



An  
Bord  
Pleanála

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

## Inspector's Report ABP-303295-18

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### Strategic Housing Development

251 no. residential units (167 no. houses and 84 no. apartments), creche and all associated site works.

### Location

Land at Shackleton Road, Oldtown, Celbridge, Co. Kildare.

### Planning Authority

Kildare County Council

### Applicant

O'Flynn Construction Company

### Prescribed Bodies

Irish Water  
National Transport Authority

### Observers

Áine and Mairtín MacColgáin  
Andrew and Dolores Finnerty

Michael Flattery and Deirdre  
MacIntyre  
Cllr Brendan Young  
Stephen Johnston

**Date of Site Inspection**

23<sup>rd</sup> March 2019

**Inspector**

Stephen J. O'Sullivan

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## 1.0 Introduction

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

## 2.0 Site Location and Description

- 2.1. The site adjoins the western edge of the built-up area of Celbridge in north County Kildare. It has a stated area of 9.38ha. The eastern boundary of the site is along the R403 Shackleton Road. Its northern boundary is on the Oldtown Road, a minor road. A neighbourhood shopping centre is approximately a kilometre to the east of the site and Celbridge town centre lies approximately 1.4 kilometres to the south east. The overall site comprises large rectangular agricultural fields divided by drainage ditches and hedgerows. The site is broadly flat with very slight changes in level. A 110kV overhead power line crosses the southern part of the site, while two 38kV lines cross its central part. The lands to the west and south west of the site are all agricultural fields. A primary school and two-storey housing occupies the land on the other side the Shackleton Road to the east of the site. Suburban and one-off housing lies across the Oldtown Road to the north. Suburban rail services are available at Hazelhatch railway station, located approximately 3.6 kilometres to the south east of the site. A low frequency Dublin Bus service passes the southern boundary of the site along Shackleton Road.

## 3.0 Proposed Strategic Housing Development

- 3.1. The proposed development would provide 251 homes and a creche.

The proposed housing mix would be as follows-

	1 bed	2 bed	3 bed	4 bed	Total
Houses	-	12	118	37	167
Apts/Duplex	9	71	4	-	84
Total	9	83	122	37	251

The gross floor area of the residential development would be 26,00m<sup>2</sup> . The floor area of the creche would be 262m<sup>2</sup>.

- 3.2. The layout of the development would include a main entrance from the Shackleton Road with a spine road through the site to its western boundary. There would be two junctions on the Oldtown Road. The proposal includes the installation of a pedestrian crossing over the Shackleton Road and a footpath and cycle path along the site frontage on the Oldtown Road, as well as improvement to the signalized junction between those roads. The 38kV powerlines over the site would be put underground. The southern part of the site beneath the 110kV line would be laid out as open space. The creche and most of the apartments would be in the south-western part of the site, although there would be another cluster of apartments in its north-eastern corner facing the junction of the Shackleton and Oldtown Roads.
- 3.3. The proposed houses would be 2 storey buildings. Most of them would be semi-detached, although some short terraces and detached houses are proposed. The separation distance between the backs of most of the opposing houses would be less than 20m. House types D and F would not have windows onto habitable rooms at first floor level at the back. House type A would be provided in pairs of semi-detached units where one of the pair would have a bedroom window at first floor level facing sideways from a projection, while the corresponding window on the other one of the pair would face the back of the house's curtilage.
- 3.4. The proposed apartments would be in buildings of two or three storeys, none of which would have lifts. They are also designed to avoid the need for shared stores for bins or bicycles. Apartment type G would be located in the first and second storeys of the building containing the creche on the ground floor. Apartment type H and H1 would have duplex units on the ground and first floor and another apartment on the second floor. There would be no windows onto habitable rooms at the rear of the buildings above ground floor level. The separation distances between the back of the buildings with these apartments is less than 8m in some cases. Building type J would be a two-storey apartment building that would stand on 3 corner plots within the scheme, while building K would be a three storey apartment building that stood at the corner of the Shackleton and Oldtown Roads.

## 4.0 Planning History

- 4.1. No prior planning applications on this site were cited by the parties. One of the submissions refers to a permission for 20 residential units on the site on the other side of the Oldtown Road whose duration was extended under Reg. Ref. 17/1363.

## 5.0 Section 5 Pre Application Consultation

- 5.1. A pre-application consultation with the applicants and the planning authority took place at the offices of An Bord Pleanála on the 29<sup>th</sup> March 2019 in respect of a proposed development of 251 homes and a creche on the site. The main topics raised for discussion at the tripartite meeting were based on the Agenda that issued in advance. However, a new agenda item in relation to Wastewater Issues was raised prior to the start of the meeting and agreed amongst all parties as the first item for discussion. The pre-circulated agenda contained the following issues:

1. Design Manual for Urban Roads and Streets.
  - a. Accessibility from Shackleton and Oldtown Road.
  - b. Establish the status/role of Shackleton Road (R403).
  - c. Define active and animated street frontages in the context of existing roads.
  - d. Explore relationship between building height, set back and function of Shackleton Road.
2. Celbridge LAP – Key Development Area 3- Oldtown.
  - a. Layout and Design Concept.
  - b. Connectivity and Movement.
  - c. Built form – school site.
  - d. Landmark buildings and apartment/duplex location.
3. Flood Risk Assessment and Surface Water Management.
4. Landscape Design.
  - a. Existing site features.

- b. SuDS detailed design.
  - c. Useable public open space and powerlines.
5. Detailed design – elevations, bin stores and boundary treatments.
  6. Any other matters.

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

- 5.2. The board issued an opinion on 18<sup>th</sup> April 2018 which stated that the submitted documents required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development in respect of the following issues -

### **1. Wastewater Services**

Further consideration of documents as they relate to foul sewer network constraints downstream of the development as indicated in the Water Services report dated 8th March, 2018 and contained in Appendix B of the Planning Authority's Opinion. An outline of the necessary works to address the constraints and what parties will be responsible for the works. In addition, there should be clarity as to whether such works would be the subject of a separate consent process and or compulsory purchase process. Timelines for the delivery of any works is required relative to the delivery of the proposed development. Given the existing deficiencies in the provision of adequate sewerage infrastructure, the applicant should satisfy themselves that the proposed development would not be premature pending the delivery of required infrastructural improvements. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

### **2. Road Layout**

Further consideration of documents as they relate to the layout and configuration of the proposed development as it abuts Shackleton and Oldtown Road, including amendments to the public road and new site entrances, with specific reference to Chapter 4 Street Design of the Design Manual for Urban

Roads and Streets. Shackleton and Oldtown Road lack a number of pedestrian facilities such as footpaths and crossing points. The interface between the proposed development and its interaction with the function and role of Shackleton Road should be given particular focus in terms of pedestrian and cyclists facilities. In addition, further design refinement of how the proposed development will present an appropriate urban edge to existing public roads should be given careful consideration. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

### **3. Surface Water Management and Flood Risk Assessment**

Further consideration of the documents as they relate to surface water management for the site. This further consideration should have regard to the requirements of the Drainage Division as indicated in their report dated 8th March, 2018 and contained in Appendix B of the Planning Authority's Opinion. Any surface water management proposals should be considered in tandem with a Flood Risk Assessment specifically 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 should be prepared in accordance with 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices'). Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

### **4. Public Open Space**

Further consideration should be given in relation to the design rationale/ justification outlined in the documents as it relates to the open space proposed particularly in the context of the maximisation of use of existing vegetation in the proposed layout; i.e. hedgerows and mature trees. The location of the main play space close to high voltage powerlines should be given careful consideration. Passive supervision opportunities from residential development of pedestrian connections to the wider road network should be carefully



considered. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

5.3. The opinion also stated that the following specific information should be submitted with any application for permission –

1. Full and complete drawings, including levels and cross sections showing the connections and interface between the proposed development and the Shackleton Road and Oldtown Road.
2. A detailed landscaping plan which clearly shows the proposed treatment of boundaries and retention of existing trees or hedgerow, where applicable.
3. The preparation of a suitably detailed tree survey and Arboricultural report.
4. A parking layout that reflects the most appropriate quantum of car parking provision for a suburban site and includes the details of convenient locations and facilities for bicycle parking.
5. A Construction and Demolition Waste Management Plan should be provided.
6. A phasing plan for the proposed development should be provided.
7. A site layout plan clearly indicating what areas are to be taken in charge by the Local Authority. Streets should be shown up to the boundaries of the site and facilitate future access.
8. Details of undergrounding or re-routing of any overhead ESB power lines.

#### 5.4. **Applicant's Statement**

- 5.4.1. The covering letter submitted with the application responded to the items raised in the board's opinion. In response to item no. 1 it refers to the subsequent written advice from Irish Water that the proposed connection to the wastewater network can be facilitated pending works to remove surface water inflow to the combined network

at St. Patrick's Park, and that these works can be carried out in a period of 3 to 6 months with the need for any separate statutory consents.

- 5.4.2. In relation to item 2 revisions to the proposed development have provided a more urban type of frontage on the Shackleton and Oldtown Road with duplexes and apartments at the corner of those roads. Some houses would face the Shackleton Road directly with their parking to the rear, and a pedestrian crossing would be provided over that road. A second access junction would be laid out to the Oldtown Road
- 5.4.3. In relation to item 3, the letter states that a scheme to manage surface water on the site has been agreed with the council and a site specific floor risk assessment is submitted with the application.
- 5.4.4. In response to item 4 the letter refers to the landscape strategy submitted with the application. The retention of the existing hedgerows would not be compatible with the residential development of the site as a suitable density. Additional planting is proposed, as is the installation of more play equipment in the secondary open space through the housing scheme in addition to that which would be provided in the main open space in the south of the site.
- 5.4.5. The letter states that the specific information required in the board's opinion has been submitted with the application.

## **6.0 Relevant Planning Policy**

### **6.1. National Policy**

- 6.1.1. The government published the National Planning Framework in February 2018. Objective 3c is to deliver at least 30% of new houses in settlements other than the cities. Objective 11 is to favour development that can encourage more people to live or work in existing settlements. Objective 27 is to prioritise walking and cycling accessibility to existing and proposed development. Objective 33 is to prioritise the provision of new homes that can support sustainable development. Objective 35 is to increase residential density in settlements.
- 6.1.2. The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas were issued by the minister under section 28 in May 2009. Section 1.9

recites general principles of sustainable development and residential design, including the need to prioritise walking, cycling and public transport over the use of cars, and to provide residents with quality of life in terms of amenity, safety and convenience. Section 5.11 states that densities for housing development on outer suburban greenfield sites between 35 and 50 dph will be encouraged, and those below 30dph will be discouraged. A design manual accompanies the guidelines which lays out 12 principles for urban residential design.

- 6.1.3. The Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments were issued in March 2018. Section 2.4 states that peripheral urban locations are generally suitable for development at densities of less than 45 dph that includes a minority of apartments. It contains several specific requirements with which compliance is mandatory. The minimum floor area for one-bedroom apartments is 45m<sup>2</sup>, for two-bedroom apartments it is 73m<sup>2</sup> and for three-bedrooms it is 90m<sup>2</sup>. Most of proposed apartments in schemes of more than 10 must exceed the minimum by at least 10%. Requirements for individual rooms, for storage and for private amenities space are set out in the appendix to the plan, including a requirement for 3m<sup>2</sup> storage for one-bedroom apartments, 6m<sup>2</sup> for two bedroom apartments and 9m<sup>2</sup> for three-bedroom apartments,. In suburban locations a minimum of 50% of apartments should be dual aspect. Ground level apartments should have floor to ceiling heights of 2.7m.
- 6.1.4. The minister issued Guidelines for Planning Authorities on Urban Development and Building Heights in December 2018. Section 3.6 states that development in suburban locations should include an effective mix of 2, 3 and 4 storey development. SPPR 4 is that planning authority must secure a mix of building heights and types and the minimum densities required under the 2009 guidelines in the future development of greenfield and edge of city sites
- 6.1.5. The minister and the minister for transport issued the Design Manual for Urban Roads and Streets (DMURS) in 2013. Section 1.2 sets out a policy that street layouts should be interconnected to encourage walking and cycling and offer easy access to public transport. Section 3.2 identifies types of street. Arterial streets are major routes, link streets provide links to arterial streets or between neighbourhoods, while local streets provide access within communities. Section 3.3.2 recommends that block sizes in new areas should not be excessively large, with dimensions of 60-

80m being optimal and 100m reasonable in suburban areas. However maximum block dimensions should not exceed 120m. Section 4.4.1 states that the standard lane width on link and arterial streets should be 3.25m, while carriageway width on local streets should be 5-5.5m or 4.8m where a shared surface is proposed.

- 6.1.6. The minister issued Guidelines for Planning Authorities on Childcare Facilities in June 2001. Section 3.3.1 of the guidelines recommends that new housing areas be provided with childcare facilities at a standard of one facility with 20 spaces for every 75 homes.

## 6.2. Local Policy

- 6.2.1. The Kildare County Development Plan 2017-2023 applies. Celbridge is a Moderate Sustainable Growth Town. The Development Plan includes chapters on relevant topics including housing, urban design, infrastructure, movement/transport, landscape and development management standards. The Core Strategy of the Development Plan allocates 10% of Kildare's housing growth to Celbridge over the period 2017-2023, out of a total housing allocation of 32,497 units for the County. Table 3.3 of the CDP identifies a housing unit target of 10,333 units for Celbridge to the year 2023, through the addition of 3,250 housing units over the Plan period. This represents an overall target population for the town of 22,801 persons.
- 6.2.2. The Celbridge Local Area Plan 2017-2023 applies. The site is subject to zoning objective C 'New Residential - To provide for new residential development'. The LAP states that it complies with the core strategy of the development plan by zoning 121.2 hectares of land with a residential or mixed use zoning (excluding proposed arterial roads). The housing capacity of zoned lands, including new residential zonings, mixed use zonings and of infill sites within the built up area is estimated to be 3,519 (approx.) residential units. The Plan supports the achievement of the Core Strategy growth allocation of 3,250 units and incorporates a level of flexibility to meet demand over a 9 year horizon. Section 4.4 of the plan states that it is proposed to prepare a Transport Management Plan (including Public Transport Accessibility Strategy) to support the sustainable growth and development of Celbridge. The proposed Transport Management Plan will include recommendations for the phasing of development on the basis of the timely delivery of strategic infrastructure. In the interim it is considered appropriate that KDA 5 Simmonstown be dependent on the

delivery of the new vehicular bridge and that all other major development proposals will require a Traffic Impact Assessment to assess the capacity of the existing transport network to support the proposed development. Objective NHO1.2 is to identify, protect, conserve and enhance wherever possible, wildlife habitats and species of local importance, not otherwise protected by legislation. Such habitats would include woodland, river, grassland areas and field boundaries (hedgerows, stone walls and ditches).

Chapter 12 of the LAP deals with urban design and designated Key Development Areas. The site as part of the Oldtown Key Development Area (KDA3) which is located to the west of the town and is bound by the R403/Shackleton Road to the east, the Oldtown Road to the north and agricultural lands to the south and west. This KDA is approximately 15.7 hectares (including a 2ha site identified for Community and Educational Use) and is currently in agricultural use. Table 4.1 estimates that the KDA could accommodate 411 homes at a density of 30 dph. An overhead power line traverses the southern portion of the KDA. Roads and footpath improvements indicated along the Oldtown Road and shown on map 8.1. Map 9.1 shows flood zones A and B to the south west of the site. A school site shown to the north west of the site. In addition, a design concept has been drawn up and illustrated by figure 12.2, showing key building frontages, open space and link streets are indicated. Section 12.2.3 of the plan refers to a minimum density of 30dph and a mix of 2 and 3 storey housing in this area.

### **6.3. Statement of Consistency**

- 6.3.1. The statement submitted with the application noted the location of the site c1.2km from the town centre and in area KDA 3 as designated in the LAP. It stated that the development would be near schools and within walking distance of a range of amenities. The density of the proposed development would be 35.2dph based on a net site area of 7.131ha which excludes the land beneath the 110kV powerline and certain public roads and paths. This would be consistent with the range of 30-50 dph specified for greenfield suburban sites in the 2009 guidelines and the 30 dph recommended in the LAP. The proposed layout provides connections to the undeveloped land to the west and a high degree of permeability. The architectural design represents a contemporary interpretation of the traditional style of building in the town. The public realm aims to create spaces of high quality and amenity, with 2

larger and 1 smaller open spaces adjacent to housing, a loop walk around the site and parkland beneath the 110kV cables.

- 6.3.2. With regard to the 2009 sustainable urban residential guidelines, the statement says that the design would comply with the 12 criteria set out in the design manual that accompanied those guidelines. There would be a main spine road through the site that would connect with the undeveloped land to the west, with the layout favouring movement on foot or by bicycle. The proposed buildings have a target rating of less than 45kW/m<sup>2</sup>/year to qualify as Near Zero Emissions Buildings (NZEB). 19.83% of the site would be open space, or 11.6% if the area under the power line is discounted. The net density of 35.2dph is in line with the recommended range for outer suburban greenfield sites. The open spaces would be properly overlooked.
- 6.3.3. With regard to DMURS, the proposed development would provide a hierarchy of streets and good quality footpaths and cycleways along the Shackleton and Oldtown Roads. The proposed layout providing frequent junctions, horizontal deflections and tight corner radii to calm traffic. Footpaths are 1.8m wide. Verges and shared spaces are provided through the scheme, along with raised tables for crossing. There are no distributor roads in the scheme. The spine road would have a carriageway 6m wide, while the local streets would be 5.5m wide.
- 6.3.4. With regard to the 2018 Guidelines on the Design of New Apartments, all of the 84 apartments would exceed the minimum floor areas specified. 21 of the 84 units would be single aspect. Floor to ceiling height would be 2.7m. There would be no more than 2 apartments sharing a stair core. All apartments would have the requisite area for storage. 3 apartments would lack private open space, but they have been provided with additional internal accommodation to compensate. Shared open space is not proposed for the apartments. All apartments would have individual facilities to store bins or bicycles, either in a yard or a dedicated store with access to the street. 1.25 car parking spaces would be provided for each apartment.
- 6.3.5. With regard to the 2009 Guidelines on the Floodrisk Management, the statement says that the site is in Zone C and so residential development is acceptable in principle according to the guidelines.

- 6.3.6. A creche with accommodation for 68 children would be provided in accordance with rate of 20 spaces per 75 dwellings recommended in the 2001 Guidelines on Childcare Facilities.
- 6.3.7. The proposed development would comply with the Kildare County Development Plan 2017-2023 which identifies Celbridge as part of the metropolitan area and a moderate growth town with a target population growth of 3,250 in the plan period. The building heights of 2 and 3 storeys reflects the local streetscape in line with section 17.2.1 of the plan.
- 6.3.8. The proposed development would comply with the residential zoning of the site under the Celbridge Local Area Plan 2017-2023. 10% of the proposed units would be provided as social housing under Part V of the planning act. 2 car parking spaces would be provided for each house, and 1.25 for each apartment along with 1 visitor space for every 4 apartments, with an additional 36 visitor spaces. A variety of house types are proposed, justified by a statement of housing mix submitted with the application. The maintenance of hedges of the site would not be compatible with development as an appropriate density.

## 7.0 Third Party Submissions

- 7.1. Five submissions on the application have been received. They can be summarised as follows-
- The road network and the public transport services in the area are not sufficient to cater for the proposed development which would therefore lead to greater car dependency and exacerbate traffic congestion. This would damage air quality and public health on road that runs near schools and a nursing home. EPA monitoring at Celbridge showed particulate levels were above the applicable thresholds in 2011, and this is likely to have deteriorated since.
  - The proposed development is premature pending the completion of the Transport Management Plan required under the LAP that could address the deficiencies in facilities for buses, cyclists and pedestrians in the town. The site is the most poorly located of the KDAs identified in the LAP and is not within walking distance of the town centre or train station. The submitted Transport Impact Assessment should have addressed the potential for the development

to exacerbate queueing at the bridge over the Liffey. It should also have been based on a realistic projection of the modal share for trips by residents in the proposed development on this side of the town.

- The proposed development is in an area at risk of flooding on the Oldtown Road. Flooding has occurred at the crossroads of the Oldtown and Shackleton Roads and the adjacent school and at St. Patrick's Park downstream of the site. The risk of flooding has been exacerbated by landfilling at Griffenrath. The proposed development would exacerbate the risk of flooding there. The details submitted with the application record the water table last summer during an exceptionally dry period and so would not reflect typical conditions. The proposed development should not drain to this catchment. Alternative solutions should be found along the Shackleton Road to divert surface water runoff to the west of the town.
- The water supply and wastewater networks in the town are not resilient and are prone to failure. Flow attenuation to the latter network is required. There is a conflict between the foul and storm water pipes at the junction of the Shackleton and Oldtown Roads. Stormwater flows have infiltrated the foul sewer upstream of the site. This should be inspected and remediated before any new connections are allowed.
- Social facilities in the town are deficient. The site should accommodate such facilities.
- The proposed development would affect the development of 20 residential units on the Oldtown Road authorised under Reg. Ref. 17-1363.
- The proposed development would injure the rural character and amenity of Oldtown Road. The road is too narrow for construction traffic or to carry additional traffic towards Maynooth and the M4 that might be generated by the proposed development. Suitable traffic calming, signage and landscaping is required along the road. The details submitted with the application, including the EIA screening report and the Transport and Traffic Assessment, failed to take account of the rural character of this site outside the built up area of the town or to properly describe the likely traffic movements along the Oldtown Road. That road is a remnant of the ancient Sli Riada.



- The proposed development would continue a haphazard pattern whereby the town extends estate by estate. It would represent low density housing on a greenfield site without supporting services. The proposal for higher density development and the creche at the rear of the scheme would increase traffic flows through it. Houses should not back onto the school site. The proposed development could provide set down facilities for the school on the other side of Shackleton Road.
- One of the submissions was from a councillor who appended minutes of a meeting of local representatives about the proposed development. It indicates their concern regarding prematurity pending the adoption of a transport strategy for the town, the absence of social facilities, drainage problems in the area, inadequate public transport and the promotion of car dependency, the failure to specify NZEB ratings for the buildings and the absence of housing specifically for the elderly. A copy of a letter describing drainage problems and subsidence at St. Patrick's Park in the town was also appended.

## **8.0 Planning Authority Submission**

- 8.1. The submission from the council reported that the application was presented to the area committee of the elected members. They stated that the Transport Management Plan and Public Transport Strategy for the town required under the LAP should be completed before applications for large developments there are considered. Concern was expressed about flooding issues with the site. No provision had been made for a community facility.
- 8.2. The Chief Executive reported that the proposed development was in keeping with the core strategy set out in the county development plan and with the zoning of the site under the LAP and so was acceptable. The density of 35.2dph is consistent with section 13.2.3 of the LAP and the 2009 sustainable urban residential guidelines. The layout is generally acceptable and complies with the board's pre-application opinion. The building design is of a high standard. The level of residential accommodation is generally acceptable, but units 20, 37, 38, 165 and 190 are deficient on private open space but have more internal accommodation than required for one-bedroom apartments. The back gardens in the block with units 205-240 are

shallow and framed by 3-storey buildings. This block should be redesigned. The housing mix is reasonable for this location. The number, location, proportions and supervision of the proposed open spaces are good. The council's Parks Division have particular concerns regarding SUDS features and play equipment in the open spaces that can be addressed condition. The proposed loss of hedgerow would not comply with policy GI11 of the development plan or NHO1.2 of the LAP. The conclusions of the Site Specific Flood Risk Assessment were noted, and the relevant section of the council has no objection subject to the finished floor levels being 500mm above the levels identified in CFRAMS. No objection is raised to the proposed water supply or connection to the foul sewer. The Roads Section of the council has recommended refusal due to the roads layout, the lack of pedestrian and cycle facilities on the other side of the Oldtown Road, particular issues with the internal road layout and the inadequate proposals to upgrade the junction of the Oldtown and Shackleton Roads. The NTA's comments about the bus stop and cycle tracks could be addressed by condition. More car parking is required to serve the proposed creche. The creche should be in an earlier phase of development. There are outstanding issues in relation to the Part V housing. The required 20m setback from the powerlines to houses has been provided.

- 8.3. It was recommended that permission be granted, notwithstanding the loss of hedges and the report from the Roads Section. 17 conditions were recommended. Condition no. 4 would require revised designs for the junction between the Shackleton and Oldtown Roads and more parking for the creche. Condition no. 5 would require a redesign of the block containing units 205-240.

## 9.0 Prescribed Bodies

- 9.1. Irish Water stated that it could facilitate the proposed connections to its networks
- 9.2. The National Transport authority stated that it supported the location and proposed quantum of development. The BusConnects project would improve the public transport serving this site. An island design should be considered for the bus stop on the Shackleton Road with the bicycle lane running around it. The location of the bus stop and pedestrian crossing are appropriate. The left hand turning lane should be omitted from the proposed upgraded junction between the Shackleton and

Oldtown Roads, and the cycle tracks should be redesigned to cross entrances in accordance with section 4.9.2 of the National Cycle Manual.

## 10.0 Screening

### 10.1. Appropriate Assessment

10.1.1. The proposed development would not be in or immediately adjacent to any Natura 2000 site. It would not have the potential, therefore, to have likely significant direct effects on any such site. The nearest Natura 2000 site is the Special Area of Conservation at Rye Water Valley/Cartron (sitecode 001398) c4km to the north. The conservation objective for that SAC is to maintain or restore the favourable conservation condition of the Annex I habitat and the Annex II species for which the SAC has been selected, which are -

- 7220 Petrifying springs with tufa formation (Cratoneurion) \* a priority habitat, and
- 1014 Narrow-mouthed Whorl Snail *Vertigo angustior*
- 1016 Desmoulin's Whorl Snail *Vertigo moulinsiana*

10.1.2. There is no ecological pathway from the application site that could result in the proposed development having a significant effect on the SAC. The surface water from the site would drain to the Liffey, which runs downstream of the SAC. The distance between the application site and the SAC is much greater than the typical length of groundwater flow in the Dublin groundwater body, and it is not likely that any significant effects on the SAC would be likely occur as through that medium either. The proposed development is not likely to have a significant indirect effect on that SAC, therefore. There are no other Natura 2000 sites upon which the proposed development could have a significant indirect effect. These conclusions are consistent with the appropriate assessment screening report submitted with the application.

10.1.3. It is therefore reasonable to conclude that on the basis of the information on the file, which is adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect the Special Area of Conservation at Rye Water

Valley/Carton sitecode 001398 or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not required.

## **10.2. Environmental Impact Assessment**

10.2.1. The current proposal is an urban development project that would be in the built-up area of a town but not in a business district. It is therefore within the class of development described at 10(b) of Part 2 of Schedule 5 of the planning regulations, and an environmental impact assessment would be mandatory if it exceeded the threshold of 500 dwelling units or 10 hectares. If the proposed development were regarded as being outside the built up area of the town, as suggested in one of the submissions on the application, than the latter threshold would be 20 hectares. The proposal is for 251 dwellings on 9.38ha which is below the thresholds, although the site area is close to the threshold for the built up area. The criteria set out in schedule 7 of the regulations, and those at Annex III of the EIA directive 2011/92/EU as amended by 2014/52/EU, should therefore be applied with regard to the characteristics and location of the proposed development, and with regard to the type and characteristics of its potential impact. The size and design of the proposed development would not be unusual in the context of this emerging area. The development would be on greenfield land but would be part of the built-up area of the town. There has been previous similar development immediately to the north and east of the site. The proposed and recent changes to the character of the area have occurred in accordance with plans that were subject to Strategic Environmental Assessment. The site is not designated for the protection of the landscape or of natural or cultural heritage and the proposed development is not likely to have a significant effect on any Natura 2000 sites (as discussed above). The development would be in residential use, which is the predominant landuse in the adjoining area to the north and east. It would not give rise to waste, pollution or nuisances that differed from that arising from the other housing in the neighbourhood. It would not give rise to a risk of major accidents or risks to human health. Its impact on traffic levels in the area would be marginal and would not be likely to have significant effects on air quality. The development would occupy a moderate area of land, but its current pastoral use is widespread in the region and so the impact of the development on that resource would be negligible. The proposed development

would use the public water and drainage services, upon which its effects would be marginal, as discussed in section 11.7 below. In these circumstances the application of the relevant criteria to the proposed development indicate that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered.

## 11.0 **Assessment**

11.1. The planning issues arising from the proposed development can be addressed under the following headings-

- Policy
- Impact on the character of the area
- Layout and design
- Residential amenity
- Access and parking
- Water supply and drainage

### 11.2. **Policy**

11.2.1. The proposed residential development would comply with the residential zoning of the site under the local area plan, which in turn is informed by the housing allocation to the town set out in the core strategy of the county development plan. The proposed development would provide more housing on zoned and serviced land in a town. This would be in keeping with the objectives of the National Planning Framework, in particular 3c. The site is on the far side of the town from the railway station and is over a kilometre from the town centre. It is, however, within walking distance of a range of services including schools and the supermarket on the Shackleton Road. The development of housing on the site would therefore be in keeping with objectives 27 and 33 of the framework. The proposed use of the site is therefore in accordance with local and national planning policy.

11.2.2. The density of the proposed development would be 35 dwellings per hectare, based on a net site area of 7.13ha that excludes the area in and around the 110kV powerlines that cross the site and the public roads and footpaths on its boundaries. The calculation of the net site area is reasonable and in compliance with appendix A

of the 2009 sustainable urban residential guidelines. The proposed density is within the range of 35-50dph recommended for greenfield outer suburban locations, such as the current site, by section 5.11 of those guidelines, albeit at the lower end. The density would therefore comply with SPPR 4 of the 2018 guidelines on building height. The net density is also above the minimum of 30dph specified for KDA 3 in section 12.2.3 of the local area plan, although the gross density would fall below this figure. The amount of housing proposed on the site is therefore in accordance with local and national policy.

- 11.2.3. Around a third of the proposed homes would be apartments. A similar proportion would be one- or two-bedroom units. This would comply with the advice in section 2.4 of the 2018 guidelines on apartment design which states that peripheral urban locations are suitable for developments at densities of less than 45 dph of which a minority of units would be apartments.
- 11.2.4. The proposed provision of a creche with accommodation for 68 childcare places would be in keeping with guidelines on the issue. The proposal to provide the creche in the second of three phases of development would not unduly delay the provision of the service.
- 11.2.5. The proposed use of the development, the amount of housing proposed and the mix of unit types are therefore in keeping with relevant planning policy, and the proposed development is acceptable in principle.

### 11.3. **Impact on the character of the area**

- 11.3.1. The proposed development would change the site from fields on the edge of a town to a suburban housing estate. This change is envisaged by the zoning of the site for residential development in the local area plan. It is not inherently wrong or undesirable. The proposed housing development would not maintain the rural character of the site or the partially rural character of the first 200m of the Oldtown Road. It would involve the loss of most of the hedges and trees there. The retention of the rural condition of the fields and hedgerows on the site is not compatible with its development for housing in a sustainable form that makes proper use of the public infrastructure and facilities and other services in the vicinity. The layout of the housing would provide frontage onto the Shackleton Road and Oldtown Road, which the older suburban housing on the eastern and northern sides of those roads does

not. This would improve the vitality, supervision and enclosure of those streets, and so would improve their appearance and character. Somewhat higher three-storey buildings would stand by the corner of the Shackleton and Oldtown Roads. This would improve the legibility of this part of the town, and would also make a positive contribution to the character of the area. The development would not alter the route of Oldtown Road and would not affect its affinity with ancient routes on the region. The structure of the existing road that would be affected is modern. The submitted landscaping design include proper proposals for tree planting along the public streets, although the proposed walls should be omitted where parallel roads are proposed to avoid severance and provide a proper degree of visibility and pedestrian permeability. Subject to this minor amendment, the proposed development would have a substantial but largely positive impact on the character of this emerging urban area on the edge of Celbridge.

#### **11.4. Layout and design**

- 11.4.1. The layout of the proposed housing estate is coherent and permeable. As stated above, it would provide some frontage development onto the existing public roads on its northern and eastern sides. It would also provide a suitable degree of overlooking of the large open space in the south of the site, while maintaining the required setback of houses from the power lines. The layout would define a main entrance from the Shackleton Road and a street through the scheme that would serve the adjoining site designated for a school and the proposed creche. The street could also serve the undeveloped land to the west, if it was zoned for development in the future. Several other pedestrian accesses would be provided from the Shackleton Road, as well as secondary vehicular entrances from the Oldtown Road. The layout would facilitate movement through the site, but the frequency of junctions and horizontal deflections would constrain traffic speeds. The block dimensions generally conform to the limits set out in section 3.3.2 of DMURS apart from the east-west extent of the block containing units nos. 67 to 94 which is over 130m. The provision of a second street parallel to the Oldtown Road is unnecessary having regard to that road's minor local function. It represents an inefficient use of land. Having a more active street edge and parking along that part of Oldtown Road would also assist in promote pedestrian activity and calm vehicular traffic, as advised in sections 4.2.3 and 4.4.9 of DMURS, which the proposed setback and parallel street

fails to do. However the parallel access road and excessive dimension of the said block would not justify refusing permission for the proposed development, while a condition requiring amendments to remedy those deficiencies would have consequences for other parts of the scheme that would be difficult to specify with the with the degree of precision needed for a planning condition. So such conditions are not recommended.

11.4.2. The location of the proposed creche beside the school site is desirable to facilitate joint trips by parents, as recommended in section 3.3.4 of the guidelines on childcare facilities. The location of a cluster of three storey apartment buildings beside the junction in the north-eastern corner of the site would improve the legibility of the town, as stated in section 11.3.1 above, and is therefore justified. The location of another cluster of apartment buildings in the south-western part of the site by the creche and the school would have a negligible impact on traffic patterns and is acceptable. The layout of the development would allow road frontage on two sides on the designated school site. This is an adequate to allow due prominence for any future school on the site. The provision of houses backing onto the eastern boundary of the school site is therefore acceptable. The two-storey apartment building type J and houses with dual frontage are properly deployed on corner sites through the scheme to avoid the need for high walls to the side of back gardens along extensive stretches of public street. A significant area of public open space in the south of the site would be complimented by other smaller spaces in the scheme that would provide visual and low-order recreational amenity for most of the proposed homes. Having regard to the foregoing, the layout of the proposed development is considered acceptable.

11.4.3. The design of the proposed houses and apartment buildings achieves a suitably high standard. The range of building types provide a degree of variation and visual interest. The variation is balanced by the repeated use of similar render, stone and grey brick finishes as well as window and roof types that echo the traditional built form of the historic core of the town. The variation in height is limited, with the buildings being either two or three storeys high. However this is acceptable for the peripheral suburban situation of the site and would not contravene SPPR4 of the guidelines on building height issued in 2018. The design of the proposed development is therefore satisfactory.



## 11.5. Residential amenity

- 11.5.1. The proposed development is not immediately adjacent to any existing homes and it would not impinge on the amenities of other property in the vicinity. The works required to carry out the development would not be likely to seriously injure the amenities of adjacent properties either, provided they were carried out in a competent manner.
- 11.5.2. The proposed development would include a significant amount of public open space, including a large area at the south of the site to accommodate the 110kV power lines and four smaller spaces close to houses throughout the scheme. These spaces would be of a useful size and shape and would provide recreational and visual amenities for the residents of the proposed housing.
- 11.5.3. The proposed houses would have an adequate level of internal accommodation. The back of the proposed houses would not generally achieve the standard separation distance of 22m. However shallow house types without opposing windows onto habitable rooms above ground floor level are predominant. This arrangement is generally successful and would ensure a reasonable level of privacy for the proposed houses. The prevalence of shallow houses in the proposed schemes means that the back gardens are also shallow but wider than normal. The gardens are of a rectangular shape and of a reasonable size, as set out in the appendix to the planning and design statement submitted with the application. The private open space provided to the serve the houses would therefore be adequate. Most houses would have side access to their back gardens, apart from some mid-terraced units. The submitted plans are inconsistent in showing bin stores for those houses at the front, so the matter should be covered by condition. Subject to this, the proposed development would provide an acceptable level of amenity for the residents of the proposed houses.
- 11.5.4. The proposed development includes 84 apartments which would be subject to the 2018 design guidelines. The proportion of one-bedroom units would be 11%, which satisfies SPPR1. All units would meet the minimum floor area required by SPPR3. The internal accommodation and room sizes also comply with the standards set out in Appendix 1 of the guidelines. The overall floor area would be 6,685m<sup>2</sup> which is more than the level of 6,435m<sup>2</sup> required to ensure that most of the apartments would

be 10% above the minimum required floor areas. The additional floor area requirement for developments of less than 100 units set out in section 3.8 and 3.12 of the guidelines would therefore be met. Most of the apartments would be dual aspect, meeting SPPR4. The ceiling heights on the ground floor of the apartment buildings be 2.7m in accordance with SPPR5. The ceiling heights on upper floors containing the living rooms of apartments would also be 2.7m high. The apartment buildings would be two or three storeys high and without lifts. Stairways would be shared by no more than 2 apartments, which compiles with SPPR6 of the guidelines. Refuse facilities are shown for the apartments, as is car parking, in accordance with the requirements of the guidelines. The plans are inconsistent in the depiction of bicycle parking but this can be addressed by condition.

11.5.5. The proposed development does not provide communal open space for the apartments. Given that they are mostly own-door units integrated into a housing scheme with significant public open space, this is considered acceptable. The submitted statement of consistency acknowledges that 3 of the apartments would lack private amenity space in accordance with standard set in the guidelines. However the plans indicate that the amenity space for another 6 apartments in block type J consists of narrow spaces along the sides of the building that would be useful for storing bins or bicycles but which would not function as an outdoor amenity. Furthermore, and as noted by the council, the private open spaces to the rear of the duplex apartments in the block containing units 205 to 240 would have limitations on their daylight and outlook due to their position between 3 storey buildings which are less than 8m apart in some cases. The board may wish to consider whether conditions should be imposed to address these issues similar condition no. 5 recommended by the council. However such alterations would have consequential impacts on other parts of the overall development that would be difficult to specify with the degree of precision necessary for a planning condition. I would tend to agree with the applicant that the overall standard of amenity provided in those apartments would be acceptable, having regard to the facts that they would be at least 10% larger than the minimum floor areas required for apartments with that number of bedrooms, that the apartments in blocks J and K would occupy corner sites and would have dual aspect, and that the long dimension of the block containing units 205 to 240 runs north-south so the space within it would receive a

reasonable amount of sunlight during the middle of the day. The provision of private amenity space for the proposed apartments would not breach the SPPRs set out in the 2018 apartment design guidelines. Having regard to the foregoing, it is considered that the proposed development would provide an acceptable standard of amenity for the occupants of the proposed apartments

#### **11.6. Access and parking**

11.6.1. The proposed development would add 251 homes to the Celbridge, which had a population of 20,288 at the 2016 census. Its contribution to traffic levels and congestion on the surrounding road network (including the bridge over the Liffey) would be marginal, as described in the submitted Transport and Traffic Impact Assessment. Its impact on air quality would be similarly marginal and would be unlikely to have a significant effect on the environment or human health. The impact of traffic from development is a function of the location, type and scale of that development. The suitability of this location for residential development is established by the zoning of the site. The scale of development that is appropriate on the site is determined by national and local planning policy on residential density. In these circumstances a revised or expanded Traffic and Transport Assessment would not generate information or analysis that would usefully inform a decision on the current planning application. Refusing permission for the proposed development would not alleviate traffic congestion in the town and surrounding area. It could displace demand for housing to less suitable sites and so worsen congestion in the region. To prevent development on the site pending the completion of a traffic management plan under section 4.4 of the local area plan would not be in keeping with the zoning of the site and would undermine the implementation of the core strategy set out in the county development plan. General issues regarding traffic generation would not, therefore, justify preventing or amending the proposed development of zoned land at an appropriate density.

11.6.2. The specific proposals for access and parking to serve the proposed development are generally acceptable and in accordance with the applicable standards set out in DMURS. The general approach of streets crossing the site and meeting at perpendicular junctions is acceptable because the use of frontage development, narrow carriageways, frequent junctions, tight corner radii and occasional horizontal and vertical deflections would restrict the speed of vehicles and properly protect the

safety and convenience of pedestrians. The provision of access to the bus stops on Shackleton Road with a signalized crossing is welcome and would allow improvements to the bus service on that road to benefit all of the proposed housing. The works to the Oldtown Road would render the part of that road in front of the site suitable to cater for traffic from the development, The report from the NTA and the Road Safety Audit submitted with the application identified detailed issues with the proposed roads layout that could be improved. However this can be properly addressed by condition, as can the specifications of the proposed works to the junction of the Oldtown and Shackleton Roads. In these circumstances the conclusions and recommendation to refuse permission in the report from the council's Transportation Section are not accepted.

- 11.6.3. The proposal to provide 2 parking spaces per house and 1.25 spaces per apartments is acceptable. The size of the proposed creche is proportional to the number of proposed houses, following the ratio recommended in in the 2001 childcare guidelines. Many of its patrons are likely to live within walking distance, therefore. The amount of parking proposed to serve the creche (11 spaces) is therefore acceptable. The submitted site plans are unclear as to the provision of bicycle parking from some of the apartments, but this can be properly addressed by condition.
- 11.6.4. Having regard to the foregoing, the proposed development would be acceptable with regard to access and parking.

#### **11.7. Water supply and drainage**

- 11.7.1. It is noted that concerns about constraints in the wastewater network serving the area were raised in the pre-application consultation. However Irish Water have reported on the application that it can facilitate connections to its networks without the requirement for works that would require another statutory consent or that would significantly delay the proposed development. Some of the submissions from the public have referred to problems with the operation of the wastewater network in other parts of the town. However these issues are not the result of development on the application site and refusing the current application would not assist in their resolution. The advice from Irish Water is therefore accepted, and issues relating to

water supply and wastewater drainage would not preclude consideration of a grant of permission.

11.7.2. With regard to surface water drainage, it is noted that the site is in Flood Risk Zone C according to the maps issued with the LAP. Flood zones A and B occur near the site on the other side of the stream along its southern boundary. The housing would be set back from this boundary behind the proposed open space there. Therefore, under the categories set out in the 2009 Flood Risk Management Guidelines, the proposed development is acceptable in principle. This is subject to the general requirement that adequate measures are put in place for storm water management which would also ensure that the proposed development did not exacerbate the risk of flooding elsewhere. The application is accompanied by a site specific flood risk assessment and an engineering report. The latter report describes the proposed storm water drainage system which would have two sub-catchments one of which would discharge to the town's surface water sewers at the north-eastern corner of the site and the other in the south-eastern corner near St. Raphael's. Both sub-catchments would have hydrobrakes that restrict flow to the greenfield rate of 2.9l/s/ha , followed by attenuation tanks that could cater for the 1 in 30 year storm event and ground retention basins on the site that could cater for the 1 in 100 year storm event. The submitted details demonstrate that the proposed development would not be at an undue risk of flooding itself and would not exacerbate the risk of flooding on other lands. In particular it would not exacerbate the risk of flooding at the crossroads of the Oldtown Road and Shackleton Road or at St. Patrick's Park that were described in submissions on the applications, and it would not be incompatible with the authorised development on Oldtown Road to which Reg. Ref. 17/1363 refers.

## **12.0 Recommendation**

12.1. I recommend that permission be granted subject to the conditions set out below.

## **13.0 Reasons and Considerations**

Having regard to the site's location in Celbridge on lands with a zoning objective for residential development in the town's local area plan for the period from 2017-2023,

the nature, scale and design of the proposed development, the availability in the area of a wide range of social infrastructure, to the pattern of existing and permitted development in the area, and to the provisions of the Urban Design Manual – A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May, 2009, the Sustainable Urban Housing: Design Standards for New Apartments issued by the Department of the Environment, Community and Local Government in December, 2015 and the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March, 2013, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the area, would not be at undue risk of flooding, would not exacerbate the risk of flooding on other land, 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.

#### 14.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement, such issues may be referred to An Bord Pleanála for determination.

**Reason:** In the interest of clarity

2. The permitted streets and the works to existing roads shall comply with the applicable standards set out the Design Manual for Urban Roads and Streets (DMURS) and the National Cycle Manual. To this end the submitted proposals shall be amended as follows-

- a) The proposed left hand turning pocket from Shackleton Road onto Oldtown Road shall be omitted. Otherwise the permitted works to that junction shall conform to the detailed specifications of the planning authority.
- b) The cycle tracks/lanes along the Shackleton and Oldtown Roads shall be between the carriageway and the footpath and shall have suitable priority across the junctions with streets within the proposed development in accordance with section 4.9.2 of the National Cycle Manual. The bus stop on the Shackleton Road shall be designed as an island bus stop in accordance with section 5.1.5.2 of that manual.

Revised plans showing compliance with these requirements shall be submitted and agreed in writing with the planning authority prior to the commencement of development. The permitted works to the Shackleton and Oldtown Roads shall be completed prior to the occupation any of the permitted housing unless otherwise agreed in writing with the planning authority.

**Reason:** To ensure that the streets in the authorised development facilitate movement by sustainable transport modes in accordance with the applicable standards set out in DMURS and the National Cycle Manual

3. The materials, colours and finishes of the authorised buildings, the treatment of boundaries within the development and the landscaping of the site shall generally be in accordance with the details submitted with the application, subject to the following amendments –
  - The surface of the street in front of houses nos. 1 to 10 shown on the site layout plan on drawing no. 992PL.005 shall have distinctive paving or colouring to denote its status as a shared surface.
  - The surface of the street between houses nos. 52 and 53 shall continue up to the boundary of the site
  - The proposed walls and hedges between the trees along the Shackleton Road opposite houses nos. 121 and 133 to 138, and along the Oldtown Road in front of houses nos. 1 to 10 shall be omitted in order to provide

pedestrian access and visibility between the existing public roads and the parallel streets in the permitted development

Details showing the required amendments shall be submitted and agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interests of visual and residential amenity

4. Proposals for street names, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and numbers shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority.

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

5. Prior to the commencement of development the developer shall submit for the written agreement of the planning authority details of refuse storage and bicycle parking for the permitted apartments and terraced houses, which shall be generally in accordance with section 4.9 and 4.17 of the Guidelines on Design Standards for New Apartments issued by the minister in 2018,

**Reason:** In the interests of residential amenity and public health

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenity.

7. 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.



**Reason:** In the interests of public health

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

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

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

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

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

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

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

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

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

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

10. 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

11. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -
  - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
  - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
  - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

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

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

12. 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

13. 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

14. 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

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Stephen J. O'Sullivan  
Planning Inspector

4<sup>th</sup> April 2019