



An
Bord
Pleanála

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

Inspector's Report ABP-306504-20

Strategic Housing Development

Demolition of existing structure,
construction of 372 no. residential units
(218 no. houses, 154 no. apartments),
childcare facility and associated site
works.

Location

Crodaun, Celbridge, Co. Kildare.

Planning Authority

Kildare County Council

Applicant

Ardstone Homes Limited

Prescribed Bodies

1. Irish Water (IW)
2. Transport Infrastructure Ireland (TII)
3. DAU

Observer(s)	18 number observations (A list of names is attached as Appendices 1 to this report)
Date of Site Inspection	18 th April 2020
Inspector	Fiona Fair

Contents

1.0 Introduction	4
2.0 Site Location and Description	4
3.0 Proposed Strategic Housing Development	5
4.0 Planning History.....	10
5.0 Section 5 Pre Application Consultation	14
6.0 Applicants Statement.....	16
7.0 Relevant Planning Policy	23
8.0 Third Party Submissions	33
9.0 Planning Authority Submission	38
10.0 Prescribed Bodies	42
12.0 Assessment.....	44
13.0 Conclusion & Recommendation	96
14.0 Recommendation.....	97
15.0 Recommended Draft Board Order.....	97
16.0 Reasons and Considerations	99

1.0 Introduction

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

2.0 Site Location and Description

The subject site (c.9.55 hectares) is located, approx. 1.5 Km to the north of Celbridge town centre / Main Street to the south east of the junction of the R449 with the Maynooth road (R405), to the south of the M4 motorway. The site comprises an irregular shaped plot of land. The site fronts the eastern side of the Maynooth Road to the south of its junction with the R449, which continues northward to connect at Junction 6 with the M4 motorway.

The site has road frontage to the R405 to the west, and R449 to the north. The lands back onto open fields to the north east, and the rear gardens of houses within the established residential development of Crodaun Forest Park to the east and south east.

The site comprises a number of open fields in agricultural use. The agricultural structure referred to in the public notices for demolition has already been demolished and a pile of rubble remains on the lands. The field boundaries are delineated by mature vegetation. There is an existing agricultural access to the lands at its southern end fronting the R405.

The site is served by public transport, with a No. 67 Dublin Bus route stop at the entrance to the site linking Dublin, Celbridge and Maynooth. The nearest train station is Celbridge/Hazelhatch, approximately 3km from the site providing access to Dublin, Cork, Galway, Limerick, Waterford and Portlaoise.

The site is also located proximate to primary and post-primary schools and employment centres such as the M4 Business Park, with Intel's Leixlip plant located less than 4km to the north.

3.0 Proposed Strategic Housing Development

3.1. The proposed development, as per the submitted public notices, will consist of:

372 no. residential units comprising the following:

- 154 no. Apartments in 2 no. apartment blocks 4-storeys in height at the north-western and south-western parts of the site. The apartments provide a mix of one and two-bedroom units, comprising:
 - 46 x 1 bed units and
 - 76 x 2 bed units.
 - 12 no. 1 bed Maisonettes and
 - 20 no. duplexes (comprising 10 x 1 bed units and 10 x 2 bed units).
- 218 no. houses, comprising a variety of housing forms to include detached, semi-detached and terraced houses. A mix of house sizes are proposed to include:
 - 20 x 2 bed;
 - 140 x 3 bed houses and
 - 58 x 4 bed houses.
- The demolition of an existing agricultural structure.
- The provision of:
 - 633 no. ancillary car parking spaces and
 - 340 no. bicycle parking spaces.
- The provision of 2 no. ESB sub-stations, ancillary services and infrastructure works including foul and surface water drainage, attenuation areas, landscaped open spaces (approximately 13,026 sq. m, or 14.2% of the site area), boundary walls and fences, landscaping, lighting, internal roads, cycle paths, footpaths, and cycle and pedestrian connections to the R405 and the R449 Regional Roads.

- The developable site area measures approximately 9.18 ha resulting in a net residential density of approximately 40.5 u/ha.
- The proposed development also includes:
 - A childcare facility measuring approximately 191 sq. m (GFA) at ground floor level of Apartment Block B.
- A new junction onto the R405 Regional Road to serve the proposed development.

3.2. The application is accompanied with an Environmental Impact Assessment Report (EIAR) and Appropriate Assessment (AA) Screening Report (Stage 1).

3.3. The application contains a statement setting out how the proposal will be consistent with the objectives of the Kildare County Development Plan 2017-2023, and the Celbridge Local Area Plan 2017 – 2023.

3.4. The following tables set out some of the key elements of the proposed scheme:

Table 1: Development Standards

Site Area	9.55 ha Gross 9.18 ha Net development area omitting the road verges in KCC ownership associated with zoned Objective F lands required for levelling / construction of the northern most access road.
No. of units	372
Total Gross Floor Area (including the creche 316sq. m)	38,848.7 sq. m
Net Density	40.52 units/ha
Gross Density	39 units/ ha
Plot Ratio	0.41
Site coverage	18%
Public Open Space	13,026 sq. m (14.2%)

Table 2: Unit Mix

House Type	Description	Quantity	Floor Area (sq.m)	Mix %
C5	3 bed/5-person, two storey terraced houses	36	102	9.7
D1	4 bed/7-person, two storey, semi-detached houses	36	133	9.7
D2	4 bed/7-person, two storey, semi-detached houses	12	142.6	3.2
D3	4 bed/8-person, three storey, terraced houses	10	145.6	2.7
A1 / A2	1 Bedroom Maisonette	12	53.8 or 61	3.2
A3	1 Bedroom / 2-person Duplex	10	54	2.7
Duplex	2 Bedroom / 3-person Duplex	3	99.7	0.8
B2	2 Bedroom / 4-person Duplex	7	99.7	1.9
Apartment	1 Bedroom Apartment (2 person)	46	49.4 or 52	12.4
Apartment	2 Bedroom Apartment (3 person)	3	67.3	0.8
Apartment	2 Bedroom Apartment (4 person)	73	76.9 to 82.8	19.6

Total Houses	218	58.6%
Total Apartments/ Duplexes	154	41.4%
Total Units	372	100

Table 3: Part V Provision

Requirement: 10% units	The proposal includes 37 No. Part V units, comprising 14 x 1 bed units, 12 x 2 bed units, 8 x 3 bed units and 3 x 4 bed units. The submitted Drawing No. P-S-O-4, prepared by John Fleming Architects indicates the location of Part V units.
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Table 4: Childcare Provision

Requirement:	Provision:
<p>Regard is had to the childcare guidelines which states; ‘...a standard of one childcare facility providing for a minimum 20 childcare places per approximately 75 dwellings may be appropriate’ and also to the Celbridge Local Area Plan 2017-2023 which considers that pro-rata childcare provision for dwellings 1 – 150 to be completed prior to the commencement of dwelling no. 151 in KDAS. Pro-rata provision for remainder to be completed prior to the completion of development in this KDA. Section 6.3.3 of the LAP states that 20 childcare spaces per 150 dwellings represents an adequate level of provision in conjunction with new housing development</p> <p>50 – 100 space childcare facility depending upon guidelines observed.</p>	<p>42 childcare spaces –</p> <p>191 sq. m childcare facility located at ground floor level within Block B.</p>

Table 5: Car Parking

	Number of car parking spaces
Proposed for Houses	436
Proposed for Apartments / maisonettes & duplexes	149
Visitor parking	38 (1 space per 4 apartments) (Incl. 2 disabled spaces)
Proposed for Creche	10
Total Provision	633 surface car parking spaces

Table 6: Bicycle Parking

Bicycle parking spaces	340 spaces
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- 3.5. In term of site services, a new water connection to the public mains is proposed, together with a new connection to the public sewer. Section 4 of the submitted Infrastructure Design Report prepared by DBFL Consulting Engineers addresses Foul Drainage. In particular it is noted that section 4.4 addresses capacity considerations and proposals to address same. It states that an updated confirmation of feasibility was received from Irish Water in November 2019 (attached at Appendix E to the report). It states that Irish Water has advised that a “proposed connection to the Irish Water Network can be facilitated”, and that “upgrade works are required to increase the capacity of the wastewater network at Castletown Pump Station”. These works are indicatively scheduled for completion by 2021 and proposed connection “could be completed as soon as possibly practical after this date”.

Irish Water have confirmed that a water connection is feasible without network upgrades.

4.0 Planning History

4.1. The following historical planning applications relate to the subject site.

KCC Ref. 052819: On the 22nd February 2006 KCC refused planning permission for a mixed-use development (total gross floor area of 39,099 sq.m) on a 13.45 ha site.

The proposed development comprised: (i) The demolition of a single storey house, garage, stables and barn and removal of the existing earth berms along the R449.

The proposed development included as follows:

- 45 no. houses and 76 no. apartments.
- Leisure centre, including: creche; medical centre; community and community centre.
- One retail unit and 11 no. Office units plus Restaurant.
- 56 bed Nursing Home and 28 No. low-dependency nursing home units.

Planning permission was refused for 5 reasons, which included in broad terms as follows:

- Material contravention of zoning / development objective;
- Part of site fell outside the development boundary of Celbridge – i.e. on agricultural lands;
- Inappropriate scale, height, layout and deficient public open space provision.
- Proposed 4-storey blocks would interfere and detract with a protected vista from / between Castletown House and Connolly's Folly.
- Unsustainable form of development by reason of the large number of housing in a peripheral location poorly served by public transport provision.

KCC Ref. 0872: In March 2009 KCC granted planning permission for the demolition of existing single storey house, garage, stables and barn and the construction of 5no. two storey blocks containing 22 no. industrial/commercial units plus new vehicular entrance and access road, associated carparking and service areas etc.

KCC Ref. 082040: In June 2009, KCC granted planning permission for the construction of a two-storey over basement Fitness Centre, comprising swimming pool, treatment / consultants' rooms, gymnasium, changing / shower / toilet facilities, plant room, car parking and access roads, etc.

KCC Ref. 09572 (PL 09.235757): In May 2010, ABP refused planning permission for a new petrol station and associated new vehicular access / egress off the R449 to the north of the site. Permission was refused for the following reasons:

- The location proximate to the roundabout on the R449, on the opposite side of the road to an existing petrol station served by two access roads, and with access and egress arrangements from the R449 designed to operate on a left in and a left out basis only would create a complex environment for road users which would endanger public safety by reason of traffic hazard.
- The access to the proposed petrol filling station would form an integral part of the access to the remainder of the area that is zoned retail/commercial in the Celbridge Local Area Plan, 2010. To permit the proposed access in the absence of a comprehensive assessment of the overall development proposals for the area would prejudice the potential access arrangements to the lands and be contrary to the Local Area Plan's objectives for this area.
- The application site lies within an area zoned retail/commercial in the Celbridge Local Area Plan, 2010. Within this zone, petrol stations are not permitted and so to grant permission for the proposed petrol station on this site would materially contravene the development plan.

KCC Ref. 091273 (PL 09.237463): In February 2011, ABP refused planning permission for revisions to consist of the omission of warehousing blocks A, B, C and D (total floor area of 7,259.0 square metres and replacement with the construction of a 4,308 square metres single-storey cinema complex with projection area mezzanine level, together with revised associated car parking, vehicular access roads, drainage, landscaping and site works.

Permission was refused for 3 reasons, including in broad terms, as follows:

- The peripheral location beyond (more than two kilometres from the centre of the town), the proposed development would cater predominantly to a car-borne patronage that would detract from the vibrancy of the town centre.
- Cinema use is open for consideration under the zoning Objective H. However, the proposed development would take up the greater part of the lands zoned Objective H at this location to the south-east of the R449 regional road and would not be in the interest of the proper planning and sustainable development of the area. The proposed development would, therefore, materially contravene a zoning objective, as set out in the Local Area Plan.
- Due to the accessibility of the site to the M4 motorway, the proposed development would be likely to attract car-borne patronage, not alone from Celbridge, but from the other major population centres of North Kildare and West Dublin. The proposed development would, therefore, be likely to give rise to on-street parking on the adjacent major traffic arteries, namely, the R449 and R405. The proposed development would, therefore, endanger public safety by reason of traffic hazard and the obstruction of road users.

KCC Ref. 10307: In January 2011, KCC granted planning permission for an industrial warehousing building comprising of 9 individual units and associated car parking, site works, drainage and services, new vehicular access road R449, alteration to previously granted road layout – planning register reference: 08/72.

KCC Ref. 101234: In November 2011, KCC refused planning permission for a development consisting of a single storey block comprising of one large retail unit and a two-storey block comprising of 2 retail units at ground level and medical consulting rooms at first floor level, and associated car parking, site works, drainage and services.

- The reasons for refusal stated the peripheral location of the site and its impact on the vitality and vibrancy of the town centre and the potential to give rise to car-borne trips in this out of centre / edge location.

KCC Ref. 11141: In January 2012, KCC granted planning permission for a development consisting of a single storey Montessori school including 8 No. classrooms, general purpose room and ancillary support accommodation; temporary entrance on the R405 (Maynooth Road) pending development of roads on adjacent site; final entrance to be formed on completion of adjacent site roads; associated boundary fencing, car parking, site works, drainage and services.

The above permission was subsequently amended by KCC Planning Ref. 12174, as granted in June 2012.

KCC Ref. 12433: In July 2012, KCC refused planning permission for an all-weather playing pitch with perimeter boundary fencing and floodlighting. Reasons for refusal include potential impacts on nearby residential amenities; haphazard /piecemeal development in the absence of a framework plan for the area and potential traffic hazard due to the lack of ancillary / associated car parking.

4.2. **Adjoining Lands**

While no relevant applications were identified on adjoining lands, it is noted that there is a pipeline Draft Strategic Housing Development Proposal for a scheme consisting of 495 no. dwellings (228 no. houses, 42 no. duplexes, 225 no. apartments) with a childcare facility and associated site works being pursued by Crodaun Development Company on the western side of the R405 (directly opposite the subject site) on the remaining KDA 4 lands. This proposal has been the subject of a Consultation with ABP under Reg. Ref. PL09.304246 as a Strategic Housing Development.

ABP issued an Opinion on the 17th June 2019 stating that the proposed scheme represents a reasonable basis for an application.

5.0 Section 5 Pre Application Consultation

5.1. A Section 5 pre-application consultation took place at the offices of An Bord Pleanála on the 28th February 2019. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála was of the opinion that the documentation submitted **requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.**

5.2. Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission arising from this notification:

Design and Layout

1. Further consideration/justification of the documents as they relate to the layout of the proposed development particularly in relation the treatment of the interface with the Maynooth Road and the potential to create a more defined urban edge along same and the treatment of the interface with the proposed amenity lands to the north; connectivity with adjoining lands including the proposed future amenity lands to the north, provision of quality, usable open space and the creation of distinct character areas within a high quality scheme should be given further consideration. In addition, further consideration/justification of the documents as they relate to the proposed design, layout and orientation of the apartment buildings including the proposed palette of material. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted

Infrastructural Constraints

2. Further consideration/clarification of the documents as they relate to wastewater infrastructure constraints in the network serving the proposed development in particular as it relates to the Lower Liffey Drainage Area Plan. The documentation at

application stage should clearly indicate the nature of the constraints, the proposals to address the constraints and the timelines involved in addressing these constraints relative to the construction and completion of the proposed development. (The prospective applicant may wish to satisfy themselves that an application is not premature having regard to the information sought above).

Surface Water Management and Flood Risk Assessment

3. 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 19 March, 2019 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.

Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission arising from this notification:

1. A detailed phasing plan for the proposed development.
2. Screening proposals for proposed substation.
3. Ecological Survey of existing trees and hedgerows which clearly identifies all trees/hedgerows proposed for removal.
4. A report should include full and complete drawings including levels and cross sections showing the relationship between the development and adjacent residential units, public pathways and interfaces with the public realm.

5. A detailed schedule of accommodation which shall indicate compliance with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018.
6. A life cycle report shall be submitted in accordance with Section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).
7. A site layout that details any areas to be taken in charge by the local authority.

6.0 Applicant's Statement

- 6.1. A statement of response to the Pre-Application Consultation Opinion was submitted with the application, as provided for under section 8(1)(iv) of the Act of 2016. This statement provides a response to each of the issues raised in the Opinion.

Summarised as follows:

6.2. Item 1. Design and Layout.

The layout has been revised to incorporate a strong and defined urban edge along the western boundary of the site with its frontage to the Celbridge - Maynooth Road. A 4-storey apartment block is proposed at the junction of the R405 (Maynooth Road) and the R449 (Leixlip Road) to provide a legible gateway building and a well-defined urban edge at the junction.

To the south of this block, along the mid-section of the Maynooth Road, frontage it is established by two rows of terraced houses on either side of the principal vehicular access to frame and mark the entrance to the development. The terraces comprise primarily two-storey houses punctuated by three storey elements at the development entrance situated approximately mid-way long the Maynooth Road frontage.

The terraces are aligned with the apartment block facing the roundabout junction and are book-ended at the southern end by another 4-storey apartment block that cranks to form and frame an enlarged public park with the open space immediately to the south.

It is submitted that this edge condition to the Maynooth Road presents a uniform building line that is defined by a strong built form of 2, 3 and 4 storey elements provided by a combination of terraced houses and apartment blocks.

The proposed layout also facilitates the retention and integration of existing trees along the Maynooth Road to provide an appropriate element of landscaped edge as provided for in the LAP (Figure 3.3).

Interface with Amenity Lands

The site layout submitted with the Section 5 Request for Consultation meeting illustrated an edge condition defined by suburban type two-storey semi-detached houses. The space was addressed by 6 pairs of semi-detached units, and 5 side entry houses (17 total), all 2 storey.

The revised site layout plan proposes 26 units directly addressing the open space, comprising of 5 terraces of predominantly two storey houses bookended at key corner locations by 3 storey elements. These terraces are similar in character and appearance to the terraces fronting Maynooth Road. It is submitted that this uniform and strong edge condition provides an appropriate interface with the adjoining amenity lands and will facilitate an appropriate level of enclosure and passive surveillance of this interface with the zoned amenity lands. In addition, the proposed central visual and movement axis through the site promotes vehicular and pedestrian movement through the site, with two pedestrian linkages proposed- one at each end of the site boundary onto the amenity lands to provide improved linkages and permeability.

It is submitted that this design response provides an appropriate response to the key issues raised in the ABP Opinion regarding the proposed interface with the amenity lands to the north and connectivity with these lands.

Provision of High Quality, Functional Open Spaces coupled with the Creation of Distinct Character Areas

It is submitted that the submitted Architectural and Urban Design Statement and the Landscaping Report address this matter in detail.

The proposed development is arranged around a central axis, perpendicular to the axis formed by the protected views from Castletown House toward Carton House to

the north of the site. This creates a legible hierarchy in the streetscape which enables easy navigation through the scheme. Secondary streets branch off from the central axis. A series of pocket parks and green spaces are positioned to maximise the number of houses with view and access to the open spaces. The distribution of the open spaces creates unique welcoming spaces in close proximity to houses. This provides pleasant views from the houses and ensures passive surveillance. Perimeter open spaces have been avoided where possible and appropriate to maximise the provision of the public open spaces within the development. These public open spaces comprise mainly of the following 6 Spaces, as described in the submitted Architectural and Urban Design Statement:

'There are a variety of different open spaces with associated amenities from small pocket parks with play areas for children to green linear parks to the large designated amenity area to the north-east of the site. The size and nature of each area is detailed below:

- *Open Space A measures 2,850m² - This open space provides a pathway along the perimeter of the site. Providing access to the amenity space to the north-east.*
- *Open Space B measures 1,823m² - This open space serves Apartment Block A and onlooking houses. There will be an element of play incorporated into this space.*
- *Open Space C measures 1,857m² - This central open space is a widening of the central axis. It provides a relief for pedestrians and cyclist making their way to the amenity space to the north. As an identifiable node it helps to organise the layout easing navigation throughout the site.*
- *Open Space D measures 2,617m² - This open space is in close proximity to many larger family homes. A kickabout area is provided to serve these families.*
- *Open Space E measures 1, 042m² - This space serves Apartment Block B and provides a linking open space between Open Space F and D.*
- *Open Space F measures 2,837m² - This defined open space provides a welcoming approach to the development from Celbridge, an integrated layout with the entrance to Crodaun Forest Park and the interface of the original demesne wall.'*

Section 9 of the submitted Architectural and Urban Design Statement addresses the issue of 'distinctiveness' and how different character areas can be achieved within the proposed development.

Orientation, Layout and Design of the Proposed Apartment Blocks

The number, siting and design of the proposed apartment blocks have been amended to address the matters raised by the Board and Kildare County Council at the Consultation meeting, as follows:

- The siting of the apartment blocks has been revised to contribute towards the formation of a strong urban edge to the Maynooth Road in particular.
- Apartment Block A is positioned to respond to the curve of the boundary adjacent to the junction of the Maynooth and Leixlip Roads. It overlooks a linear open space which has a perimeter pathway that leads to the future amenity space. Block A establishes an urban edge to the site and creates a recognisable 'gateway' into Celbridge from the Leixlip and Maynooth approaches.
- Block B defines a public open space on the Maynooth Road that adjoins the Crodaun Forest Park development by opening up the southern end of the site to provide a welcoming and permeable approach to the development.
- These blocks have been re-orientated in a manner as to improve the aspects for the apartments in order to avoid single aspect north facing apartments. The majority of apartments face either east or west and thereby maximise opportunities for either morning or afternoon sunlight to penetrate the units. Amenity spaces are positioned in close proximity to the apartment blocks where habitable room windows and /or balconies would aid in providing passive surveillance of such spaces and by providing pleasant views for all units.
- The height of the blocks has been reduced from 5-storeys to 4-storeys.

Section 5.4 of the submitted Architectural and Urban Design Statement provides details of the palate of materials for these blocks, as follows:

'The apartment blocks are designed to fit comfortably within the greater scheme, echoing the materiality of houses. Timber cladding has been replaced with low maintenance, quality durable materials. Two contrasting brick colours will be selected to compliment the brick and render being used elsewhere. Glazing and spandrel panels are used to articulate sections of the buildings. This is paired with metal handrails to balconies and metal canopies to create a sense of consistency throughout the scheme.'

Item 2 Infrastructural Constraints

Section 4 of the submitted Infrastructure Design Report prepared by DBFL Consulting Engineers addresses Foul Drainage. In particular it is noted that section 4.4 addresses capacity considerations and proposals to address same. It states that an updated confirmation of feasibility was received from Irish Water in November 2019 (attached at Appendix E to the report). It states that Irish Water has advised that a “proposed connection to the Irish Water Network can be facilitated”, and that “upgrade works are required to increase the capacity of the wastewater network at Castletown Pump Station”.

These works are indicatively scheduled for completion by 2021 and proposed connection “could be completed as soon as possibly practical after this date”.

Item 3 Surface Water Management and Flood Risk Assessment

Section 3 of the Infrastructure Design Report (IDR) prepared by DBFL Consulting Engineers submitted with this application addresses Surface Water Drainage. The report is supplemented by a standalone Site Specific Flood Risk Assessment (SSFRA) report that prepared by DBFL Consulting Engineers. The preparation of these reports and their associated Appendices and technical drawings / specifications have been informed by the pre-application consultations with the KCC Drainage Division and fully address the matters raised in their consultation report dated 19th March 2019.

6.3. Specific Information to be Submitted with Application

The Board’s Opinion detailed specific information to be submitted with any application.

6.4. 1. A detailed phasing plan for the proposed development.

It is submitted that there are no services constraints that require a particular phasing programme for the proposed development. It is noted that the KCC Drainage Division report dated 19th March 2019 states in Paragraph 2.20 that ‘*Any phasing of*

the proposed development shall be aligned to the maximum extent possible with the proposed five (5) drainage catchments.'

The drainage proposals have been revised to include four (4) drainage catchment areas within the site, as shown in Figure 3.3 of the submitted Infrastructure Design Report, as replicated in Figure 4.1, of the response.

2. Screening proposals for proposed substation.

Two ESB sub-stations are proposed. One is situated in the north-western corner of the site immediately to the south of the berm along the R449. This sub-station will be largely screened in views from the R449 by the existing berm and existing roadside vegetation (outside the application redline) that will be retained. Within the application site it will benefit from screening in the form of new tree planting immediately to the south and west thereof that will effectively minimise the visual impact of this structure on the visual amenities of future residents of the scheme. Refer to the submitted Landscape Masterplan (Drawing No. 1) and accompanying Green Infrastructure and Landscape Design Rationale report, prepared by Landmark Designs Ltd.

The second proposed ESB sub-station is situated at the south-eastern corner of the site where it will be screened to the rear by the stone wall that defines the common boundary with Crodaun Forest Park and existing mature trees on the inside of this wall. This established and mature screening will be supplemented within the application site and to the west and south of the proposed ESB sub-station structure by new tree planting / landscaping proposals in connection with Public Open Space F.

3. Ecological Survey of existing trees and hedgerows.

The Opinion requested that an Ecological Survey of existing trees and hedgerows that clearly identifies all trees/hedgerows proposed for removal is submitted.

An Arboricultural Assessment and Impact Report, prepared by CMK Hort, is submitted, it includes a tree and hedgerow survey and identifies all hedgerows and trees to be removed. This assessment has informed the preparation of the Landscape Masterplan and Drawing No. 2 (Landscape Details Hedgerow Removal, Retention and Replacement), prepared by Landmark Design Ltd. The latter indicates the position and extent (860 linear metres) of hedgerows to be removed throughout the site. All existing trees within the application site will be removed. However, the loss of the existing hedgerows and trees will be mitigated through new planting to include:

- 514 no. new trees of mixed species;
- 190 linear metres of Hedgerow planting;
- 870 linear metres of Native Hedgerow planting; and
- 2,030 linear metres of Thornless Hedgerow planting.

4. The relationship between the development and adjacent residential units, public pathways and interfaces with the public realm.

The Board's Opinion requires a report to include full and complete drawings including levels and cross sections showing the relationship between the development and adjacent residential units, public pathways and interfaces with the public realm.

These details are shown on the submitted landscaping drawings (Drawing No's P390-04a and P390-04B) that was prepared by Landmark Design Ltd.

5. A detailed schedule of accommodation.

A Housing Quality Assessment – Apartments, was prepared by John Fleming Architects and accompanies the application. This assessment considers all relevant criteria / development standards contained in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities 2018 and provides a quantitative compliance assessment of all the proposed apartment units

(within the proposed Apartment Blocks A and B) and the proposed 20 No. Duplex units.

6. A life cycle report.

A Building Lifecycle Report has been prepared by the Project Architects and accompanies this application. This report accords with the relevant provisions of the adopted Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (March 2018).

7. Taking in charge.

Enclosed is a Layout Plan – Drawing No. P-S-O-3, prepared by John Fleming Architects. This plan indicates areas to be taken in charge by Kildare County Council and distinguish same from areas that will be in private ownership (mainly the plots associated with the proposed houses) and the proposed Apartment Blocks and their associated ancillary car parking areas that will be managed by a Management Company.

7.0 Relevant Planning Policy

7.1. National Planning Policy

7.1.1. The following list of section 28 Ministerial Guidelines are considered to be of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- **National Planning Framework (NPF) is the Government’s high-level strategic plan for shaping the future growth and development of Ireland to the year 2040.**

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.

- **The Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Region was adopted on the 3rd May 2019 and came into effect on the 28th June 2019.**

Under the RSES a Dublin Metropolitan Area Strategic Plan (MASP) has been prepared to manage the sustainable and compact growth of Dublin. The MASP area covers 7 local authorities, including Kildare. It is anticipated that during the lifetime of the RSES the population of the MASP area will increase by 16%, or 250,000 people.

The MASP seeks to achieve its aims through the implementation of Guiding Principles, including compact sustainable growth and accelerated housing delivery. The RSES estimates a requirement of 7,500 units per year to meet the annual target of 25,000 new homes set by the NPF and Rebuilding Ireland. A sequential approach to development is supported.

Policies of relevance under the RSES MASP include the following:

RPO 5.4: Future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the ‘Sustainable Residential Development in Urban Areas’, ‘Sustainable Urban Housing; Design Standards for New Apartments Guidelines’ and ‘Urban Development and Building Heights Guidelines for Planning Authorities’.

- **Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design Manual)**

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.

- **Urban Development and Building Heights Guidelines for Planning Authorities, 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.

- **Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, March 2018.**

Section 2.4 states that peripheral urban locations are generally suitable for development at densities of less than 45 dph that includes a minority of apartments. It contains several specific requirements with which compliance is mandatory. The minimum floor area for one-bedroom apartments is 45m², for two-bedroom apartments it is 73m² and for three-bedrooms it is 90m². Most of proposed apartments in schemes of more than 10 must exceed the minimum by at least 10%. Requirements for individual rooms, for storage and for private amenities space are set out in the appendix to the plan, including a requirement for 3m² storage for one-bedroom apartments, 6m² for two bedroom apartments and 9m² for three-bedroom apartments. 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.

- **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.

- **Childcare Facilities – Guidelines for Planning Authorities, 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.

- **The Planning System and Flood Risk Management (including the associated Technical Appendices)**

7.2. Local Planning Policy

7.2.1. The Kildare County Development Plan 2017-2023

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.

Section 17.2 and 17.3 of the KCDDP state the following general standards relating to residential developments:

- **Building Height:** The appropriate maximum or minimum height of any building will be determined by; the prevailing building height in the surrounding area, the proximity of existing housing and the formation of a cohesive streetscape pattern, including height and scale of proposed development relative to width of street or area of open space.
- **Site Coverage:** The maximum site coverage shall be 50% for residential development.

- Plot Ratio: Table 17.1 of the KCDP states that the plot ratio for outer suburban development, proximate to public transport is 0.35-0.5. The plot ratio for outer suburban development, remote from public transport is 0.25-0.35.
- Overlooking: In general, a minimum distance of 22 metres between opposing above-ground floor level windows is required for habitable rooms. A separation distance of 35 metres will normally be required in the case of overlooking living room windows and balconies at upper floors.

7.2.2. **HDO 1** Ensure that residential development contributes to the creation of sustainable communities in accordance with the requirements of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009) and the companion Urban Design Manual- A Best Practice Guide, DEHLG (2009).

7.2.3. **HDO 2** Ensure that residential development provides an integrated and balanced approach to movement, place making and streetscape design in accordance with the requirements of the Design Manual for Urban Roads and Streets, DEHLG (2013).

7.2.4. **Proposed Variation 1 to the Kildare County Development Plan 2017 – 2023**

Within the proposed Variation 1 to the Kildare County Development Plan 2017 – 2023 Celbridge is designated as a self – sustaining town within the settlement hierarchy.

Table 3.3 Settlement Hierarchy – Population and housing Unit Allocation 2016 – 2023, this outlines a figure of 603 no. dwellings, as the dwelling target to 2023, within the plan period.

7.2.5. **The Celbridge Local Area Plan 2017 – 2023.**

The proposed development provides for 372 no. dwellings on lands zoned Objective C3 (New Residential) in the Celbridge Local Area Plan, 2017-2023 (CLAP).

Dwellings are permitted in principle under the Objective C land use zone.

Crèches/Playschools are also permitted in principle under the Objective C zoning.

The following is pertinent to the subject site.

NOTE: Section 31 (Ministerial Direction) Celbridge LAP 2017-2023

On the 10th of November 2017 a Ministerial Direction under Section 31 of the Planning & Development Act, 2000 (as amended) was received by Kildare County Council in relation to the Celbridge Local Area Plan 2017 – 2023 and stated: The County Council of Kildare County is hereby directed to take the following steps with regard to the Celbridge Local Area Plan 2017-2023 ('the LAP').

i. Delete the zoning for Objective F2: Strategic Open Space of lands at Donaghcumper adjoining to the north of the R403 and insert zoning Objective A: Town Centre per the Draft Celbridge LAP 2017 - 23 published by Kildare County Council on 13th December 2016.

ii. Delete the zoning for Objective C: New Residential of lands at Crodaun adjoining to the east of the junction of the R405 and R449 and insert zoning Objective F: Open Space and Amenity

iii. Amend the map titled 'Land Use Zoning Objectives Map' of the Celbridge LAP 2017 - 2023 consequent to (i) and (ii) above.

As directed by the Minister, the map titled 'Land Use Zoning Objectives Map' of the Celbridge LAP 2017 – 2023 has been amended in accordance with (i) and (ii) as required by item (iii) above as the direction referred to these items only.

Updated NOTE: Section 31 (Ministerial Direction) Celbridge LAP 2017-2023

However on May 10th 2018 the Ministerial Direction referred to above was quashed by Order of Certiorari of the Commercial Court, on Judicial Review, in the case of Longport Developments Limited –v- The Minister for Housing, Planning & Local Government, the Minister for State and the Department of Housing, Kildare County Council, Ireland and the Attorney General (The High Court – Record No. 2018/18JR).

The map entitled 'Land Use Zoning Objectives Map' of the Celbridge LAP 2017 – 2023 has been amended in accordance with the Court Order to reflect the position prior to the amendments made on the issue of the Ministerial Direction and now indicates (i) Objective C: New Residential zoning of lands at Crodaun adjoining the east of the junction R405 and R449 and (ii) Objective F2: Strategic Open Space of lands at Donaghcumper adjoining to the north of the R403.

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.

7.2.6. **Key Development Area No. 4 – KDA4 Crodaun**

Section 5.4.3 of the LAP sets out that the site forms part of Key Development Area No. 4 – KDA4 Crodaun, as identified on Figure 12.3 of the LAP. The LAP includes a Design Brief that was prepared for KDA4. In this regard, the LAP states:

‘Design briefs have been prepared to guide development in KDA’s 2, 3, 4 and 5. These design briefs set out broad parameters for the future development of these areas. The briefs are based on an appraisal of each area in relation to its urban and landscape setting. While principal access points and connections, key building frontages and public spaces should generally be regarded as fixed requirements, a degree of flexibility can apply. For example, access points from the main road network and key connections within the KDA will be required but the actual position of each connection could be altered subject to appropriate traffic safety considerations. Key building frontages may be varied where it is demonstrated that there is a strong urban design rationale and that passive supervision of public spaces is not compromised.’

Objective CSO 1.2 states it is an objective of the Council to ‘to support new residential development in Key Development Areas (KDAs) in tandem with the delivery of supporting physical and social infrastructure.’

Fig. 5.4 of the LAP sets out Design Guidance for KDA4- Crodaun; It is noted that the under built form it is stated that; ‘A mix of house types that range from two to three storeys in height is encouraged. Landmark / feature buildings should be provided along prominent routes and at key junctions. The site will accommodate medium to low density residential development in the order of 25 units per hectare. However, where the quality of the design and layout is particularly high, a maximum density of 30 units per hectare may be achievable.’

7.2.7. Other Policies and Objectives of the LAP which relate to the proposed development include the following:

- MTO3.6: ‘To ensure that all significant development proposals for the KDAs are subject to a Traffic Impact Assessment (TIA), to be carried out in accordance with the Traffic and Transport Assessment Guidelines, NRA (2014). The requirement for TIA will be determined, by the Planning Authority, on a case-by-case basis.’
- MTO3.7: ‘To require all new developments to comply with the requirements of the Kildare Local Authorities Noise Action Plan 2013 and any revisions of this plan (this may be viewed on the Kildare County Council website at the following address; www.kildarecoco.ie).’
- MTO3.8: ‘To require all new developments to comply with the recommendations of the Design Manual for Urban Roads and Streets (DMURS) and National Cycle Manual, or any subsequent relevant publication.’
- MTO4.1: ‘a. To require parking provision for new development in accordance with the standards set out in the County Development Plan.’
- INFO2.2: ‘To require Sustainable Urban Drainage Systems (SUDS) as part of all plans and development proposals in Celbridge. Proposals for KDAs should

address the potential for SUDS at a local and district level to control surface water outfall and protect water quality.’

- NHO1.1: ‘To ensure an Appropriate Assessment, in accordance with Article 6(3) and Article 6(4) of the Habitats Directive and with DEHLG guidance (2009), is carried out in respect of any plan or project not directly connected with or necessary to the management of a Natura 2000 site to determine the likelihood of the plan or project having a significant effect on a Natura 2000 site, either individually or in combination with other plans or projects and to ensure that projects which may give rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites will not be permitted (either individually or in combination with other plans or projects) unless for reasons of overriding public interest.’
- NHO1.2: ‘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). Such features form part of a network of habitats and corridors, which allow wildlife to exist and flourish and contribute to compliance with Article 10 of the Habitats Directive.’
- GIO 1.4: ‘To ensure key hedgerows identified, and the linkages they provide to larger areas of Green Infrastructure and the wider countryside, are retained where appropriate and integrated into the design of new developments.’

7.2.8. **Core Strategy and Settlement Strategy**

The LAP sets out that Celbridge is identified as a tier 3 settlement (Moderate Sustainable Growth Towns) in the Metropolitan Area in the KCDP. These towns are to continue having a strong role in the consolidation of the Metropolitan Area. Future growth is related to the capacity of high-quality public transport connections and the capacity of social and physical infrastructure. Connectivity to adjoining suburbs, towns and employment locations within the Metropolitan Area is also a key requirement particularly focused on local rail, bus, cycle and pedestrian connections.

The Settlement Strategy seeks to 'direct growth into the Large Growth Towns, followed by Moderate Sustainable Growth Towns and Small Towns, whilst also recognising the settlement requirements of rural communities' (Policy SS2).

Objective SO 1 seeks to 'support the sustainable long-term growth of the Metropolitan Area towns of Leixlip, Maynooth, Celbridge and Kilcock and zone additional lands, where appropriate, to meet the requirements of the Core Strategy and Settlement Hierarchy of this Plan'. The housing unit allocation (Table 3.3) for Celbridge is 3,250 no. additional units over the period 2016-2023.

Chapter 4 of the Development Plan provides that residential expansion will focus on the creation of sustainable communities at locations that can be served by the necessary infrastructure. This approach will make the best use of the county's land and infrastructure resources by ensuring that new development is linked to existing transport services, physical and social infrastructure and amenities.

Table 4.2 of the KCDP sets out general density parameters for different categories of site. Based on the site's Outer Suburban / Greenfield location within a large town, table 4.2 supports a density range of 30-50 units per hectare. Table 4.1 provides guidance on the appropriate location for new residential development in Kildare. Regarding Outer Suburban / Greenfield locations it emphasises the necessity to achieve net residential densities that make efficient use of such lands.

7.3. Applicant's Statement of Consistency

A Statement of Consistency with local and national policy has been submitted with the application, as per Section 8(1)(iv) of the Act of 2016.

It is submitted that: 'The proposed development is consistent with the requirements of the Core Strategy and the Settlement Strategy which seeks to focus growth towards Moderate Sustainable Growth Towns within the Metropolitan Area. The proposed development will contribute towards meeting the 3,250 dwellings allocation target for the 2017-2023 period.'

The proposed development is consistent with the residential development guidance and standards as identified in the KCDP. In this regard, it is noted that:

- The proposed development of 372 units on a net site area /developable area of 9.18ha provides a net residential density of 40.52 units per hectare, including open space provision. This is consistent with Table 4.2 of the KCDP, which supports a density range of 30-50 units per ha for residential development at outer suburban and greenfield locations.
- The scale, height and design of the proposed dwellings has had due regard to the existing residential developments to the south and east. The majority of dwellings are two-storeys in height. Two 4-storey apartment blocks are located at the western corners of the site to provide a strong urban edge to the R405 and R449.
- The proposed site layout and design statement provided by John Fleming Architects demonstrate that the proposed units incorporate minimum separation distances of 22m between opposing first floor level windows of habitable rooms. Dwellings along the southern and eastern boundaries of the site are two storeys in height and incorporate appropriate separation distances to mitigate against any potential residential amenity impacts on adjoining properties.
- The schedule of accommodation and site layout demonstrate compliance with the quantitative floorspace, storage, private open space and amenity space requirements of the Development Plan for the proposed units.'

8.0 Third Party Submissions

- 8.1. Eighteen number submission received they are collectively summarised under the following headings:

Principle & Development Plan Policy

- Cognisance must be had to cumulative impact of permitted and proposed development in the area. ABP granted 251 dwelling at a peripheral location to the west of Celbridge in 2019. Likely another SHD application for 495 dwelling will be lodged in the near future for lands immediately adjacent to the subject proposal.

Pre – app 304246 opinion considered the proposed scheme represents a reasonable basis for an application.

- There is a need for delivery of infrastructure in tandem with development.
- The development is poorly located for access to primary schools and once the temporary Celbridge Community School (which has planning permission for the temporary school buildings until February 2021) relocates to a permanent location at the much needed new Education Campus, the subject site will be poorly located for access to both of the secondary schools that girls can attend – the site is 3.2 Km from St. Wolstan’s Celbridge Community School and 3.1 Km from the proposed site of the permanent Celbridge Community School.
- Question how CSO1.2 re: residential development in tandem with the delivery of supporting physical and social infrastructure is being realised.
- Material contravention of the Celbridge LAP
- Proposal constitutes leapfrogging

Traffic

- Concerns regarding the car dependent nature of the proposed development
- Proposal will exacerbate already significant difficulties that residents from the north and west of Celbridge encounter both moving around the town and accessing out of town locations
- Traffic impact is questionable
- The town is under massive distress, with bottle necks
- Approx. 48% of workers from Celbridge work in Dublin city and suburbs and almost 70% of these rely on cars for their commutes to Dublin.
- There is a requirement for 721 car parking spaces based upon KCC requirements but only 633 are proposed.
- Bus journeys to DCC can take up to 75 minutes
- There is insufficient capacity on rail services from North Kildare.
- There is insufficient capacity on buses esp. at peak times.
- Absence of Transportation Management Strategy Celbridge suffers from severe peak hour congestion.

- The Traffic and Transport Assessment (TTA) is insufficient proposal is premature pending a comprehensive independent traffic assessment within the context of a Strategic Transport Management Plan.
- TRICS analysis is flawed and should be revised to show more accurate trip generation
- The TTA discusses the delivery of the BusConnects scheme serving the proposed development and the wider area. The timeline projection of 2021 is overly optimistic.
- A more realistic timelines based on similar schemes would indicate BusConnects – upgrade services would be from 2025 – 2030.
- The TTA report is lacking a robust and traffic analysis for the proposed development and fails to take account of development traffic impacts on major junctions to the south of the proposed development.
- Proposal is contrary to Kildare County Council Transport policy and objectives.
- Construction traffic impact is of concern with respect to health and safety of school children and other vulnerable road users.
- The bus stop outside Crodaun Forest Park on the R445 should not be removed.
- Quantum of car parking is excessive, and regard should be had to national guidelines to reduce car parking provision.
- There is a need for an off-road cycle track / lane.

Layout and Design

- No objection in principle to the residential development on the lands, however the proposed density is too high on this site.
- Overdevelopment given peripheral location
- Density is contrary to the Celbridge LAP (Crodaun KDA) and the Kildare County Core Strategy
- The development is dense with buildings and car parking and little by way of green spaces.
- Development falls short of the 15% open space provision
- Leisure / play space proposed is deficient and does not cater to all age groups especially teenagers.

- Location and height of the apartment blocks is not in keeping with context of surrounding environment.
- Height should not exceed 2 storey.
- Visual intrusion and negative visual impact.

Impact Upon Residential Amenity

- Potential damage to structural integrity of the boundary wall with Crodaun Forest Park: this wall is over 300 years old in places, covered in ivy and other vegetation and serves as a boundary wall for some residents.
- Planting of tree and root damage / weakening of the structure of the boundary wall is of concern.
- Planting of trees will cause shadow in the gardens of existing dwellings.
- Separation distances between proposed and existing houses in Crodaun Park should be 30m
- Concern regarding noise and privacy of existing dwellings.
- No. 266 Crodaun Forest Park has a rear and side extension which has not been included in the drawings submitted.
- Overshadowing is a concern and accuracy of shadow analysis.

Flood Risk / Plain

- The drainage on the land is exceptionally poor. Water table is exceptionally high.
- Local knowledge can testify that flooding on the site in question is an on-going problem. Flood event of 2007 noted.
- Drainage has always been an issue for the residents in Crodaun Forest Park.
- Concern with respect to flooding of the wider area, in particular Castletown Wood and Kilwogan housing estate.
- Storm sewer separation works are proposed and necessary but there are no firm plans in place to deliver.
- Risk of displacement of the flooded areas is of concern.

Infrastructure

- Concern that Water supply would be deficient.
- There are identified capacity constraints in the wastewater network.

- Proposal is premature pending upgrades.
- Consent for works on private third party lands. The applicant has not demonstrated the necessary consents to undertake works which includes the construction of an outfall pipe to the Liffey Mill Race and an attenuation structure on lands in private ownership which are leased by KCC for the purposes of providing a public car park.
- Concern and objection in relation to the stormwater removal strategy proposals by Ardstone.
- The Ardstone stormwater removal strategy conflicts with the works that CDC have agreed in writing with both KCC and IW (June 2019).
- The stormwater removal strategy proposed by Ardstone includes a large area where stormwater removal is already planned and committed for the Cordaun Development Company SHD.
- Reliance on 3rd party information submitted with a completely separate and unrelated SHD development on Shackleton Road cannot be relied upon.
- The application omits acknowledgement of the Ballygoran stream as an EPA protected drinking water river.
- The Liffey downstream from Ballygoran stream entering the Liffey is designated as a pNHA the Liffey being a Salmonid River.
- The application must mitigate against adverse effects on waters.
- Engagement with IW is preliminary.
- Formal commitments are necessary from KCC, IW etc to ensure that the necessary infrastructure is irrevocably confirmed / committed before any development proceeds.

Delivery of Physical and Social Infrastructure

- Insufficient childcare provision proposed
- Three schools awaiting permanent premises, these schools are at capacity.
- Schools / Services needed in tandem with this development.
- Lack of family resource centre
- Inadequate garda and GP services in the area.
- Lack of cycle tracks on school routes
- Lack of cycle track between Celbridge and Maynooth

- A social infrastructure audit is needed.
- Playgrounds and natural play areas are needed.

Green Infrastructure & Natural Habitat

- Destruction of hedgerows and farmland is of concern
- Negative impact upon biodiversity (bird, bats and other local life) of the area
- Destruction of habitats, removal of hedgerows.
- Surveys carried out are deficient to adequately gauge the impact of construction on flora and fauna (two site visits are not sufficient).
- Development to the scale proposed will have a negative visual impact, noise impact and light / landscape pollution. It will destroy the current tranquillity, amenity value and nature habitat.

9.0 Planning Authority Submission

9.1. In compliance with section 8(5)(a) of the 2016 Act the planning authority for the area in which the proposed development is located, Kildare County Council, submitted a report of its Chief Executive Officer in relation to the proposal. This was received by An Bord Pleanála on 19th March 2020. The report may be summarised as follows:

Details were submitted in relation to the site location and context, proposal, planning history, interdepartmental reports and consultees. A summary of representations received was outlined and a summary of the views of the elected members as expressed at the Area Committee Meeting.

9.2. Summary of Inter-Departmental Reports

Area Engineer: Further details required regarding surface water system, the site specific flood risk assessment is unacceptable, concerns raised regarding the storm water separation strategy.

Water Services: Report states no objection subject to condition.

Housing Section: Report indicates no objection to a grant of permission subject to a condition requiring the applicant/developer to enter into an agreement in accordance with Part V of the Planning and Development Act 2000 (as amended) prior to commencement.

Roads and Transportation Department: Report recommends a refusal.

CFO: Report states no objection subject to condition.

Parks: Report states no objection subject to condition.

HSE: No objection

9.2.1. **The main issues raised is the Chief Executive Officers assessment are summarised as follows:**

- It is recommended that planning permission be refused.
- The proposed density of 40 units per hectare is excessive.
- The p.a. considers that a lower density of c. 30 units per hectare would be more appropriate at this location given the sites context and the settlement strategy of the Kildare County Development Plan 2017 – 2023, Proposed Variation No. 1 and the Celbridge LAP 2017 – 2023
- It is considered that the proposed development does not provide a high-quality environment due to a number of issues, including one single access, poor public realm, including excessive heights, dominance of car parking in areas.
- Furthermore, the development does not comply with the 12 criteria as indicated in the Urban Design Manual Best Practice guidelines in terms of Context, Distinctiveness, Layout, Public Realm, Parking and Detailed Design.
- There are concerns regarding the phasing plan and the limited public open space provided in earlier phases of the development.
- Given the location of the site where there is limited public transport provision the failure to meet car parking requirements is unacceptable.

9.2.2. **Refusal Recommended**

The planning authority recommends that permission be refused for the following reasons.

1. Having regard to the status of Celbridge as a Moderate Sustainable Growth Town in the Settlement Hierarchy of the Kildare CDP 2017 – 2023, and the density indicated in the Celbridge Local Area Plan 2017 – 2023 for the

application site (Key Development Area 4), the density and number of residential units proposed would distort the Core and Settlement Strategy figures set out in the Kildare CDP 2017 – 2023, would be contrary to the planned housing provision for Celbridge as set out in the Plan, would contravene the development strategy of Celbridge and projected residential capacity outlines for this KDA as set out in the Celbridge LAP 2017 – 2023.

The proposed development would be contrary to section 4.3 of the Eastern and Midland Regional Assembly's Regional Spatial Economic Strategy which seeks a graded reduction in residential densities in towns and villages commensurate to the existing built environment. Having regard to the foregoing the proposed development would be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development does not comply with the 12 Criteria as indicated in the Urban Design Manual Best Practice Guidelines in terms of Context, Distinctiveness, Layout, Public Realm, Parking and Detailed Design, having specific regard to the following:

- Poor Layout which is anchored by one single vehicular access point
- Poor layout around units 170 – 183 and around 001-016 & 037 – 040
- Lack of meaningful interaction with lands zoned open space to the east which accommodates a protected view and historic landscape.
- Poor quality public realm at the entrance to the site and throughout the development
- Over dominance of car parking in some areas and inadequate distribution of car parking throughout within the overall site
- The apartment blocks due to their poor-quality design, would result in a negative visual impact and excessive height of Apartment Block A
- Poor consideration and incorporation of the existing stone wall boundary at the southwestern boundary of the subject site.

The proposed development would set an undesirable precedent for similar poor quality development and would be contrary to Policy DL1 of the Kildare County Development Plan 2017 – 2023 which seeks to promote a high quality of design and layout in new residential developments and to ensure a high

quality living environment for residents, would be contrary to the provisions of the Urban Design Manual Best Practice Guidelines (DEHLG, 2009) would be seriously injurious to the existing residential amenity of the area, depreciate the value of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

3. The proposed development is substandard in terms of public open space provision and childcare spaces. The proposed development does not accord with the minimum standards for public open space provision as set out in section 17.4.7 of the Kildare County Development Plan 2017 – 2023 which requires that public open space for greenfield sites are to be provided at a minimum of 15% of the site area. Additionally, the proposed development does not accord with the minimum requirements for childcare provision as set out in the Childcare Facilities Guidelines for planning Authorities 2001 and Section 6.3.1 of the Celbridge LAP 2017 – 2023. To grant permission for same would set an undesirable precedent for similar substandard development. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
4. The proposed development does not accord with the standards for car parking provision as provided for in Chapter 17 of the Development Management Standards of the Kildare County Development Plan 2017 – 2023 and Section 4.22 of the Sustainable Urban Housing – Apartment Guidelines. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
5. The proposed development would endanger public safety by reason of a traffic hazard and obstruction of road users due to the movement of the extra traffic generated.

No Conditions Attached.

10.0 Prescribed Bodies

10.1. The applicant was required to notify the following prescribed bodies prior to making the application:

- Minister for Culture, Heritage and the Gaeltacht
- Irish Water
- Transport Infrastructure Ireland
- National Transport Authority
- Heritage Council
- An Taisce — the National Trust for Ireland
- Kildare Childcare Committee

Department for Culture, Heritage and the Gaeltacht

- The Department for Culture, Heritage and the Gaeltacht agrees with the archaeological mitigation measures recommended in the archaeological assessment report.
- The townland boundary between the proposed development site and Castletown should be recorded and protected as detailed in the assessment report.
- Archaeological monitoring should be carried out.

Irish Water:

Irish Water is actively pursuing a hierarchy of solutions to address network constraints in the Lower Liffey Valley catchment of which Celbridge is a part.

Irish Water noted in its pre consultation response to the Board that the Castletown pump station must be upgraded to accommodate this development. The capital works to upgrade the pump station are due for completion in 2021. Irish water also noted that the waste network is operating at full capacity due to surface infiltration. Irish Water is currently carrying out capital works to divert the Primrose Hill pump station effluent into another catchment area which will free up some capacity in Celbridge wastewater treatment plant. This project is on Irish Water's Capital Investment Plan and is scheduled to be completed in 2020 (subject to change).

Irish Water has issued a Statement of Design Acceptance for the development proposal however, the applicant is required to sign a connection agreement with Irish Water prior to any works commencing and connecting to our network. All development shall be carried out in compliance with Irish Water Standards codes and practices and any proposals by the applicant to build over or divert existing water or wastewater services shall be submitted to Irish Water for written approval prior to works commencing.

Transport Infrastructure Ireland (TII):

The observation states that the authority requests that the council has regard to the DoECLG Spatial Planning and National Roads Guidelines in the assessment and determination of the subject planning application.

The proposed development shall be undertaken strictly in accordance with the recommendations of the Transport (Traffic Impact) Assessment. Any recommendations arising should be incorporated as Conditions on the Permission, if required.

11.0 Oral Hearing Request

None requested.

12.0 Assessment

I consider the main issues relating to this application are:

- **Compliance with Planning Policy**
- **Layout and Design**
- **Residential Amenity and Quality of Proposed Development**
- **Childcare Facilities and School Demand**
- **Residential Amenity of Adjacent Property**
- **Transport and Carparking**
- **Biodiversity, Trees, Landscaping**
- **Infrastructure**
- **Surface Water and Flood Risk**
- **Environmental Impact Assessment (EIA)**
- **Appropriate Assessment (AA)**

12.1. Compliance with Planning Policy

12.1.1. Having regard to the nature and scale of development proposed, namely an application for 372 residential units and childcare facility, I am of the opinion, that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

12.1.2. The proposed residential development would comply with the residential zoning of the site under the local area plan (zoned objective 'C' - 'to provide for new residential development'), which in turn is informed by the housing allocation to the town set out in the core strategy of the Kildare County Development Plan 2017 - 2023. The proposed development would provide 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 north western edge of Celbridge, the far side of the town from the railway station and is over 1.5 kilometres from the town centre. It is

noted that the application site is part of an identified Key Development Area 4 Crodaun (KDA4). The vision for this KDA is set out fully in section 7.2.4 of this report.

- 12.1.3. The core strategy of the KCDP 2017 – 2023 indicates Celbridge as a Moderate Sustainable Growth Town. Table 3.4 of the settlement strategy sets out the housing capacity for towns in Kildare. Settlement Hierarchy – Population and Housing Units Allocation 2016 – 2023. The population of Celbridge in 2016 was c. 20,631 with 10% allocated growth for County Kildare between 2016 – 2023. The new dwelling unit target for Celbridge within the Plan period of 2016 – 2023 is 3,250 units.
- 12.1.4. However, within proposed variation 1 to the KCDP 2017 – 2023 Celbridge is designated as a self-sustaining town within the settlement hierarchy. Table 3.3 Settlement Hierarchy – Population and Housing Units Allocation 2016 – 2023, outlines a figure of 603 no. dwellings for all of Celbridge, as the dwelling target to 2023, within the plan period. This is a significant reduction from that set out in the settlement strategy of the KCDP 2017. I note that the planning authority opinion submitted to the Board comments in this regard that; ‘It is noted that there are particular constraints within two of the five KDS in Celbridge which are unlikely to be developed within the plan period.’ However, it is noted that the p.a. consider given that permission was granted by the board for 251 units within Shackleton Road and Oldtown under SHD reg. ref. 18/303259, in light of proposed Variation 1 to the KCDP 2017 – 2023, the level of development proposed on the subject site (372 units) is considered to be excessive having regard to the total figure of 603 for all of Celbridge.
- 12.1.5. The density of the proposed development would be 40.5 dwellings per hectare, based on a net site area of 9.18ha that excludes 0.232 ha owned by KCC and 0.136ha lands zoned objective F. The gross density based upon a site area of 9.55 ha would be in the region of 39uph. The calculation of the net site area is, however, considered 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. The density would therefore comply with SPPR 4 of the 2018 guidelines on building height. The net density and gross density are notably materially above the estimated residential capacity of 25uph – 30 uph specified for KDA 4 in Table 4.1 of the Celbridge local area plan 2017.

- 12.1.6. It is notable that the subject lands forms approx. half of the KDA4 lands. Table 4.1 of the LAP indicates that KDA4 has a quantum of 19.9 ha in total. It is notable that SHD Pre-App PL09.304246 for 495 units, with a net density of 48 uph, is in the pipeline on the directly adjoining site forming the remainder of the KDA4 lands. The stated area of which is 12.9 ha. ABP issued an Opinion on the 17th June 2019 stating that the proposed scheme represents a reasonable basis for an application.
- 12.1.7. Table 4.1 of the Celbridge LAP 2017 sets out an estimated residential capacity of 600 at an estimated density of 30 on 19.9 ha for KDA4. The subject application, which is less than 50% of the KDA 4 lands, would equate to 62% of the estimated residential capacity for this KDA. It is notable that the pre app proposal for the remainder of the KDA4 lands (SHD pre app PL09.304246) would equate to c.82.5% of the estimated residential capacity. Combined it would amount to 267 units above that set out in Table 4.1 of the LAP for KDA 4 Corduan. And notably 264 units above the total figure of 603 units proposed by way of Proposed Variation 1 to the KCDP 2017 – 2023.
- 12.1.8. It is the opinion of the p.a. that the proposed density is excessive and would result in a distortion of the settlement hierarchy of the KCDP 2017 – 2023 and the residential capacity set out within the Celbridge LAP 2017 – 2023.
- 12.1.9. Regard is had that the Eastern and Midland Regional Assembly's RSES at Section 4.3 (Defining a Settlement Typology) which states that for the various settlement typologies within the region 'the translation of policy responses into core strategies in development plans should also consider the scale and location of settlements and accordingly the requisite nature and scale of development appropriate at these locations. In this regard, higher densities in core strategies should be applied to higher order settlements such as Dublin City, Regional Growth Centers and Key Towns. However, there should be a graded reduction in residential densities for self-sustaining growth towns, self-sustaining towns, towns and villages that are commensurate to the existing built environment' (page 47).
- 12.1.10. It is the opinion of the p.a. that having regard to the guidelines for planning authorities on sustainable residential development in urban areas (May 2009), the settlement Hierarchy within the KCDP, density parameters outlined for KDA4, the location of the site and Celbridge not being indicated as a Key Town within the

settlement Hierarchy of the RSES, a density of c. 30 units per hectare would be more appropriate for the site. Refusal Reason No. 1 set out in full in section 12.2.9 of this report is noted in this regard. It considers that 'Having regard to Celbridge as a Moderate Sustainable Growth Town in the Settlement Hierarchy of the KCDP 2017 – 2023, and the density indicated within the Celbridge LAP 2017 – 2023...the density and number of residential units proposed would distort the core strategy and settlement strategy figures, would be contrary to the planned housing provision for Celbridge as set out in the Plan, would contravene the development strategy of Celbridge and projected residential capacity outlined for this KDA as set out in the Celbridge LAP....'

12.1.11. I note that Variation No. 1 of the KCDP 2017 – 2023 has no legal status until such a time as it is adopted. The proposed development will contribute to achieving the core strategy housing allocation of 3,250 dwellings for Celbridge, as identified in Table 3.3 of the KCDP. I note the material contravention issue with respect to density proposed not according with the maximum density indicated within the Celbridge LAP 2017. However, a Material Contravention Statement accompanies the subject application. In this regard, it is submitted that the County Development Plan provides for a density range of 35-50 u/ha on 'Outer Suburban / Greenfield' sites in Large Towns. A large town is defined as a town with a population of over 5,000. The population of Celbridge at the 2016 Census was 20,288 persons. As such, it is contended that there are conflicting statements in the LAP and the appropriate density as provided for in the KCDP should be 35-50 u/ha. I tend to agree that the proposed development may be considered of strategic importance, that there are conflicting objectives relating to density in the LAP, that the proposed development is fully aligned with national and regional policy, and therefore satisfies the requirements of section 37(2)(b) of the Act.

12.1.12. Under Section 5(6), the Planning and Development (Housing) and Residential Tenancies Act, 2016, the Board may grant planning permission for a proposed development that is considered to materially contravene the Development Plan, other than in relation to zoning, having regard to the requirements of Section 37(2)(b) of the Planning and Development Act, 2000, as amended. The requirements of section 37(2)(b) of the Act of 2000 are as follows;

- (i) the proposed development is of strategic or national importance,
- (ii) there are conflicting objectives in the development plan, or the objectives are not clearly stated, insofar as the proposed development is concerned, or
- (iii) permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or
- (iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.

12.1.13. I agree that the Board can consider granting permission for the proposed development under the provisions of requirements of section 37(2)(b) should it be determined to be a material contravention of the Development Plan, in particularly the development guidance contained in section 12.2.4 of the Celbridge LAP that relates to KDA 4 – Crodaun. As such, it is submitted that the proposed development satisfies the requirements of section 37(2)(b)(i) and 37(2)(b)(ii) of the Act.

12.1.14. It is considered that the proposed net / gross residential density is in accordance with the 30 plus dwellings per hectare recommended for land efficiency by the Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, DEHLG (2009). In this regard, the proposed density is well within the density range of 30-40+ dwellings per hectare advocated for small towns while also consistent with the 35-50 units per hectare for greenfield sites in cities and larger towns. Celbridge functions as a Moderate Sustainable Growth Town, accordingly, I am of the opinion that the proposed density is appropriate to the application site and is fully consistent with the requirements of the Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, DEHLG (2009). National guidance documents clearly emphasise the need for urban consolidation, intensification and densification of both brownfield and greenfield development land and ensuring the delivery of a wider mix and form of housing typologies.

12.1.15. While I consider that the proposed development is acceptable in principle in terms of national and local policies, currently legally in place, as regards scale of population, growth rates and local ambition for sustainable compact growth. Matters

relating to supporting infrastructure i.e. connection to services, agreement with IW and transportation issues are, however, also of significance, these matters will be dealt with in the succeeding section of this report.

12.2. **Layout and Design**

- 12.2.1. Third party concern has been raised with respect to the density and height proposed. I have dealt with the matter of density in the succeeding section of this report. It is contended that the apartments of 4 storeys are too high that they are inappropriately located.
- 12.2.2. The proposed development at Crodaun is a residential development consisting of a variety of small duplexes, detached, semi-detached and terraced houses ranging from one to four bedrooms. The development also includes two apartment blocks 4 storey in height with a range of one and two bedroom unit sizes. Table 2 of this report above sets out a breakdown of the proposed 372 units incl. 218 houses (58.6%) and 154 Apartments/ Duplexes (41.4%).
- 12.2.3. Section 17.2.1 KCDP states the following regarding building heights: ‘The appropriate maximum or minimum height of any building will be determined by:
- The prevailing building height in the surrounding area.
 - The proximity of existing housing.
 - The formation of a cohesive streetscape pattern, including height and scale of proposed development relative to width of street or area of open space.’
- 12.2.4. It is noted that section 12.2.4 of the Celbridge LAP, in relation to KDA4 Crodaun states that ‘A mix of housing types that range from two to three storeys in height is encouraged. Landmark / feature buildings should be provided along prominent routes and at key junctions to provide for variety and legibility in the urban environment and to reinforce a hierarchy of streets and spaces.’
- 12.2.5. The site runs along one of the historic boundaries of the demesne of the nearby Castletown House. A vista from the rear of the house, along one of it’s principal axes, is marked by an avenue through the nearby forested area. The axis strikes a line from Castletown House to Connolly’s Folly to the north west. This vista is a

protected view under the Celbridge Local Area Plan 2017 - 2023. This line runs along, and forms, the north east boundary of the site.

12.2.6. From viewing the plans and documents submitted I am of the opinion that the layout proposed does accord generally with the indicative layout and vision for KDA4 set out in the Celbridge LAP 2017, in respect of 'Connectivity / Movement', 'Built Form', 'Landscape open Space' and the 'Protected view'. I am also of the view that the proposal is acceptable in terms of height.

12.2.7. The Architectural & Urban Design Statement submitted with the application sets out in detail the variety of unit type proposed. It is contended that character areas are proposed via three different elevational treatments for each of the house types. Option 1 – half brick (Mid-market), Option 2 – All brick (Traditional) and Option 3 Brick and Render (Contemporary). Three elevational options have been designed for the house styles and finishes, all options are set out in detail in Section 09 Distinctiveness / 9.2 Design Styles and Finishes of the Architectural Design Statement.

- Option 1 is a simple vernacular style of architecture,
- Option 2 is a traditional style and
- Option 3 is a modern style.

12.2.8. Therefore, should the Board decide that permission should be forthcoming a condition in respect of the preferred finish is required. I would be of the opinion that Option 2 is the most visually desirable.

12.2.9. In conjunction with the planning authority I have concerns about the finishes of the apartments, their design and the layout and design of the overall development in the context of national and local planning policy. The layout is roads dominated with surface car parking dominating. The local roads serving the housing areas are not in the main designed as 'shared spaces' with an integrated approach to vehicular, pedestrian and cycle access, landscaping and SUDS features. Roads border all pocket / open space areas, with the exception of the south west corner of the site. The overall layout lacks coherence and misses several opportunities to create new relationships with adjacent areas, in particular, within the open space / amenity, 'F', zoned lands to the north east. The proposed layout does also not provide a strong way finding or visual link to the historic landscape, scenic view within the open space

lands to the east of the site. Having regard to the importance of this area from a local and historical perspective, it is considered that the proposed entrance and layout of this part of the development does not enhance or focus on the significant amenity and distinctive character of this historic landscape and the amenity it could afford the application site and the wider area.

12.2.10. I wholly agree with the planning authority that the layout around units 170 – 183 and around 001 – 016 and 037 – 040 are poorly considered. The arrangement of rear gardens addressing car parking, with narrow and poorly overlooked laneways and parking areas should be actively discouraged as it could lead to anti-social behaviour. The cul de sac arrangement and car parking to the rear of T2 gives rise to this block being enclosed by roads / car parking to its east (front) and west (rear). I would question the quality of residential amenity provided to future residents of this Block.

12.2.11. I consider the design and finish of proposed Apartment Blocks A and B is generic and does not create a high-quality finish or a distinctive sense of place.

12.2.12. The development is said to contain three 'character areas' but with the exception of finishes there is no evidence of the use of an integrated approach to house design, street design and layout, materials, landscaping, etc., to create a genuine sense of place and distinctive zones throughout the scheme. I therefore consider that the development lacks clear, identifiable and distinguishable character areas. I note section 28 ministerial guidelines in particular the Sustainable Residential Development in Urban Areas- Guidelines for Planning Authorities and the associated Urban Design Manual and Criteria No. 6 Distinctiveness, No. 7 Layout and No. 8 Public Realm in this regard and I consider that the proposed development has not adequately satisfied these criteria.

12.2.13. The planning authority have raised serious concern with respect to the following:

- The single vehicular access into the site from the R405 serving 372 units.
- The poor-quality layout around units 170 – 183 and around units 001-016 and 037-040.
- That the layout of the entrance which is deemed poorly considered and lacks a sense of place and sense of arrival.

- The lack of integration with open space lands to the east, which accommodates a scenic view and historic landscape.
- The layout does not provide a visual link from the entrance to the historic landscape to the east of the site.
- The location of the creche is ill considered and should be relocated to closer to the entrance.
- The overall layout is dominated by car parking.

12.2.14. Overall, I agree with the planning authority and I am not satisfied that the layout and design proposed would achieve a suitably high standard of residential amenity for future residents by virtue of design, layout, overlooking, dominance of car parking, lack of integration with adjoining lands and access. I am also not convinced that the proposed development would be an appropriate visual gateway to Celbridge from the Maynooth Road. The submitted CGI's, contextual elevational drawings, supports this view. Regard is also had to Chapter 14 of the EIAR, 'Landscape and Visual Assessment' and submitted Photomontages.

12.3. Residential Amenity and Quality of Development

12.3.1. The following assessment considers the quality of the proposed residential development with regard to the 'Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities' 2018; the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' and the associated Urban Design Manual; the Kildare County Development Plan 2017-2023 and the Clane LAP 2017-2023.

12.3.2. A detailed breakdown in the housing mix proposed, is set out in Table 2, Section 3.4 of this report. The proposed development includes a combination of own door, duplex and standard apartment types. The mix is considerable and considered satisfactory with regard to development plan housing policy and SPPRs 1 and 2 of the apartment guidelines. The PA do not express concern in relation to the mix proposed. I would note that there is a predominance of larger 3 bed + units within Celbridge environs. The proposed housing mix (59 % houses and 41 % apartments / duplexes / duplexes) is, therefore, acceptable in my view.

12.3.3. Apartment Design and Layout

12.3.4. The submitted Schedule of Floor Areas and summary of Residential Mix indicate that floor areas for all apartment units meet or exceed the minimum specified in SPPR3 of the apartment guidelines. The individual apartment types also meet the requirements for internal floor areas and storage space provision as per Appendix 1 of the guidelines.

12.3.5. The Guidelines include a range of specific planning policy requirements (SPPR's) which the Board are required to have regard to. SPPR's relevant to the proposed development, and compliance with same, are as follows:

SPPR1: A total of 154 no. apartments / duplexes are proposed. Of these a total of 68 no. units are one bedroom representing 16% of the total number of apartments proposed. It is noted that when the one-bed own door apartments and maisonettes are included, one-bed units represent 18% of the overall development proposed (including houses).

SPPR3: Prescribes minimum floor areas. All apartments exceed the stated minimum floor areas. One-bed apartment range in size from 51.4 to 61 sqm. Two-bed (3 person and 4 person) apartments range in size from 67.3 to 99.7sqm. Accordingly, all one and two-bed units exceed the minimum floor area standards required by SPPR3.

SPPR4: Requires a minimum of 33% of dual aspect units in more central and accessible urban locations and a minimum of 50% in suburban or intermediate locations. All proposed houses are dual aspect. In the case of apartments, a total of 69 of 122 apartments are single aspect (22 apartments of the 36 apartments in Block B are single aspect and 47 of 86 units in Block A are single aspect). This equates to 56% of apartments being single aspect, however, there are no apartments facing solely north. Apartments facing north-east are minimised where possible, when they do occur, they overlook amenity space. Overall, some c. 78% of the units proposed are dual aspects well in excess of the 50% requirement for suburban or intermediate locations required by SPPR4.

SPPR5: requires a minimum of 2.7m ground level apartment floor to ceiling heights. This requirement is complied with.

SPPR6: specifies a maximum of 12 apartments per floor per core. This requirement is complied with. Within Block A each core serves a maximum of 11 no. apartments. Maximum number of apartments per stair core within Block B is 10. Accordingly, all Blocks meet the requirements of SPPR6.

12.3.6. Based on the foregoing, the proposed development is in full compliance with all relevant SPPR's contained in the Apartment Guidelines. Sections 3.8 to 3.15 of the Apartment Guidelines considers safeguarding higher standards with particular reference to the majority of units exceeding minimum floor area standards. For the proposed development, all apartments (Both A and B) exceed the minimum standards.

12.3.7. Private open space is provided in the form of rear gardens for housing units and terraces at ground floor level and balconies at upper levels of apartments and duplexes. The submitted schedule of floor areas indicates that private open spaces meet or exceed the quantitative standards provided in Appendix I of the apartment guidelines and the Kildare County Development Plan 2017 - 2023.

12.3.8. Landscaping and Open Space Provision

12.3.9. With respect to 'Landscape and Spaces' section 12.2.4 KDA 4 – Crodaun of the Celbridge LAP 2017 sets out:

'New residential areas at Crodaun should comprise a hierarchy of open spaces. Larger open spaces should provide a focus for the developments on both sides of the road with smaller areas of open space being utilised to provide a landscape buffer to the Maynooth Road and incidental open spaces within the site'.

12.3.10. The Planning report and statement of consistency indicates that the proposed development incorporates approximately 2,865 sq.m of open space proximate to the proposed apartment blocks. It is contended that the proposed development provides approximately 13,026 sqm of public open space (14.2% of the site area) at 6 no. areas throughout the site. Large open spaces of 2,850 sqm and 2,837 sqm are provided along the northern and western boundaries of the site, with existing hedgerows being retained where appropriate. Centrally an open space is provided measuring 1,857 sqm. Three pocket parks are provided, one in the north proximate to the apartment blocks measuring 1,823 sqm and two in the southern part of the site

measuring 2,617 sqm and 1,042 sqm. Elements of play are incorporated into the northern pocket park while the southern pocket parks will provide a kick about area for the families in the larger homes in this section of the site.

12.3.11. Concern is expressed that the level of open space is below the requirement of 15%, as per section 17.4.7 of the County Development Plan 2017 - 2023. The planning authority consider the quality of the open space areas could be improved. It is also the opinion of the planning authority that should the net developable area be taken (excluding 0.232 ha owned by KCC and lands zoned 'F' at 0.136 ha) that the open space proposed is closer to 12.5% / 13%. A report has been submitted by the Parks Department of KCC indicating no objection subject to conditions. Draft condition no. 3 of the p.a. opinion considers that the development is substandard in terms of open space provision as it does not accord with the minimum standards for POS as set out in section 17.4.7 of the Kildare County Development Plan 2017 – 2023.

12.3.12. Overall, I am of the view that the quantity of public open space and communal space is adequate regard being had to density proposed and the plan to provide a public park on lands to the east within the control of the applicant zoned 'F'. However, I have concern regarding the provision of quality, useable open space and the creation of distinct character areas. In particular, I have concern that the 'future proposed amenity space', located to the east, within the control of the applicant but not forming part of this application would materialise within a desirable time frame. Cognisance is had that the applicants have indicated that the 'future proposed amenity space' is to be ceded to the County Council for provision as a public park.

12.3.13. Clearly the vision for KDA 4 lands is to provide a residential area and public park that consolidates development to the north of the town and presents a landscaped edge to the Maynooth Road. A landscape master plan and timeframe for delivery of the park in tandem with this substantial housing development would, in my opinion, be a necessary requirement for development of these lands. In particular, given its location on the outskirts of the town of Celbridge, 1.5 Km from the Main Street. The p.a. opinion has serious concern with respect to exclusion of these lands to the detriment of the overall proposal. It is considered that the local park is essential to the proposed development and the wider Celbridge area and

should be fully considered and integrated into the overall scheme. I wholly concur with this opinion.

12.3.14. Quality of Residential Development Conclusion

To conclude, with the exception of the public open space provision, I consider that the standard of residential accommodation is in accordance with national planning policy and that the development would provide a satisfactory standard of accommodation for future resident's subject to conditions. However as discussed in the previous section of this report, there are concerns with respect to public open space provision, layout and design i.e. the relationship of buildings to one another, car parking layout, location of the creche, links to adjoining lands etc.

12.4. **Childcare Facilities and Schools Demand**

- 12.4.1. The 'Childcare Facilities Guidelines for Planning Authorities' recommend a minimum provision of 20 childcare places per 75 no. dwellings. The apartment guidelines state that the threshold for the provision of childcare facilities in apartment schemes should be established having regard to the scale and unit mix of the scheme, the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. 1 bed or studio units should generally not be considered to contribute to a requirement for childcare provision and, subject to location, this may also apply in part or whole to units with 2 or more bedrooms.
- 12.4.2. The 191 sq. m crèche is located at the ground floor of Block B. It has an outdoor play area of some 160 sq. m and a separate entrance from the apartment residences on the north elevation. The applicant submits that the size of the crèche is determined by the standard promoted in the Celbridge Local Area Plan at a rate of 20 spaces for every 150 units. In addition, 'Sustainable Urban Housing: Design Standards for New Apartments' states 'One-bedroom units should not generally be considered to contribute to a requirement for any childcare provision'. The requirement is therefore calculated as 42 child spaces.
- 12.4.3. When 1 bed units (68 units) are omitted, the remaining 304 no. units have a childcare requirement of c. 81 childcare places based on the guidance contained in the National Childcare Facilities Guidelines and 41 spaces as per the Celbridge LAP.

Overall, I am not satisfied that the level of childcare provision has been justified and is adequate.

- 12.4.4. I also note that the Celbridge Local Area Plan 2017-2023 considers that pro-rata childcare provision for dwellings 1 – 150 to be completed prior to the commencement of dwelling no. 151 in KDAS. This should be considered in the overall phasing of the development and included as a condition of any permission should planning permission be forthcoming from the Board. It is noted that Block B is located within phase 2 of the phasing plan, phase 1 comprising 150 units.
- 12.4.5. Section 6.3.1 of the Celbridge LAP 2017 indicates that Celbridge is served by three post primary schools and eight primary schools. Two of these schools, St. Patrick's Primary School and Celbridge Community College, are currently operating in temporary buildings pending the identification of permanent school sites. Third-party observations question school capacity and demand. Given the lack of information submitted with respect to school capacity in the area, to cater for the needs of the current and future population of Celbridge, I am not satisfied that the assessment provided is acceptable.

12.5. Residential Amenity of Adjacent Property

- 12.5.1. Concern is raised with respect to impact on the residential amenity of adjacent property in Crodaun Forest Park Estate to the south east, generally arising from potential damage to structural integrity of the boundary wall with Crodaun Forest Park: this wall is over 300 years old in places, covered in ivy and other vegetation and serves as a boundary wall for some residents. Concern is raised with respect to potential for overlooking and that planting of trees will cause shadow in the gardens of existing dwellings.
- 12.5.2. Crodaun Forest Park (a one-two storey residential development) shares the eastern boundary, the original demesne wall, runs along the southern and south western boundary of the proposed development with Crodaun Forest Park. Building height and form of the proposed development comprises two storey semi-detached houses backing onto this boundary, with rear garden depths all in excess of 11m. A separation distance of 22m is indicated between the rear opposing first floor windows of the closest proposed and existing dwellings. The original demesne wall

is proposed to be retained in-situ. Native tree planting of birch (one tree per rear garden) is proposed along the southern and south western party boundary.

- 12.5.3. A 1200mm timber fence in conjunction with native hedgerow planting will form the site boundary on the north-east, north-west and western boundaries. A number of breaks in the fence will allow pedestrian permeability from the existing public pathways through the site into the potential future amenity space to the north-east. The north east of the site is bounded by the protected vista of Castletown House.
- 12.5.4. Increased heights of 3 and 4 storeys have been provided to the north and east of the site and not adjacent to the existing Crodaun Forest Park Estate.
- 12.5.5. Regard is had that any development on these zoned lands will have an impact on the residential amenity of the existing receiving environment. This is an inevitable consequence of development. I consider that the height and set back is acceptable, regard being had to impact upon existing surrounding development. The proposed development would not lead to undue adverse overlooking, overshadowing, overbearing impact on the residential amenity of the adjoining area.
- 12.5.6. Overall, I do not believe the layout would impact residential amenity of properties to such an extent that permission should be refused. The issues raised with respect to structural integrity of the demesne boundary wall can be dealt with by way of condition, also, the omission of the Birch trees in the rear gardens, could be conditioned out, if the Board are so mindful to-do so.

12.6. Transport and Carparking

- 12.6.1. The Celbridge LAP 2017 recognises that one of the major challenges facing Celbridge during the period of the LAP will be the need to promote and provide for sustainable transport options in Celbridge, whilst also improving the effectiveness of the local transport network. A range of measures are proposed to improve connectivity and support a better balance between vehicular traffic and more sustainable modes such as walking, cycling and public transport.
- 12.6.2. The 2017 Celbridge LAP sets out that it is an objective of the Council: MTO3.1: 'To seek to prepare, within 12 months of the date of the adoption of the Celbridge Local Area Plan, a Transport Management Plan and Public Transport Strategy for

Celbridge to support the sustainable growth and development of the town and to identify strategic connections for pedestrian, cyclist, bus, vehicle movement and links to the railway stations in consultation with statutory agencies, key stakeholders and the local community. Upon completion, the recommendations of the TMP shall be integrated into the LAP by way of a statutory amendment, where appropriate’.

12.6.3. Section 8.3 of the Celbridge LAP sets out it is an ‘action’: ‘To work with stakeholders and State Agencies in preparing a Strategic Land Use and Transportation Study for North East Kildare. To maximise the capacity of the local road network and reduce congestion by implementing a range of targeted actions to enhance the accessibility of key destinations in Celbridge (e.g. schools, shops and community facilities) by walking, cycling and public transport use’.

12.6.4. The main concern from third parties relates to the car dependent nature of the proposed development. That the proposal will exacerbate already significant difficulties that residents from the north and west of Celbridge encounter both moving around the town and accessing out of town locations. It is submitted that there is insufficient capacity on rail services from North Kildare and that there is insufficient capacity on buses esp. at peak times. It is contended that the Traffic and Transport Assessment (TTA) is insufficient and flawed and that the proposal is premature pending a comprehensive independent traffic assessment within the context of a Strategic Transport Management Plan.

12.6.5. A report has been received from the transportation section of KCC which raises concerns regarding the following:

- High volume of vulnerable road users (VRU’s) due to the two large schools within the vicinity of the site and the lack of upgrade of the cycle tracks and footpaths to acceptable widths of 2.0 m along the entire front boundary of the development, to upgrade the public lighting, relocate the toucan crossing safely and to recess the bus stop as requested.
- The potential for conflict of vehicle movements due to the proximity of accesses from existing and proposed residential developments in a confined section of a regional road. There are 4 entrances, a toucan crossing, and a bus stop located

within a 200m stretch of congested high-speed regional road located adjacent to the M4 motorway.

- The operational capacity of the R405 / R449 roundabout at the M4 Gateway adjacent to the proposed development due to high traffic volumes generated by this and other committed developments including two large secondary schools, an industrial development to the north and an additional future residential development opposite the proposed development. The TIA underestimates the predicted trip generation.
- The applicant has not submitted an Independent Road Safety Audit as requested by the transportation department of KCC.

12.6.6. Taking the foregoing into account the transportation department have recommended that the proposed development be refused planning permission by reason that: 'The proposed development would endanger public safety by reason of a traffic hazard and obstruction of road users due to the movement of the extra traffic generated'.

12.6.7. Cognisance is had that conditions are attached in the event that the Board decide that planning permission should be forthcoming for the subject scheme. However, due cognisance being had to the policies, objectives and actions of the Celbridge LAP 2017 - 2023, planning history, permitted and proposed development in the vicinity and in Celbridge generally, I agree that the proposed development would endanger public safety by reason of a traffic hazard. Celbridge is developing adhoc in the absence of a Transport Management Plan and a Public Transport Strategy. The TIA submitted with the proposed development has underestimated the predicted vehicular trips associated with the committed developments in the area and has failed to demonstrate that the proposed development in conjunction with committed developments would not generate severe congestion on the R405/R449 Roundabout at the M4 Gateway.

12.6.8. The Strategic Vision for Celbridge is based on detailed analysis of the profile, functions and activities of Celbridge set against its position in the Regional and County Settlement Hierarchy as follows:

"To promote the sustainable growth of Celbridge as a Moderate Sustainable Growth Town, recognising its strategic position in North Kildare within the Metropolitan area

of Dublin. In this context, the plan will seek to support population growth that is based on the capacity of physical and social infrastructure in a plan led approach; to support and enhance quality of life for existing and future populations; to protect and enhance the significant built and natural heritage assets of the town; to support economic development that is based on local strengths including heritage and tourism; to promote sustainable movement and identify opportunities to enhance connectivity; and to identify opportunities for the delivery of supporting infrastructure, facilities and amenities.”

12.6.9. The LAP seeks to strengthen Celbridge’s unique character and identity and to ensure that future growth has a positive impact on the town. Objective MT03.1 set out above proposes that a Transport Management Plan and Public Transport Strategy for Celbridge be prepared, within 12 months of the date of the adoption of the Celbridge Local Area Plan, this has not been achieved. National guidance that towns grow at a level appropriate to their position in the settlement hierarchy and in tandem with delivery of necessary infrastructure and services is noted. The TMP for Celbridge is key to phased future growth in line with the capacity of supporting infrastructure and to ensure that it occurs in accordance with a proper plan-led approach.

12.6.10. Suburban rail services are available at Hazelhatch railway station, located approximately 3 kilometres to the south east of the site. A low frequency Dublin Bus service serves the site, route numbers 67, 67N and 67X from Celbridge to Dublin City Centre. The closest bus stop to the subject site (going south) is located approx. 120m from the proposed site entrance, while the closest bus stop (going north) is some 250m distant.

12.6.11. The Regard being had to the location of the proposed development on the perimeter of Celbridge, the lack of an independent RSA and to the insufficient TIA submitted, the report of the transportation department of KCC and having regard to the scale of the proposed development and the traffic to be generated by it, it is considered that the additional traffic associated with the proposed development would endanger public safety by reason of traffic hazard and would lead to conflict between road users, that is, vehicular traffic, pedestrians and cyclists.

12.6.12. Regard is had to the grant of planning permission in the case of ABP-303295-18 for 251 no. units on lands at Shackelton Road, Celbridge on the 12.04.2019. This grant of permission was contrary to the opinion of the transportation department of KCC and to the absence of a traffic management plan. However, it is considered that each case must be considered on its merits and the Shackelton lands are sequentially located closer to the centre of Celbridge, cognisance is had to cumulative impact sequential growth of the town and overall permitted and committed developments in the wider area. The conclusion of the TIA that the proposed development would generate marginal impacts across the local road network is not fully supported.

12.6.13. Table 7: The development includes the following car parking provision:

	Units Proposed / GFA	Proposed Car Parking Spaces	Development Plan Standard	Requirement under Sustainable Urban Housing – Apartment Guidelines (s.4.22 peripheral and less accessible urban locations)
Houses	218	436 (applied at a rate of 2 spaces per unit)	436 (applied at a rate of 2 spaces per unit)	
Apartments / Duplexes	154	149 plus 38 (visitors) = 187 (applied at a rate of 0.97 space per 1 unit and 38 visitor	231 + 38 (visitors) = 269 (applied at a rate of 1.5 spaces per 1 unit and 1	154 + 44 = 198 (applied at a rate of 1 space per 1 unit and 1 visitor space per 3.5 units)

		spaces at 1 per every 4 units)	visitor space per 4 units)	
Creche	191 sq. m (49 children)	10	10.5 plus 0.5 spaces per staff	
Total	372	633	716	198 for apartments only

12.6.14. There is a requirement for 716 car parking spaces based upon KCC requirements but only 633 are proposed. However, as is indicated in the above table, there is a shortfall of some 12 spaces (5 car parking spaces to serve the apartments / duplexes, 6 car parking spaces to serve visitors and 1 car parking space to serve the creche) as per the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, March 2018.

12.6.15. The planning authority consider that the shortfall in car parking is unacceptable and that the distribution is also unacceptable. The opinion states: 'Apartment Block A has a total of 87 no. units with only 62 car parking spaces adjacent to this block. While applying the standard required under section 4.22 of the Guidelines a total of 122 spaces are required, this is a shortfall of c. 50 spaces within this area of the site'. The opinion recommends a refusal of permission for the following reason:

'The proposed development does not accord with the standards for car parking provision as provided for in Chapter 17 of the Development Management Standards of the Kildare County Development Plan 2017 – 2023 and Section 4.22 of the Sustainable Urban Housing – Apartment Guidelines. The proposed development would therefore be contrary to the proper planning and sustainable development of the area'.

12.6.16. The 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities' address car parking and includes an objective to remove requirements for car-parking in certain circumstances where there are better mobility solutions and to reduce costs. In section 4.18, the guidelines acknowledge that the quantum of car parking or the requirement for any such provision for

apartment developments will vary, having regard to the types of location in cities and towns which may be suitable for apartment development, broadly based on proximity and accessibility criteria. I do not consider that the subject site can rely upon proximity and accessibility to high quality public transport. Celbridge is located within the Metropolitan Area Strategic Plan (MASP). Celbridge is not a key town within the Regional Spatial and Economic Strategy (RSES) and is identified as a Moderate Sustainable Growth Town, future growth is related to capacity of high-quality public transport connections and the capacity of social and physical infrastructure.

12.6.17. The Design Manual for Urban Roads and Streets (DMURS) provides guidance in relation to the design of urban roads and streets with the aim of creating streets that are safe, attractive and comfortable for all users. Section 4.4.9 states that on street parking has a finite capacity. The guidelines state that in residential areas “on-street parking alone can generally cater for densities up to 35-40 dwellings per hectare (net). Once densities reach 40-50 dwellings per hectare (net) the street will become saturated with parking and reduced parking rates (a max of 1.5 per dwelling) and / or supplementary off-street parking will be required. For densities over 50 dwellings per hectare, large areas of off-street parking, such as basements, will generally be required”. DMURS also recommends that “to reduce the visual impact of parking the number of parking spaces per bay should generally be limited to three parallel spaces and six perpendicular spaces” and that “perpendicular parking should generally be restricted to one side of the street to encourage a greater sense of enclosure and ensure that parking does not dominate the streetscape”. The proposed development does not adhere to said principles, overall it is considered that the proposed development is unacceptable with respect to the shortfall in car parking, its distribution and the dominance of surface car parking.

12.7. Biodiversity / Trees / Landscaping

12.7.1. Concern is raised with respect to the significant level of hedgerow and treeline removal.

12.7.2. A series of hedgerows crisscross the centre of the site. There are existing hedgerows to the northern and western boundaries of the site. Mature trees of note

are located at the entrance to Crodaun Forest Park and between the round-about and the site.

12.7.3. It is evident from ‘Landscape Details – Hedgerow Removal, Retention, and Replacement’, Drawing 02, submitted to the Board on the 24th January 2020 that the proposed development has had very little regard for the retention of hedgerows within the overall layout of the development. All of the existing trees and hedgerows which traverse the site will be removed to facilitate the proposed development. It is submitted that the loss of the existing hedgerows and trees will be mitigated through new planting to include:

- 514 no. new trees of mixed species;
- 190 linear metres of Hedgerow planting;
- 870 linear metres of Native Hedgerow planting; and
- 2,030 linear metres of Thornless Hedgerow planting.

12.7.4. The existing planted berm along the north western boundary is to be retained. The existing mature trees (outside of the application site) to the immediate southwest at the entrance to Crodaun Forest Park are also to be protected and retained. The loss of mature hedgerow and a tree line is not considered by the p.a. to align with the green infrastructure policies and objectives set out in the Kildare County Development Plan 2017 -2023 and the Celbridge LAP 2017 - 2023

12.7.5. The Parks section report considers that the tree and boundary planting proposals are satisfactory in principle. However, it is considered that the application contains insufficient details regarding the protection of existing trees and boundary planting. A long list of conditions are attached in the event that planning permission is forthcoming from the Board in including a condition requesting that a special contribution towards the development of the Zoned ‘F’, open space lands, in addition to ceding them to KCC.

12.7.6. It is an objective of the Celbridge LAP:

‘NHO1.2: 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). Such features form part of a network of

habitats and corridors, which allow wildlife to exist and flourish and contribute to compliance with Article 10 of the Habitats Directive’.

- 12.7.7. The development fails to integrate existing hedgerows satisfactorily into the layout of the development and as such would be contrary to NHO1.2
- 12.7.8. Regard is had to Biodiversity Chapter 6 of the EIAR submitted with this development, see section 12.6.6 of this report for detailed assessment. Site surveys were carried out in November 2019 and December 2018 and no bat survey was carried out. I am therefore not satisfied that all ecological impacts have been adequately identified.
- 12.7.9. Overall regard is had to the density proposed, shortfall in the level of open space, its peripheral location throughout the site and location of the subject site adjacent to the historic landscape and protected vista of Castletown House. It is considered that the proposed development does not enhance the character of the area or adequately recognise the cultural context and special setting of Castletown House. Furthermore the proposed development would be contrary to NHO1.2 of the Celbridge LAP 2017.

12.8. Infrastructure

- 12.8.1. Concern is raised by third parties to this application that the proposal is premature pending upgrades in the wastewater network. Concern is also raised with respect to consent works on private third-party lands. It is contended that the applicant has not demonstrated the necessary consents to undertake works which includes the construction of an outfall pipe to the Liffey Mill Race and an attenuation structure on lands in private ownership which are leased by KCC for the purposes of providing a public car park.
- 12.8.2. The Irish Water (IW) submission, to this SHD application, dated 27.02.20 indicates that: Irish Water is actively pursuing a hierarchy of solutions to address network constraints in the Lower Liffey Valley catchment of which Celbridge is a part. The scope of the LLVRSS project will be informed by the outcome of the LLV Drainage Area Plan (DAP). IWs primary objective is to focus on compliance and provide for growth. The LLV DAP project is currently due for completion in Q4 2020 (subject to change) when high level intervention and improvement plans will be developed to address the LLVRSS project needs.
- 12.8.3. Irish Water noted in its pre consultation response to the Board that the Castletown pump station must be upgraded to accommodate this development. The capital

works to upgrade the pump station are due for completion in 2021. Irish water also noted that the waste network is operating at full capacity due to surface infiltration. Irish Water is currently carrying out capital works to divert the Primrose Hill pump station effluent into another catchment area which will free up some capacity in Celbridge wastewater treatment plant. This project is on Irish Water's Capital Investment Plan and is scheduled to be completed in 2020 (subject to change).

- 12.8.4. Irish Water has issued a Statement of Design Acceptance for the development proposal, however, the applicant is required to sign a connection agreement with Irish Water prior to any works commencing and connecting to the network.
- 12.8.5. The applicant submits that a pre-connection enquiry feedback has been received from Irish Water (included in Appendix D of the submitted DBFL Infrastructure Design Report). This is noted. From reading page 23 of the Infrastructure Design report it is contended that subject to a valid connection agreement being put in place, the proposed connection to the Irish Water network can be facilitated. However upgrade works are required to increase the capacity of the wastewater network at Castletown Pump Station.
- 12.8.6. It is submitted that these works are indicatively scheduled for completion by 2021 and proposed connection "could be completed as soon as possibly practical after this date". Irish Water offered the following options should a connection be sought in advance of the Capital Investment Project (i.e. pre-2021):

Option 1 - "Storm Sewer Separation (requires co-operation from Kildare County Council, as the storm drainage authority)."

Option 2 - "Optimisation of pump stations in Celbridge. This would require a study to examine feasibility (Project Works Services Agreement) and delivery of recommendations."

- 12.8.7. The applicant submits that based on recent strategies adopted by other development proposals in the Celbridge area which have been accepted by KCC and Irish Water, DBFL has proceeded with the preliminary design associated with the Storm Sewer Separation Works as recommended by Irish Water under Option 1 (above).

- 12.8.8. DBFL has reviewed the available record drawings for the Cellbridge area in order to identify locations which are historically served by combined sewer systems. Based on the approximate area required to deliver an adequate level of surface water separation to support the development, a catchment area in Tea Lane and Patricks Park was identified (see Figure 4.2 and Appendix F (DBFL Drawing No. 170099-9005) attached to the Infrastructure Design Report for DBFL drawing 170099-9005 for preliminary separation design).
- 12.8.9. To determine the level of surface water within the existing combined system during storm events, a flow monitoring survey was carried out, spanning a 48 day period from the 14th August 2019 to the 1st October 2019 at Tea Lane (refer to Appendix G attached to the Infrastructure Design Report).
- 12.8.10. The proposed separation works have been discussed with Kildare County Council Water Services. It is noted that the Water Services Section had no objection to the proposals subject to detailed design at delivery stage. The report on file indicates no objection subject to condition. It is also noted that the applicant intends to enter a Project Works Services Agreement (PWSA) for the proposed development. Irish Water has also confirmed that it has proceeded with scoping such a PWSA (refer to DBFL and Irish Water e-mail exchanges, dated 5th February 2019 attached at Appendix E to the Infrastructure Design Report).
- 12.8.11. It is clear that the Castletown pump station must be upgraded to accommodate this development. The proposed development is premature pending capital works to upgrade the pump station, which are due for completion in 2021. The waste network is operating at full capacity due to surface infiltration. Irish Water has issued a Statement of Design Acceptance for the development proposal, subject to a caveat that a valid connection agreement is put in place with IW prior to any works commencing and connecting to the network. I consider that the proposed development of 372 units at this location with infrastructure constraints unresolved to the degree set out above would deem the application premature at this time.
- 12.8.12. In terms of the legal interest, I am satisfied that the applicants have provided sufficient evidence that they have sufficient legal interest for the purposes of the planning application and decision. Any further consents that may have to be obtained are essentially a subsequent matter, and are outside the scope of the

planning appeal. In any case, this is a matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act.

12.9. Surface Water and Flood Risk

- 12.9.1. It is contended that local knowledge can testify that flooding on the site in question is an on-going problem. It is stated that there was a flood event in 2007. Third party concern is raised with respect to displacement of flood water and flooding of the wider area, in particular Castletown Wood and Kilwogan housing estate.
- 12.9.2. There is a recognised history of flooding in Celbridge. Areas that may be susceptible to flooding are identified on Figure 9.1 Flood Risk Map of the Celbridge LAP 2017. A number of flood alleviation schemes have been implemented in recent years, with the assistance of the Office of Public Works (OPW), including the Toni River Flood Alleviation Scheme and the Ardclough Flood Alleviation Scheme. I note that the subject site is not identified as an area subject to historical flooding and is not located in Flood Zone A or B as per Map 9.1 'An Overview of the CFRAM flood zones and historical flood events in Celbridge'.
- 12.9.3. Section 3 of the Infrastructure Design Report (IDR) prepared by DBFL Consulting Engineers submitted with this application addresses Surface Water Drainage. The report is supplemented by a standalone Site Specific Flood Risk Assessment (SSFRA) report that prepared by DBFL Consulting Engineers.
- 12.9.4. The applicant submits that the Surface water network has been designed in accordance with GSDSDS requirements and incorporates SUDS features. A site specific Flood Risk Assessment for the proposed development was undertaken in accordance with the requirements of "The Planning System and Flood Risk Management, Guidelines for Planning Authorities". Following the Flood Risk Assessment, it has been determined that the subject site is located in Flood Zone C, as defined by the Guidelines, this accords with Map 9.1 'An Overview of the CFRAM flood zones and historical flood events in Celbridge' of the Celbridge LAP 2017 - 2023.
- 12.9.5. The site specific Flood Risk Assessment concludes that the proposed residential development is appropriate for the site's flood zone category and that the sequential approach outlined in Planning System and Flood Risk Management Guidelines has

been adhered to and that the 'Avoid' principal has been achieved. In conclusion, the proposed development is considered to have the required level of flood protection up to and including the 1% AEP flood event.

12.9.6. The report of the Water Services department of the planning authority sets out three further information requests and three conditions to be attached in the event of a grant of planning permission. It is requested that:

- 'The CCTV survey of the existing surface water system in Crodaun Forest Park should be extended to demonstrate that a clear and adequate route is available to a suitable discharge point'.
- 'The mitigation measures proposed within the submitted site specific flood risk assessments is unacceptable. The proposal should be re-assessed and re-submitted for the approval of Kildare County Council so as to avoid any residual flood waters being routed to a public road'.
- 'The applicant is requested to provide evidence that permission has been granted as part of the storm sewer separation strategy as shown on DBFL's submitted Dwg. No. 170099-9005. If this permission has been granted, the applicant is requested to increase the proposed pipe size along church road to a more appropriate pipe diameter in order to provide capacity for potential future development upstream. Surface water manhole S2 on this same drawing should be constructed so as to intercept the existing surface water line beneath Clane Road and the pipe size downstream from manhole S2 suitably increased to cater for the additional flows.'

12.9.7. Concerns raised with respect to flood risk are noted. Such matters should be fully resolved prior to an SHD application being submitted. This matter taken in conjunction with other lapses in information submitted, in my opinion, compounds the premature nature of this application. I consider that the application is premature, and it would not be reasonable to grant planning permission for the proposed development until issues relating to surface water and flood risk are fully resolved.

12.10. Environmental Impact Assessment

12.10.1. Introduction

The application is accompanied by an Environmental Impact Assessment Report (EIAR). The application falls within the scope of the amending 2014 EIA Directive (Directive 2014/52/EU) on the basis that the application was lodged after the last date for transposition in May 2017. The application also falls within the scope of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018, as the application was lodged after these regulations come into effect on 1st September 2018.

The development involves a total of 372 residential units and a creche. The site is located at a site to the north of Celbridge town centre at Crodaun, Celbridge, Co. Kildare.

Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 and section 172(1)(a) of the Planning and Development Act 2000 (as amended) provides that an EIA is required for infrastructure projects that involve:

- (i) construction of more than 500 dwelling units
- (iv) an area of 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere.

The total site area extends to 9.55 hectares and therefore falls below the 10 ha threshold. Given that the subject site forms part of a larger site in the same ownership of the applicant it was agreed at the pre-application stage with KCC that pursuant to section 172(b)(i) and (ii) of the Planning and Development Act 2000, as amended, that sub threshold EIAR would be carried out.

The EIAR is laid out in two documents, the main document including appendices and the non-technical summary. Chapter 1 is an introduction which sets out the relevant legislation and the format and structure of the EIAR as well as outlining the experts involved in preparing the document. Chapter 2 provides a description of the site, planning history and context. Chapter 3 provides a description of the proposed development. Chapter 4 provides detail with regard to the consideration of alternatives. Chapter 15 considers interactions and Chapter 16 provides a summary of mitigation measures.

The likely significant direct and indirect effects on the environment, as set out in Article 3 of the Directive, are considered in Chapters 5-15 under the following headings:

- Population and Human Health
- Biodiversity
- Land, Soils and Geology
- Water, Hydrogeology and Hydrology
- Air, Dust and Climatic Factors
- Noise and Vibration
- Material Assets – Traffic and Transport
- Material Assets – Site Service Utilities
- Cultural Heritage and Archaeology
- Landscape and Visual Impact

Article 3 (2) of the Directive requires the consideration of the effects deriving from the vulnerability of the project to risks of major accidents and / or disasters that are relevant to the project concerned. The potential for 'flooding' is considered in Chapter 8 Hydrology. Having regard to the site's location within the development boundary of Celbridge and 1.5Km of the town centre, the nature of the receiving environment and the climatic conditions that apply, I consider that the requirements under Article 3(2) are met.

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 submissions made by the planning authority, prescribed bodies and the observers has been set out at Sections 8, 9 & 10 of this report. The issues raised are addressed below under the relevant headings, as appropriate, and in the reasoned conclusion and recommendation including conditions.

I am satisfied that the information contained in the EIAR has been prepared by competent experts and generally complies with article 94 of the Planning and

Development Regulations 2000, as amended, and the provisions of Article 5 of the EIA Directive 2014.

A number of the environmental issues relevant to this EIA have already been addressed in the Planning Assessment at Section 12.1 – 12.9 of this report. This EIA Section of the report should therefore, where appropriate, be read in conjunction with the relevant parts of the Planning Assessment.

12.11. Consideration of Alternatives

The submitted EIAR outlines the alternatives examined at Chapter 4 (pursuant to Article 5(1)(d) of the 2014 EIAR Directive and Annex IV). The main alternatives studied comprise alternative design solutions and layouts for a largely residential development. The proposal is predicated on the zoning of the site and site-specific policy objectives in relation to plot ratio and density. Given the site's zoning objective alternative locations were not considered. A number of alternative layouts for the proposed development were considered over the design process. In addition, the proposals for the development were subject to pre-planning consultation with the Planning Authority and An Bord Pleanála prior to the principles of the proposed layout being finalised. Specifically, the proposed layout and detailed design has been directly informed by An Bord Pleanála's Opinion issued subsequent to pre-planning consultation.

The significant environmental issues and potential effects which informed the proposed layout and design, included: population demographics and housing mix / typology; biodiversity; cultural heritage; transportation and visual impact assessment. Other factors that were fundamental to informing and directing detailed design included the land use zoning objectives under the Kildare County Development Plan 2017-2023 and the detailed design brief established in Section 12.2.4 of the Celbridge Local Area Plan 2017-2023 which sets out specific framework objectives for the Crodaun KDA.

It is noted given the site size a phased development is considered appropriate. It is contended that there are no services constraints that require a particular phasing programme for the proposed development. During the pre-application consultation process the KCC Drainage Division expressed a desire that 'Any phasing of the

proposed development shall be aligned to the maximum extent possible with the proposed five (5) drainage catchments.’ Figure 4.1 set out in Chapter 4 of the EIAR indicates Phase 1 – 120 no. units (northwest portion of the site), Phase 2 – 100 no. units (south west portion of the site), Phase 3 - 79 no. units (south eastern portion of the site) and Phase 4 – 73 no. units (north eastern portion of the site).

Alternative processes are not relevant to the proposal. In my opinion reasonable alternatives have been explored and the information contained in the EIAR with regard to alternatives is comprehensive, provides a justification in environmental terms for the chosen scheme and is in accordance with the requirements of the 2014 EIA Directive.

12.12. Assessment of Effects

12.12.1. Population and Human Health

Chapter 5 of the EIAR addresses population and human health. The potential effects are considered in the context of population, community and Human Health.

The assessment provides information on population and employment in the area, based on data from various sources including the socio-economic role of Celbridge, population trends, age profile, employment and economic activity and housing. It also examines existing community facilities and amenities in the area, i.e. recreational and educational facilities. The construction phase of the development will have a positive impact on local employment and economic activity. The proposed development will contribute towards meeting strategic housing and population targets in Celbridge and County Kildare and establishing a critical mass of population in Celbridge that would deliver socio and economic benefits to the wider resident population of Celbridge. The possibility of some negative impacts was detected. In respect of Air and Noise, the suburban population immediately adjoining the site may experience some localised impacts, as a result of dust and noise emissions arising from the construction phase. The assessments undertaken in Chapters 9 and 10 of this EIAR did not consider these impacts to be significant. The potential impacts of noise from additional traffic movements arising from the site were also not considered significant.

In respect of Light, the proposed scheme will be lit for public safety. This will increase the light pollution in the area which may impact upon the adjoining suburban population. However, it is considered that the proposed works will also have a positive effect through improved safety and security for public accessible spaces, including open spaces, footpaths and cycle routes which in turn will improve the functionality and increased usage of such facilities.

There are potential impacts on human health during the construction phase, associated with construction traffic and surface contaminants, dust, exhaust emissions, noise, vibration and waste generation. Related impacts are considered in other relevant chapters of the EIAR. Cultural Heritage and Archaeology and Landscape and Visual Impact are considered. Health and safety matters are addressed with regard to relevant legislation. Mitigation measures are considered, as set out in the relevant chapters. They include a Construction and Environmental Management Plan (CEMP). No significant residual or cumulative impacts are envisaged.

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 population and human health. I am also satisfied that cumulative effects are not likely to arise.

12.12.2. Biodiversity

Chapter 6 of the EIAR describes the potential impacts on biodiversity. A review of the biodiversity of the site was carried out by Padraic Fogarty of OPENFIELD Ecological Services and this included a study of existing information from the area and a site survey. A site visit was carried out on the 4th of December 2018 and the 28th of November 2019. I note that this time of year is not an optimal season for surveying habitats and breeding birds.

It was found that the site is not within or adjacent to any area that is designated for nature conservation at a national or international level. There are no plants recorded on the site that are listed as rare or of conservation value. There are no habitats that are examples of those listed on Annex I of the Habitats Directive. There are no alien

invasive plant species as listed on Schedule 3 of SI No. 477 of 2011. The site can be described as agricultural fields with traditional hedgerow and treeline boundaries. Many of the hedgerows, as well as the treelines, were assessed as of 'local importance (high value)' using guidance published by the National Roads Authority, 2009. Overall the habitats on the site have been evaluated as 'lower significance due to age and species diversity' although the treelines and some of the hedgerows are of 'high local value'. Hedgerow WL1 is noted as (higher significance) with drainage Ditch – FW4 and Treelines – WL1 (higher significance) both with evaluation Local Importance (High Value).

Features on the site are considered to be of moderate value to roosting Bats (Hundt, 2012) with a number of old trees. Because of the timing of this study a detector-based study was not feasible. The level of bat activity is currently unknown. The EIAR notes itself that December is also not a suitable time for surveying.

The project will require clearance of land within the red line boundary, including 860m of internal hedgerows. The construction phase will include the construction of the homes, installation of surface water, foul wastewater and water mains infrastructure, followed by building of the internal roads with standard materials and methods. Post-construction the proposed open spaces within the site will be landscaped, to include artificial lighting.

Section 6.5.2 Operational Phase of the EIAR sets out Significance level of likely impacts in the absence of mitigation. It is noted that loss of green infrastructure, species mortality and pollution of water courses (indirect) is considered 'Negative'. To offset the loss of higher significance hedgerow and treelines it is proposed to create new, biodiversity planting within areas of public open space and along both margins of the R405 and R449 roads. A total of 2,030m of new mixed-species hedgerow will be planted on peripheral and common areas of open space within the development. Peripheral hedgerows come to a length of 870m in total and comprises of native species, eight species of which are listed in the proposed planting schedule accompanying the submitted Landscape Masterplan. Soil from the existing hedgerows will be stockpiled and used in these new areas to retain a seed bank for other species.

The removal of hedgerows should not take place from March to August inclusive as per the Wildlife Act. If this is unavoidable then vegetation subject to removal must first be inspected for signs of breeding birds. It is an offence to destroy or interfere with a bird's nest or eggs (regardless of the time of year). If no nesting is occurring then vegetation can be removed within 48 hours. It is recommended that hedgerows are not to be removed during the period March to August and that in all instances hedgerows and trees be surveyed and inspected for nesting, breeding birds prior to removal. If nesting is found then vegetation can only be destroyed under licence from the NPWS.

Although significant effects to freshwater courses are not predicted it is nevertheless appropriate that best site management practices should be in place to minimise pollution to the greatest degree feasible. As such, guidelines from Inland Fisheries Ireland (IFI, 2016) should be followed. This includes designating storage areas for dangerous substances (oils, fuels etc.) and ensuring that only silt-free run-off enters water courses. To this end, appropriately sized silt traps should be employed. These measures shall be included in the detailed Construction Management Plan that will be prepared and submitted to the Planning Authority prior to commencement of development with input from the appointed main contractor.

The impact of the proposed development on European sites is addressed in The AA Screening Report and Section 12.15 of this report. The site does not overlap or adjoin any European or nationally designated sites and the closest sites considered to fall within the zone of influence of this project are: 'The South Dublin Bay and River Tolka Estuary SPA (site code: 4024); the South Dublin Bay SAC (0210) located some 22 Km distant and the North Dublin Bay SAC (site code: 0205 and North Bull Island SPA (4006). However, having regard to the nature and scale of the development and the level of separation, it is concluded that the proposed development is not likely to have significant effects on any European site, whether considered alone or in combination with other projects.

I have considered all of the written submissions made in relation to biodiversity. I note the time of year November and December that survey work was carried out. No Bat survey was undertaken. This is unacceptable. I am therefore not satisfied that all ecological impacts have been adequately identified. I am not satisfied that the proposed development would not have any unacceptable direct or indirect impacts in

terms of biodiversity. I am also not satisfied that cumulative effects are not likely to arise.

12.12.3. Land, Soils / Soils and Geology

Chapter 7 of the EIAR describes the potential impacts on land and soils. The development involves the construction of 372 residential units and a creche building. Likely significant impacts on land and soil are not envisaged. During the construction phase the main risks to underlying subsurface strata are from the stripping of topsoil, excavation of subsoil layers and accidental leaks or spillages of contaminating substances. During the operational phase risks are again related to accidental leaks or spillages from contaminants.

In terms of mitigation, materials and substances that could contaminate land and soil will be handled and stored in a manner that will prevent or minimise potential impacts as detailed in Section 7.6 of the EIAR. This will include the use of bunded storage areas, designated areas for vehicle refuelling, wet concrete management and the use of oil interceptors.

Potential cumulative impacts on land and soil are not anticipated or predicted. I am satisfied that the risks outlined above can be similarly avoided, managed and mitigated through good construction management practices (adherence to Outline CMP) and that cumulative impacts are not likely to arise.

I have considered all of the written submissions made in relation to land and soil and the relevant contents of the file including the EIAR. I am satisfied that impacts identified on land and soil would be avoided, managed and/or mitigated by measures that form part of the proposed scheme, by the proposed mitigation measures and with suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of land and soil. I am also satisfied that cumulative effects are not likely to arise.

12.12.4. Water, Hydrogeology and Hydrology

Chapter 8 of the EIAR deals with water (including flood risk, surface water drainage, foul drainage and water supply). In relation to the receiving environment, the EIAR notes that a local stream the Ballygoran Stream, 300m to the south, is the closest

hydrological feature which drains to the River Liffey approx. 2.0Km south east of the site.

Existing surface water pipe (450mm) is located south west of the site at the junction of Cordaun Forest Park estate on the R405. An existing 225mm diameter foul sewer is located along the site's western boundary (adjacent to the R405) which outfalls towards Celbridge Main Street.

The topography of the site generally falls from west to east at gradients ranging from 1/80 to 1/120. As ground levels at the discharge point are elevated above the eastern side of the site, it is proposed to raise ground levels to achieve a gravity drainage solution. The locations of the existing public water mains are shown on Irish Water's Network Plans (refer to Appendix D). An existing 12" uPVC public watermain runs along the R405 (along the sites Western boundary). Pre connection enquiry feedback has been received from Irish Water. No issues are noted in relation to the existing public water supply network.

No adverse effects on surrounding hydrology is anticipated as surface water flows are attenuated to greenfield runoff rates in conjunction with implementation of SUDS strategies such as permeable paving, green roofs and installation of a Class 1 full retention fuel / oil separator. It is not envisaged that the proposed development works will have any direct impact on the underlying hydrogeology.

The Site-Specific Flood Risk Assessment for proposed development was undertaken in accordance with the requirements of "The Planning System and Flood Risk Management, Guidelines for Planning Authorities" and its Technical Appendices. Following the Flood Risk Assessment, it was determined that the site is located in Flood Zone C as defined by the Guidelines. It concluded that the; 'Proposed residential development is appropriate for the site's flood zone category. The sequential approach outlined in the Guidelines has been adhered to and that the 'Avoid' principal has been achieved. The proposed development is considered to have the required level of flood protection up to and including the 1% AEP flood event. Overland flow paths have been identified for pluvial flooding exceeding the capacity of the surface water drainage network'.

During the construction phase there is potential for contaminants to enter ground and surface water systems and impact on the natural water environment. Best practice measures will be implemented during the construction phase to avoid / mitigate potential impacts. A Site specific Construction and Environmental Management Plan (CEMP) will be developed and implemented during the construction phase. Site inductions will include reference to the procedures and best practice as outlined in the Construction and Environment Management Plan. Implementation of the measures outlined in the CMP will ensure that the potential impacts of the proposed development on surface water and the hydrogeological environment do not occur during the construction phase.

The EIAR does not refer to the fact that there is limited capacity in the downstream wastewater network and that while Irish Water indicate that connections to foul and water networks are feasible upgrade works are required to increase the capacity of the wastewater network at Castletown pump station. See section 12.8 Infrastructure of this report above. It is considered that given the infrastructural constraints unresolved that the proposed development is premature. I would also point to S 12.9 of this report which sets out concerns with respect to flood risk.

I am not satisfied that the risks outlined above can be similarly avoided, managed and mitigated through good design / construction management practices until such a time as constraints in wastewater treatment network are resolved.

I have considered all of the written submissions made in relation to water. I am not 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 not satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of water. I am also not satisfied that cumulative effects are not likely to arise.

12.12.5. Air, Dust and Climatic Factors

Chapter 9 deals with Air, Dust and Climate. The proposed construction works associated with the development proposed in this planning application is expected to take approximately 18 months. The potential air quality impacts during construction are summarised as follows:

- Demolition
- Excavations

- Construction
- Construction Traffic

This assessment shows that the most significant potential impacts are those associated with construction activity and construction traffic. There is predicted to be a temporary slight adverse impact on the closest receptors during the Construction Programme. There will be no lasting impact and the short-term impact can be managed by means of an effective Construction Management Plan incorporating the mitigation measures outlined in the EIS.

There is concern about a fungal disease, "invasive Aspergillosis". The National Guidelines report referred to above notes that the fundamental requirement in respect of eliminating Aspergillus infection from construction works is first to minimise the dust generated during construction and second to prevent dust infiltration into patient care areas. All Construction Works will be carried out in a way that minimises dust emissions and in accordance with the requirements of the National Guidelines.

These impacts can be mitigated through good construction practices, as set out in Section 9.8 of the EIAR, and would be short-term and negligible in my view. In terms of climate there is potential for greenhouse gas emissions associated with the use of construction vehicles, generators etc, but given the scale of the development it is considered that impacts would be negligible and short-term during construction. The primary source of air and climatic emissions during the operational phase would be from traffic related emissions. In the local area this may arise from changes to traffic flow / congestion. It is noted that the EIAR considers that the impacts would be long-term and imperceptible. Regard being had to s. 12.6 of this report, 'Transport and Car Parking', whereby concern is expressed that the conclusion of the TIA, (the proposed development would generate marginal impacts across the local road network) is not fully supported.

Given the nature and scale of the development proposed, I am satisfied that no significant impacts arise in respect of air and climate during construction, however, I consider underestimation of trip generation is a concern for occupation phases and has not been conclusively ruled out.

12.12.6. Noise and Vibration

Chapter 10 of the EIAR addresses Noise and Vibration impacts. The proposed construction works associated with the development proposed in this planning application is expected to take approximately 3 – 4 years on a phased basis, with the hours of construction typically from 07.00 to 19.00 Monday to Friday and 09.00 to 13.00 Saturdays. Although there may occasionally be the need to work outside the normal hours of construction, heavy or noisy construction activities will be minimised during these periods.

The construction works associated with the development proposal are very limited due to the nature of the existing site and the nature of the proposal. Site clearance works are limited, there is very minor demolition work required, and the scale of the construction activity on site is limited. Screening around the perimeter of the site will be provided to minimise impacts.

This assessment shows that there is no significant impact predicted during the Construction Programme due to the very limited nature of the work required for the proposal.

The existing noise climate in the area is dominated by road traffic and urban activities. During the construction phase there is potential for impacts arising from construction activities and associated traffic movements. The EIAR indicates that noise control measures will be applied during the construction phase (inc. limited hours of operation) to ensure that noise and vibration impact is kept to a minimum. During the operational phase, no significant sources of noise or vibration are anticipated. Section 10.6 of the EIAR sets out mitigation measures to reduce the noise emissions from plant and I am satisfied that any risks can be addressed by way of condition. No cumulative impacts are anticipated.

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. I am also satisfied that cumulative effects are not likely to arise.

12.12.7. Material Assets, Traffic and Transportation

Roads, Traffic and Transportation effects are considered in Chapter 11 of the EIAR. A Traffic and Transport Assessment (TTA) has been undertaken with the objective of both quantifying the existing and transport environment and detail the results of assessment work undertaken to identify the potential level of transport impact generated as a result of the proposed residential development. The scope of this assessment covers transport and sustainability issues including access, pedestrian, cyclist and public transport connections. Recommendations contained within the TTA are based on existing and proposed road layout plans, site visits, on site traffic observations and junction vehicle turning count data.

The subject site is zoned residential, located approximately 1.5 / 2 kilometres north of Celbridge Main Street and is directly served by the R405 Maynooth Road along the south-western boundary and the R449 to the north-western boundary which is a link to the M4 motorway. The existing site is bounded to the south by existing residential housing (Crodaun Forrest Park) and to the north-west by the M4 business park. The site is adjacent to agricultural/forest land to its north-eastern and south-west boundaries. The M4 motorway is approximately 500 meters north of the subject site.

The site is in the Crodaun area of Celbridge, shown under the Celbridge Local Area Plan as Key Development Area 4, and is accessed from the western boundary of the subject site via R405.

In the immediate vicinity of the subject site pedestrians can benefit from the existing footways approximately 1.25m wide along both sides of the R405 Maynooth Road and R449 M4 Link Road. Public lighting is provided along one side of the R405 and R449 roads. A signal controlled pedestrian crossing is provided in close proximity of the proposed site access along the R405.

The walking time isochrones illustrates that schools and food supermarkets are within a 15 minute walking distance from the subject site, Celbridge Town Centre is within a 30 minute walking distance and Leixlip Train Station is within a 45 minute walking distance.

Segregated cycle tracks are provided along both the R405 and R449. A two-way cycle track has been provided along the R405 western side and a one-way cycle track on eastern side of the carriageway.

The distribution and assignment of the proposed development's vehicular traffic across the local road network as proposed by DBFL is presented in Figure 2 as included in Appendix C of the TTA report included at Appendix I of this EIAR. The associated development vehicle trips have been assigned to the surrounding road network based on the following:

- 60% travelling to the subject site via Maynooth Road (North), and
- 40% travelling to the subject site via Maynooth Road (South).
- 60% travelling from the subject site via Maynooth Road (North), and
- 35% travelling from the subject site via Maynooth Road (South)
- 5% travelling from the subject site via Crodaun Forest Park

The associated residential vehicle trips have been assigned to the surrounding road network based on the surveyed traffic movements passing the site based on the following assumptions.

- Traffic Flows and patterns will remain similar to surveyed traffic flow data.
- Trips from the development are to be consistent with the existing trends along either road; and
- % distribution of flows changes between AM and PM scenarios in accordance with survey data.

The development traffic will be accommodated by one proposed access junction onto the neighbouring road network; a priority-controlled junction with the R405 Maynooth Road. In order to analyse and assess the impact of the proposed development on the surrounding road network, a traffic generation and distribution model (excel based) of the following key junctions was created:

- Junction 1 – R405 Maynooth Road (N)/R449 M4 Link Road/R405 Maynooth Road (S)
- Junction 2 – Proposed Site Access/R405 Maynooth Road
- Junction 3 - R405 Maynooth Road/Crodaun Forest Park

The percentage increase in traffic flows as a result of the traffic generated by the proposed development is established as being below the 10% threshold at all off-site junctions in both the AM and PM peak periods.

The ARCADY results reveal that the roundabout junction will operate at approaching capacity with a max RFC value of 0.86 during the AM peak hour 2036 'Do Nothing' and a max RFC value of 0.91 during AM peak hour 2036 'Do Something' scenario.

As outlined in Table 11.11 of the EIAR, the maximum RFC is increasing by only 5% in the Do Something scenario.

Potential cumulative impacts are assessed in relation to the existing and permitted transportation schemes. A desktop study was conducted of planning applications in the vicinity of the subject development. No planning applications were found within the immediate vicinity of the transport network assessed that would have a cumulative impact to traffic or to this proposed development. It is submitted that the remainder of the Crodaun KDA – 4 lands to the west of the R405 have been taken into account and that an assessment of the interaction of both site access junctions was undertaken. Albeit this residential area/development has not been permitted/committed. The assessment of queue interaction between the subject site access and the potential development access within KDA 4 Crodaun onto the R405 revealed that both accesses can function properly without any overlapping occurring between both right turn pockets/lanes.

The analysis detailed within the TTA demonstrated that the new site access junction, will operate within capacity in the 2021 Opening Year, 2026 Interim Design Year and 2036 Future Horizon Year (+15) analysis scenarios, during peak hour scenario. The operational assessment of the key off site junctions in both the 2021 and 2026 design years, following the construction of the proposed development (372 units) indicates that whilst an increase in utilisation of all junctions are predicted they continue to operate within acceptable peak hour operational performance.

During the construction it is anticipated that the trip generation of HGV'S will be evenly spread throughout the day and as such will not impact significantly during the peak traffic periods. Nevertheless, mitigations measures are outlined for the Construction Stage which include the provision of a Construction Management Plan.

In order to promote and maximise sustainable transportation modes, cycle parking has been provided at a rate which exceeds Kildare County Development Plan (2017-2023) minimum standards which may act as a facilitator for the growth of Cycle trips undertaken for short to medium distance trips to/from the site, whilst apartment vehicle parking spaces have been provided at a rate slightly below the Department of Housing, Planning and Local Government's Sustainable Urban Housing: Design Standards for New Apartments Guidelines (0.97/unit), which is lower than those outlined in the Kildare County Development Plan.

The increase in cycle parking provisions, and simultaneous reduction in vehicle parking provisions for apartment and duplex units aim to increase the number of cycle trips taken and therefore encourage a modal split shift towards cycling for short to medium distance trips.

Section 12.6 Transport and Carparking, of this report, sets out concerns regarding failure by the applicant to carry out road, footpath, cycle path and lighting upgrades. Concern is expressed for traffic conflict due to proximity of accesses and that the TIA underestimates the predicted trip generation. The planning authority have raised concern that an independent RSA as requested has not been submitted.

I consider that the development could have a significant impact on the established traffic conditions at this edge of centre / outer suburban / greenfield location. I am not satisfied that negative impacts arising from increased traffic movements would not endanger public safety by reason of a traffic hazard and obstruction of road users.

I have considered all of the written submissions made in relation to roads, traffic and transportation. I am not satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme. I am therefore not satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of roads, traffic and transportation. I am also not satisfied that cumulative effects are not likely to arise.

12.12.8. Material Assets – Site Services / Utilities

A site-specific Construction Management Plan will be developed and implemented during the construction phase. Implementation of the measures outlined in this plan, in particular, Mitigation Measures set out in s.12.7 of the EIAR, will ensure that the potential impacts of the proposed development on the site's material assets do not occur during the construction phase.

Relocation of existing overhead ESB lines will be fully coordinated with ESB Networks to ensure interruption to the existing power network is minimised (e.g. agreeing power outage to facilitate relocation of cables). Ducting and / or poles along the proposed relocated route will be constructed and ready for rerouting of cables in advance of decommissioning of existing overhead power lines.

Similarly, connections to the existing gas and telecommunications networks will be coordinated with the relevant utility provider and carried out by approved contractors. I have considered all of the written submissions made in relation to material assets. 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. I am also satisfied that cumulative effects are not likely to arise.

12.12.9. Cultural Heritage and Archaeology

Archaeology and cultural heritage is addressed in Chapter 13 of the EIAR.

The 1995 Aerial Photograph shows the subject site before the M4 Link Road was built, there are a range of large circular and Figure of Eight features visible in Fields 1, 2 and 3 (the northern half of the subject site). The 2005 Aerial shows vegetation in these areas while the latest Digital Globe shows a further NW/SE linear feature in Field 2; this is visible on the ground as a dip in the field.

The southern and eastern boundary of the subject site comprises a largely well preserved roughly cut stone wall. The Kildare County Council Record of Protected Structures contains two entries; B11-13, Castletown House, and B11-14, Castletown Walled Garden and Castletown demesne wall is included as part of one or both entries.

Full archaeological excavation was undertaken across the site.

- The site is relatively large in scale, comprising approximately 9.55 ha.
- No new archaeological sites or features were recorded in historical maps.
- A substantial stone wall bordering Castletown townland forms the eastern and southern boundary of the site.
- Four probable archaeological sites (Area 1 -4) have been identified within the subject lands during advance archaeological investigations;

- (i) Area 2 - the main feature identified lay in the southern field and comprised a curvilinear enclosure, double-ditched along its northern arc, with several other smaller ditches running off this, possibly representing a related field system.
 - (ii) Area 4 - an isolated bowl furnace to the east of the enclosure.
 - (iii) Area 3 - two cereal drying kilns; a number of post-holes and possible slot trench.
 - (iv) Area 1 - a curvilinear ditch in the north-eastern field.
- These sites (Areas 1 – 4) were fully excavated under licence from the DCHG in consultation with the NMI.

It is considered that the recorded archaeological remains are of low (Area 1, 4, & 3) and moderate (Area 2) significance. Numerous comparable sites have been identified in advance of development projects. The archaeological sites are located on Figure above; their removal in the course of the proposed development was mitigated by full archaeological excavation carried out in advance of construction works under licence to The Department of Culture, Heritage and the Gaeltacht.

The subject site is a large greenfield site within an area of considerable archaeological potential. Four areas of archaeological remains of low-moderate significance have been identified within the site and have been fully excavated. The following recommendations are made subject to the approval of The Department of Culture, Heritage and the Gaeltacht. As the statutory body responsible for the protection of Ireland's archaeological and cultural heritage resource, the DCHG may issue alternative or additional recommendations.

It is recommended that the topsoil stripping of the remainder of the wider site be subject to archaeological monitoring licensed under the National Monuments Acts. during the construction phase of the development.

- It is recommended that the wall comprising the townland boundary with Castletown is recorded by Building Survey.
- It is recommended that the condition of the wall comprising the townland boundary with Castletown be monitored over the course of the construction phase to ensure that there is no damage done to the structure.

- The visual impact on Connolly Folly to the NW and on Castletown House and Demesne to the east should be assessed when development proposals are finalised.

I have considered all of the written submissions made in relation to archaeology and cultural heritage. I am satisfied that no potential impacts arise. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect or cumulative impacts in terms of archaeology and cultural heritage.

12.12.10. Landscape and Visual Impact Assessment

Chapter 14 of the EIAR describes the landscape and visual impacts/effects arising from a proposed residential development of 372 units at Crodaun, Celbridge, Co Kildare.

The site is located on the Northern periphery of Celbridge in relatively close proximity to Castletown estate and its associated historic demesne landscape. There is significant woodland cover both within Castletown Demesne and in the surrounding area, with mature hedgerows and trees prevalent. The most prominent surface water in the vicinity is the Liffey to the Southeast and Leixlip Reservoir approx. 3km to the east. Overall the topography to the site and the surrounding region is relatively level. The subject site, which is currently good quality level agricultural land, occupies an area of c. 9.55 ha. It is generally pentagonal in plan form. It is composed of three large fields currently in use as grazing land and a small triangular field, falling gently from north to south. The intervening field boundaries comprise mature hedgerows with a laneway off an existing vehicular access on the Maynooth Road in the south-western part of the site. It is bound to the North-west by structure planting and earthworks associated with the relatively new R449 link road which connects to the M4 at Junction 6; to the South-west by the R405; existing housing estate of Crodaun Forest Park to the south and agricultural fields bound to the North-east. A number of mature well-established hedgerows cross the subject site. A section of stone wall forms the South-eastern boundary, at the entrance of Crodaun Forest Park. Beyond this wall (outside the site) is a line of mature Oak trees which along with the wall have historic associations with the Castletown demesne.

The site is not within any landscape and/or visual designations. However, there are designated protected views North and South from Castletown House immediately adjacent to the northern site boundary. These adjoining lands to the north are zoned Objective F (Open Space) with a specific Objective Historic Landscape Area (HLA) attached. While it is not intended to preclude development within the historic landscape areas, the Celbridge LAP seeks to ensure that the landscape features, including the views and prospects that define the character of these areas, are preserved.

In addition to Castletown there are a number of features of historic and cultural interest within the study area including: - The Wonderful Barn (South West of Leixlip), the Conolly Folly or Obelisk (3km North west at Barrogstown) Celbridge Bridge (Centre of Celbridge)

The subject site is located within the Landscape Character Assessment (LCA) named 'Northern Lowlands– Naas and environs' which is one of five Character areas that make up wider major landscape typology described as 'Lowland Plains and Boglands'. In terms of sensitivity to development this LCA is categorised as having 'Low Sensitivity'

It is contended that potential impacts / effects experienced will typically be greater during the construction phase of the development. It should be noted that during the construction phase 3 No. of the selected visual receptors will generate visual impacts which are Moderate – Major therefore falling into the 'Significant' category. A summary of Visual Impacts (Operational Phase) indicates that the effects / Impacts will be moderate/minor/negligible/none.

It is expected that residual glimpsed and partial views of the development would continue to be achieved from a number of locations surrounding the site.

The proposed development would change the character of the site from greenfield/rural peripheral fringe to urban. Seven key views were chosen to illustrate the visual impact of the Proposed Development. Each view is illustrated as existing and proposed and the views are numbered VVM1 to VVM7. Figures 14.3 to 14.14 in Appendix M illustrate key identified visual receptors, with potential visual impacts assessed from these positions. The views include long, mid and short-distant views.

Refer to the document by 3D Design Bureau included as Appendix 11.A of the EIAR. The photomontages submitted show that the development will be viewed as part of a composition of two storey, three storey and two four storey Apartment Blocks. Negative visual effects are likely to arise during the construction phase due to construction activities, but these will be localised and short-term in nature. In my view, the medium to long term impacts would be most notable to the South-west from the R405, from the roundabout at the junction of the R449 link road with the R405 (Maynooth Road) and from the entrance to the existing housing estate of Crodaun Forest Park to the south, cognisance being had in particular to the 4 storey apartment blocks proposed. As set out in Layout and Design s. 12.2 of this report, it is not considered that the architectural language of the scheme is to a high enough standard. Apartment Blocks A and B are considered generic and would not create a high-quality finish or a distinctive sense of place which would be an appropriate visual gateway to Celbridge from the Maynooth road.

The overall approach in terms of urban structure, architectural language and material finish is not to a high enough standard. I have considered all of the written submissions made in relation to Landscape and Visual Impact. I am not 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 not therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of Landscape and Visual Impact. I am also not satisfied that any cumulative effects arising would be positive.

12.13. Interactions between Environmental Factors

Section 15 of the EIAR deals with the interactions between environmental factors. A specific section on interactions is included in each of the environmental topic chapters of the EIAR. The primary interactions are summarised in the EIAR as follows:

- Population and human health
- Biodiversity
- Soil and Geology
- Traffic

- Air and Climate
- The Landscape

The various interactions have been described in the EIAR and have been considered in the course of this EIA. I have 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. In conclusion, I am generally 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.

12.14. Reasoned Conclusion on the Significant Effects

12.14.1. Having regard to the examination of environmental information set out above, to the EIAR and other information provided by the developer, and to 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:

- Significant direct positive effects with regard to **population** due to the increase in the housing stock and economic activity.
- A direct negative effect on the **landscape and visual amenity**. The loss of mature hedgerow and a tree line, the generic architectural language and material finish of the development and dominance of car parking would be discordant by reference to the receiving Gateway location and location of the site adjacent to Castletown Demesne, and would have a significant and negative impact on the receiving environment.
- A direct negative effect on **Traffic and Transportation**. The scale of the proposed development and the traffic to be generated by it, would endanger public safety by reason of a traffic hazard and would lead to conflict between road users, that is, vehicular traffic, pedestrians and cyclists, thus having a significant and negative impact on the receiving environment.
- Biodiversity impacts.
 - Potential direct effects with regard to loss of Habitat and Green Infrastructure. To offset the loss of higher significance hedgerow and

treelines it is proposed to create new, biodiversity planting within areas of public open space and along new routes and boundaries within the development. This planting will effectively create a new biodiversity corridor which will provide connectivity for the species which are currently recorded in this location. While this woodland will take time to mature it will ultimately compensate for the loss of hedgerows and green infrastructure arising from the development.

- Potential indirect effects to species including Bats during construction and operational phases. No Bat survey was undertaken. Site surveys for Biodiversity purposes were carried out in December 2018 and November 2019, not an optimal season for surveying habitats and breeding birds.
- Potential effects arising from **noise** and **vibration** and **air** during construction. These effects will be short-term in nature and will be mitigated by measures outlined in the relevant section of the EIAR.
- Potential indirect effects on **water** during construction and operational phases which will be mitigated through construction management and by the proposed surface water management and attenuation system with respect to stormwater runoff, the drainage of foul effluent to the public foul sewerage system, and flood mitigation measures and which will be mitigated during construction and which require future upgrades and appropriate management and agreement measures.

The proposed development is not likely to have significant adverse effects on human health, biodiversity, land and soil, climate, micro-climate, material assets and archaeological, architectural and cultural heritage. Further it is not likely to increase the risk of natural disaster.

The EIAR has considered that the main significant direct and indirect effects of the proposed development on the environment would be primarily mitigated by environmental management measures, as appropriate. However, I am not satisfied, on the basis of the submitted information, that impacts on landscape and visual, Biodiversity, traffic and transportation and infrastructure can be mitigated and that no residual significant negative impacts on the environment would remain as a result of the proposed scheme. Furthermore, having regard to the potential scale of impacts, I am not satisfied on the basis of the submitted information that the positive benefits of the scheme would outweigh the remaining negative impacts. I am, therefore, of

the view that the potential for unacceptable direct or indirect effects on the environment cannot be excluded on the basis of the submitted information.

12.15. Appropriate Assessment (AA)

12.15.1. The applicant has submitted an AA screening report which sets out a description of the proposed development. It submits that the site is not located within or directly adjacent to any Natura 2000 area (SAC or SPA). It would not have the potential, therefore, to have likely significant direct effects on any such site. Hydrological pathways lead to Dublin Bay and the South Dublin Bay and River Tolka Estuary SPA (site code: 4024) and the South Dublin Bay SAC (0210). The distance to the boundary of the SAC/SPA is approximately 21km. The North Dublin Bay SAC (0206) and North Bull Island SPA (4006) are also in this region. These are considered to be the only Natura 2000 areas within the zone of influence of the development as pathways do not exist to other areas.

12.15.2. The South Dublin Bay and Tolka Estuary SPA (side code: 4024) is largely coincident with the South Dublin Bay SAC boundary with the exception of the Tolka Estuary. The North Bull Island SPA (site code: 0206) meanwhile is largely coincident with the North Dublin Bay SAC with the exception of the terrestrial portion of Bull Island. These designations encompass all of the intertidal areas in Dublin Bay from south of the Howth peninsula to the pier in Dun Laoghaire. Wintering birds in particular are attracted to these areas in great number as they shelter from harsh conditions further north and avail of the available food supply within sands and soft sediments. Table 1 of the AA Screening report submitted lists the features of interest for both of the SPAs. These include:

- Light-bellied Brent Goose.
- Sanderling.
- Dunlin.
- Knot.
- Black-headed Gull.
- Ringed Plover.
- Oystercatcher.
- Bar-tailed Godwit.
- Grey Plover.
- Roseate Tern.
- Common Tern.
- Arctic Tern.
- Redshank.
- Teal.

- Pintail.
- Shoveler.
- Shelduck.
- Golden Plover.
- Black-tailed Godwit.
- Curlew.
- Turnstone.

12.15.3. The South Dublin Bay SAC (side code: 0210) is concentrated on the intertidal area of Sandymount Strand. It has four qualifying interests: mudflats and sandflats not covered by seawater at low tide (1140), annual vegetation of drift lines (1210), Salicornia and other annuals colonising mud and sand (1310) and Embryonic shifting dunes (2110). Qualifying interests include:

- Annual vegetation of drift lines
- Embryonic shifting dunes (2110).
- Tidal mudflats
- Salicornia mudflats

12.15.4. The North Dublin Bay SAC (site code: 0206) is focussed on the sand spit on the North Bull island. The qualifying interests for it include:

- Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes)
- Fixed coastal dunes with herbaceous vegetation (grey dunes)
- Humid dune slacks (2190).
- Petalwort (1395).

12.15.5. Specific conservation objectives have been set for all of these areas with the exception of the Poulaphouca Reservoir. Generic conservation objectives have been published by the NPWS and are stated as:

‘To maintain or restore the favourable conservation condition of the Annexed species for which the SPA has been selected’.

12.15.6. Specific conservation objectives have been set for mudflats in the South Dublin Bay SAC (NPWS, 2013) and the North Dublin Bay SAC (NPWS, 2013). The objectives relate to habitat area, community extent, community structure and

community distribution within the qualifying interest. There is no objective in relation to water quality.

12.15.7. For the South Dublin Bay & Tolka Estuary SPA and the North Bull Island SPA the conservations objectives for each bird species relates to maintaining a population trend that is stable or increasing and maintaining the current distribution in time and space.

12.15.8. There is no ecological pathway from the application site that could result in the proposed development having a significant effect on the South Dublin Bay and River Tolka Estuary SPA, the South Dublin Bay SAC, the North Bull Island SPA and the North Dublin Bay 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 SACs or SPAs would be likely to occur through that medium. The proposed development is not likely to have a significant indirect effect on that SPAs or SACs, 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.

12.15.9. 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 the South Dublin Bay and River Tolka Estuary SPA, the South Dublin Bay SAC, the North Bull Island SPA and the North Dublin Bay SAC 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.

13.0 Conclusion and Recommendation

13.1. I consider the principle of residential development to be acceptable on this site. The site is a zoned and serviced site within the development boundary of the town, albeit, an outer suburban / greenfield site on the periphery of Celbridge. The site is not proximate to high capacity bus or rail services. A high quality residential development on this site has the potential to contribute to the provision of housing in

the area. Notwithstanding this, I have serious reservations in relation to the proposal before me, in terms of traffic and transport impacts, layout, design and the associated visual impacts, biodiversity, given loss of habitat and inadequate surveys carried out, non-integration with the open space / amenity, 'F', zoned lands to the north east from an amenity and historic landscape perspective, the dominance of surface car parking and the capacity of the wastewater network to accommodate the proposed development. In addition, the development is not supported by a commensurate level of childcare provision in accordance with the guidance contained in the Childcare Facilities Guidelines 2001. Irish Water indicate that it would be necessary to carry out upgrade works to increase the capacity of the wastewater network at Castletown pump station, to accommodate this development, prior to facilitating the proposed connection to the wastewater network. On the basis of the foregoing I recommend that permission be refused.

14.0 Recommendation

14.1.1. I recommend that permission be refused for the reasons and considerations set out below.

15.0 Recommended Draft Board Order

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 24th of January 2020 by Ardstone Homes Limited, care of Declan Brassil & Co. Ltd. Planning & Development Consultants, Lincoln House, Phoenix Street, Smithfield, Dublin 7.

Proposed Development: The development will consist of the construction of a new residential development of 372 no. residential units comprising the following:

- 154 no. Apartments in 2 no. apartment blocks 4-storeys in height at the north-western and south-western parts of the site. The apartments provide a mix of one and two-bedroom units, comprising:
 - 46 x 1 bed units and

- 76 x 2 bed units.
 - 12 no. 1 bed Maisonettes and
 - 20 no. duplexes (comprising 10 x 1 bed units and 10 x 2 bed units).
- 218 no. houses, comprising a variety of housing forms to include detached, semi-detached and terraced houses. A mix of house sizes are proposed to include:
 - 20 x 2 bed;
 - 140 x 3 bed houses and
 - 58 x 4 bed houses.
- The demolition of an existing agricultural structure.
- The provision of:
 - 633 no. ancillary car parking spaces and
 - 340 no. bicycle parking spaces.
- The provision of 2 no. ESB sub-stations, ancillary services and infrastructure works including foul and surface water drainage, attenuation areas, landscaped open spaces (approximately 13,026 sq. m, or 14.2% of the site area), boundary walls and fences, landscaping, lighting, internal roads, cycle paths, footpaths, and cycle and pedestrian connections to the R405 and the R449 Regional Roads.
- The developable site area measures approximately 9.18 ha resulting in a net residential density of approximately 40.5 u/ha.
- The proposed development also includes:
 - A childcare facility measuring approximately 191 sq. m (GFA) at ground floor level of Apartment Block B.
- A new junction onto the R405 Regional Road to serve the proposed development.

The application is accompanied with an Environmental Impact Assessment Report (EIAR) and Appropriate Assessment (AA) Screening Report (Stage 1).

The application contains a statement setting out how the proposal will be consistent with the objectives of the Kildare County Development Plan 2017-2023, and the Celbridge Local Area Plan 2017 – 2023.

The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant Development Plan other than in relation to the zoning of the land.

Decision

Refuse permission for the above proposed development based on the reasons and considerations set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

16.0 Reasons and Considerations

1. The National Planning Framework and Ministerial Guidelines promote innovative and qualitative design solutions and strong visual connections to support the creation of sustainable neighbourhoods. It is considered that the proposed development by virtue of design and finish, layout, dominance of surface car parking, lack of integration with adjoining open space, 'F', zoned lands to the east and lack of legibility/wayfinding between the proposed development and Castletown Demesne, results in a poor design concept for the site that is substandard in its form and layout, fails to establish a sense of place, would result in a substandard form of development that lacks variety and distinctiveness and includes a poor quality of urban and architectural design, all of which would be seriously injurious to the

residential amenities of future occupants and contrary to the provisions of the Urban Design Manual – a Best Practice Guide in particular criteria number 6 Distinctiveness and number 7 Layout and to Policy HD 1 and Objective HDO 2 of the Kildare County Development Plan 2017-2023.

2. It is considered that the development fails to integrate existing hedgerows satisfactorily into the layout of the development and, as such, would be contrary to objective NHO1.2 of the Celbridge Local Area Plan 2017-2023 which seeks: ‘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). Such features form part of a network of habitats and corridors, which allow wildlife to exist and flourish and contribute to compliance with Article 10 of the Habitats Directive’.

3. The proposed development would be premature having regard to the existing deficiencies in the wastewater sewerage network in the area and the period within which this constraint may reasonably be expected to cease.

4. Having regard to the scale of the proposed development and the traffic to be generated by it, it is considered that the additional traffic associated with the proposed development would endanger public safety by reason of traffic hazard and would lead to conflict between road users, that is, vehicular traffic, pedestrians and cyclists.

Note:

The applicant is advised that the Board considers that the proposed development is deficient in the provision of childcare places having regard to the guidance set out in the Childcare Facilities – Guidelines for Planning Authorities 2001.

The applicant is also advised that the Board considers that the proposed development is deficient in terms of time of year Biodiversity Surveys were carried out and the absence of a Bat survey.

Fiona Fair

Senior Planning Inspector

22.04.2020

APPENDIX A- List of submissions received

1. Celbridge Community Council
2. Colin Mulkerrins
3. Crodaun Development Company Limited
4. Development Applications Unit
5. Dominique Dorman
6. Fergal Reidy
7. Ingrid & Kevin Murray
8. Irish Water
9. Jason Walsh
10. John & Grainne O'Keeffe
11. Karin & Martin Duffy
12. Lorna Green
13. Lorraine Daly
14. Michael McKenna
15. Peter Meehan
16. Philomena & Seamus Fitzgibbon
17. Transport Infrastructure Ireland
18. Vanessa Liston & Others