Maynooth town centre and the NUIM campus.

10.4.3. Impacts on the Setting of the Divine Word Missionaries Complex

I note the comment of the KCC Conservation Officer that the complex merits inclusion on the RPS as it has historic significance due to its design by Andrew Devane, an important Irish Modernist architect. Having inspected the site, I agree with this assessment and consider that the complex is an architectural set piece worthy of preservation. The building to be demolished is a later addition to the complex and its removal would not have any significant impact on its architectural integrity. The proposed development would adjoin the northern and eastern

boundaries of the complex. Block A presents a 4 storey façade with a first floor terrace serving the student accommodation. This is the most visually prominent element of the scheme from the adjoining complex, due to its bulk and proximity. I have some concerns about the relatively blank facades of Block A, however these could be ameliorated somewhat by the retention of existing vegetation within the Divine Word Missionaries complex and by the use of satisfactory external finishes to Block A. I note that a palette of materials for Blocks A, A1 and A2 has been selected to be compatible with the adjacent complex. Block A2 and the student accommodation blocks B, C, D, and E are set back from the shared boundaries with intervening landscaping and it is considered that they would not have significant adverse impacts on the setting of the complex. I am satisfied that, while the development will undoubtedly change the context of the Divine Word Missionaries complex, it will not have any significant adverse impacts on its setting or architectural integrity.

10.4.4. Visual Impacts on St. Mary's Church and Maynooth Parochial Hall Protected Structures

The NIAH describes St. Mary's Church as a 19th gothic century church of regional importance, "... a fine and imposing building of social interest", a prominent landmark in the locality, typical of churches built in that period, retaining many important early or original salient features. The associated Parochial House is also of regional importance, dating to c. 1840, of social interest and an attractive feature of the streetscape of Mill Street. The student accommodation Blocks D and E will be visible from Mill Street to the rear of the both structures. The development will undoubtedly change their setting, however given the intervening distance and the presence of mature vegetation at the Divine Word Missionaries complex, it is not considered that they would have a significant adverse impact on the settings of the protected structures.

10.4.5. Impacts on the Setting of Maria Villa Protected Structure

Maria Villa is a classical house with associated grounds, tree lined avenue and outbuildings, dating to c. 1740. The NIAH rates it as of regional importance due to its architectural, historical and social interest. The house is part of a complex including outbuildings to the rear, the gate lodge at Moyglare Road and a tree lined avenue

along part of the western site boundary. The NIAH notes that the ancillary structures provide insight into the extent of a mid 18th century estate and are individually of some architectural heritage merit. The gate lodge dates to c. 1800 and is of vernacular interest. It is in poor condition with its roof falling in, water ingress and few original features. The demesne landscape of Maria Villa survives in good condition, including the tree lined avenue.

Development plan policy NH 4 is to seek the protection of trees of special amenity value at various locations including Maria Villa. The development is laid out to provide a vista to Maria Villa from the Lyreen Avenue spine route. Views from the boundary of the Maria Villa grounds correspond to viewpoints nos. 14a, 14b, 14c and 15 in the EIAR LVIA. They are assessed as significant / very significant and neutral in the long term as the scheme is established, on the basis that the scheme complements the scale, landform and pattern of the landscape view and maintains landscape quality.

I note the recommendation of KCC Conservation Officer that permission is subject to a condition requiring a Conservation Plan to reinstate the historic designated landscape around the protected structure. I consider that the design, layout and landscaping of the scheme respect the setting of Maria Villa. While they will change its context, the integrity of its demesne will remain intact and overall I consider that impacts are acceptable.

The Maria Villa gate lodge is to be retained, renovated and extended. Having regard to the design and associated landscaping, it is considered that this aspect of the development is appropriate to the conservation and renovation of the protected structure.

10.4.6. Visual Impacts to Dunboyne Road

The Dunboyne Road access is characterised by the strong visual presence of 4 storey apartment Blocks 3 and 4, with 2 storey houses to the rear, also 2 storey housing along the road frontage. Neighbouring residents state concerns that the apartment blocks are out of character with surrounding development. This area corresponds with viewpoints nos. 5, 6, 7, and 8 in the EIAR LVIA, which assesses the impacts as moderate / significant / very significant and neutral / beneficial. While I accept that the site is rural at present, it is considered that the 4 storey blocks are

compatible with the location of the site close to the centre of Maynooth and to the NUIM campus and will function as a visual gateway to the development. The setback of the 3rd floor reduces the bulk and visual impact of the blocks. In addition, as stated above, the achievement of a higher residential density is fundamental to the sustainable development of zoned and serviced lands. The remainder of the Dunboyne Road has 2 storey housing facing the road, which is similar to surrounding existing developments. Overall, I consider that visual impacts on Dunboyne Road are reasonable in the context of a changing urban / suburban environment.

10.4.7. Visual Impacts to Moyglare Hall

10.4.8. The development will be directly visible from the eastern side of Moyglare Hall residential development. This location corresponds to viewpoint no. 12 in the EIAR LVIA, which is assessed as very significant and neutral. I consider that the development would change the view from Moyglare Hall but would read as a continuation of the existing suburban environment within that development and therefore is acceptable

10.4.9. Maynooth Architectural Conservation Area and Carton Demesne

St. Patrick's College corresponds to viewpoint no. 16 in the EIAR LVIA. The development will not be visible from this location and impacts are therefore assessed as 'no change'. In addition, it will not be visible from the axis between St. Patrick's College and Carton Estate. Development plan policy PS6 is to maintain views to and from Carton House and within Carton Demesne and table 14.5 lists protected view no. 30:

"Within Carton Demesne Walls: Views to and from Carton House, the Lake and Woodland Areas."

This area corresponds to viewpoints nos. 10, 17, 18 and 19 in the EIAR LVIA. The impacts are assessed as moderate / slight and neutral / no change. I consider that the development will not have any significant impact on the ACA or on Carton Demesne.

10.4.10. Landscape, Visual Impacts and Architectural Heritage Conclusion

Having inspected the site and viewed it from a variety of locations in the area, I consider that while the development will undoubtedly change the outlook from

adjoining areas, this impact is acceptable in the context of the mixed character of the area and its proximity to Maynooth town centre. The potential landscape and visual impacts are considered acceptable on this basis. In addition, it is considered that the development would not have any significant adverse impacts on the architectural heritage resources of the area, subject to the satisfactory implementation of the recommended mitigation measures.

10.5. **Traffic and Transport**

10.5.1. Existing and Proposed Roads Infrastructure

The development has road frontages to the Moyglare Road and the Dunboyne road. The Moyglare Road serves the northern end of Maynooth including the large residential development of Moyglare Hall and the Maynooth Education Campus further to the north. It has a carriage width of c. 6.5m with footpaths on both sides and no cycle facilities at present. KCC has a proposed Part VIII scheme to upgrade pedestrian and cycle facilities at this location including a 4m wide shared surface along the eastern side of the road (opposite the development site) from the town centre to the Maynooth Education Campus. There is an existing heavily used access to the NUIM campus on the opposite side of Moyglare Road and the Maria Villa gate lodge and access drive are to the immediate east of the proposed development access. The Dunboyne Road is rural in character from the roundabout junction with the R157 to the northeast. The southern end of the road, in the vicinity of the development site, serves several large residential developments, i.e. Castlepark estate, Carton Square, Pebble Hill and Lyreen Park. The road is narrow and has limited visibility on the approach from the east towards the development site, with a sharp bend close to the access to Meadow Lodge Fisheries. It is heavily trafficked and several vehicles were observed travelling at speed during the site inspection. The Dunboyne Road site frontage has a carriage width of c. 6.5m with footpaths serving the new developments on the eastern side of the road. There are no cycle facilities.

The Moyglare Road access is to be a 3 arm signalised junction, offset in relation to the NUIM access across the road and with a left turn lane for vehicles travelling from the town centre into the NUIM campus. It is designed to tie in with KCC Part VIII works. Both KCC and the NTA state concerns in relation to the offset junction layout

and recommend the provision of a 4 arm layout, to include access to NUIM. I accept that there is likely to be a significant amount of pedestrian and cycle traffic between NUIM and the development. However, the junction layout is constrained by several factors including the Maria Villa gate lodge and access to the tree lined avenue to the immediate west, the Crewhill Stream and the presence of several mature trees, which are to be retained. There is currently little scope to reconfigure the NUIM access across the road as the relevant lands are within the grounds of Maynooth Community College. However, the applicant submits that the proposed junction layout has been designed to facilitate the provision of a 4th arm to connect to the NUIM campus at a future date as the school will relocate to the Maynooth Education Campus when it is completed. This possibility has been discussed at a meeting between the applicant, NUIM and Kildare & Wicklow Education & Training Board, however there are no firm proposals at present. I consider that the access should remain at the proposed location, subject to the submission of a satisfactory layout to the PA, to provide adequate pedestrian and cycle facilities that are compatible with proposed Part VIII works on the Moyglare Road and the provision of future bus facilities, as recommended by the NTA. A 4th arm to the junction can be provided at a future date when lands across the road become available.

The Dunboyne Road access is also signal controlled and includes a realignment of the road frontage to provide a wider carriageway with improved visibility in both directions. The layout indicates footpaths and cycle lanes on both sides of the carriageway, with works outside the control of the applicant to be carried out in agreement and on behalf of KCC. The NTA comments that the layout could compromise the safety of VRUs and recommends a revised layout to address this issue, in addition to the conditions recommended by the Transportation Section of Kildare County Council. Conditions to address these issues may be imposed if permission is granted. I note the refusal of PL09.245305 on the Dunboyne road on grounds relating to traffic congestion and traffic hazard. However, that site was closer to the bend at Meadow Lodge Fisheries. In addition, I am satisfied that the alignment of the access to the proposed development will provide satisfactory visibility in both directions. Traffic impacts are discussed below. The Dunboyne Road access and layout is therefore acceptable.

The link road between the Moyglare Road and the Dunboyne Road as required by LAP roads objective TRO 2(g) is to be provided as a street rather than a distributor road, as discussed in above section 10.3.2. The layout includes a 4m wide pedestrian / cycle greenway along the entire route.

In the wider area, the Maynooth Outer Relief Road (MOOR) is proposed as several roads objectives within the Maynooth LAP, including between the Moyglare Road and the Kilcock Road in the vicinity of the site, as per LAP Map 1. Meath County Council were granted Part VII approval for the section of the MOOR between Mariavilla and the R157 in 2016, which is to be delivered under a Section 85 agreement. The TTIA states that this stretch of the MOOR is to be completed by 2024. In addition, KCC was awarded €14.5m by LIHAF in 2017, for the delivery of a section of the MOOR between the Celbridge Road and the Leixlip Road in the sough eastern side of Maynooth.

The Greater Dublin Cycle Network Plan (2013) proposed new primary / secondary routes along the Moyglare Road and the Dunboyne Road.

With regard to public transport, here are 3 no. bus stops at a distance of 600-900m from the site, each served by routes to Dublin city centre and other locations.

According to the NTA submission, it is currently examining options for a bus service on Moyglare Road. The site is c. 850m from Maynooth train station, which is the terminus of most Iarnród Eireann western commuter trains and is served by the Sligo Inter City service. There a journey time of c. 30 minutes to Heuston Station. The Maynooth to Dublin rail connection is to get a Dart upgrade under the 2040 plan.

10.5.2. Parking Provision

The development includes the following car and cycle parking provision. The development plan standards have been extrapolated from Tables 4.2 and 4.3 in the submitted TTIA.

Car Parking Spaces	Development Plan Standard	No.
Total no. of grouped car parking spaces for apts and duplex apts, including visitor spaces	249	246
Car parking spaces for houses, including 10 no. shared car parking spaces	640	640
Total no. of car parking for student accommodation in Blocks A, B, C, D, and E	None	33
Total no. of car parking for commercial uses in Blocks A, A1 and A2	142	58
Go Car spaces		2
Total	1,031	979
Cycle Spaces	Development Plan Standard	No.
Cycle parking for student housing residents	483	392
Student housing visitor spaces	97	92
Cycle parking for neighbourhood node	51	54
Cycle parking for apts and duplex apts resident	142	142
Apts visitor	71	26
Total cycle parking provision	844	706

The car parking provision for the houses and apartments is therefore in accordance with development plan requirements except for a slight shortfall. The provision for student accommodation and the commercial uses is significantly less than the development plan requirement. It is submitted that there would be dual or complementary use of spaces between the gym, retail, crèche, café and student accommodation uses. The commercial spaces are to be managed as short stay spaces to discourage commuter use. In addition, 2 'Go Car' spaces are to be provided. This point is accepted and the proposed car parking provision is considered satisfactory on this basis. I note that KCC Transportation Dept.

recommends the omission of 33 no. car parking spaces at the student accommodation, to be replaced by loading bays and a maximum of 3 no. staff parking spaces. However, it is considered that these spaces may be complementary to the commercial uses, e.g. staff parking, and should be retained on the basis that the overall quantum of parking provided is satisfactory and subject to parking management as part of the Mobility Management Plan.

I note that the cycle parking for the student accommodation and apartments is somewhat deficient with regard to the development plan standards. It is submitted that the development plan standards overestimate cycle parking demand with regard to the applicant's experience of managing student accommodation in Dublin city centre. Additional cycle parking provision may be required by condition.

10.5.3. Traffic and Transport Impact Assessment

The application includes a TTIA by DBFL Consulting Engineers, which also forms the basis for the 'Material Assets – Traffic' chapter of the EIAR. The TTIA is based on AM and PM traffic counts carried out at the Dunboyne Road, the Moyglare Road, Manor Mills shopping centre and Main Street on 5th April 2017. This was a normal weekday outside any holiday period.

The TTIA uses trip generation rates based on the TRICS database. It is assumed that a high percentage of trips to the crèche, retail, café and gym will be generated from within the scheme, this is considered reasonable. POWSCAR census data regarding trips to / from NUIM, schools and work for Maynooth residents is used to assess trip distribution. It is assumed that students will not drive to campus due to proximity and limited availability of parking on the college grounds, this assumption is also accepted. The traffic assignment model takes 5 no. committed 3rd party developments into consideration (including the Maynooth Education Campus) and uses traffic data extrapolated from the Maynooth Strategic Traffic Model, which was the evaluation tool for the Maynooth Traffic Management Plan. It considers impacts for an 'opening year' of 2019 including the completion of the TRO 2(g) link, Lyreen Bridge and accesses to Moyglare and Dunboyne Roads and a future design year of 2034 with Phases 1, 2, and 3 complete and occupied. The TTIA assumes that the northern and eastern sections of the MOOR as discussed above will be completed by 2024. The potential rerouting of traffic through the development via TRO 2(g), as

provided for under the Maynooth Traffic Management Plan, is also taken into consideration.

Junction capacity analysis is carried out for the Moyglare Road access, the NUIM / Moyglare Road junction, the Dunboyne Road access and 2 other junctions in the area. The development will result in a significant increase in AM peak traffic at the NUIM access / Moyglare Road, 25.02% increase in 2019 and 10.10% increase in 2034. The PM peak increases are well below 5%. It will also result in a significant AM increase at the Dunboyne Road, 93.46% increase in 2019 and 79.72% in 2034. There are also significant PM increases at Dunboyne Road, 60.17% in 2019 and 101.86% in 2034. There are moderate impacts at the Moyglare Road access with a 50.9% AM peak increase in 2019 and a 14.97% increase in 2034 and a PM peak increase of 19.63% in 2019 and 3.01% in 2034. Impacts on other junctions are slight or imperceptible. The junction analysis of the Moyglare Road and Dunboyne Road accesses found DoS well below 0.9 for both junctions for all scenarios. Proposed mitigation measures include a Mobility Management Plan, with a separate MMP for the student accommodation.

The development will undoubtedly generate a significant amount of traffic. However, this must be weighed against the delivery of LAP roads objective TRO 2(g), which represents a significant planning gain and can alleviate traffic congestion in the area. The TTIA finds that the TRO 2(g) link will result in reduced vehicle movements at Bridge Street, Main Street, Dublin Road and Straffan Road, with a reduction of flows by 18% - 36% in the town centre. In addition, the development provides satisfactory cycle and pedestrian facilities and will improve pedestrian / cycle permeability in the area and thus encourage sustainable forms of transport.

10.5.4. Construction Traffic

The Construction Management Plan states that a new temporary construction access will be created on the Moyglare Road, with control measures where traffic crosses the public footpath. The existing site entrance from the Dunboyne Road will also be used. Traffic volumes are not expected to be significant. Warning signage will be provided. Dedicated haul routes are to be agreed with KCC. A Traffic Management Plan for the construction stage will be prepared, to include measures to minimise movement and impacts including impacts on public roads. I consider that

these measures preclude significant adverse impacts on residential properties in the area as a result of construction traffic and are generally satisfactory.

10.5.5. Traffic and Transportation Conclusion

The report of KCC Roads, Transportation & Public Safety Dept. recommends refusal on several grounds including:

1. Applicant has failed to provide a 4 arm junction at the Moyglare Road access.
2. Moyglare and Dunboyne accesses not to DMURS standards.
3. Development does not provide vehicle, pedestrian and cycle permeability to the adjoining development to the south.
4. Road safety audit not completed for the entire development.
5. Mobility Management Plan with NUIM not provided.
6. Car parking shortfall
7. Internal layout non-compliant with DMURS.

The items 1, 2, 3 and 7 are dealt with in section 10.3.2 above. The car parking shortfall is reasonable in the context of complementary usage of spaces. The Road Safety Audit and Mobility Management Plan may be dealt with by condition. I note that the report also recommends conditions in the event of permission being granted.

Having regard to the above assessment, I am satisfied that the development will not result in undue adverse traffic impacts such as would warrant a refusal of permission and that any outstanding issues may be dealt with by condition.

10.6. **Drainage, Flood Risk and Site Services**

10.6.1. Surface Water Drainage and Flood Risk

There are several watercourses at the site, i.e. the Lyreen river and its tributary the Crewhill Stream, also various drainage ditches. Ground investigations indicate clay conditions, i.e. low infiltration. However, ground conditions were generally dry at site inspection. The eastern part of the site is believed to contain fill material. The site is divided into 5 surface water catchments. All discharge to the Crewhill Stream or the Lyreen River. The surface water drainage design contains SUDs measures including permeable paving to parking spaces; green roofs, bio retention areas and filter

drains. There are also attenuation storage areas under public open spaces. The attenuation storage volume is as required for a 100 year design event + 20 % climate change allowance. Outfall is to be restricted to GDSDS allowable flow rates, i.e. green field run off rates, detailed calculations are provided.

Potential flood risks associated with the storm water drainage design are considered in the Site Specific Flood Risk Assessment (SSFRA) by DBFL Consulting Engineers. The primary flood risks at the site are associated with fluvial flooding from the Lyreen River and Crewhill Stream, with a secondary risk of pluvial flooding from surface water drainage networks. The Eastern CFRAM flood zone maps indicate Flood Zones A and B within the site, associated with predicted fluvial flood events at the Lyreen River and the Crewhill Stream. The remainder of the site is within Flood Zone C. OPW reports indicate that the weir on the Lyreen River located at Meadow Lodge Fisheries recorded high water levels during flood events in 2002 and 2011 with the Lyreen spilling onto the adjacent flood plain consistent with the flood maps. Historic flood events have been confined to the identified Flood Zones A and B. Detailed hydraulic modelling using a topographical site survey indicates that predicted pluvial flood extents are limited to the floodplains of each watercourse, with relatively shallow flood depths. The SSFRA notes that the Lyreen River passes through the site within a steeply sloping valley that provides a large freeboard to the Flood Zone C lands on each side.

The development layout indicates open space at Flood Zones A and B and commercial and residential development within Flood Zone C lands only. This is in accordance with the sequential approach set out in the section 28 guidelines “The Planning System and Flood Risk Management, Guidelines for Planning Authorities.” Development areas are set back from the predicted OPW flood extents to provide additional protection against flood risk. I note that the southern extent of student accommodation Block E touches the predicted flood extents, however the lower ground flood level of the block is c. 3m above the flood level with a minimum freeboard of 1.6m. Road and street levels are designed to provide overland flow pathways to direct flood waters away from development areas towards open spaces and existing watercourses.

Some infrastructure elements (main link street, culverts and bridges) are required to span flood Zones A and B, i.e. the bridge over the Lyreen River and the culverted

crossings of the Crewhill Stream. The SSFRA includes detailed hydraulic analysis of the river bridge and stream culverts, to address anomalies in the OPW flood extents and reflect a detailed topographic survey. The analysis produced a detailed flood extent map. Hydraulic analysis of the Lyreen River bridge indicates that the structure would not impact on flood risk upstream or downstream with negligible impacts on flood levels confined to the immediate bridge location only. The bridge was designed in consultation with both IFI and the OPW and provides the requested set back from the top of the bank. Proposed structures at the Crewhill Stream comprise a 6m long extension of the existing Moyglare road culvert; a new 30m long skew culvert, 2 portal frames (10m and 8m long) and a 3.5m wide pedestrian bridge crossing. Hydraulic analysis was carried out on these structures to produce a complete post-development flood map. Overall, the development will not increase flows from the Crewhill Stream or the Lyreen River downstream for the 1% AEP, 1% AEP with climate change and 0.1% AEP events when compared to present day. Mitigation measures are recommended relating to the management of the drainage system, these could be required by condition.

10.6.2. Foul Drainage

There is the following existing foul drainage infrastructure in the vicinity:

- Existing 450mm diameter public foul sewer traversing the site from the Moyglare Road, running parallel with the Crewhill Stream and crossing the Lyreen River to the Maynooth pumping station.
- 225mm diameter private sewer in the eastern part of the site at the Dunboyne Road, serving the Castlepark development and connecting to the pumping station to the east of the site.
- 300mm sewer along the Lyreen River serving Maynooth town centre and connecting to the 450mm public foul sewer traversing the site.

The proposed foul drainage system is to connect to these existing services. Foul flows from the Moyglare Road portion of the development and the student accommodation as well as the Moyglare, Mariavilla and Lyreen neighbourhoods will discharge to the foul sewer within the site. Foul flows from the Dunboyne neighbourhood will flow under gravity directly to the pumping station, which ultimately discharge to the Leixlip WWTP. A pre-connection enquiry application was

submitted to Irish Water. The IW correspondence submitted confirms that a wastewater connection to the IW network can be facilitated, subject to a valid connection agreement being put in place. This is satisfactory.

10.6.3. Water Supply

It is proposed to connect to existing watermains on the Moyglare Road and the Dunboyne Road. A new 200mm diameter spine watermain is proposed along Lyreen Avenue to provide a strategic link between the Moyglare Road and the Dunboyne Road. This arrangement is acceptable and the Irish Water correspondence is again noted.

10.6.4. Drainage, Flood Risk and Site Services Conclusion

I note the submitted report of the KCC Water Services. This comments that the proposed surface water drainage strategy is sound overall and broadly demonstrates compliance with the requirements of the GSDSDS policies and CoP, subject to requirements and conditions. These points are accepted and the proposed drainage system is satisfactory on this basis. I also note and accept the findings of the SSFRA, such that the development will not impinge on Flood Zone A and will not result in additional flood risk upstream or downstream of the site. The KCC Water Services notes that the SSRFA does not consider OPW flood modelling for a 'future scenario' taking into account the effects of climate change and increased urbanisation. Details of same may be submitted by condition to form the basis for an amended final surface water drainage design in agreement with the PA. The proposed foul drainage and water supply arrangements are satisfactory.

10.7. **Part V**

- 10.7.1. The applicant has submitted Part V proposals comprising the transfer of units at the site to the planning authority. A schedule of estimated costs has been submitted and details of the numbers of units to be transferred at each phase of the scheme. Development plan. I note the report on file of KCC Housing Section, which states that the costs submitted are over the caps set down by the DoHPCLG for construction of housing units. The report therefore recommends that the developer transfer 10% of the lands at the site to the PA for the provision of social housing. It is considered that this requirement would mitigate against the provision of an integrated scheme such as that currently proposed. I therefore recommend that a

condition requiring a Part V agreement is imposed in the event of permission being granted. The student housing development does not include any Part V provision. This is satisfactory pending further guidance to be issued by the Dept. of Housing, Planning and Local Government on the application of Part V to student accommodation.

10.8. Planning Assessment Conclusion

- 10.8.1. Having regard to the above assessment, I conclude that permission should be granted for the proposed development subject to the conditions set out below.

11.0 Environmental Impact Assessment

11.1. EIA Statutory Provisions

- 11.1.1. 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(b) of Part 2 of Schedule 5 provides that an EIA is required for infrastructure projects comprising of 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 21.26 ha and therefore exceeds the threshold and EIA is thus mandatory in this case.
- 11.1.2. The EIAR is laid out in 3 volumes. Volume I is a non-technical summary. Volume II comprises the main report. Volume III contains technical appendices. Chapters 1 and 2 of Volume II establish the context of development and describe the proposal in detail, including construction and phasing. The strategic need for the development is outlined in the context of the zoning of the site and the current housing shortage. Chapter 15 provides a summary of mitigation measures.

- 11.1.3. 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.
- 11.1.4. 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 7.0, 8.0 and 9.0 of this report.
- 11.1.5. This EIA has had regard to the application documentation, including the EIAR, the observations received and the planning assessment completed in Section 10.0 above.

11.2. **Alternatives**

- 11.2.1. Article 5(1)(d) of the 2014 EIA Directive requires 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. The matter of alternatives is addressed in EIAR section 2.13. Alternative sites were not considered due to the LAP zoning of the site for residential development, which underwent SEA. The development has been designed with regard to LAP and development plan policies and standards, as well as pre-application discussions with KCC and ABP and key environmental and practical considerations as set out in the EIAR, including the achievement of appropriate residential density and site constraints. Details of alternative development options considered during the design process are provided, including layouts previously permitted at the site and alternative bridge and road design/construction options. I consider that the matter of the examination of alternatives has been satisfactorily addressed.

11.3. **Likely Significant Direct and Indirect Effects**

- 11.3.1. The likely significant indirect effects of the development are considered under the following headings, after those set out in Article 3 of the EIA Directive 2014/52/EU:

11.3.2. Population and Human Health

The assessment examines the socio-economic impacts of the development, including impacts due to demographic change, impacts on the community and on community facilities and on the economy. It is noted that the population of Maynooth grew by c. 17.5% over the 2011-2016 intercensal period. Predicted impacts other than those considered in other chapters of the EIAR primarily relate to an improvement in economic activity associated with the construction phase of the development; economic growth associated with an increased population when the development is complete; short term negative impacts on local residents during construction; new gym, crèche and retail facilities and linear park will benefit the wider community; provision of new residential accommodation to alleviate housing issues in the area. No significant cumulative or residual impacts are envisaged.

This chapter of the EIAR does not provide any analysis of impacts on local school populations. This issue was raised in a considerable number of the third party submissions. I note the guidance provided in the EPA document 'Environmental Impact Assessment Reports | Draft Guidelines' (August 2017), which advises that the 'Population & Human Health' topic should include assessments of those factors under which human health effects might occur, as addressed elsewhere in the EIAR e.g. under the environmental factors of air, water, soil etc. and states that the legislation does not generally require assessment of land-use planning, demographic issues or detailed socio-economic analysis. I also note the guidance provided in the 'EPA Advice Notes on Current Practice (in the preparation of Environmental Impact Statements)' (September 2003), which states in relation to the topic 'Human Beings' that issues such as employment, commercial competition, zoning and other social and economic issues are dealt with by more specific instruments such as the Planning Acts and sets out issues which may be examined under this heading including economic activity; changes to the patterns and types of social activities and land uses; health and safety and impacts on sensitive neighbouring occupied premises. Impacts on school populations are not mentioned in either document.

I have considered all of the written submissions made in relation to population and human health. I am satisfied that they have been appropriately addressed in terms of the application and the information submitted by the applicant and that no significant

adverse direct, indirect or cumulative effects on population and human health are likely to arise.

11.3.3. Biodiversity

EIAR Chapter 4 evaluates impacts on habitats, flora and fauna on a study area comprising the development site. It is based on habitat surveys of the site on 14th December 2016 and April 1st 2017 and separate bat surveys carried out on May 4th and 5th and 14th September 2017.

There are 6 broad habitat types identified at the development site, as mapped in EIAR figure 4.5. The lands are generally agricultural in nature with habitats of low biodiversity value. The treelines and hedgerows at the site are of local value to wildlife. There are some veteran mature Oak, Sycamore and Beech specimens, which are of local biodiversity value due to the scarcity of broadleaved woodland in Co. Kildare. There are no alien invasive species at the site. Definitive evidence of badgers was recorded across the site, including fresh footprints on the western bank of the Lyreen River. There is suitable habitat for Otter at the site but no direct evidence of the species was observed. The River Lyreen is of county importance for wildlife. A wier along the river may be a barrier to fish passage. There are no examples of habitats listed on Annex I of the Habitats Directive or records of rare or protected plants.

The development will involve the removal of some woodland and hedgerow habitats with resultant potential impacts on birds and small mammals. It is proposed to offset this loss by establishing new native vegetation along the Lyreen River. Bridge construction will necessitate extensive earth works at the river but not in stream works. Aside from the bridge, there will be no development within the 10m buffer zone to the river. There are several proposed 'portal frame' culverts at the Crewhill Stream, these are bottomless and result in minimal disturbance to the river bank. Otherwise, a 5m buffer will be retained to the stream, aside from parking spaces at one location which has been agreed with Inland Fisheries Ireland (IFI). There are potential impacts associated with the release of sediment to the watercourses during construction. Proposed mitigation measures are set out including a Construction Method Statement. The bridge will remain otter passable.

Two badger setts were noted, one in a hedgerow in the northern part of the site and another at the Crewhill Stream. The development will result in impacts on the badger sett at the Crewhill Stream and indirect impacts on the other sett at the site. The NPWS has granted a license to disturb these setts subject to mitigation measures including the construction of a new sett in the woodland / scrub area at the Lyreen River.

The bat surveys noted a single soprano pipistrelle leaving the vacant building at the site, which is considered to be a satellite bat roost. This roost will be lost when the building is demolished, subject to NPWS derogation licence. A total of 21 no. trees at the site were identified as potential bat roosts. Treelines and hedgerows at the site provided foraging habitat for various bat species. Common pipistrelles, Leisler's Bats, Daubenton's bats and soprano pipistrelles were recorded foraging and commuting throughout the study area. It is likely that bat species present already have some tolerance for artificial light due to the built up surroundings of the site. Mitigation measures include supervision by a bat specialist, a bat box scheme and bat tubes at river and stream crossings. No lighting is to be provided along the Lyreen River or bridge or at wooded ridges and lighting in the rest of the scheme is to be limited to ensure that adjoining habitats can continue to be used by foraging bats and other wildlife. Various methods to control light spillage are proposed.

The assessment considers impacts on the Royal Canal pNHA (impacts on the Rye Water Valley / Carton SAC are discussed below in relation to AA). No specific impacts are identified.

The EIAR does not identify any significant cumulative impacts on biodiversity.

I have considered all of the written submissions made in relation to biodiversity. I am satisfied that the identified impacts on biodiversity would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of biodiversity.

11.3.4. Land and Soils

The site is mostly greenfield with marshy areas in the lower parts around the watercourses. There is a large amount of made ground to a depth of c. 7m on the

eastern side of the Lyreen River, adjacent to the Dunboyne Road, which was excavated when neighbouring ponds were constructed. The subsoil is till overlying limestone bedrock with a clay topsoil layer that has poor infiltration characteristics. Environmental testing at the site found a sample at the southern end of the site that slightly exceeded the criteria limits for inert waste landfill, with the material classed as 'stable, non-reactive'. The made ground on the Dunboyne Road is also considered to be 'stable, non-reactive'. There are no designated protection or conservation areas, karst features, geological heritage areas, geo-hazards, or mines / mineral extraction in the immediate area.

The main construction activity impacts on soils and bedrock include c. 25,000 m³ of cut and 6,000 m³ of fill of soils and sub-soils across the development, no works to bedrock are proposed. Significant earth works will be required in the bridge abutment areas. Non-reusable excavated material will be removed from the site. There are potential impacts associated with accidental spills of fuels and oils at the site and compaction from increased vehicular movements. There is also potential risk of groundwater contamination. Proposed mitigation measures include landscaping and construction management measures. The development is assessed to have no long term adverse residual or cumulative impacts on soils and geology.

I have considered all of the written submissions made in relation to land and soils. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of land and soils.

11.3.5. Water

The site is located within the River Liffey Catchment within the Eastern River Basin District, which is a nationally important salmonid system. The Rye Water and the Lyreen River are the dominant water features of the area, both drain to the River Liffey. The GSI have classified the groundwater vulnerability in the area as at risk of not achieving good status. Groundwater monitoring was undertaken at 2 boreholes at the site. EPA records include a station c. 600m downstream of the site on the Lyreen River, which has status readings of 'poor'. They do not specify a water quality

status for the Crewhill Stream. GSI have classified the site's groundwater vulnerability as high with the area around the Lyreen River as 'extreme'. The underlying aquifer is classed as 'locally important aquifer – bedrock which is moderately productive only in local zones', this is in keeping with the substantial overburden to bedrock found in site investigations.

The proposed surface water attenuation system, SUDS measures and flood risk are discussed in section 10.6 above.

Potential impacts primarily relate to polluted surface water run off during construction, the construction of culverts to the Crewhill Stream including temporary diversions and piling works in the riparian strip to the Lyreen River at the proposed bridge. Proposed mitigation measures include construction management measures and foul and surface water drainage infrastructure. The construction impacts are classified as slight, adverse and temporary. There will be slight, adverse, permanent impacts on groundwater recharge due to soil removal. Surface water discharge from the completed development will have slight, adverse, permanent residual impacts on existing watercourses. The bridge and culverts are to be designed and constructed with regard to IFI guidance to avoid impacts on habitats and species. Potential residual impacts are identified as short term and imperceptible.

I have considered all of the written submissions made in relation to water. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of water.

11.3.6. Climate (Air Quality)

Air quality monitoring was carried out at the Moyglare Road and Dunboyne Road accesses to the site in April 2017. The concentrations of nitrogen oxides, sulphur dioxide and Benzene were well below their respective annual limit values and comparable with levels reported by the EPA. Measured baseline dust deposition rates were well below the TA Luft guidelines daily dust deposition value. Potential air quality impacts primarily relate to fugitive dust and combustion gas emissions during construction. Mitigation measures comprise construction management measures

and phasing. Impacts are anticipated to be imperceptible. No long term cumulative impacts on air quality are predicted. No significant climate impacts are predicted.

I have considered all of the written submissions made in relation to air quality and climate. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of air quality and climate.

11.3.7. Air (Noise and Vibration)

The EIAR assessment of noise impacts is based on noise monitoring carried out at 7 locations around the site in April 2017, including residential developments at Dunboyne Road and to the north of the site. The existing noise climate in the area is generally dominated by road traffic. Vibration was not perceptible. Potential noise impacts during the 5 year construction phase relate to site works and construction machinery, resulting in slight to moderate impacts. Construction noise modelling indicates that the construction day time noise limit of 70 dB LA_{eq} can typically be complied with during enabling and construction works, excluding proposed noise attenuation measures. Standard construction mitigation measures to reduce noise and vibration impacts are proposed, including noise and vibration monitoring. It is not expected that the short term increase in HGV movements associated with the construction phase will have an adverse impact on the noise climate of the wider area or on local receptors. Potential noise impacts from the completed development are primarily associated with additional traffic noise. It is expected that there will be a < 10% increase in traffic volumes on the Moyglare and Dunboyne Roads with a resultant traffic noise increase of < 1dBA and an imperceptible noise impact. No significant vibration impacts are predicted.

I have considered all of the written submissions made in relation to noise and vibration. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of noise or vibration.

11.3.8. Landscape & Visual

The Board is referred to section 10.4 above in respect of landscape and visual impacts.

The development will have a very significant, permanent landscape impact, which is assessed as 'neutral' given the low to medium landscape sensitivity and the location of the site on lands zoned for development. The LVIA considers visual impacts from 19 no. vantage points including at Maria Villa house, the R157 scenic route adjacent to Carton House, within Carton Demesne, Moyglare Hall and Maynooth University ACA. I am satisfied that the viewpoints selected allow for an adequate assessment of overall visual impacts, particularly from sensitive locations.

Proposed mitigation measures comprise:

- Construction management measures.
- Retention of existing trees and field boundaries
- Proposed landscaping scheme.
- Architectural design and open spaces.

No significant or profound residual landscape or visual impacts are identified in the long term. Significant cumulative impacts are possible in view of other zoned lands nearby and the ongoing development of the area.

I have considered all of the written submissions made in relation to landscape and visual impact. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect landscape and visual impacts.

11.3.9. Material Assets – Traffic

The Board is referred to section 10.5 above in respect of traffic and transportation.

I have considered all of the written submissions made in relation to traffic and transport. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the

proposed development would not have any unacceptable direct or indirect impacts in terms of material assets.

11.3.10. Material Assets – Waste Management

Construction waste will arise during the excavation, demolition and construction phases. It is estimated that 69,062 tonnes of excavated material will be generated from the development. An estimated 70% of this material may be suitable for re-use within the development, therefore an estimated 20,719 tonnes of excavated material may require removal from the site. A Construction Waste Management Plan is to be implemented to ensure that waste generation is minimised and opportunities for re-use and recycling are maximised; water materials are to be removed from the site by appropriately permitted waste haulage contractors and disposed of at approved and licensed facilities in compliance with the Waste Management Act 1996 and all associated Waste Management Regulations. A Waste Management Plan is also to be used for the completed development, to follow relevant legislation and best practice guidelines. No significant cumulative or residual impacts are predicted.

I have considered all of the written submissions made in relation to waste management. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of waste management.

11.3.11. Material Assets – Utilities

EIAR Chapter 12 sets out the proposed utilities serving the site, i.e. drainage, water supply, electricity, telecommunications and natural gas. The development involves a new ESB substation to serve the student accommodation with satellite kiosk type substations within the residential scheme. The existing overhead power line at the site will be reviewed with ESB networks as part of the development. No significant impacts are identified in association with electricity, telecommunications or natural gas infrastructure. The proposed foul drainage and water supply arrangements are as discussed in section 10.6 above. No significant residual or cumulative impacts are predicted.

I have considered all of the written submissions made in relation to utilities. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of utilities.

11.3.12. Archaeology, Architecture and Cultural Heritage

Archaeological testing and a geophysical survey were carried out at the development site. There are 11 no. recorded archaeological sites within 500m of the development, these are all grouped to the south of the development with 7 of them concentrated at Maynooth Castle (KD005-015, National Monument no. 485), c. 32m to the southwest, of which 7 are concentrated at the location of Maynooth Castle. The geophysical survey at the site identified a response indicative of a circular ditched enclosure measuring c. 30m in diameter with an entranceway in the east. A smaller 7m diameter enclosure was noted 12m east of the entrance to the larger enclosure suggesting a second ditched enclosure. A further spread of increased response was noted 13m to the east of this again, possibly representing a cluster of large pits or possibly a small pond feature. This response was considered to be of clear archaeological potential. Linear response and parallel ploughing trends are evidenced in several fields within the development area. The archaeological testing found 3 areas of archaeological significance. The most prominent feature found was a c. 33m diameter shallow enclosure that may represent a large scale ring ditch or barrow, a burial monument. It corresponds to the geophysics anomaly in this area of the site. The scale and morphology suggests that it may date to the Bronze Age. A small ring ditch was identified c. 12.5 m to the east, again confirming the geophysical survey. It is not uncommon to have smaller 'satellite' ring ditches or barrows located adjacent a larger one. Other features identified include localised areas of in situ burning, possibly related to Iron Age charcoal production. These features are not apparent in available aerial photographs and have no upstanding remains.

The primary potential impacts identified relate to impacts of ground works on the archaeological resource and visual impacts on the setting of Maria Villa house. Other protected structures in the vicinity will not be directly impacted. No significant potential cumulative impacts are identified. Proposed mitigation measures include

archaeological preservation by record, archaeological wade surveys at the River Lyreen and construction management measures, also a photographic survey of Maria Villa gate lodge.

Potential impacts on adjacent protected structures are addressed in section 10.4 above.

I have considered all of the written submissions made in relation to archaeology, architecture and cultural heritage. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of archaeology, architecture and cultural heritage.

11.3.13. Significant Interactions

I have also considered the interrelationships between factors and whether these might as a whole affect the environment, even though the effects may be acceptable on an individual basis.

EIAR Chapter 14 provides a summary of principal interactions. There are no potential significant negative interactions.

It is submitted that all of the potential interactions are dealt with in the relevant individual chapters of the EIAR, which present an integrated report of findings from the impact assessment process rather than a collection of individual assessments. The development will not result in any significant cumulative or synergistic adverse impacts on the environment.

In conclusion, I am satisfied that effects arising can be avoided, managed and mitigated by the measures which form part of the proposed development, mitigation measures, and suitable conditions. There is, therefore, nothing to prevent the granting of permission on the grounds of cumulative effects.

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

11.4.1. Having regard to the examination of environmental information contained above, and in particular to the EIAR and supplementary 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:

- Landscape and visual impacts, which will be mitigated by the retention and enhancement of existing trees and hedgerows, new landscaping and the creation of a new riverside park on the banks of the Lyreen River and a civic open space at Moyglare Road.
- Traffic and transportation impacts, which will be mitigated by the construction of a new link between the Moyglare road and the Dunboyne Road as per LAP objective TRO2(g) and by the provision of pedestrian and cycle facilities in conjunction with the KCC Part VII works on the Moyglare Road, also use of Mobility Management Plans including parking management and Go Car service.
- Water impacts, which will be mitigated by construction management measures; bridge and culvert designs and construction method in accordance with IFI' "Guidelines on Protection of Fisheries During Construction Works In and Adjacent to Waters"; also attenuation of surface water runoff to green field rates and the installation of interceptors on roads within the scheme; ongoing monitoring of the hydrological environment.
- Biodiversity impacts, which will be mitigated by landscaping or replacement of native hedgerow including the re-establishment of native vegetation along the Lyreen River; measures to avoid disturbance to animals during construction including badgers and bats; construction of a new badger sett; bat box scheme; lighting control measures; bat tubes in culverts and the bridge; tree protection measures during construction; post construction bat and badger monitoring.
- Land and soils impacts, to be mitigated by construction management measures including controlled stripping of topsoil and management of topsoil stockpiles; design of road levels and FFLs to minimise cut / fill operations; material removed from south of the Crewhill Stream and east of the Lyreen River to be classified to ensure that it is disposed of appropriately in accordance with the Waste Management (Hazardous Waste) Regulations 1998.
- Cultural heritage impacts, which will be mitigated by pre-construction surveys and site investigations; avoidance and protection during construction works and

archaeological recording prior to construction, wade surveys at the Lyreen River and monitoring of ground works.

11.4.2. Having regard to the above, it is my view that the environmental effects arising as a consequence of the proposed development have been satisfactorily identified and assessed. I consider that the EIAR is compliant with Article 94 of the Planning and Development Regulations, 2001, as amended.

12.0 **Appropriate Assessment**

12.1. **AA Introduction**

12.1.1. This section of the report considers the likely significant effects of the proposal on European sites with each of the potential significant effects assessed in respect of each of the Natura 2000 sites considered to be at risk and the significance of same. The assessment is based on the submitted Natura Impact Statement (NIS), prepared by Openfield Ecological Services. I am satisfied that adequate information is provided in respect of the baseline conditions, potential impacts are clearly identified and sound scientific information and knowledge was used. The information contained is considered sufficient to allow me to undertake an Appropriate Assessment of the proposed development.

12.2. **The Project and Its Characteristics**

12.2.1. See the detailed description of the proposed development in section 1.0 above.

12.3. **The European Sites Likely to be Affected Stage I Screening**

12.3.1. There are no designated sites within or immediately adjacent to the development. The NIS Stage I screening assessment notes the following designated sites within 15 km of the development:

Site	Distance from Development Site
Rye Water Valley / Carton SAC (site code 1398)	c. 1.2 km
Ballynafagh Lake SAC (site code 1387)	c. 15 km
Ballynafagh Bog SAC (site code 0391)	c. 15 km

12.3.2. Rye Water Valley / Carton SAC (site code 1398)

The SAC has the following qualifying interests:

Code	Description / Common Name	Scientific Name
7220	Petrifying springs with tufa formation (Cratoneurion) *priority habitat	
1014	Narrow-mouthed Whorl Snail	<i>Vertigo angustior</i>
1016	Desmoulin's Whorl Snail	<i>Vertigo moulinsiana</i>

Generic conservation objectives have been published by the NPWS, i.e. to maintain or restore the favourable conservation condition of the Annex I habitat and/or the Annex II species for which the SAC has been selected. The closest part of the site is c. 750m to the Rye Water SAC and the Crewhill Stream and Lyreen River are tributaries of the Rye Water. The Rye Water SAC is screened in on the basis of these connections.

12.3.4. Ballynafagh Lake SAC (site code 1387) and Ballynafagh Bog SAC (site code 0391)

The Ballynafagh Lake SAC has the following qualifying interests:

Code	Description / Common Name	Scientific Name
7230	Alkaline Fens	
1016	Desmoulin's Whorl Snail	<i>Vertigo moulinsiana</i>
1065	Marsh Fritillary	<i>Euphydryas aurinia</i>

Generic conservation objectives have been published by the NPWS, i.e. to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.

The Ballynafagh Bog SAC has the following qualifying interests:

Code	Description
7110	Active raised bogs *priority habitat
7120	Degraded raised bogs still capable of natural regeneration
7150	Depressions on peat substrates of the Rhynchosporion

The NPWS has identified site specific conservation objectives to restore the favourable conservation condition of the active raised bog Annex I habitat.

Conservation objectives are not set for the remaining qualifying interests.

The NIS Stage I assessment rules out the likelihood of significant effects on the Ballynafagh Lake SAC and Ballynafagh Bog SAC in view of their conservation objectives.

12.3.5. Other Designated Sites

The NIS notes that negative effects can occur at distances > 15km. There is also potential for effects on designed sites within Dublin Bay due to the discharge of wastewater from the development to the River Liffey. The Rye Water is a tributary of the River Liffey at Leixlip and therefore there is a pathway to Natura sites in Dublin Bay. The River Liffey estuary is subject to a number of designations including the following:

Site
South Dublin Bay and River Tolka Estuary SPA (site code 4024)
South Dublin Bay SAC (site code 0210)
North Dublin Bay SAC (site code 0206)
North Bull Island SPA (site code 4006)

These designations encompass all of the intertidal areas in Dublin Bay from the south of the Howth peninsula to the pier in Dun Laoghaire. Their qualifying interests may be listed separately as follows.

South Dublin Bay and River Tolka Estuary SPA (site code 4024)

Code	Description / Common Name	Scientific Name
A046	Light-bellied Brent Goose	<i>Branta bernicla hrota</i>
A130	Oystercatcher	<i>Haematopus ostralegus</i>
A137	Ringed Plover	<i>Charadrius hiaticula</i>
A141	Grey Plover	<i>Pluvialis squatarola</i>
A143	Knot	<i>Calidris canutus</i>
A144	Sanderling	<i>Calidris alba</i>
A149	Dunlin	<i>Calidris alpina alpina</i>
A157	Bar-tailed Godwit	<i>Limosa lapponica</i>
A162	Redshank	<i>Tringa totanus</i>
A179	Black-headed Gull	<i>Chroicocephalus ridibundus</i>
A172	Roseate Tern	<i>Sterna dougallii</i>
A193	Common Tern	<i>Sterna hirundo</i>
A194	Arctic Tern	<i>Sterna paradisaea</i>
A999	Wetlands	

The NPWS has identified site-specific conservation objectives to maintain the favourable conservation condition of the above, as defined by a list of attributes and targets. No site specific objective has been set for the Grey Plover.

South Dublin Bay SAC (site code 0210)

Code	Description
0210	Mudflats and sandflats not covered by seawater at low tide

The NPWS has identified a site-specific conservation objective to maintain the favourable conservation condition of the above Annex I habitat, as defined by a list of attributes and targets.

North Dublin Bay SAC (site code 0206)

Code	Description
1140	Mudflats and sandflats not covered by seawater at low tide
1210	Annual vegetation of drift lines
1310	<i>Salicornia</i> and other annuals colonising mud and sand
1330	Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)
1395	Petalwort <i>Petalophyllum ralfsii</i>
1410	Mediterranean salt meadows (<i>Juncetalia maritimi</i>)
2110	Embryonic shifting dunes
2120	Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)
2130	Fixed coastal dunes with herbaceous vegetation (grey dunes)* priority habitat
2190	Humid dune slacks

The NPWS has identified site specific conservation objectives to restore / maintain the favourable conservation condition of the above Annex I habitats, as defined by a list of attributes and targets.

North Bull Island SPA (site code 4006)

Code	Description / Common Name	Scientific Name
A046	Light-bellied Brent Goose	<i>Branta bernicla hrota</i>
A048	Shelduck	<i>Tadorna tadorna</i>
A052	Teal	<i>Anas crecca</i>
A054	Pintail	<i>Anas acuta</i>
A056	Shoveler	<i>Anas clypeata</i>
A130	Oystercatcher	<i>Haematopus ostralegus</i>
A140	Golden Plover	<i>Pluvialis apricaria</i>
A141	Grey Plover	<i>Pluvialis squatarola</i>
A143	Knot	<i>Calidris canutus</i>
A144	Sanderling	<i>Calidris alba</i>
A149	Dunlin	<i>Calidris alpina alpina</i>
A156	Black-tailed Godwit	<i>Limosa limosa</i>

A157	Bar-tailed Godwit	<i>Limosa lapponica</i>
A160	Curlew	<i>Numenius arquata</i>
A162	Redshank	<i>Tringa totanus</i>
A169	Turnstone	<i>Arenaria interpres</i>
A179	Black-headed Gull	<i>Chroicocephalus ridibundus</i>
A999	Wetlands	

The NPWS has identified site-specific conservation objectives to maintain the favourable conservation condition of the above Annex I habitats and Annex II species, as defined by a list of attributes and targets.

The Rye Water is a tributary of the River Liffey at Leixlip and therefore there is a pathway to Natura sites in Dublin Bay. The above designated sites are screened in on the basis of potential effects relating to pollution during construction and pollution arising from wastewater generation from the completed development. In addition, given the potential for nutrient pollution to effect intertidal food webs and the potential for in combination effects resulting from numerous point and diffuse sources throughout the Liffey catchment, the NIS concludes that significant further effects cannot be ruled out without further analysis.

12.3.15. Stage I Screening Conclusion

The Stage I screening conclusions note that applying a precautionary principle, it is not possible to exclude the following sites:

Site
Rye Water / Carton SAC (site code 1398)
South Dublin Bay and River Tolka Estuary SPA (site code 4024)
South Dublin Bay SAC (site code 0210)
North Dublin Bay SAC (site code 0206)
North Bull Island SPA (site code 4006)

I agree with the conclusions of the NIS that Stage II AA can be confined to these 5 sites listed above. The remaining sites within 15 km are considered to be of a

sufficient distance so as not to be affected by the proposal having regard to the nature of the development.

12.4. **Stage II AA**

12.4.1. Rye Water / Carton SAC (Site Code 1398)

The SAC is a calcareous marsh adjacent to the Grand Canal. The NPWS site synopsis report states that Narrow-mouthed Whorl Snail and Desmoulin's Whorl Snail occur in marsh vegetation near Louisa Bridge. The marsh is fed by seepage from the Grand Canal and by a mineral spring. This is a rare habitat characterised by rare plant and animal species. The NIS considers conservation objectives for the qualifying interests of the SAC as used at other designated sites.

Specific conservation objectives for Desmoulin's Whorl Snail have been set within the River Barrow and River Nore SAC (site code 0020), relating to distribution, population size, population density, area of occupancy, habitat quality. There is no conservation objective for water quality. The Desmoulin's Whorl Snail lives in wetlands. There is no scientific evidence to suggest that the survival of the snail is affected by elevated sediment concentrations in rivers.

Specific conservation objectives for the narrow-mouthed Whorl Snail have been set within the Ballysadare SAC (site code 0622). These relate to distribution, presence on transect, habitat quality and habitat extent. There is no conservation objective for water quality. This species also lives in wetlands rather than river channels. There is no scientific evidence to suggest that the survival of the snail is affected by elevated sediment concentrations in rivers. This snail has not been recorded at Louisa Bridge since 1997.

Specific conservation objectives for the Petrifying springs with Tufa Formation habitat have been set within the Black Head – Poulsallagh SAC (site code 0020). These relate to habitat area, habitat distribution, maintenance of the local hydrological regime (height of water table and flow), water quality (specifically maintaining oligotrophic and calcareous conditions) and vegetation composition. The ingress of sediment to the Lyreen River cannot affect any of these parameters. There is no direct hydrological pathway to areas of petrifying springs within the SAC as the flow of water at these features is from the Royal Canal towards the river.

The vertigo snails are very sensitive to changes in hydrology. The development has been hydraulically assessed and will not impact flood risk or the hydrological regime downstream. The development will contribute to the urbanisation of Maynooth, as provided for under the LAP, which was screened for AA. The Lower Liffey Valley Regional Sewerage Scheme has recently been upgraded. It discharges to the River Liffey downstream of the Rye Water and therefore does not affect the SAC by way of nutrient discharges or otherwise.

12.4.2. Designated Sites in Dublin Bay

12.4.3. These sites would not be effected by sediment discharge during construction. The development will discharge to Leixlip WWTP, which has capacity. Poor water quality has long been an issue in Dublin Bay. There is no evidence that pollution through nutrient input is effecting the conservation objectives of the South Dublin Bay and River Tolka Estuary SPA, North Dublin Bay SAC or the North Bull Island SPA. All of the relevant habitats are intertidal, coastal habitats that are not negatively affected by sediment pollution. No negative construction effects are predicted.

12.5. **Mitigation Measures and Residual Impacts**

12.5.1. These comprise construction management measures as per the submitted Construction Management Plan. Also sediment control measures in the form of silt barriers and silt traps to prevent sediment discharge to the river.

12.5.2. Having examined the information before me, I am satisfied that the mitigation measures to be put in place will ensure that the conservation objectives and integrity relating to the Natura 2000 sites identified above are maintained and that they will not be adversely effected by construction-related surface water discharges from the proposed development, by surface water or waste water discharges from the development or by changes in hydrology as a result of the development.

12.6. **Other Plans or Projects (In Combination Effects)**

12.6.1. No significant 'in combination' effects are envisaged.

12.7. **AA Conclusion**

12.7.1. I consider it reasonable to conclude on the basis of the information on the file, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, that the proposed development, individually or in combination with other plans or projects

would not adversely affect the integrity of the European sites nos. 1398, 4024, 0210, 2026 and 4006, or any other European site, in view of the sites' Conservation Objectives.

13.0 Conclusion

13.1. The development is acceptable in principle with regard to the zoning of the site under the LAP and to the strategic importance of the settlement of Maynooth. The housing density and mix are acceptable with regard to the zoning objective and to the location of the site in close proximity to the centre of Maynooth and the NUIM campus and less than 1km from Maynooth train station. The phasing of the development to provide LAP roads objective TRO 2(g) and the associated accesses to the Moyglare road and Dunboyne Road in the first phase is satisfactory. In addition, the development is to be constructed in tandem with local road improvement works, as proposed by KCC under Part VIII. The proposed residential design and layout are in accordance with relevant national and local policies on residential development and will provide a satisfactory standard of residential accommodation, while achieving a residential density reflecting the strategic nature of the site and the importance of sustainable development of zoned and serviced lands. I am satisfied that the development would not have any significant adverse impacts on visual or residential amenities or on cultural heritage. It is considered that the development will not result in undue adverse traffic impacts and would have moderate traffic impact on the local road network overall. I am also satisfied that the development does not result in a significant flood risk at the development site or upstream or downstream.

13.2. I therefore recommend that the Board grant permission

14.0 Recommendation

14.1. Having regard to the above assessment, I recommend that section 9(4)(c) of the Act of 2016 be applied and that permission is GRANTED for the development as proposed for the reasons and considerations and subject to the conditions set out below.

15.0 Reasons and Considerations

Having regard to the:

1. site's location adjoining the established settlement of Maynooth, Co. Kildare;
2. the policies and objectives in the Kildare County Development Plan 2017-2023 and the Maynooth LAP 2013-2019;
3. Rebuilding Ireland Action Plan for Housing and Homelessness;
4. Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual;
5. Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities;
6. Design Manual for Urban Roads and Streets (DMURS);
7. nature, scale and design of the proposed development and the availability in the area of a wide range of social and transport infrastructure;
8. pattern of existing and permitted development in the area, and
9. submissions and observations received,

It is considered that, subject to compliance with the conditions set out below that 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 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.

16.0 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, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The period during with the development hereby permitted may be carried out shall be 5 years from the date of this Order.

Reason: In the interests of proper planning and sustainable development.

3. The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development. In particular, the 'Lyreen Avenue' link road shall be completed in Phase 1 prior to the occupation of any residential units, to allow for the development of the student accommodation and commercial elements alongside revised apartment and duplex units.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

4. The proposed development shall be amended as follows:

(a) The layouts and alignments of the Moyglare Road and Dunboyne Road development accesses are to be revised to the satisfaction of the planning

authority and in accordance with the requirements of DMURS. The developer is to submit detailed designs for both signalised junctions to the planning authority for agreement in writing prior to the commencement of development. The Moyglare Road access is to remain as a 3 arm signalised junction pending the construction of a 4th arm when third party lands across the road become available.

- (b) The layout of the neighbourhood node shall be revised to provide for a bus stop / lay by at the Lyreen Avenue link road.
- (c) The layout shall be revised to provide for dedicated pedestrian and cyclist connectivity from the student accommodation to the greenway at the south eastern corner of the site.
- (d) Additional cycle parking shall be provided to comply with the cycle parking standards specified in Chapter 17 of the Kildare County Development Plan 2017-2023 and to comply with section 4.17 of the 'Sustainable Urban Housing: Design Standards for New Apartments', bicycle parking and storage requirements.
- (e) The design of unit type A5 on site no. 232 in the Lyreen / Mariavilla neighbourhood is to be amended to provide a more active frontage to the local road.
- (f) The design of unit type B1V on site no. 52 in the Moyglare neighbourhood shall be revised such that a dual fronted house is provided at this location.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In order to comply with the recommendations of the Design Manual for Urban Roads and Streets and to provide a satisfactory standard of residential accommodation.

5. The following requirements in terms of traffic, transportation and mobility shall be incorporated and where required, revised drawings / reports showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development:
 - (a) The roads and traffic arrangements serving the site (including signage) shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.
 - (b) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, cycle paths and kerbs, pedestrian crossings, car parking bay sizes and road access to commercial parking shall comply with the requirements of the Design Manual for Roads and Streets and with any requirements of the planning authority for such road works.
 - (c) Cycle tracks within the development shall be in accordance with the guidance provided in the National Cycle Manual.
 - (d) The materials used in any roads/footpaths provided by the developer shall comply with the detailed standards of the planning authority for such road works.
 - (e) The developer shall carry out a Stage 3 Road Safety Audit of the constructed development on completion of the works and submit to the planning authority for approval and shall carry out and cover all costs of all agreed recommendations contained in the audit.

(f) A Mobility Management Plan for the development, to include parking management at the neighbourhood node, and a separate Mobility Management Plan for the student accommodation shall be prepared and submitted to the Planning Authority for approval prior to the commencement of development.

In default of agreement, the matter(s) in dispute shall be referred to An Board Pleanala for determination.

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

6. 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. The applicant shall comply with the following particular requirements:

- (a) The applicant shall satisfy the planning authority that all new culverts including Moyglare Road culvert extension and pedestrian bridge have adequate capacity to carry the predicted flood flows of relevant return periods and that all appropriate consents from statutory bodies including the OPW and Inland Fisheries Ireland have been obtained.
- (b) The applicant shall satisfy the planning authority that discharge of surface water run-off to the Lyreen River and Crewhill Stream and the construction of a new road bridge and a pedestrian bridge and culverts thereon are fully compliant with all relevant statutory requirements that apply thereto following consultation with the relevant statutory bodies including the OPW, Inland Fisheries Ireland regarding *inter alia* temporary channel diversions during construction, hydraulic capacity and flood impact and Kildare County Council Environment Section regarding the pollution prevention requirements during and after construction.
- (c) The applicant shall satisfy the planning authority that adequate drainage provision is being made for the Mariavilla stream and the associated network of detains / ditches traversing the development site.

- (d) The applicant shall submit full details of the proposed surface water attenuation system to the planning authority for agreement in writing prior to the commencement of development, to include details of outflow rates, design calculations to allow for a 20% climate change factor, SUDs measures, storm attenuation storage chambers, pipe network design and connections to the existing surface water network in the area.
- (e) The applicant shall submit a revised Site Specific Flood Risk Assessment, to provide a the OPW 'future scenario' fluvial flood mapping to take account of the effects of climate change and increasing urbanisation, to the planning authority prior to the commencement of development. The revised SSFRA shall also address the following issues:
- Revised hydraulic modelling of the Crewhill Stream to the satisfaction of the planning authority.
 - Assessment of the impact of the discharge outfalls to the Crewhill Stream and the Lyreen River being submerged during flood events with a concurrent extreme rainfall event.
 - Existing Mariavilla steam and drains / ditches at the site to be assessed for pluvial flood risk.
 - All finished floor levels of residential units to be a minimum of 500mm above the 100 year (1%) AEP event flood level.
 - Applicant to clearly demonstrate taking into account the proposed surface water drainage system, ground levels and boundary treatments that flood risk to third party lands shall not be increased.
 - Any impacts of the bridge and culverts on flood flows.

- Any loss of flood storage in the flood plains of the Crewhill Stream and Lyreen River as a result of any earthworks, ground re-profiling and structures and the provision of an equal volume of compensatory flood storage within the development site boundaries so as not to increase flood risk, levels and extents downstream. Final detailed design to include flood mitigation measures during construction of the above.
- Consideration of any potential fluvial food risk associated with the removal of the existing agricultural entrance culvert on the Crewhill Stream and any cleaning and ongoing maintenance of the stream channel and removal of vegetation.

The final design of the development may need to be revised in view of the findings of same. Any revised design shall be submitted to the planning authority for agreement in writing prior to the commencement of development.

Reason: In the interest of public health and in order to address flood risk.

7. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.

(b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health.

8. Mitigation and monitoring measures outlined in the plans and particulars, including the environmental impact assessment, submitted with this application as set out in Volume II Chapter 15 of the EIAR “Summary of Mitigation Measures”, shall be carried out in full, except where otherwise required by conditions attached to this permission.

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

9. The site shall be landscaped in accordance with the submitted scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the Planning Authority prior to the commencement of development. The developer shall retain the services of a suitably qualified Landscape Architect throughout the life of the site development works.

Reason: In the interest of residential and visual amenity.

10. All trees and hedgerows within and on the boundaries of the site shall be retained and maintained, with the exception of the following:

(a) Specific trees, the removal of which is authorised in writing by the planning authority to facilitate the development.

(b) Trees which are agreed in writing by the planning authority to be dead, dying or dangerous through disease or storm damage, following submission of a qualified tree surgeon's report, and which shall be replaced with agreed specimens.

Retained trees and hedgerows shall be protected from damage during construction works. Within a period of six months following the substantial completion of the proposed development, any planting which is damaged or dies shall be replaced with others of similar size and species, together with replacement planting required under paragraph (b) of this condition.

Reason: In the interest of visual amenity.

11. The applicant shall undertake a review of all historic boundaries at the site. Details of all boundaries to be removed / amended shall be submitted to the planning authority for agreement in writing prior to the commencement of development. Boundaries should be retained where possible, particularly along the boundary with Maria Villa. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interests of protecting the amenities of the area.

12. No development shall take place until details of earthworks have been submitted to, and agreed in writing with, the planning authority. These details shall include the following:

(a) Soil and subsoil cross-sections.

(b) Plans and sections showing the proposed grading and mounding of land areas, including the levels and contours to be formed.

(c) The relationship of the proposed mounding to the Lyreen River, to existing vegetation and to woodland areas.

Development, including landscaping required by condition number 9 of this order, shall be carried out in accordance with the approved earthworks plan.

Reason: In the interest of residential and visual amenity.

13. Details and samples of the materials, colours and textures of all the external finishes to the proposed development including pavement finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

14. All works to the Maria Villa protected structure, shall be carried out under the supervision of a qualified professional with specialised conservation expertise.

Reason: To secure the authentic preservation of this protected structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

15. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:

(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and

(b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works including the removal of topsoil in all areas identified during the geophysical survey (licence no. 17R0066) and confirmed by archaeological test excavations (licence no. 17E0208) to be archaeological in nature. No sub-surface work shall be undertaken in the absence of the archaeologist without his / her express consent. Full archaeological excavation of these features shall be carried out in accordance with the terms of an excavation licence issued by the Department of Culture, Heritage and the Gaeltacht. Please allow 5-6 weeks to facilitate the processing of an archaeological and geophysical licence.

The applicant shall submit the following to the planning authority and the Department of Culture, Heritage and the Gaeltacht:

- A report, containing the results of the monitoring to include photographs of the area before, during and after monitoring has taken place, as well as detailed photographs of specific areas, as required.
- A key plan, clearly showing the location and direction from which the photographs were taken should be included with the report (an annotated site location map will suffice for this purpose).

Where archaeological material is shown to be present, further mitigatory measures will be required; these may include redesign (in whole or in part) to allow for preservation in situ, and/or additional excavation or monitoring. This Department will advise the Planning Authority and the applicant with regard to these matters.

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 area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

16. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

17. 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.

18. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

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

19. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1700 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

20. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

21. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interests of public safety and residential amenity.

22. 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.

23. 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.

24. The developer shall pay the sum of € 300,000 euro (updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office), to the planning authority as a special contribution under section 48 (2)(c) of the Planning and Development Act 2000, in respect of the provision of a new pedestrian footbridge over the Lyreen River to provide permeability / connectivity for Vulnerable Road Users (pedestrians and cyclists) from the development to Maynooth Town Centre in compliance with DMURS standards. This contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate. The application of indexation required by this condition 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.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

25. 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.

Sarah Moran
Senior Planning Inspector

19th June 2018

Appendix I List of Third Party Submissions

301230 Sub - Anne Marie Coleman

301230 Sub - Anne O' Connell

301230 Sub - Anne Senna

301230 Sub - Bernard Durkan T.D

301230 Sub - Brian and Claire Kirby

301230 Sub - Caroline Plant and Rafal Michniak
301230 Sub - Carton Square Residents Association
301230 Sub - Adrian Feeney
301230 Sub - Ailsa Craig
301230 Sub - Alfie Connolly
301230 Sub - Castle Park Residents Association and Peeble Hill Residents
301230 Sub - Catherine Murphy T.D
301230 Sub - Claire Shaw and Darren Leavy
301230 Sub - Cllr Paul Ward and others
301230 Sub - Cllr Tim Durkan
301230 Sub - Colette and Aidan Leonard
301230 Sub - Damien Galligan
301230 Sub - Emma Lyons
301230 Sub - Emmet M. Stagg and others
301230 Sub - Ester Moore
301230 Sub - Eva Maria Bucher-Haefner
301230 Sub - Fiona Maguire
301230 Sub - Ian and Sharon Browne
301230 Sub - Jacqueline and Robert Brennan
301230 Sub - Janice McCloskey
301230 Sub - John McEvoy and Ann Hoane
301230 Sub - Johnny Reilly
301230 Sub - Kerry and Richard Crossley
301230 Sub - Kevin Tevnan
301230 Sub - Ladas Property Company Ltd
301230 Sub - Larry and Nessa Boyle
301230 Sub - Liam and Donna Phelan
301230 Sub - Marie Moore-O'Connor
301230 Sub - Mary McGaver
301230 Sub - Maynooth Students Union

301230 Sub - Maynooth University
301230 Sub - Michael Hanley
301230 Sub - Michael Nolan
301230 Sub - Moyglare Hall Residents Association
301230 Sub - Neil and Susan McEvoy
301230 Sub - Pat and Audrey Delaney
301230 Sub - Patrick and Jane Guerin
301230 Sub - Paul Curran and Patrick O' Callaghan
301230 Sub - Pauline Cullen and Brian McKenzie
301230 Sub - Residents of the Rise
301230 Sub - Residents of the Rise Moyglare Hall- Jennifer Whitty
301230 Sub - Richard and Barbara Whelan
301230 Sub - Sharon D' Arcy and Evin Keating
301230 Sub - Susan and Fergal Barton
301230 Sub - Valerie Callanan