



An
Bord
Pleanála

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

Inspector's Report ABP-306777-20

Strategic Housing Development

7 year permission for 360 no. residential units (330 no. houses, 30 no. apartments), creche and associated site works.

Location

Kilamalum Road, Blessington, Co. Wicklow and Co. Kildare

Planning Authority

Kildare County Council & Wicklow County Council

Applicant

Windlynn Limited

Prescribed Bodies

Health Service Executive
Inland Fisheries Ireland
National Transport Authority

Transport Infrastructure Ireland
Irish Water

Observers

Blessington FC
Blessington Town Team
Cllr Gerry O'Neill and Others
Cllr John Mullen
Community Pool for West Wicklow
Conor Murphy
Joanne Moloney
Katherine Murphy Nee Shannon and
Peter Murphy
Kilmalum, Glebe East and Glashina
Residents Association
Patricia Bereton Nee Shannon
Patsy Glennon
Ronan and Louise Wilson
William Hendrick

Date of Site Inspection

01st July 2020 & 10th July 2020

Inspector

Rónán O'Connor

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Decision Quashed

1.0 Introduction

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

2.0 Site Location and Description

- 2.1.1. The subject site is located to the north of Kilmalum Road, Blessington, Co. Wicklow and Co. Kildare. The site area is c.11.83 ha.
- 2.1.2. The lands are located in Blessington but the majority of the lands lie in the administrative boundary of Kildare County Council. Approximately 0.03Ha lies within the administrative area of Wicklow County Council. The easternmost extent of the site lies approximately 1.1km from the town centre of Blessington.
- 2.1.3. The site adjoins an existing residential development, Blessington Manor, located to the north/northeast of the site. There are detached dwellings located on a portion of the south-eastern boundary of the site and a house immediately to the west of the site, where the Kilmalum Road meets the site's south-west corner. The western boundary of the site also adjoins a stables (Buttercup Stables). There is housing on the opposite side of Kilmalum Road, which include single detached dwellings fronting onto Kilmalum Road, as well as the Blessington Abbey Housing Estate, which is accessed off the southern side of the Kilmalum Road.
- 2.1.4. The site is undulating and it consists predominately of two fields with a discontinuous hedgerow dividing the two fields. There is a depression running through the site that runs roughly north to south across the middle of the site that acts as a drainage conduit from surface water overflow from a pond to the north of the site. There is a row of trees to the western road frontage, set behind a ditch. The western/south-western boundary is dominated by a row of mature trees. There is a stream (Deerpark watercourse) that runs along part of the Kilmalum Road frontage. This passes under the road in a culvert and then south west to the reservoir, forming the boundary between counties Kildare and Wicklow.

3.0 Proposed Strategic Housing Development

3.1.1. A 7 year permission is being sought for the following development:

A total of 360 residential units are proposed and include houses, duplexes and apartments. The proposed residential Mix is as follows:

- 10 x 1 Bedroom Units (3%)
- 84 x 2 Bedroom Units (23%)
- 216 x 3 Bedroom Units (60%)
- 50 x 4 Bedroom Units (14%)

A crèche facility of 476.5 sq m is proposed with 730 sqm of outdoor space and play area.

A total of 694 car parking spaces are proposed on site including visitor and creche parking.

A total of approximately 19,400 sq m of public open space is proposed within the development.

The proposed development includes measures to upgrade the Blessington Orchard/Kilmalum Road and Culvert over the Deerpark Watercourse, from the Roundabout junction of Kilmalum Road with Kilmalum Crescent to the culvert over the Deerpark Watercourse and these works are to comprise replacement of the existing dished curb and crossing, with a new ramped pelican pedestrian crossing, improved pedestrian and cycle connections, underground connection to the existing watermain, upgrade to the existing pipe culvert within the proposed open space of the subject site and proposed new culvert beneath Blessington Orchard Road/Kilmalum Road.

Key Figures

Site Area	c11.83 Ha
No. of units	360
Density	36 units/ha (net)
Site Coverage	16%

Height	Max 3 stories
Public Open Space	1.94 Ha
Part V	36 units
Vehicular Access	From Kilmalum Road
Car Parking	694 spaces
Bicycle Parking	141 spaces
Creche	476.5 sq m

4.0 Planning History

On site

4.1.1. Planning Authority Ref 08/783 - Refuse Permission on 23/06/2008 - for 125 dwellings for 5 no. reasons relating to:

- Prematurity due to existing deficiency in the provision of sewerage facilities, which are within the control of Wicklow County Council and the period with which the constraints involved may reasonably be expected to cease.
- Monotonous layout and suburban dwelling design in contravention of development plan policy on residential development.
- Inadequate layout of well-designed, functional and quality public open space.
- Negative impact on the visual amenities of the area by reason of form and layout and undesirable precedent.
- Absence of a Social Infrastructure Assessment, as required by Development Plan Policy.

4.1.2. Other Relevant Applications

Burgage More, Blessington , Co. Wicklow

Appeal Ref 302732-18 (Planning Authority Ref 18/255)

Permission granted on 26th February 2019 for the following:

Upgrade of the Blessington Wastewater Treatment Plant. The works will include the construction of two new primary treatment units, one new anoxic tank, associated pump sumps, tertiary treatment infrastructure and all associated site works.

Blessington Demesne (off Main Street), Blessington, Co. Wicklow

Current appeal – APB Ref 306425 (following a grant from Wicklow County Council - PA Reg Ref 191020) Housing development to include 3 apartment blocks with a total of 58 apartments.

Burgage More , Blessington , Co. Wicklow

APB Ref 306198 (following a grant from Wicklow County Council PA Ref 19693) – Grant - Demolition of agricultural shed, construction of 54 houses, 2 apartments, 113 car parking spaces.

4.2. Section 5 Pre Application Consultation

- 4.2.1. Two pre-application meetings took place at the offices of An Bord Pleanála, as follows:

7th February 2018

Attendees: Representatives of ABP, the applicants and Kildare County Council. The main topics raised for discussion at the tripartite meeting were as follows:

1. Density, quantum and standard of residential development; open space provision; public realm.
2. Roads layout; vehicular and pedestrian access; DMURS; parking provision.
3. Foul and surface water drainage including connection to Blessington WWTP; flood risk assessment and mitigation measures; water supply.
4. Comments of Wicklow County Council.
5. EIA.
6. Part V.
7. Any other matters.

Wed 21st March 2018

Attendees: Representatives of ABP, the applicants, Kildare County Council and Wicklow County Council. The main topics raised for discussion at the tripartite meeting were as follows:

1. Density, quantum and standard of residential development; open space provision; public realm.
2. Roads layout; vehicular and pedestrian access; DMURS; parking provision.
3. Foul and surface water drainage including connection to Blessington WWTP; flood risk assessment and mitigation measures; water supply.
4. Comments of Wicklow County Council.
5. EIA.
6. Part V.
7. Any other matters.

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

- 4.3. In the Notice of Pre-Application Consultation Opinion dated 10th April 2018 (ABP Ref. ABP-300511-17) the Board stated that it was of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **required further consideration and amendment** to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála. The following issues were required to be addressed:

1. Wastewater Treatment – delivery of wastewater treatment to serve the proposed development, including works to the Blessington Waste Water Treatment Plant.
2. Residential Density – having regard to, *inter alia*, the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009) as they relate to Outer Suburban/Greenfield Sites.
3. Roads and Traffic – traffic impacts as a result of the development/road works necessary to facilitate the development, in particular works to the Kilmalum Road and pedestrian facilities between the development and the roundabout, onwards to the Naas Road and at the Kilmalum Road/Naas Road junction.
4. Drainage and Flood Risk – including SuDS measures, site specific flood risk and the capacity of the culvert at the Kilmalum Road.

Relevant specific information was also requested as detailed in the Board's Opinion and is summarised as follows:

1. Report to address density.
2. Plan showing roads/cycle pedestrian improvements/pedestrian and cycle connections to Blessington Manor.
3. Rationale for car parking provision.
4. Detailed drainage proposals and site specific flood risk assessment.
5. Visual Impact Assessment.
6. Statement of housing mix.

5.0 Applicant's Statement

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

Item 1 – Wastewater Treatment

- The proposed upgrade to the existing Waste Water Treatment Plant at Blessington has received planning from Wicklow County Council and the decision was confirmed by An Bord Pleanala.
- The granted upgrade works associated with the treatment plant include for 2 new primary treatment units, a new anoxic tank, associated pump sumps, tertiary treatment infrastructure and associated site works. The upgrade works will increase the plant ultimate design capacity from 6,000 pe to 9,000 pe.
- An application to Irish Water for pre-connection for the proposed development was made on 12th March 2019 for 360 units. A response from Irish Water confirming the new connection for the units can be facilitated was received on 30th July 2019.
- Subsequent to this application acceptance, design details for the water supply and Wastewater infrastructure were submitted to Irish Water. A statement of acceptance on the proposed design for the infrastructure was obtained from Irish water on 29th October 2019.

- On receipt of a grant of permission for the proposed development a water and wastewater connection application will be made to Irish Water and agreement on the contributions towards the infrastructure upgrades will be determined.

Residential Density

- Original proposal for 266 units (gross density of 23 units per hectare) has now been revised to 360 units with this planning application. This represents a percentage increase of 35%.
- The net residential density is now 36 units per hectare.
- A density of this nature is supported by national policy which is aiming to deliver increased height and densities at appropriate locations.
- Proposed revised density is in line with County and Local Development Plan standards.

Roads and Traffic

- The extent of the works external of the site is highlighted on the attached submission drawings (drawing 80066-P-017) by Nicholas O'Dwyer Consulting Engineers and as noted in the Traffic and Impact Assessment Planning Submission Report.
- It is proposed to improve access along the frontage with the Kilmalum Road by providing a new public footpath and cycle track which will link up with the existing footpath and cycle lane at the roundabout.
- As part of the proposed development a new signalised pedestrian crossing will be incorporated near the roundabout to allow safe access to the main pedestrian route to the town centre.
- These proposals have been agreed following extensive consultations with the relevant Local Authority, Wicklow County Council.
- In relation to any proposed upgrading of the pedestrian route as far as the Naas Road it was agreed with Wicklow County Council that these works were not applicable for this application.

Drainage and Flood Risk

- Nicholas O'Dwyer Consulting Engineers have carried out a number of consultations with Wicklow County Council Local Engineer and agreed a proposal to mitigate problems with the existing culvert along the public road.
- Engineering drawings provides full details of the agreed new culverts.
- In relation to the SUDs measures these have been developed in accordance with Kildare County development Plan, OPW Flood Maps and Flood Risk Management Guidelines for Planning Authorities.
- Flood Risk Assessment outlines the potential risks and mitigation measures to reduce the impacts of any potential flood.

Specific Information Required

- 5.1.2. The applicants have responded to each of the issues as detailed in the Response to the Opinion.

6.0 Relevant Planning Policy

6.1. National Policy

6.1.1. National Planning Framework

Chapter 4 of the Framework addresses the topic of 'making stronger urban places' and sets out a range of objectives which it is considered will assist in achieving same.

Key Objectives include:

- National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- National Planning Objective 13: In urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

- National Policy Objective 27: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.
- National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- National Policy Objective 71: City/county development plan core strategies to be further developed to ensure a co-ordinated and balanced approach to future population and housing requirements across urban and rural area

6.2. Section 28 Ministerial Guidelines

6.2.1. Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the Planning Authorities, I am of the opinion that the directly relevant S.28 Ministerial Guidelines are:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual') (2009)
- Design Manual for Urban Roads and Streets (2019)
- Sustainable Urban Housing: Design Standards for New Apartments (2018)
- Urban Development and Building Height, Guidelines for Planning Authorities (2018)
- The Planning System and Flood Risk Management (including associated Technical Appendices) (2009)
- Childcare Facilities – Guidelines for Planning Authorities (2001)
- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (2009)
- Framework and Principles for the Protection of the Archaeological Heritage Department of Arts, Heritage, Gaeltacht and the Islands 1999.

6.3. Regional Policy

6.3.1. Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031 (RSES-EMRA)

The primary statutory objective of the Strategy is to support implementation of Project Ireland 2040 - which links planning and investment through the National Planning Framework (NPF) and ten year National Development Plan (NDP) - and the economic and climate policies of the Government by providing a long-term strategic planning and economic framework for the Region.

The Growth Strategy for the Region supports the continued growth of Dublin as the national economic engine, delivers sustainable growth of the Metropolitan Area through the Dublin Metropolitan Area Strategic Plan (MASP). This includes Maynooth, Leixlip, Celbridge, and Kilcock and their immediate surrounds, supports rural areas with a network of towns and villages and embeds a network of Key Towns - Naas and Maynooth in County Kildare, and Wicklow-Rathnew in County Wicklow - through the region to deliver sustainable regional development.

Key Towns – large economically active service and/or county towns (Naas and Maynooth) that provide employment for their surrounding areas and with high-quality transport links and the capacity to act as growth drivers to complement the Regional Growth Centres.

Blessington lies within the Core Region as defined in the RSES-EMRA. Within the RSES-EMRA this is described as ‘home to over 550,000 people, includes the peri-urban ‘hinterlands’ within the commuter catchment of the Dublin metropolitan area, which extends into parts of the Midlands, Louth and beyond the Region into Wexford, with some of the youngest and fastest growing towns in the Country’.

Relevant objectives within the RSES-EMRA include:

- RPO 3.2 - Promote compact urban growth - targets of at least 50% of all new homes to be built, to be within or contiguous to the existing built up area of Dublin city and suburbs and a target of at least 30% for other urban areas.
- RPO 4.1 – Settlement Hierarchy – Local Authorities to determine the hierarchy of settlements in accordance with the hierarchy, guiding principles and typology of settlements in the RSES-EMRA.

- RPO 4.2 – Infrastructure – Infrastructure investment and priorities shall be aligned with the spatial planning strategy of the RSES-EMRA.

6.4. Local Policy

Kildare County Development Plan 2017-2023 including Variation No. 1

Variation (Variation No. 1) of the Kildare County Development Plan 2017-2023

Kildare County Council adopted a Variation (Variation No. 1) of the Kildare County Development Plan 2017-2023 on 9th June 2020. The adopted variation responds to the recent changes in national and regional policy, namely the publication of Project Ireland 2040: National Planning Framework (NPF), The Implementation Roadmap for the National Planning Framework and the Eastern and Midland Regional Assembly (EMRA), and the Regional Spatial and Economic Strategy (RSES-EMRA).

Table 2.2 sets out the Settlement Strategy Hierarchy for County Kildare. Blessington Environs is not listed within Table 2.2 Settlement Hierarchy.

Section 2.7 sets out the Preferred Development Strategy and the focus is on achieving *inter alia*

- Critical mass in the Metropolitan Area Strategic Plan (MASP) area (Maynooth, Leixlip, Celbridge, Kilcock) and in the Key Towns of Naas and Maynooth;
- Measured growth with emphasis on economic growth in the towns identified as Self-Sustaining Growth Towns and Self-Sustaining Towns as per Table 2.2;
- Establishing a hierarchy of smaller rural settlements to develop rural centres capable of providing a range of services and employment to their local populations;

Section 2.8 sets out Population and Housing Growth. It is noted that, taking the higher range for each year, the county population is projected to increase by 31,500 persons to 2026 with an additional 12,500 to the year 2031. Account for an additional 25% headroom, this equates to a dwellings target of 6,023 units to 2023 and 14,060 units to 2026.

Section 2.9 considers the distribution of Growth and Housing Land Capacity Distribution of Growth. It is stated that the capacity of settlements in Kildare to accommodate the level of growth envisaged by the NPF and to deliver sustainable

communities that are well served by social and physical infrastructure will need to be carefully considered as part of the Local Area Plan process for the relevant towns. In relation to Key Towns in Kildare (Naas and Maynooth), it is noted that they have the potential to accommodate commensurate levels of population and employment growth, facilitated by their location on public transport corridors and aligned with requisite investment in services, amenities and sustainable transport. The growth of the Key Towns will require sustainable, compact and sequential development and urban regeneration in the town core.

Policy CS 1 - Provide new housing provision in accordance with the County Settlement Hierarchy.

Policy CS 2 - Direct appropriate levels of growth into the designated growth towns as designated in the Settlement Strategy.

Policy CS 4 - Deliver sustainable compact urban areas through the regeneration of towns and villages through a plan-led approach which requires delivery of a least 30% of all new homes that are targeted in these settlements to be within their existing built up footprint.

Section 3.3 sets out the Settlement Hierarchy – This is designed to underpin decisions regarding the location and scale of new developments such as housing, employment creation and social and physical infrastructure provision.

Table 3.3 Sets out the 'Settlement Hierarchy – Population and Housing Unit Allocation 2016-2023'. Blessington Environs is given a dwellings target of 60 no. units to 2023.

Section 3.6 Development Capacity states that sufficient land is zoned to cater for the housing demands of the county up to 2023 and beyond, some Towns, Villages and Settlements have surplus capacity relative to the Core Strategy allocation and some have a shortfall. The zoning surpluses and shortfall will be reviewed through the relevant land use plans.

Volume 1 of the Kildare County Development Plan 2017-2023

Chapter 4 – Housing – including Table 4.1 Guidance on appropriate locations for new residential development/Table 4.2 Indicative Density Levels

Chapter 6 relates to Transport/Chapter 7 Infrastructure/Chapter 11 Social, Community & Cultural Development/Chapter 13 Natural Heritage & Green Infrastructure/Chapter 14 Landscape, Recreation & Amenity/Chapter 15 Urban Design/Chapter 17 Development Management Standards.

The site is located in the Eastern Uplands Landscape Character Area, a Class 3 High Sensitivity Area with reduced capacity to accommodate uses without significant adverse effects on the appearance or character of the landscape having regard to prevalent sensitivity factors.

Table 17.9 sets out car parking standards.

Volume 2 of the Kildare County Development Plan 2017-2023 – Blessington Environs Plan (Kildare County Development Plan Volume 2)

The site is zoned Objective C2 New Residential in the Blessington Environs Plan 2017-2023. This zoning is for new residential and associated uses and as provided for under objectives BEO 2 and BEO 3 below. This zoning shall facilitate the future expansion of Blessington in co-operation with Wicklow County Council.

- Objective BEO 2 Facilitate the development of a school on the C1 New Residential lands.
- Objective BEO 3 Seek the construction of a new link road through the C1 New Residential Lands from the Naas Road to the Kilmalum Road as illustrated on Map V2-1.9.1. This connects the existing N81 to the R410 Naas Road and providing an 'inner relief road' to remove Naas bound traffic from the centre of Blessington.

The zoning of lands for new residential developments is spread over two sites C1 and C2.

The Blessington Environs Plan states that a significant amount of the lands are unsuitable for residential development due to flooding. An objective to provide a school on the C1 lands and an objective for a link road through the C1 lands are also provided for in this Environs Plan.

Wicklow County Development Plan 2016 – 2022

Chapter 2 – Vision and Core Strategy – Blessington is designated as a Moderate Sustainable Growth Town. – these are described as (i) In metropolitan area, strong

edge of metropolitan area district service centres, high quality linkages and increased densities at nodes on public transport corridors (ii) In hinterland areas, 10km from large town on public transport corridor, serve rural hinterland as market town.

Table 2.4 sets out the population targets for County Wicklow for the years 2011, 2022 and 2028. For Blessington it is as follows:

Year	2011	2022	2025	2028
Population Target	4,780	6,540	7,020	7,500

Table 2.7 sets out the housing unit targets for 2022 and 2028. For Blessington the 2022 target is 2,519 and for 2028 is 3,168, with an existing housing stock of 1,865 units in 2011. Therefore for 2022, the target additional housing provision is 654 units, and for 2028 is 1,303 units.

Table 2.8 shows the zoning requirements for the LAP towns, up to the year 2025, plus headroom. This table shows that the majority of current LAPs do not have sufficient zoned land available to meet the 2025 population target (the exceptions being Blessington and Rathdrum which are very slightly 'over-zoned' – for Blessington it is a surplus of 58 units.¹ This surplus is proposed to be addressed through future LAPs.

Blessington Local Area Plan 2013-2019 (Wicklow County Council)

Section 2 relates to Population and Housing. The total number of additional units to from 2011-2022 is 1,840 units.

Section 2.3 sets out a sequential approach to residential zoning, with undeveloped lands close to the town centre to be developed prior to other sites.

Section 2.4 relates to Population and Housing Objectives.

Section 7 relates to Service Infrastructure

¹ The submission from Wicklow County Council states that this is approximately 2 to 3 Ha.

Section 10 relates to Zoning – The portion of the site that lies within County Wicklow and within the Boundary of the Blessington LAP amounts to an area of c0.03ha. The portion of the site within Wicklow County Council is zoned residential RE Existing residential. To protect, provide and improve residential amenities of adjoining properties and areas while allowing for infill residential development that reflects the established character of the area in which it is located.²

6.5. Applicant's Statement of Consistency

6.5.1. The applicant has submitted a Planning Report and a Statement of Consistency as per Section 8(1)(iv) of the Act of 2016, which indicates how the proposal is consistent with the policies and objectives of section 28 Guidelines and Kildare County Development Plan 2017-2023 and I have had regard to same. The following points are noted:

Sustainable Residential Development in Urban Areas (2009) / Urban Design Manual (2009)

- Blessington falls under the category 'Larger Towns' in the Guidelines given that population here is over 5,000 (5,520) which appropriately defines larger towns.
- A net residential density of 36 units per ha is proposed at this site. It is submitted that this is an appropriate approach to development at this location given the surrounding site context. The site context is considered an 'Outer Suburban/ Greenfield site' and the guideline for density here refers to 35-50 dwellings per hectare involving a variety of housing types.
- It is noted that this level of development may mean that a material contravention is occurring/direct the Board to a Statement prepared in this regard.
- Complies with the 12 no. Criteria as set out in the Urban Design Manual.

Quality Homes for Sustainable Communities (2007)

² The submission from Wicklow County Council confirms the lands are zoned residential and notes that there is a mapping area which shows the lands are unzoned.

- Diversity in the unit type and mix proposed/Pedestrian Access is prioritised within the scheme with connections to and from Blessington/All public open spaces are safe and benefit from passive surveillance/ appropriate play areas.
- Direct the Board to the Housing Quality Assessment.

Guidelines for Planning Authorities on Childcare Facilities (2001)

- A 2-storey crèche of Approx. 476.5sq m, which will essentially cater for 80 children. The facility has a 730 sq m outdoor play area/Submit to the Board that the current proposal is therefore in compliance with the key objectives of the Guidelines for Planning Authorities on Childcare Facilities (2001).

The Planning System and Flood Risk Management (2009)

- Direct the Board to enclosed Flood Risk Assessment full details on the assessment carried out in line with the above guidelines.

Design Standards for New Apartments (2018)

- Complies with and exceeds the minimum standards set out therein.

Urban Development and Building Height Guidelines (2018)

- Subject development does not propose building heights in excess of the prevailing building heights of the area and does not therefore require the approval of additional building heights as allowed for in the Building Height Guidelines. The subject site is considered to be outer suburban in character and building heights of 2-3 storeys are therefore considered appropriate.

Kildare County Development Plan 2017-2023

Core Strategy

- The proposed development is in line with the Housing Strategy as it provides 360 units. This is in excess of the total number of units designated for the subject site as outlined in the Core Strategy. A Material Contravention Statement is attached to the application in this regard.
- Blessington is considered a Moderate Sustainable Growth Town under the Kildare County Settlement Hierarchy

- Note the proposed variation to the Kildare County Development Plan 2017-2023 to facilitate the recent changes in national and regional policy, namely the publication of Project Ireland 2040: National Planning Framework (NPF), The Implementation Roadmap for the National Planning Framework and the Eastern and Midland Regional Assembly (EMRA) Regional Spatial and Economic Strategy (RSES-EMRA).
- Note the revised Table 3.3 in Variation No. 1 maintains the unit forecast to 2023 at 325 units at Blessington Environs, which is an increase from 164 in the 2016 census to 489 in 2023. Therefore, there is no material change in the unit number forecast up to 2023 for Blessington Environs from what is outlined in the current County Development Plan.

Zoning

- Residential Use is permitted in principle under the C2 'New Residential' zoning.
- Conflicting policies in the County Development Plan that provide unclear development parameters for the subject site/Material Contravention Statement deals with this issue in more detail.

Other

- Complies with other relevant policies and objectives in the County Development Plan including those related to housing, sustainable communities, urban design and development standards.

Blessington Local Area Plan 2013-2019 (Wicklow County Council)

- There is a small portion of the site within the Wicklow County Boundary, and this portion of the site is located along Kilmalum Road. A review of the Blessington Local Area Plan 2013 - 2019 confirms that the portion of the site within the Wicklow Boundary is not governed by a zoning objective as shown below³.
- Confirm that the proposal delivers on open space and pedestrian/cyclist connections at this portion of the site (page 36 of the Statement of Consistency

³ In their submitted Chief Executives Report Wicklow County Council state that this is a mapping error and the portion of the site that lies within Wicklow is in fact zoned Residential.

contains a Site Layout with Wicklow County Council Lands identified in Blue Hatch).

- The site is outside of the Local Area Plan boundary for the Blessington Local Area Plan 2013-2019/Have reviewed the contents of the Plan to ensure that the proposal complies with the key principles of same.
- Of the view that the current proposal delivers on the key principles of the Plan. We note specifically that a total of 360 residential units are proposed in this case, which will address the projected population increase of c. 2,000 persons for 2022.

Material Contravention Statement

- 6.5.2. The Material Contravention relates to the breaching of the population/housing targets outlined under the Core and Settlement Strategies of the Kildare County Development Plan. The Material Contravention refers to a forecast allocation of 325 units for Blessington. The Statement refers to Blessington as a Moderate Growth Town (by virtue of primarily being located in Wicklow County).
- 6.5.3. The statement refers to the revised table 3.3 in Variation No. 1 and it is stated that the table maintains the unit forecast to 2023 at 325 units at Blessington Environs which is an increase from 164 in the 2016 census to 489 in 2023. Therefore, there is no material change in the unit number forecast up to 2023 for Blessington Environs from what is outlined in the current County Development Plan (Kildare County Council note that this is incorrect and the unit allocation for Blessington Environs is now 60 units, after the adoption of Variation No. 1)
- 6.5.4. The Material Contravention Statement contends that proposal is of strategic importance, refers to the pattern of development and permissions granted in the area since the making of the Development Plan. It is further contended that the proposal can be positively considered on the basis of Section 28 guidance published. Reference is made to the strategic nature of the application (for large scale housing), the location of the site in relation to effective public transport such as bus connections, proximity to employment and availability of local amenities. Reference is also made to conflicting policies and objectives of the plan, specifically in relation to the guidance for residential density appropriate to new residential sites. Reference is also made to the National Planning Framework and to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009). With

regard to permissions granted in the area, reference is made to the permission which was granted on 26 February 2019 by An Bord Pleanála for the upgrade of the Blessington Wastewater Treatment Plant (Appeal Ref 302732-18 (Planning Authority Ref 18/255))

6.6. Third Party Submissions

6.6.1. 13 no. submissions on the application have been received from the parties as detailed below. The issues raised are summarised below.

Cllr John Mullen

- Shortage of essential infrastructure
- Traffic Congestion
- Lack of an Inner Relief Road/No upgrade of the N81
- Wastewater/Water services upgrades required.
- Lack of social infrastructure including needed expansion of primary and secondary schools.
- Poorly served by public transport – only one Dublin bus service on a restricted timetable.
- Development represents poor planning.
- Lack of transparency and accountability in the SHD process.

Cllr Patsy Glennon

- Density is high/more akin to a density level in line with urban settings/contrary to density levels initially proposed by planning officials within Wicklow County Council
- N81 is at full capacity
- Limited bus service is at full capacity
- No light rail or rail service
- Lack of sporting facilities
- Relief road should be completed prior to development.

- Bus service should be improved/increased capacity and frequency.
- Construct the planned dual carriageway/extend the Luas Line from Tallaght.

Blessington Town Team

- Will have significant impact on the infrastructure of Blessington
- Ask the Board to consider measures which will alleviate these pressures and support the development of Blessington in a healthy and sustainable way.
- Commissioned a Town Centre Health Check.
- Inner Relief Road should be completed/connected to the N81 at the northern and southern ends/development should be required to contribute.
- Will place further pressure on community infrastructure/levies will be collected by Kildare County Council/concerned there might be no related investment in the community infrastructure in the town.
- Ensure that appropriate footpaths and cycling infrastructure are put in place to connect to town centre.
- Town Centre Health Check notes the absence of any large park/one playground located at Oak Drive at the northern end of Blessington/this needs to be upgraded/playground should be provided with this development/other community infrastructure should be provided for.
- Pressure on places at Blessington Community College/6 primary schools/1 secondary school/Important that enough land is provided for the provision of schools in the Blessington Area.

Social Housing

- People living in Blessington, on Wicklow County Council's social housing list, may not be able to access social housing as part of this development as it is located within Kildare County Council/agreement between Housing Sections of WCC and KCC should be made regarding the allocation of these properties.

Parking

- Disabled car parking spaces should be up to the national standard and are of the required size.

Cllr. Gerry O'Neill, Cllr. John Mullen, Cllr. Avril Cronin, Cllr. Vincent Blake

- Recognise the need to provide housing.
- Need to take into account the infrastructure requirements of the town.
- Residents of the new development will utilise services in Co. Wicklow.
- Covid-19 crisis has revealed the need to developed independent, supported and other accommodation units for older people
- Development of this scale could limit Blessington's capacity to develop in a smart way
- Proposed Blessington Inner Relief Road is an essential infrastructural project/development will increase the level of traffic in Blessington/development should be required to contribute to the completion of the road/especially critical as the proposed N81 Tallaght to Hollywood dual carriageway scheme has been put on indefinite hold.
- Will increase pressure on community infrastructure in Blessington/levies will be collected by Kildare/no related investment in the community infrastructure in the town as a consequence.
- Important that educational infrastructure is strengthened/that there is enough land for the provision of schools in the Blessington Area.
- Consideration should be given to an agreement between the Housing sections in Kildare and Wicklow County Council regarding the allocation of social housing within the development.

Ronan and Louise Wilson

- Property borders the western boundary.
- Back gardens back onto the full length of boundary/children could enter land/risk of injury from horses.
- Will damage business
- Letter from adjoining housing.
- Mature trees will be lost.

- Could not access plans.

Community Pool for West Wicklow

- Submitted Community Infrastructure Statement did not take into account the Wicklow County Development Plan.
- The bus service cannot be described as frequent.
- Flawed research methodology.
- More informed method would have been to engage with the local community.
- Much of the 5km catchment is not connected or serviced by public transport and so gives an unrealistic overview of the infrastructure and amenities in the area.
- Only one bus service to Naas per week.
- Inaccurate description of the current community amenities/many clubs are under resourced/inadequate facilities.
- Three areas noted (Blessington Greenway/Blessington Playground/Glen Ding Forest) do not fulfil an adequate provision of parks and outdoor spaces for the current community let alone an expanded population.
- No swimming facilities/is a required infrastructure for a level 2 settlement.
- Swimming facilities are important for education, sport and health and to the local economy and safety reasons.

Blessington F.C.

- Severe lack of playing facilities in Blessington – have made this point to all elected Members over the last number of years/decades.
- There is a proposed extension to Blessington Community College that will affect our ability to play there.
- Other pitches are at capacity.
- Wicklow's Play Policy And Sports and Recreation Policy do not align with the applicant's findings.

William Hendrick

- Entrance to the estate is right in front of our house.

- At present have great difficulty getting out of the house due to traffic
- No objection to housing but do object to 360 houses being built in a very small area on a very inadequate road that has flooding problems,
- Not consulted in any way.
- Attachments: Map showing property relative to the proposed development.

Joanne Maloney

- Lives across the road from the development
- Significant problem with flooding all year around/water runs from the land which is currently farmland and floods the road in front of my property/then runs into property to try to access the stream to the rear of the property which cannot handle the amount of water currently and frequently overflows onto the rear of property/despite the council putting in road drains/fear attenuation tanks will not be sufficient/will reduce the amount of plain land that can absorb rainfall/property is being eroded by the stream/this development and increase in flooding will accelerate this.
- No consultation/density is excessive/will result in changes and dangers/increase in traffic delays.
- Dangerous to access the road due to the amount of traffic alone from the school/road is also too narrow for two cars to currently pass at regular speed.
- Construction traffic/uncompleted infrastructure for seven years/leading to flooding/muck runoff which will destroy roads and current drains.
- Road safety audit was complete with no survey/contribution from family.
- Sewerage works will not be able to cater for development/frequent odour from works behind property.
- Insufficient social capacity including schools/doctors/few clubs and leisure facilities in Blessington/Insufficient bus service.
- Excess noise, pollution and danger from additional traffic.

- Fast track method of obtaining permission is only being used by developers to increase the profitability of the land in question without any regard to the residents or the local area.

Kilmalum, Glebe East and Glashina Residents Association

- No consultation with residents
- Two families who will be totally surrounded and overlooked by this development
- Density is totally unacceptable for this country area
- Construction traffic for the next 7 years
- Query the position of the proposed entrance/exit to the development as it is directly across from 3 family homes who will experience major disruption.
- Could have up to 800/900 cars a day entering and leaving this site/road is too narrow to accommodate this extra volume of traffic/high volume of traffic and pedestrians from school/concerns regarding safety of children walking to and from school/additional traffic congestion.
- Social infrastructure cannot accommodate for this increase in population.
- Ongoing problem with flooding in this area/development will most likely add to the flooding problem.

Conor Murphy

- Have planning permission to build a house on land next to family/is in front of the proposed development.
- House will be beside the entrance of the development/will cause noise and disturbance/access to the road will be more difficult and dangerous.
- Road is already narrow and dangerous and wouldn't be able to accommodate 800 more cars.
- Frequent horse riders on the road as local stables are nearby/large number of pedestrians/only one narrow footpath.
- Blessington is not able to cater for a development of this site/only one bus route/waiting list for clubs.

- Frequent odour from sewage/development will cause more odour.
- Problem of flooding/Wicklow have previously been contacted in relation to this/issue is worsening/development will increase the amount of flooding.
- Section of land on this site was an old sand pit that was filled in/development will disturb foundations and structure of house.

Patricia Brereton Nee Shannon

- Frequent odour from sewage/development will cause more odour.
- Blessington is not able to cater for a development of this site/only one bus route/waiting list for clubs.
- Problem of flooding/Wicklow have previously been contacted in relation to this/issue is worsening/development will increase the amount of flooding.
- Road is already narrow and dangerous and wouldn't be able to accommodate 800 more cars.
- Frequent horse riders on the road as local stables are nearby/large number of pedestrians/only one narrow footpath.
- House is beside the proposed pedestrian and cycle lane/will cause a lot of noise and litter around property/lane will become an area for anti-social behaviour.
- Development will block sunlight from back garden/will cause property to be very dark.
- Section of land on this site was an old sand pit that was filled in/development will disturb foundations and structure of house.
- Ownership issues in relation to the section of land for the pedestrian and cycle lane.

Katherine Murphy Nee Shannon and Peter Murphy

- Road is already narrow and dangerous and wouldn't be able to accommodate 800 more cars.
- Frequent horse riders on the road as local stables are nearby/large number of pedestrians/only one narrow footpath.

- Problem of flooding/Wicklow have previously been contacted in relation to this/issue is worsening/development will increase the amount of flooding.
- Development will block sunlight from back garden/will cause property to be very dark.
- Blessington is not able to cater for a development of this site/only one bus route/waiting list for clubs.
- House is beside the proposed pedestrian and cycle lane/will cause a lot of noise and litter around property/lane will become an area for anti-social behaviour.
- Section of land on this site was an old sand pit that was filled in/development will disturb foundations and structure of house.
- Ownership issues in relation to the section of land for the pedestrian and cycle lane.

7.0 Planning Authority Submissions

7.1. Kildare County Council

- 7.1.1. Kildare County Council has made a submission in accordance with the requirements of section 8(5)(a) of the Act of 2016. It summarises observer comments as per section 8(5)(a)(i). The planning and technical analysis in accordance with the requirements of section 8(5)(a)(ii) and 8(5)(b)(i) may be summarised as follows.

General/Principle

- Proposed development would materially contravene the Core Strategy of the Kildare County Development Plan 2017-2023 as reviewed in accordance with the RSES-EMRA and adopted by the Council on 09/06/2020.
- Variation No. 1 of the Plan indicates a revised dwellings target of 60 units for Blessington Environs to 2023/based on revised population target of 169 persons.
- Noted that the applicant has appear to misinterpret the figures set out in the Draft Variation.
- Kildare County Council (KCC) is on course to achieve its targets in terms of housing provision. – have permitted approx 40% of the current Core Strategy

target in terms of residential units since 2016/significant numbers currently proposed through the SHD process/large numbers of SHD residential applications currently.

- Policy BEO 2 seeks to facilitate development of a school on the C1 New Residential Lands – Board is advised that given the constraints on the C1 zoned lands, including flood risk and a roads objective, it may be more appropriate to provide a school site on these C2 zoned lands.
- Proposal is currently in accordance with the zoning objective for the site.
- Density at a lower end of the indicative range of 30-50 dwellings/ha would be appropriate for the site/located in a transitional area between urban and rural land uses.
- Site is located in a high sensitivity landscape.
- Site is elevated/loss of mature trees and hedgerows particularly on the western/south western site boundary is of concern. Loss of such an extensive level of vegetation shows a disregard to the site's character/A refusal of permission is recommended.
- In relation to archaeology, considered that geophysical surveying and archaeological testing should have been conducted prior to the application being made.
- Landscaping proposals mean development cannot provide for a low intensity transition as per the guiding principles of the development plan/contrary to the provisions of good urban design as set out in the Plan.
- Concerns regarding the scale, layout and design of the proposal as set out below.
- Details of open space provision are inconsistent – provision of open space is at or close to the minimum requirement for a greenfield site – a higher proportion of quality open space would have been welcome/mature trees on the western boundary could have been used as an area of additional public open space.
- Visual impact and impact on residential amenity of the apartment blocks will be significant.

- Terrace on the second floor of Block R (duplexes) will have a negative impact on residential amenity/negative visual impact.

Conclusion

7.1.2. Planning Authority recommends that permission be refused for 8 no reasons which are summarised below.

1. Proposed development would be contrary to the Core Strategy of the Kildare County Development Plan 2017-2023, would adversely distort the County's Core Strategy and Settlement Hierarchy/Contravene the provisions of the Regional Spatial and Economic Strategy for the Eastern and Midland Region and National Planning Framework/set an undesirable precedent for other large scale proposals in towns and villages within the County.
2. Interface of 3 storey apartment blocks and adjacent agricultural lands/single storey dwelling; removal of existing vegetation/location within Eastern Uplands Landscape Character Area – high sensitivity landscape/contrary to urban design principles for Greenfield Edge sites as set out in Chapter 15 of the Kildare CDP 201-2023.
3. Provision of 3 storey apartment blocks in a transitional location would be contrary to Section 17.4.6 of the CDP.
4. Overlooking of adjacent housing units from the 3 storey duplex units (Block R).
5. Removal of all existing vegetation including the mature trees and hedgerows is contrary to the provisions of Policy NH1, NH2, G19 and GL13 and Section 17.2.6 of the CDP/Significant residual ecological effects/contrary to policies for the preservation of natural heritage and green infrastructure in the County/would set an undesirable precedent.
6. Shortfall of car parking spaces/potential unauthorised parking of vehicles on the access roads and footpaths within the development/would endanger public health by reason of traffic hazard/obstruction to traffic and vulnerable road users.
7. PA is not satisfied that the proposed development has adequately addressed the flood risk pertaining to the site and the impact of the development on the flood risk to adjacent lands.

8. Proposed development fails to satisfy the requirements of Part V having regard to the type and location of the proposed units within the scheme.

Departmental Reports

Heritage – recommends refusal regarding loss of trees.

Parks – recommends refusal regarding insufficient landscaping details/if permission is granted revisions to landscaping and open space proposals will be required.

Housing – Insufficient Part V proposals.

Roads – Recommends refusal due to shortfall of parking/conflicts with DMURS/will be a predominantly car based scheme due to lack of a quality public transport link to Dublin City and other towns in the hinterland area.

Water Services – Further works required in site to fully mitigate flood risk to site and adjacent lands.

Summary of Views of Elected Members (Naas Municipal District)

- Concerns in relation to density/compliance with core strategy figures
- Would it take growth from Kildare or Wicklow County Council?
- Houses look like they are packed in
- Lack of active open space for residents/open space plan is poor
- Opposed to apartment blocks on the south-western corner
- Development needs to contribute to the proposed link road.
- Ballymore Road is too narrow to cater for the scale of development proposed.
- Provision of apartments and associated heights at this rural location is not appropriate.
- Quality of housing
- Concerns regarding removal of trees and hedgerow.

7.2. Wicklow County Council

- 7.2.1. Wicklow County Council has made a submission in accordance with the requirements of section 8(5)(a) of the Act of 2016. It summarises observer comments as per section 8(5)(a)(i). The planning and technical analysis in

accordance with the requirements of section 8(5)(a)(ii) and 8(5)(b)(i) may be summarised as follows.

- Works would generally accord with the zoning objective for the area at this point i.e. existing residential/noted submitted reports identify the lands as unzoned – this appears to be a mapping error.
- The application site would not have formed part of the needs assessment for Blessington that formed the basis for the Core Strategy.
- Quantum of development is considered significant when view against the growth targets for Blessington Town, and may impact on the development of lands more centrally located in Blessington, in the future, when the Core Strategy for Blessington is reviewed having regard to the National Planning Framework, and the Regional Economic Spatial Strategy.
- Development located on a site on the periphery of Blessington, remote from the town centre, public transport and community facilities/would undermine objective relating to sequential development.
- Exceeds the maximum permitted density on lands in proximity to the site.
- Roads - Road infrastructure in the area is inadequate to cater for the traffic that would be generated by the proposed development. In particular the BIRR is incomplete at both the southern and northern ends of Blessington/Project has not proposed any works in relation to the BIRR/BIRR is to be funded from Development Contributions/would be premature in the absence of the completion of the Blessington Inner Relief Road (BIRR).
- Drainage – upgrades to Deerpark watercourse culverts are acceptable/should be in place prior to the occupation of any dwelling unit.
- Wastewater – existing wastewater treatment plant is overloaded/permission has been granted for upgrade of the treatment plant/this upgrade has limited capacity/more centrally located sites in Blessington would result in much of this capacity being taken up/The phasing plan is not tied into the infrastructure requirements for the development/road and surface water improvements should be in place prior to occupation.

7.2.2. The Chief Executive's Recommendation is that the development of these lands is not recommended for 5 no reasons which are summarised as follows:

- Would endanger public safety by reason of traffic hazard – as a result of increased traffic movements
- Premature pending completion of the Blessington Inner Relief Route
- Located on the periphery of Blessington/remote from the town centre/public transport and associated community facilities/LAP objectives state that the development should proceed on a sequential basis/development takes place initially in the undeveloped lands in proximity to the town centre.
- Exceeds the maximum permitted density on lands in proximity to the site.
- Development should not proceed in the absence of upgrade works to the Blessington WWTP.

Conditions are recommended in the event that the Board grants permission.

Departmental Reports

Roads

- Future plan for the completion of the Blessington Town Inner Relief Road/link existing route to N81 both North and South of Blessington/would result in the majority of traffic using the existing Blessington Town Inner Relief Road to travel both North and South around Blessington/Future link road traffic will use roundabout on L83641 Kilmalum/The majority of traffic at proposed development will also use this roundabout to access Blessington or N81.
- Serious concerns about ability of existing roundabout layout to safely accommodate future increase in traffic volumes and pedestrian/cycle users. Capacity of this roundabout and roundabout on N81 needs to be checked to ensure adequate capacity for future completion of Blessington Town Inner Relief Road.
- Concern that desire lines would indicate that a large portion of both cyclists and pedestrian's will use the L 8364 Kilmalum Road to access Blessington.
- The existing L83641 Kilmalum Road is inadequate in terms of pedestrian and cycle facilities/Facilities would need to be upgraded to provide better connectivity

to Blessington/existing junction of L83641 Kilmalum Road and L410 Naas Road lacks adequate sightlines for increased traffic volumes/Crossing facilities are inadequate for pedestrian's to cross L410 at junction with L83641 Kilmalum Road.

- Increase in traffic volumes from proposed development would have a negative impact on existing traffic congestion on N81 and would be premature before completion of Town Link Road.

Drainage

- Existing L83641 Kilmalum Road has been subject to serious drainage issues in the past. Any proposed drainage system must address this. Proposed drainage design must take into account that the entire area of Glending is drained into existing stream in flood conditions with two 600mm pipes discharging into stream close to R410 Naas Road. Proposed design must have adequate capacity.

Summary of Views of Elected Members (Baltinglass Municipal District)

- 7.2.3. A summary of the views of elected members as expressed at the meeting of the Baltinglass Municipal District on 25th May 2020 is set out in Section 4 of the Chief Executives Report and is set out below.

Traffic/Blessington Inner Relief Road

- Ring Road needs to be complete before development can be permitted.
- Applicant has made no reference to ring road and this is a concern
- Traffic is a serious issue/traffic congestion

Public Transport

- Lack of public transport/to allow increased development in its absence is a concern.
- Need for a light rail service.

Services/Infrastructure

- There is limited infrastructure in Blessington/development will put that infrastructure under server pressure.
- Pressure on school capacity

- Development will utilise all the amenities provided by Wicklow and the town will get nothing from it.

Scale of Development/Sustainability

- If scale of proposal was in Wicklow would not be in favour of such a scale.
- Radically change the character of north-west Wicklow
- Process is flawed – development within another Local Authority Area utilising Wicklow Infrastructure.
- Density would not be permissible in Wicklow/scale is a concern.

Waste Water Treatment Plant

- Upgrade to WWTP was to allow Blessington to grow/this will allow Kildare to grow/not coherent or sustainable.
- From discussions with Irish Water there is a limit of 970 units that can be accepted into the upgraded Treatment Plant when it becomes available – this and other lands in Kildare will take up all of that capacity/no capacity for lands in Blessington itself which are more appropriate for development.

Social Housing

- None of the social housing will go to Wicklow/huge demand for social housing/280 people on the housing list in Blessington

Other

- Town Team has express the same concerns
- Application in the midst of a pandemic is not appropriate
- All levies/property tax will go to Kildare/no benefit to Wicklow where all services are being provided.

8.0 Prescribed Bodies

Inland Fisheries Ireland

- Essential that local infrastructural capacity is available to cope with increased foul and storm water generated by the proposed development in order to protect the ecological integrity of any receiving aquatic environment.
- Blessington WWTP is operating above its organic design capacity/exceeds ELVs set in EPA Licence, in particular with regard to Ammonia.
- Reduction in Irish Water's capital budget will result in a delay to the commencement of upgrade works at Blessington/Any additional loading to the current plant is premature until the upgrade is commissioned.
- CEMP should at a minimum contain the mitigation detailed in Section 5.1.4 of the NIS.
- Surface water management measures required to prevent pollution of the Liffey Catchment.
- Detailed design of all crossing structures over the Deerpark Watercourse should be agreed in advance/stream holds a population of Wild Brown Trout/Agreement with IFI required for any alteration to the banks or channel.
- IFI do not support the use of trash screens on culverts (as per the FRA Section 4.3)
- Attachments include 'Guidelines on Protection of Fisheries During Construction Works in and adjacent to Waters' (2016).

Transport Infrastructure Ireland

- Proposed development shall be undertaken strictly in accordance with the recommendations of the Transport (Traffic Impact) Assessment/recommendations should be incorporated as conditions/additional works required should be funded by the developer.

Health Service Executive

- Planning for the Blessington Area should take place in a controlled and sustainable manner.
- No figures were provided by the applicant in relation to the existing spare capacity of schools – they only provide figures for the total enrolment capacity.

- Blessington is one of the towns with the highest growth rate in the country >32% in the last 10 years – zoned in the CDP to have a new school – does not appear to have been discussed in the proposal.
- No details of noise monitoring to be carried out/noise impacts of construction should be assessed/mitigation measures outlined.
- Addition of play areas in the open space and the provision of public paths throughout the green areas/inclusion of a biodiversity and pollinator plan is welcomed.
- Principles of universal design should be incorporated into the scheme/will assist with the implementation of the Older People Remaining at Home (OPRAH) strategy.
- Bus Eireann Route 132 does not appear to facilitate pick up or drop offs at Blessington in the direction of Dublin.
- Sustainable Design Concepts should be fully explored and implemented/best practice should be used to ensure the buildings contribute to climate action through their design.
- Waste facilities should be adequately designed.
- No sleep facilities are proposed for the children in the crèche facility/proposed kitchen appears too small.

NTA

- The scale and distribution of travel demand from Blessington presents significant challenges in terms of reducing car dependency.
- The Kilmalum Road does not provide for pedestrians on the development side of the road and does not provide for cyclists at any point.
- Proposed walking and cycling route is circuitous and it is unclear from the material provided how it would connect into the internal road network.
- Not clear how cyclists approaching the proposed development from Blessington would be catered for/cycleway is of insufficient width for two-way movement/no provision for cyclists between the roundabout junction and Blessington Town Centre on the N81 Southbound or on the Old Ballymore Road.

- Demand for travel from this development will be catered for predominantly by private car.
- Proposed development would not be in accordance with the objectives of the close integration of land use and transport planning and may represent a risk to their achievement.

Irish Water

Irish Water issued the applicant a Confirmation of Feasibility for 360 residential units advising that connection(s) to the public water and wastewater infrastructure is feasible subject to the following;

Water - In order to accommodate the proposed water connection at the development, upgrade works are required to increase the capacity of the water network/detailed extents of these works require verification via modelling at the connection application stage/ based on the confirmation of feasibility issued to the applicant the works are all in the public domain and could be delivered by our connections contractor as part of a connection agreement/ the applicant will be required to fund any required upgrades if they wish to proceed.

Wastewater - upgrade works are required to increase the capacity of the Blessington Wastewater Treatment Plant/ received planning permission in Q2 2019, which will provide the necessary upgrade and capacity/applicant was previously advised that the upgrade project was scheduled to be completed by Q2 2020/now been revised to a completion date of Q3 2022 (subject to change)/the proposed connection could be completed as soon as possibly practicable after this date.

Irish Water has issued the applicant a Statement of Design Acceptance.

Recommends condition as follows:

- The applicant is required to obtain a connection agreement with Irish Water prior to any works commencing on site and to connect to our network. All development is to be carried out in compliance with Irish Water Standards codes and practices.

9.0 Environmental Impact Assessment

- 9.1.1. The applicant has submitted an Environmental Impact Assessment Screening Report (dated February 2020). The Report concludes that the proposed development does not meet any of the thresholds set out in Schedule 5 of the Planning and Development Regulations 2001, as amended, and that there is no requirement for a mandatory EIAR. It is also concluded that the proposed development will not give rise to any likely significant impacts on the environment having regard to the sub-threshold assessment criteria set out in Schedule 7 of the Planning and Development Regulations 2001-2018 and taking into account the mitigation measures referred to in the Screening Report. It is concluded, therefore, that the proposed residential development in this case does not warrant the preparation of an EIAR.
- 9.1.2. The applicants have also submitted a Legal Opinion from Eamonn Galligan SC, as to whether this application requires an EIAR to be submitted with the application. This concludes that an EIA or screening for EIA is not required under the legislation.
- 9.1.3. Item (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:
- Construction of more than 500 dwelling units
 - Urban development which would involve an area greater than 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. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)
- 9.1.4. EIA is required for development proposals of a class specified in Part 1 or 2 of Schedule 5 that are sub-threshold where the Board determines that the proposed development is likely to have a significant effect on the environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment.

9.1.5. The proposed development of 360 residential units, on a c11.83ha site, is located on the edge of a built-up area, but not within it, on a site that is zoned and serviced. It is sub-threshold in terms of EIA having regard to Schedule 5, Part 2, 10(b) (i) and (iv) of the Planning and Development Regulations 2001-2017. It is not a large-scale project and there are no apparent characteristics or elements of the design that are likely to cause significant effects on the environment. The site is not designated for the protection of landscape or natural or cultural heritage. The proposed development is not likely to have a significant effect on any Natura 2000 site (as per the findings of Section 10 of this assessment).

Having regard to:

(a) the nature and scale of the proposed development, on zoned lands served by public infrastructure,

(b) the absence of any significant environmental sensitivities in the area,

(c) the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended),

it is concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

10.0 **Appropriate Assessment**

10.1.1. This section of the report considers the likely significant effects of the proposal on European sites with each of the potential significant effects assessed in respect of each of the Natura 2000 sites considered to be at risk and the significance of same. The assessment has had regard to the Appropriate Assessment Screening Report and the Natura Impact Statement (both dated 19th December 2019) which were submitted with the application.

The Project and Its Characteristics

10.1.2. See the detailed description of the proposed development in section 2.0 above.

The European Sites Likely to be Affected Stage I Screening

- 10.1.3. Section 3.2 of the Screening Report gives an overview of the receiving environment. Section 3.2.1 notes the site location relative to European Sites. The nearest such site is the Poulaphouca Reservoir SPA (004063), which is located approximately 650m to the south of the site at the closest point. This site is designated for its population of greylag goose and less black-backed gull. It is noted that the site is upstream of 5 no. Natura 2000 sites (as detailed below). 3 no. additional European Sites are noted as being within the general vicinity of the site, the nearest of which is Red Bog, Kildare SAC (000397), located approximately 3km to the north and is designated for the habitat 'transition mires and quaking bogs'.
- 10.1.4. In terms of habitats, it is noted in the Screening Report that the subject lands comprise two large agricultural fields and an adjoining land parcel containing a demolished residential dwelling. Habitats include 'dry meadow and grassy verges (GS2), 'dry calcareous and neutral grassland (GS1) and 'wet grassland' (GS4). The boundaries of the lands are composed of dry banks, with treelines and hedgerows. A small unnamed tributary of the River Liffey is located along the boundary of the lands with the Kilmalum Road.
- 10.1.5. In terms of flora and fauna, it is noted that the subject lands do not contain any habitats listed on Annex 1 of the EU habitats directive. It is further noted that the subject lands contain suitable foraging and nesting habitat for species associated with agricultural and semi-urban habitats. No Qualifying Interest (QI) species of any European Sites or signs of these species were noted during surveys undertaken in 2017 or 2019. It is stated that the habitats within the subject lands are considered to be largely unsuitable for grazing by greylag geese, a QI of the Poulaphouca Reservoir SPA (004063), in light of the length of the grass and its current management. Reference is made to the site synopsis for the Poulaphouca Reservoir SPA, which notes that the main feeding areas for the Greylag Goose population of Poulaphouca Reservoir SPA are on improved grassland areas.
- 10.1.6. The presence of an unnamed stream running along the eastern boundary of the lands is noted. This discharges c950m downstream to the Poulaphouca Reservoir, which feeds the River Liffey, which in turn discharges to Dublin Bay, over 60km downstream from the subject site.

- 10.1.7. The Screening Report concludes that the only relevant potential impacts will arise from habitat degradation as a result of hydrological impacts, namely resulting from construction-related pollutants entering the receiving surface water environment and affecting water quality within the Poulaphouca Reservoir, the River Liffey, its estuary and inner Dublin Bay and wastewater.
- 10.1.8. Impacts from foul water are ruled out on the basis that foul water discharges from the proposed development would equate to a very small percentage of the overall discharge volumes sent to Blessington WWTP for treatment, and therefore the proposed development will not impact on the overall water quality stature of Poulaphouca Reservoir.
- 10.1.9. Other potential impacts such as habitat loss, habitat degradation as a result of hydrogeological impacts and disturbance and displacement impacts are ruled out.
- 10.1.10. The report notes the potential from in-combination impacts on water quality from any other projects carried out within the Blessington Area, which can influence conditions in the Poulaphouca Reservoir via rivers and other surface water features.
- 10.1.11. The screening report concludes that there is the possibility for likely significant effects on the following European Sites:
- Poulaphouca Reservoir SPA (004063)
 - South Dublin Bay and River Tolka Estuary SPA (004024)
 - South Dublin Bay SAC (000210)
 - North Bull Island SPA (004006)
 - North Dublin Bay SAC (000206).
- 10.1.12. A Natura Impact Statement has been submitted with the application.
- 10.1.13. In determining the Natura 2000 sites that have the potential to be impacted by this development, I have had regard to the scale and nature of the project, the proximity of the site to any Natura 2000 sites, and I have had regard to any hydrological or hydrogeological links to any Natura 2000 sites. I have been aided in this regard by the EPA Appropriate Assessment Mapping Tool⁴, as well as by the information on file as well as any observations on my site visits. I consider the sites with the

⁴ www.epa.ie

potential to be impacted include the Poulaphouca Reservoir SPA (004063), given its proximity and the hydrological linkage to the application site, via the Deerpark Stream and from foul water discharge, via the Blessington WWTP. It would also encompass other Natura 2000 sites downstream of the surface and foul water network. It would also encompass sites where there is potential for habitat degradation as a result of hydrogeological impacts [given that the site lies partially on an area where the groundwater vulnerability is classified as ‘High’ (H) with a smaller part of the site classified as ‘Medium’ (M)].

10.1.14. Having regard to the above, the Natura 2000 sites which have the potential to be impacted are set out in Table 1 below:

Table 1: European Sites/Qualifying Interests/Location

European site (site code) and Qualifying Interests	Location (closest straight line distance from the development site)
<p>Poulaphouca Reservoir SPA (004063)</p> <p>[A043] Greylag Goose <i>Anser anser</i></p> <p>[A183] Lesser Black-backed Gull <i>Larus fuscus</i></p>	<p>C650m south</p>
<p>Red Bog, Kildare SAC (000397)</p> <p>[7140] Transition mires and quaking bogs</p>	<p>C3km north</p>
<p>Wicklow Mountains SAC (002122)</p> <p>[1355] Otter <i>Lutra lutra</i></p> <p>[3110] Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>)</p> <p>[3130] Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i></p>	<p>C3.5km east</p>

<p>[3160] Natural dystrophic lakes and ponds</p> <p>[4010] Northern Atlantic wet heaths with <i>Erica tetralix</i></p> <p>[4030] European dry heaths</p> <p>[4060] Alpine and Boreal heaths</p> <p>[6130] Calaminarian grasslands of the <i>Violetalia calaminariae</i></p> <p>[6230] Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe)</p> <p>[7130] Blanket bogs (* if active bog)</p> <p>[8110] Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>)</p> <p>[8210] Calcareous rocky slopes with chasmophytic vegetation</p> <p>[8220] Siliceous rocky slopes with chasmophytic vegetation</p> <p>[91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p>	
<p>Wicklow Mountains SPA [004040]</p> <p>[A098] Merlin <i>Falco columbarius</i></p> <p>[A103] Peregrine <i>Falco peregrinus</i></p>	<p>C6km east</p>
<p>South Dublin Bay and River Tolka Estuary SPA [004024]</p>	<p>C28km north-east</p>

<p>[A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i></p> <p>[A130] Oystercatcher <i>Haematopus ostralegus</i></p> <p>[A137] Ringed Plover <i>Charadrius hiaticula</i></p> <p>[A141] Grey Plover <i>Pluvialis squatarola</i></p> <p>[A143] Knot <i>Calidris canutus</i></p> <p>[A144] Sanderling <i>Calidris alba</i></p> <p>[A149] Dunlin <i>Calidris alpina</i></p> <p>[A157] Bar-tailed Godwit <i>Limosa lapponica</i></p> <p>[A162] Redshank <i>Tringa totanus</i></p> <p>[A179] Black-headed Gull <i>Croicocephalus ridibundus</i></p> <p>[A192] Roseate Tern <i>Sterna dougallii</i></p> <p>[A193] Common Tern <i>Sterna hirundo</i></p> <p>[A194] Arctic Tern <i>Sterna paradisaea</i></p> <p>[A999] Wetland and Waterbirds</p>	
<p>South Dublin Bay SAC [000210]</p> <p>[1140] Mudflats and sandflats not covered by seawater at low tide</p> <p>[1210] Annual vegetation of drift lines</p> <p>[1310] Salicornia and other annuals colonising mud and sand</p> <p>[2110] Embryonic shifting dunes</p>	C28km north-east
<p>North Dublin Bay SAC [000206]</p>	C33km north-east

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

10.1.15. In relation to the potential for likely significant effects on the above sites, I generally concur with the conclusions of the Screening Report, in that likely impacts are related only to habitat degradation as a result of hydrological impacts, namely resulting from construction-related pollutants entering the receiving surface water environment and affecting water quality. However, I consider there are only likely significant impacts in relation to the Poulaphouca Reservoir SPA. In relation to the 4 no. Natura Sites associated with Dublin Bay, the site, at its closest point is over 28km away (as the crow flies) from the boundary of the Natura 2000 areas within Dublin Bay. In reality, however, this distance is greater as hydrological pathways follow the course of the drainage network to Dublin Bay. Because of the distance separating the site and the SPAs/SACs located within Dublin Bay, I am satisfied that there is no likelihood that pollutants arising from the proposed development either

during construction or operation could reach the Dublin Bay coastal sites listed above in sufficient concentrations to have any likely significant effects on them in view of their qualifying interests and conservation objectives.

10.1.16. In relation to foul water, I note that submissions on the application, including the submission from Inland Fisheries Ireland, highlight concerns in relation to the insufficient capacity of the existing Blessington WWTP, and it is noted that the WWTP is operating above its design capacity. The IFI also note that the WWTP exceeds ELVs set in the EPA Licence, in particular with regard to Ammonia. In relation capacity issues, I have had regard to the permitted upgrade to the WWTP which will increase its capacity from 6,000 p.e. to 9,000 p.e. (ABP Ref 302732-18). The submission from Irish Water states that there will be adequate capacity to serve the proposed development once the upgrade is complete. Should the Board grant permission for this development, a condition is recommended that occupation of the dwelling units does not take place in advance of the upgrade works to the WWTP being completed. This condition would be necessary even in the absence of any foul water linkage to any Natura 2000 sites, in the interest of public health. I therefore concur with the conclusion within the Screening Report that impacts from foul water can be ruled out on the basis that foul water discharges from the proposed development would equate to a small percentage of the overall discharge volumes sent to the upgraded Blessington WWTP for treatment, and therefore the proposed development will not impact on the overall water quality stature of Poulaphouca Reservoir. I note also the WWTP upgrade works themselves were also subject to Appropriate Assessment screening (ABP Ref 302732-18) and the Board ruled the proposed works would not be likely to have significant effects on the Poulaphouca Reservoir SPA.

10.1.17. In relation to hydrogeological impacts, the Site Synopsis for the Poulaphouca Reservoir SPA states that the reservoir receives water from two main sources, the River Liffey at the northern end, and the Kings River at the southern end. Underlying the reservoir are sands and gravels deposited during the last glaciation (www.npws.ie). Likely significant effects on the Poulaphouca SPA, resulting from groundwater pollution, can therefore be ruled out, in my view. Likely significant effects on the two SACs in closest proximity to the site (Red Bog, Kildare SAC and Wicklow Mountains SAC) can be ruled out on the basis that the habitats that are

associated with these SACs do not appear to be influenced by groundwater quality, having regard to the Conservation Objectives Reports for each of these sites (www.npws.ie). Other sites as listed in Table 1 above can also be ruled out due to the distance of these sites from the application site.

10.1.18. In relation to disturbance and displacement impacts, I note the site most likely to be impacted is the Poulaphouca Reservoir SPA. This is located approximately 650m east of the site. The Site Synopsis for the Poulaphouca Reservoir SPA notes that the site provides the main roost for the greylag goose, with feeding mostly on improved grassland outside of the site. I note there is some inconsistency in the documents submitted with the application as relates description to the existing habitat type on site. In the Screening Report the northern field is described as 'Dry Meadows and Grassy Verges' (GS2). Such a habitat has little or no grazing or fertiliser application and are described as rare in Ireland.⁵ The Landscape and Visual Impact Assessment (dated January 2020) notes that the land is currently in agricultural use for silage production and grazing. At the time of my first site visit (on the 1st July 2020) the northern field was being used for grazing. The grass on both fields could not reasonably be described as being excessive in length. Notwithstanding, there is no evidence on file that the site is being used as a feeding area by the Greylag Goose, and no submissions have referred to the land being used by the Greylag Goose. The two surveys carried out by ecologists in the preparation of the Screening Report and the NIS did not encounter Greylag Geese. On my two site visits (on the 1st July I viewed the site from the road and on the 10th July I walked the entire site), I did not witness greylag geese feeding on the site. As such there is no evidence that the site is providing a feeding area for the Greylag Goose, one of the qualifying interests associated with the Poulaphouca Reservoir SPA. As such, solely having regard to having regard to disturbance and displacement impacts, likely significant effects on the above site can be ruled out.

AA Screening Conclusion

10.1.19. Having regard to the potential for pollutants to enter the Deerpark watercourse during the construction phase of development, and subsequently enter the

⁵ A Guide to Habitats in Ireland – Fossitt (2000) - <https://www.npws.ie/sites/default/files/publications/pdf/A%20Guide%20to%20Habitats%20in%20Ireland%20-%20Fossitt.pdf>

Poulaphouca Reservoir SPA (004063), with subsequent impacts on habitats as a result of reduced water quality, likely significant effects on the Poulaphouca Reservoir SPA, cannot be ruled out, having regard to the site's conservation objectives, and a Stage 2 Appropriate Assessment is required.

Stage 2 – Appropriate Assessment

10.1.20. The Qualifying Interests/ Special Conservation Interests of the Poulaphouca Reservoir SPA are outlined below in Table 1 above. The conservation objectives relating to the Poulaphouca Reservoir SPA is “to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.

10.1.21. Following on from this, and as defined in the Habitats Directive, favourable conservation status (or condition, at a site level) of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and the conservation status of its typical species is favourable

10.1.22. The favourable conservation status (or condition, at a site level) of a species is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a longterm basis as a viable component of its natural habitats, and the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis

10.1.23. An Assessment of Likely Significant Effects on European Sites is set out in Section 4.5 of the submitted Natura Impact Assessment (NIS). It is stated that, in the absence of mitigation, there is considered to be a risk of construction-related pollutants such as silts, sediments or hydrocarbons entering the receiving surface water environment and affecting water quality within the Poulaphouca Reservoir, the River Liffey, its estuary and inner Dublin Bay. Changes to water quality could in turn

affect the conservation objectives supporting the QIs of European Sites in the Poulaphouca Reservoir and inner Dublin Bay. No impact from foul water is predicted.

10.1.24. I have ruled out likely significant effects on all other Natura 2000 sites, save for the Poulaphouca Reservoir SPA. In relation to impacts on the Poulaphouca Reservoir SPA, Section 5.1.1 of the NIS sets out an ecological baseline description for this site. Qualifying Interests and Conservation Objectives of Poulaphouca Reservoir SPA are set out in Section 5.1.2 and Table 2.

10.1.25. Section 5 of the NIS sets out an Assessment of Impacts on European Sites. The impacts are restricted to a single issue which is habitat degradation as a result of hydrological impacts. Table 3 sets out a summary of potential impacts on the qualifying interests of the 5 no. sites screened in by the screening report, including the Poulaphouca Reservoir SPA. Potential impacts requiring mitigation arise from an accidental pollution event during construction or operation that could affect surface water downstream.

10.1.26. Mitigation measures are described in Section 5.1.4 which include best practice construction measures. Site specific mitigation measures which will be included in a final Construction and Environmental Management Plan (CEMP) include measures to prevent the release of hydrocarbons, polluting chemical, sediment/silt and contaminated waters which include *inter alia*

- Restricted entry the channel of the unnamed tributary.
- Surface waters from the construction site will be managed using a system of temporary on-site attenuation features, and fitted with silt barrier devices such as silt fences and/or silt busters.
- The provision of boundary treatments such as silt fencing and berms/monitoring and maintenance of same/checks will be undertaken by a nominated person undertaking an Ecological Clerk of Works role.
- Spill Response Plan and Environmental Emergency Plan/Control measures and spill clean-up equipment adequate to treat spills from the lands.

10.1.27. I am satisfied that the mitigation measures as outlined in the NIS give sufficient comfort that impacts from potential pollutants will be avoided or reduced to a non-significant level during the construction phase. I am satisfied the SUDs measures

outlined in the application documents, will protect the surface water environment during operation of the development, notwithstanding my concerns in relation to the proposed swale running through the site, which are outlined in further detail in Section 11.3 of this report. As such, having regard to the above, adverse effects on the integrity of the Poulaphouca Reservoir SPA (004063), resulting from pollutants can be ruled out.

In-Combination Impacts

- 10.1.28. The provision of housing and associated development in Blessington is catered for through land use planning by Kildare County Council and Wicklow County Council, through the relevant statutory planning documents. These have been subject to AA by the relevant planning authority, who have concluded that their implementation would not result in significant adverse effects to the integrity of any Natura 2000 areas.
- 10.1.29. This project is taking place within the context of greater levels of built development and associated increases in residential density in the Kildare and Wicklow. This can act in a cumulative manner through increased foul water volumes. However, as considered in Section 10.1.6 above, foul water discharges from the proposed development would equate to a small percentage of the overall discharge volumes sent to upgraded Blessington WWTP for treatment, and therefore the proposed development will not impact on the overall water quality stature of Poulaphouca Reservoir.
- 10.1.30. In conclusion, I am satisfied that there are no projects or plans which can act in combination with this development that could give rise to any significant effect to any Natura 2000 sites.

AA Determination – Conclusion

- 10.1.31. Having regard to the works proposed during construction and operational phases, and subject to the implementation of best practice construction methodologies, and having regard to the proposed mitigation measures as detailed in the NIS, I consider it reasonable to conclude on the basis of the information on the file, that the proposed development, individually or in combination with other plans and projects would not adversely affect the integrity of the European site Poulaphouca Reservoir SPA (site code 004063) or any other Natura 2000 sites.

11.0 Assessment of Other Issues

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

- Principle of Development
- Flood Risk
- Site Services
- Traffic and Transport
- Trees and Landscape
- Ecology
- Height/Urban Design and Layout
- Neighbouring Residential Amenity
- Residential Amenity/Residential Standards
- Social Infrastructure
- Other Issues

11.2. Principle of Development

Zoning

11.2.1. The site lies within the administrative boundaries of both Kildare County Council and Wicklow County Council. The site area is 11.83ha and of this, 0.03Ha to the east, adjacent to the Kilmalum Road, lies within the domain of Wicklow County Council. The remainder of the site, which includes the entirety of the proposed housing units, lies within the administrative boundary of Kildare County Council.

11.2.2. In terms of the zoning, the site is zoned Objective C2 'New Residential' in the Blessington Environs Plan 2017-2023 (Kildare County Council). This zoning is for new residential and associated uses. There are two areas of zoned lands within the Blessington Environs Plan, C1 and C2. Objective BEO 2 of the plan seeks to facilitate the development of a school on the C1 New Residential lands. Objective BEO 2 seeks the construction of a new link road through the C1 New Residential Lands from the Naas Road to the Kilmalum Road.

- 11.2.3. While Objectives BEO 2 and BEO 3 relates to the C1 zoned lands, the submission from Kildare County Council states that the school would be preferably be located on C2 lands, due to flooding issues and constraints imposed as a result of the roads objective. Notwithstanding these comments, I consider that the proposal for residential development is acceptable in principle, having regard to the zoning objective for the site.
- 11.2.4. The portion of the site that lies within the administrative boundaries of Wicklow County Council is zoned Objective RE 'Existing Residential' in the Blessington Local Area Plan (Wicklow County Council) and as such the proposal is acceptable in principle having regard to this zoning objective⁶.

Core Strategy

- 11.2.5. In terms of the Core Strategy, it is of note that Kildare County Council adopted a Variation No. 1 of the Kildare County Development Plan 2017-2023 on 9th June 2020. The adopted variation responds to the recent changes in national and regional policy, namely the publication of Project Ireland 2040: National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES-EMRA) for the Eastern and Midland Region.
- 11.2.6. Variation No. 1 has set a housing unit target of 60 units for Blessington Environs from the start of 2020 to 2023. This is based on revised population target of 169 persons.
- 11.2.7. Settlement Strategy Objectives S04 and S09 of the Kildare County Development Plan 2017-2023 seek to ensure that the scale and form of development envisaged within towns and villages is appropriate to their position within the overall Settlement Hierarchy and that land is developed sequentially in towns and villages. In terms of the settlement hierarchy, I note that Blessington Environs is listed as bottom of the settlement hierarchy, as detailed in Table 3.3 'Settlement Hierarchy – Population and Housing Unit Allocation 2016-2023', with an allocated growth of 60 housing units, representing 1% of the overall allocated growth.

⁶ In their submission on this application Wicklow County Council note a mapping error on the zoning map which indicate that the area in question is not zoned. Wicklow County Council state that this is a mapping error and confirm the site is zoned Objective RE

- 11.2.8. It is of particular note that this allocation is in line with, and has been adopted since the publication of, the National Planning Framework and the Regional Spatial Strategy for the Eastern and Midland Region. I note that the site does not lie within the boundary of the Dublin Metropolitan Area, as defined in the RSES-EMRA, where a steady supply of serviced land is facilitated through the Metropolitan Area Strategic Plan (MASP), nor does the site lie within a Key Town within the region. It is stated in the RSES-EMRA that, towns in the lower tiers should provide for commensurate population and employment growth, providing for natural increases and to become more economically self-sustaining, in line with the quality and capacity of public transport, services and infrastructure available. Population targets for these towns should be reflective of local conditions and place potential. As such, the growth of the region is set out in clearly defined parameters within the RSES-EMRA.
- 11.2.9. The submission from Kildare County Council states that the proposed development would materially contravene the Core Strategy of the Kildare County Development Plan 2017-2023 as reviewed in accordance with the RSES.
- 11.2.10. The submission from Wicklow County Council notes that the quantum of development is considered significant when viewed against the growth targets for Blessington Town, and may impact on the development of lands more centrally located in Blessington. It is further stated that the development is located on a site on the periphery of Blessington, remote from the town centre, public transport and community facilities and would undermine objective relating to sequential development.
- 11.2.11. Table 2.7 of the Wicklow County Development Plan 2016-2022 sets out the housing unit targets for 2022 and 2028. For Blessington the 2022 target is 2,519 and for 2028 is 3,168, with an existing housing stock of 1,865 units in 2011. Therefore for 2022, the target additional housing provision is 654 units, and for 2028 is 1,303 units. I note that these targets have not been revised since the publication of the RSES-EMRA, and neither the applicant nor Wicklow County Council have submitted information in relation to housing units delivered since the publication of the Development Plan.

Material Contravention

- 11.2.12. The applicants have submitted a Material Contravention Statement. This relates to the breaching of the population/housing targets outlined under the Core and

Settlement Strategies of the Kildare County Development Plan. Reference is made to the draft Variation No. 1 as this was not yet adopted at the time of submission of this application.

- 11.2.13. The statement refers to the revised Table 3.3 in Variation No. 1 of the Kildare Development Plan and it is stated that the table maintains the unit forecast to 2023 of 325 units at Blessington Environs. Kildare County Council note that this in fact incorrect and the unit allocation for Blessington Environs is now 60 units, after the adoption of Variation No. 1.
- 11.2.14. The Material Contravention Statement contends that proposal is of strategic importance, refers to the pattern of development and permissions granted in the area since the making of the Development Plan and contends that the proposal can be positively considered on the basis of Section 28 guidance published. Reference is made to the nature of the application for large scale housing, the location of the site in relation to effective public transport such as bus connections, proximity to employment and availability of local amenities. Reference is also made to conflicting policies and objectives of the plan, specifically in relation to the guidance for residential density appropriate to new residential sites. Reference is also made to the National Planning Framework and to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009). With regard to permissions granted in the area, permission was granted on 26 February 2019 by An Bord Pleanála for the upgrade of the Blessington Wastewater Treatment Plant.
- 11.2.15. I note the submissions from Kildare, Wicklow, from prescribed bodies, the third parties and from the applicant. In relation to core strategy and settlement strategy issues, I note that the RSES-EMRA supports compact growth on sites that are well served by transport and services infrastructure. Relevant Section 28 Guidance, including the Sustainable Residential Development in Urban Areas (2009), also support such compact growth on well serviced sites. This is not the case with this development site. The site lies at a remove from the town centre of Blessington, on a secondary route into the town. There are more central residential zoned sites within the town of Blessington, and along primary routes into the town, the development of which would result in more appropriate sequential development. The site is not well serviced by transport infrastructure with deficiencies in the pedestrian and cycle infrastructure, notwithstanding the proposals to improve these (see Section 10.5

below). Furthermore, the site is not well serviced by public transport and would be heavily car dependant. In addition the site, and surrounding areas, is subject to flooding on a relatively frequent basis, and I have outlined my concerns in relation to this issue in the relevant section below (See Section 10.4).

- 11.2.16. I concur with the views of both Kildare County Council and Wicklow County in terms of core strategy and settlement strategy issues. The proposal would breach significantly the target for housing allocated for Blessington Environs (Kildare County Council), which has been considered as part of a top down hierarchy of plans, as noted above, and would undermine the objectives of these plans, and would represent an unwanted precedent for similar development for smaller towns in the Eastern and Midland Region. The objectives of the Blessington LAP states that development should proceed on a sequential basis, with housing development taking place initially on undeveloped lands in proximity to the town centre.
- 11.2.17. The site is not included in Wicklow County Council's housing allocation, and did not form part of the needs assessment for Blessington that formed the basis for Wicklow's Core Strategy. The Wicklow County Development Plan and the Blessington LAP (Wicklow County Council) note that there is sufficient land zoned in the town to achieve the housing unit targets (there is in fact a slight over-zoning in Blessington, with a surplus equivalent to 58 no. units). While neither the applicant, nor Wicklow County Council have set out how many units have been, in fact, delivered in Blessington since the publication of the Development Plan, nor is there an indication of what other residential zoned lands have gained permission for housing, the submission from Wicklow County Council does not support the development, and indicates that there are more centrally available lands in the town.
- 11.2.18. It is my view, that the development of this site, having regard to its location on the outskirts of Blessington Town, along a secondary route that is deficient in terms of transport infrastructure and is subject to frequent flooding, at the scale proposed by the applicant, would not represent the type of sustainable development envisaged in the hierarchy of plans that that pertain to land-use planning in Blessington, and the proposal would not result in a compact form of development that is sought at national, regional and local levels.

- 11.2.19. As such, I consider the proposal would be contrary to the provisions of the National Planning Framework, the provisions of the Regional Strategy for the Eastern and Midland Region, and would materially contravene the provisions of the Core Strategy and Settlement for Kildare County Council, as set out in Variation (Variation No. 1) of the Kildare County Development Plan 2017-2023. It would also be contrary to the settlement strategy as set out in Wicklow County Council Development Plan 2016-2022, and as set out in the Blessington Local Area Plan 2013-2019.
- 11.2.20. In relation to the issue of material contravention, and the relevant provisions of Section 37(2)(b) of the Planning and Development Act, 2000 (as amended), this is considered below.
- 11.2.21. In relation to the matter of strategic or national importance, the current application has been lodged under the Strategic Housing legislation and the proposal is considered to be strategic in nature. However, notwithstanding the strategic nature of the application, it is my view that granting this development would not represent proper planning and sustainable development, for those reasons as outlined in detail above.
- 11.2.22. In relation to the matter of conflicting objectives in the development plan, the applicants have stated that there are conflicting objectives in the Kildare County Development Plan, namely Table 4.2 of the County Development Plan (which sets out the guidance for residential density appropriate to new development sites - a general residential density of 30-50 units per ha is envisaged for outer suburban greenfield sites). The applicants contend that, even to develop the site at 30 units to the hectare, this would result in approximately 300 units being provided at the subject site. I concur that these objectives (Table 4.2 and the Core Strategy) are somewhat conflicting. However, it is my view that the revised Core Strategy, as outlined in Variation No. 1 of the Kildare County Development Plan, should take precedence in this instance, given it reflects current National and Regional policy objectives, as relates to the appropriate location of housing. The proposal contravenes this Core Strategy as noted above, and I do not consider that the conflict of same with Table 4.2 of the Kildare Development Plan represents sufficient justification to grant permission in this instance.

11.2.23. In relation to the matter of Regional Planning Guidance, I refer the Board to the detailed discussion of same above, and I do not consider the development as proposed here is supported by same guidance. In relation to Section 28 Guidelines, I refer the Board to the discussion of same above, and I do not consider that a development of this nature is supported by any Section 28 Guidelines.

11.2.24. In relation to the permissions granted and pattern of development in the area, I note that no large scale SHD applications have been granted permission on sites similar to this one, on the outskirts of Blessington. As such I do not consider that this criteria has been met in this instance.

Duration of Permission

11.2.25. A seven year permission is being sought. I note that the Strategic Housing legislation is a process to fast track the delivery of housing. The proposed development does not include the provision of any significant infrastructure, over and above what would be expected of a scheme of this scale, on a site such as this one, and therefore in the event of any grant of permission, I do not consider it justifiable to permit a 7 year lifespan for the proposed development. In the interests of clarity, and if the Board are minded to approve the proposal, a condition limiting the permission to 5 years should be imposed.

11.3. **Flood Risk**

11.3.1. Section 9.3 of the National Planning Framework (NPF) includes guidance for water resource management and flooding with emphasis on avoiding inappropriate development in areas at risk of flooding. National Policy Objective 57 requires resource management by “ensuring flood risk management informs place-making by avoiding inappropriate development in areas at risk of flooding in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities”.

11.3.2. The submission from the Water Services Division of Kildare County Council highlights serious concerns in relation to the risk of flooding within the development site and on the adjacent road network. Recommended reason for refusal No. 7 of the Chief Executives Report relates to flood risk pertaining to the site and the impact on flood risk to adjacent lands.

- 11.3.3. The submission from Wicklow County Council states that the proposed upgrades to the Deerpark Watercourse Culverts are acceptable and should be in place prior to occupation although the report from the Drainage Division notes that the Kilmalum Road has been subject to serious drainage issues in the past. It is further stated that the proposed drainage design must take into account that the entire area of Glending is drained into existing stream in flood conditions, with two 600mm pipes discharging into stream close to R410 Naas Road.
- 11.3.4. The issue of flooding has also been raised by the Third Party Submissions. It is stated that the existing watercourse floods on a regular basis and it is contended that the proposed development will increase the risk of flooding to surrounding residential properties, both during the construction and operational phases.
- 11.3.5. The applicant has submitted a Site Specific Flood Risk Assessment (SSFRA) with the application. This does not identify previous flood events on the site or in the immediate vicinity. The presence of a small stream on the site is noted. The CFRAM Flood Zone Maps show a small section of the southern side of the site will be flooded under a 10% AEP event, in addition to surface water flooding along the drainage line across the site (as shown in Figure 2.2 of the SFRA). A portion of the site lies within Flood Zones A and B, and within 75m of the Deerpark Watercourse, arising from Fluvial and Pluvial Flooding. The source of the surface water runoff that travels across the site is an overflow from a small pond located northwest of the site. No other sources of flood risk were identified.
- 11.3.6. Two sources of fluvial flood risk to the site are identified, the Little Newtown Watercourse to the north-west of the site and the Deerpark Watercourse to the south and south-east of the site. The Little Newtown Watercourse arises to the west of the site and flows easterly to the pond in the field which borders the site to the west. This pond overflows in times of heavy rainfall towards the site along the drainage path bisecting the site. The proposals include a swale which will have the capacity to convey the 1% AEP flow through the site, maintaining the current flow regime.
- 11.3.7. The Little Newtown Watercourse also overtops its bank as a result of the insufficient capacity of current culverting. The overflow eventually joins the Deerpark Watercourse, upstream of the Kilmalum Estate.

- 11.3.8. Flood Risk Mitigation Measures are outlined in Section 4.2 of the SFRA. These include provision of a swale which will traverse the site in order to convey the overflow from the pond through the site in times of heavy rainfall as is the existing situation. This overflow occurs in a rainfall event of 10% AEP or greater. At present the flow through the site is restricted by the capacity issues of the culvert upstream of the pond, and is 460 l/s plus the current greenfield runoff rates. However the proposed swale capacity is such that the entire flow from the Little Newtown Watercourse can be accommodated through the site to the Deerpark Watercourse. This is to ensure that the site and surrounding areas remain safe from flooding from the pond overflow in the event that the culvert capacity issues are resolved in the future.
- 11.3.9. In terms of site layout, the SFRA notes that all the housing units are located within Flood Zone C and that levels across the site are significantly higher than modelled floodwater levels in Deerpark Watercourse and both the 1% AEP events and the 0.1% AEP events. Floor levels are raised above surrounding ground levels by approximately 175mm.
- 11.3.10. The Surface Water Management Strategy is set out in Section 4.2.3 of the SFRA. It is proposed to attenuate the runoff via a number of attenuation systems and flow control devices. Six attenuation areas are proposed in total throughout the site. The proposed runoff rate from the site of 30 l/s is cited an improvement on the existing scenario of 106/s. This is stated to provide a benefit in terms of flood risk to the surrounding area. The attenuation areas are designed to accommodate the attenuated run off in the 100 year return period, including an allowance for climate change of 20%.
- 11.3.11. Given the site lies partly within Flood Zone A and Flood Zone B, a Development Management Justification Test is required. The Justification Test is set out in Section 4.3 of the SFRA and I have had regard to same.
- 11.3.12. The submission from the Water Services Planning Division of Kildare County Council, while not raising an objection to the proposal, raises a number of issues of concern, including the following the potential inadequate capacity of the proposed swale (1.46 l/s) (when compared to the combined total of the estimated OPW CFRAMS 1% AEP event fluvial flow rate from Little Newton pond and the greenfield

run-off rates from the field to the west and from the actual subject site), the potential loss of pre-existing flood storage area on the site, and the lack of Compensatory Flood Storage to overcome this issue. Reference is made to the raising of ground levels near or in the Deepark watercourse fluvial flood zones. Other issues raised in the submission from Kildare County Council include the need to assess pre-existing and post-development surface and flood water overland flow to ensure that no increased or new flood risk will be posed to proposed and existing properties. Additional detail is also requested in relation to Pluvial flood risk, including the impact of storm events exceeding the 100 year event and mechanical failure/human error relating to the proposed drainage systems, including the maintenance of culvert trash screens.

- 11.3.13. I note also that the submission from Inland Fisheries Ireland which states that the use of trash screens on culverts is not supported.
- 11.3.14. The submission from Wicklow County Council seeks details in relation to the proposed capacity of the culvert works under Kilmalum Road.
- 11.3.15. I share those concerns of Kildare County Council, in relation to the lack of detail in the SFRA as relates to potential flooding of the site and the potential increased risk of flooding of surrounding sites as a result of the development. In relation to the capacity of the swale, the SFRA states that the flow in the Little Newton watercourse immediately upstream of the culvert is $1.36\text{m}^3/\text{s}$, in the 1% AEP event. However, CFRAM Mapping indicates that this flow is in fact $2.40\text{m}^3/\text{s}$ in the 1% AEP event. Therefore the proposed capacity to convey $1.46\text{m}^3/\text{s}$ (which takes into account greenfield runoff) does not appear to be adequate. Additional capacity is provided by way of a French Drain of 450mm pipe beneath the swale but it is not indicated if this will provide the capacity needed.
- 11.3.16. In addition to the above, I have some concerns in relation to the proposed Swale/French drain running through the site, transferring flow directly into the Deepark watercourse. From a visual examination of the site, the existing drainage ditch does not run directly to the Deepark Watercourse, and CFRAM Flood Mapping indicates that the existing drainage ditch transfers surface water to a location that is to the south-west of the proposed discharge point into the Deepark watercourse. It is likely the site currently provides flood storage in a flood event, and the

downstream impacts of the swale draining directly to the Deepark watercourse, including the potential increased risk of downstream flooding, has not been adequately addressed in the SFRA, in my view. The submission from Wicklow Council notes that surface water discharge from a relatively wide area already drains into the Deepark Water Course. There is very little detail provided in the SFRA in relation to the proposed culvert works to the Deepark watercourse, which run under the Kilmalum Road, and how these works will overcome the existing and proposed flooding issues in the area, and how these works will reduce flood risk to adjoining sites. There is no post-development flood mapping in the SFRA. In addition, I am somewhat concerned that the capacity of the proposed swale running through the site is designed to accommodate the entire flow from the Little Newtown Watercourse, whereas the current case is that the overflow from the pond is limited by culvert capacity issues. It would have been preferable to examine how the upstream culvert capacity issues noted could be resolved, and to design an appropriate system to cater for this, and to demonstrate explicitly that this would not result in increased flood risk downstream.

- 11.3.17. In relation to the raising of ground levels close to or with the existing floodplain of the Deepark Watercourse, there is little discussion of the impact of this within the SFRA, save for stating that there will be no loss of floodplain storage. It is unclear if flood storage will in fact be lost as a result of the raising of existing ground levels as indicated in Drawing 80066-P-008 (Proposed Road Layout and Levels), with impacts on flood risk to adjacent sites.
- 11.3.18. In relation to the risk of on-site flooding, and the risk to the proposed dwellings and crèche, I note that Drawing 80066-SK-10 appears to show a small portion of one of the dwellings within the existing flood risk zone (as shown on drawing 80066-SK-10).
- 11.3.19. The SFRA notes that levels across the site are significantly higher than modelled floodwater levels in Deepark watercourse in both the 1% AEP (190-192m OD along the boundary of the site) and 0.1% AEP events (190.3-192.4m OD). Site levels range from 193mOD to 201m OD, with finished floor levels of housing units raised above surrounding ground levels by approximately 175mm. This does not appear to take into account climate change factors, although it is noted in the SFRA that, as a result of local topography, the difference in flood extents in the 10% AEP, 1% AEP and 0.1% AEP is minimal and the effect of climate change will not materially alter the

flood extents in this area. However I consider that this should be demonstrated explicitly in the SFRA by applying the relevant climate change factors to predicted flood levels.

11.3.20. I am not satisfied that these issues cited above can be appropriately dealt with via condition, as they are fundamental in my view to the appropriateness or otherwise of the proposal. It is of particular note that the OPW CFRAM Mapping indicates significant flooding in the area in and around the Deepark watercourse, even in the 10% Fluvial AEP Event. While there is no mapping of previous flooding events on Floodinfo.ie, the submissions from Kildare County Council, from Wicklow County Council, and from Third Party submissions confirms that there is flooding in this area on a regular basis. It is unclear from the SFRA, and from the additional documents and drawings submitted, if the proposal will result in the risk of flooding to the proposed residential units and crèche, and if it will increase risk of flooding of surrounding sites.

11.3.21. Having regard to the above, it is my view that the proposal does not comply with the provisions of the Flood Risk Management Guidelines, as the application has not adequately demonstrated that the housing and other uses on site are not at risk of flooding, and has not adequately considered the potential for increased risk of flooding elsewhere. I therefore recommend that the application be refused on this basis.

11.4. **Site Services**

Foul

11.4.1. The proposed foul drainage system will discharge from the site into the existing combined 750mm sewer which is located in the road. This existing combined sewer flows directly to the existing Wastewater Treatment Plant at Blessington. Due to the existing and proposed contours of the site, it is proposed to provide a foul pump station within the site for the area to the south-western portion of the development. The pumping station will also include a 24-hour capacity storage tank.

11.4.2. I note the previous refusal on this site (Planning Authority Ref 08/783) which related to a development of 125 dwellings was refused for a number of reasons including deficiency in the provision of sewerage facilities. However since then permission was granted on appeal on 26th February 2019 for the upgrade of the Blessington WWTP

(Appeal Ref 302732-18/Planning Authority Ref 18/255). The works will include the construction of two new primary treatment units, one new anoxic tank, associated pump sumps, tertiary treatment infrastructure and all associated site works. The upgrade works will increase the plant ultimate design capacity from 6,000 pe to 9,000 pe.

- 11.4.3. The submission from Irish Water (dated 9th July 2020) states that in order to accommodate the proposed wastewater connection at the development, upgrade works are required to increase the capacity of the Blessington Wastewater Treatment Plant. This upgrade project is currently part of Irish Water's current investment plan and will provide the necessary upgrade and capacity. The revised completion date for this project is Q3 2022 (subject to change). The submission notes that the applicant has engaged with Irish Water and Irish Water has issued the applicant a Statement of Design Acceptance for the development. A condition is recommended requiring the applicant to obtain a connection agreement with Irish Water prior to any works commencing on site.
- 11.4.4. While I have some concern in relation to the uncertainty in the completion date, which is stated as effectively two years from now, and subject to change, it would appear that the situation has changed significantly since the previous refusal on this site in 2008. The upgrade project has received planning permission and forms part of the Irish Water's current investment plan. Irish Water do not raise any objection to the proposals. The timescale for delivery of a project such as this may see completion of same, in and around the same time as delivery of the upgrade works, although this is not guaranteed. However, subject to an appropriate condition restricting occupancy of the development to coincide with the completion of the upgrade works to the WWTP, I do not consider that the development is premature pending this upgrade.

Water Supply

- 11.4.5. The proposed development of 360 units and the creche will be fed from the existing 150mm watermain which is located at the roundabout North East of the proposed site. This will require upgrades. The submission from Irish Water (dated 9th July 2020) states that these works are all in the public domain. Water supply proposals are acceptable in my view.

Surface Water

- 11.4.6. Proposals for Surface Water are set out in Section 5 of the Water Supply, Surface Water and Foul Drainage Report.
- 11.4.7. It is noted that the site currently discharges surface water via a flow-path running from NW to SE through the site to the existing Deerpark Water Course running along the road boundary of the site. It is intended to maintain this flow-path and the discharge point for the surface water, and to also maintain the current green field discharge rates of 40.4 l/s.
- 11.4.8. Attenuation storage is provided for a 1 in 100-year storm event with a 20% increase allowance for Climate change. The site area has been segregated into 6 separate attenuation areas for the purposes of discharge of the surface water. Each area has its own attenuation storage as well as other SuDs features.
- 11.4.9. While I do not have an objection in principle to the attenuation and SuDS proposals as outlined above, I do have concerns in relation to the proposals for the transfer of existing surface water flow through the site, and the potential impact on flood risk downstream. These concerns are as highlighted in Section 10.3 above.

11.5. Traffic and Transport

- 11.5.1. A Traffic Impact Assessment has been submitted with the application and I have had regard to same.
- 11.5.2. I note the submission of Kildare County Council who recommend refusal due to shortfall of parking and non-compliance with DMURS, as well as future reliance on car based transport. The Elected Members (Naas Municipal District) also raise concern in relation to the narrowness of the road and state that the development should contribute to road improvements. The submission from Wicklow County Council states that the road infrastructure in the area is inadequate to cater for the traffic that would be generated by the proposed development and that the proposal would be premature in the absence of the completion of the Blessington Inner Relief Road (BIRR). Concern is also raised that a large portion of cyclists and pedestrians will use the L8364 Kilmalum Road to access Blessington. Elected Members (Baltinglass Municipal District) state that the Inner Relief Road should be completed and the proposal will add to traffic congestion.

- 11.5.3. The submission from the NTA highlights concerns in relation to *inter alia* the proposed pedestrian and cycle network.
- 11.5.4. I note also the submissions from Third Parties who state that the road is too narrow to accommodate development, the existing footpath is not sufficient, a large amount of pedestrians use this route and the proposed entrance to the development will create a traffic hazard. It is also stated that the proposal will increase traffic congestion in the town.

Pedestrian and Cycle Infrastructure

- 11.5.5. The existing infrastructure serving the site is considered deficient with a single footpath on the opposite side of the road to the site, linking with the town. It is proposed to provide a new footpath and cycle track which will link to the existing footpath and cycle way at the roundabout the east of the site. A signalised pedestrian crossing is proposed close to the roundabout. These proposed links are somewhat convoluted in my view, and I share the view of Wicklow County Council that pedestrian and cyclist desire lines would dictate that they would continue straight along the Kilmalum Road, rather than utilise the link proposed. The submission from the NTA also notes that the proposed walking and cycling route is circuitous and it is unclear from the material provided how it would connect into the internal road network.
- 11.5.6. The footpath/cycle link along the Kilmalum Road is incomplete. This is unsatisfactory in my view. The submitted documents are also contradictory in relation to the provision of cycle and footpath infrastructure being provided along the Kilmalum Road. Page 6 of the Roads and Access Report indicates a drawing which does not tally with the rest of the application documents. The Proposed Site Layout Plan (drawing 1702_Site_0510) does not show the same extent of footpath/cycle infrastructure as other drawings, including 'Site Access and Foothpaths' (Drawing 80066-P-017 A).
- 11.5.7. The abrupt end of the proposed cycle track and footpath on the Kilmalum Road is highlighted in the submitted Stage 1/2 Road Safety Audit as an issue which poses a risk to cyclist and pedestrians. This document also cites safety concerns in relation to potential ponding as a result of surface water drainage and safety issues having

regard to the proposed pedestrian crossing which do not appear to have been addressed in the proposal.

- 11.5.8. Overall, the provision of pedestrian and cycle infrastructure is deficient, having regard to the scale of development proposed, and to my mind raises serious pedestrian and cycle safety concerns.

Impact on the surrounding road network

- 11.5.9. The Traffic Impact Assessment considers the impact of the proposed development on the existing road network, in particular 2 no. key junctions in the vicinity of the site. It is concluded that both junctions will continue to operate within their respective capacities with the proposed development in place. There is no assessment of the impact of any future completion of the proposed Blessington Inner Relief Road on the capacity of these junctions however, and this is highlighted as a concern in the submission of Wicklow County Council. This Inner Relief Road is to be funded by way of development contributions. While there does not appear to be definitive timeline for completion of this project, it remains an objective in the respective statutory plans, and as such it would be pertinent to consider the impact of this road, on the capacity of both junctions cited in the Traffic Impact Assessment report, given that both junctions will be utilised by the Inner Relief Road traffic. As such the capacity of the surrounding road network to accommodate the proposed development has not been demonstrated satisfactorily in my view.

Public Transport

- 11.5.10. Blessington is served by Dublin Bus Route 65 (Blessington/Tallaght and Blessington/Poolbeg Street) and Bus Eireann Route 132 (Dublin to Enniscorthy). The nearest Dublin Bus stop is located some 750m from the proposed development site. The frequency of these routes is limited. The stop for the Bus Eireann Route route is 1.2km from the development site. There is one bus service per week between Blessington and Naas. As such the occupants of the development, would be heavily dependent on car based transport.

Car Parking

- 11.5.11. The proposed residential provision is 620 car parking spaces in total, which is 79 spaces less than the Development Plan requirement. Having regard to the location of the site, it is considered that this provision is appropriate. There is also additional

parking provided for visitors, accessible parking and crèche bringing the total to 675 car parking spaces.

Cycle Parking

11.5.12. A total of 141 cycle parking spaces are proposed. There are no standards set out in the Kildare County Development Plan in relation to cycle parking provision for housing. However there is sufficient amenity space allocated to each dwelling to allow for bicycle parking/storage in the curtilage of each unit.

11.6. **Trees and Landscape**

- 11.6.1. The majority of the trees on the western boundary are to be retained as detailed in the Tree Survey Constraints Plan (19050-TS). However the Tree Survey Report notes that the proximity of the proposed built form to this treeline will place considerable pressure on this mature treeline. Root protection measures are proposed. However I have concern about the viability of this treeline should the development be approved as submitted and the proximity of the built form is a concern. This treeline is of considerable visual and ecological value and its protection should be ensured as part of any proposal.
- 11.6.2. In relation to impacts on Landscape, the site is located in the Eastern Uplands Landscape Character Area, a Class 3 High Sensitivity Area with 'reduced capacity to accommodate uses without significant adverse effects on the appearance or character of the landscape having regard to prevalent sensitivity factors'. The submission from Kildare County Council raises concern in relation to landscape impacts.
- 11.6.3. A Landscape and Visual Impact Assessment (dated January 2020) has been submitted with the application and I have had regard to same. This notes that the land is currently in agricultural use for silage production and grazing. The report concludes that landscape impacts are predicted to be 'moderate' and 'positive' and is supported by an assessment of the proposals against the relevant urban design policies of the Kildare CDP.
- 11.6.4. Landscaping Details are provided with the application and detail a series of public open spaces largely running through the centre of the site, incorporating the attenuation areas.

11.6.5. Given the topography of the site, and the nature and scale of the application, the proposed development will be visually prominent. However the site is zoned for residential development, and I consider that there is sufficient landscaping within the development to soften its appearance within the landscape. I do have concerns in relation to the retention of the treeline on the western boundary however, given the proximity of the built form in relation to same.

11.6.6. Should the Board be minded to grant, consideration should be given to requesting revised proposals that move the build form away from the western treeline. This could be achieved the omission of Units B01 and B40 and the repositioning of the two apartment blocks further from the western boundary. Revised plans would be required by way of condition.

11.7. Ecology

11.7.1. An Ecological Impact Assessment (EclA) has been submitted with the application and I have had regard to the contents of same. The EclA is based partly on desk studies and field surveys from 2017 and 2019.

11.7.2. Section 5.1 of the EclA notes that the northern field consists of rank grassland with scrub encroaching on the edges. It is noted that this field does not appear to have been grazed within the 2017 or 2019 seasons and appears to be managed for hay based on a review of orthophotography of the lands on google maps. The EclA notes that the southern field is grazed by livestock with signs of nutrient enrichment with poor species composition. The boundaries of the site are comprised of a mix of hedgerows, treelines, fence lines and ditches.

11.7.3. Key ecological receptors are identified in Table 3 of the EclA and include Designated Sites (of National-International Importance), dry meadows and grassy verges, depositing lowland rivers, earth banks, hedgerows and treelines, bats) and birds, their nests, eggs and unfledged young (all of local importance, higher value). Habitats and ecological features noted within the site are mapped in Figure 4 of the EIA. The southern is largely defined as Dry calcareous and neutral grassland (improved) – GS1 - species associated with fertiliser application and intensive land management were noted. The northern field is largely defined as Dry Meadows and Grassy Verges (GS2).

- 11.7.4. Section 5.5.1 'Bats' notes that 5 species of bat were recorded foraging or commuting within the subject lands in August 2017, and 3 species recorded in September 2017. 6 species were recorded by an automated detector for a period of 8 days in August 2017.
- 11.7.5. No other terrestrial mammals were recorded on the site. In relation to Birds, the EIA notes that the subject lands contain suitable foraging and nesting habitat for species associated with agricultural and semi-urban habitats, and the trees within the lands are considered to be an important nesting and feeding resource for local bird species. It is noted however that the subject lands are considered to be largely unsuitable for grazing by greylag geese, a QI of the Poulaphouca Reservoir SPA (004063), in light of the length of grass.
- 11.7.6. The EIA further notes that while not observed, it was certain that common frog (a species which of 'least concern') occur within the subject lands.
- 11.7.7. Section 7 of the EIA sets out an assessment of effects and mitigation measures. In terms of impacts of habitats it is noted that loss of habitats of local importance (higher value) will be significant, albeit it at a local scale. It is noted that no additional culverting of the stream is proposed. It is stated that impacts on water quality in the absence protection measures could be significant in the absence of protection measures, albeit it at a local scale and for the duration of works and the immediate aftermath only.
- 11.7.8. Compensatory measures and water quality protection measures are set out in Section 7.2.1.1 and 7.2.2 respectively, which include replanting of habitat within the site, replacement of the treeline fronting onto Kilmalum Road and measures set out in the CEMP as relate to pollution control. Residual effects on earth banks, hedgerows and treelines remain significant, albeit at a local scale only.
- 11.7.9. Section 7.3 considers impacts, mitigation measures, compensatory measure, and residential effects as relates to Bats. With mitigation, it is concluded that the impacts on foraging and commuting bats remains significant, albeit it at a local scale, arising from a loss of suitable bat foraging habitat arising from the development. Section 7.4 considers impacts on birds and concludes that with mitigation measures, residual impacts have been reduced to non-significant local scale impacts.

11.7.10. I have had regard to the above and also to the consideration of landscape impacts and loss of trees on the site. I share the concerns of Kildare County Council and consider that the proposal does not pay sufficient regard to the landscape within which it sits, and additional tree and hedgerow retention should have been incorporated within the development. This would in turn reduce the locally significant residual impacts on trees, hedgerows and bats cited above. As noted revised plans could be requested by way of condition, in relation to additional tree protection measures. I consider that subject to this condition, overall impacts on ecology are considered to be acceptable.

11.8. Height/Urban Design and Layout

11.8.1. The proposal is made up predominantly of 2, 3 and 4 bed housing units with 1 and 2 bed apartments units and 1, 2 and 3 bed duplex units being provided as per the mix set out below.

Height

The height of the dwelling houses, duplexes and apartments ranges from 2 to 3 storeys and are appropriate given the context. While I note third party submissions have objected to the height of the apartment buildings, I do not consider it is excessive. Paragraph 3.4 of the Building Heights Guidelines states the following: 'Newer housing developments outside city and town centres and inner suburbs, i.e. the suburban edges of towns and cities, typically now include town-houses (2-3 storeys), duplexes (3-4 storeys) and apartments (4 storeys upwards).

Urban Design/Layout/Materials

11.8.2. The development is set around a series of open spaces which generally run through the centre of the site.

11.8.3. The layout incorporates a curved internal road network to minimise vehicular speeds. A wide variety of house and apartment types (19 house types in total) add visual interest to the scheme, and double frontages are provided on corner sites, avoiding blank façades as much as possible. A variety of open spaces are provided throughout the scheme with passive overlooking of each. The development incorporates a number of different character areas. Proposed materials are varied and add further visual interest to the scheme.

11.8.4. I consider the overall layout and design of the development, and provision of open space, and layout and location of same, to be acceptable and will provide a welcome amenity for both residents of the proposed development, and for the wider community as a whole.

11.9. Neighbouring Residential Amenity

11.9.1. The closest residential dwellings are located to the north-eastern boundary of the site at the Blessington Manor, to the east of the site where there are two residential dwellings that front onto the Kilmalum Road, to the south and south-east of the site where there are a number of residential dwellings on the opposite side of Kilmalum Road and to the south-west of the site where there is a residential property bounding the site. Planning Permission has been granted for a dwelling on the Kilmalum Road, to the west of the existing properties fronting on the Kilmalum Road and which will share a boundary with the proposed development (Kildare Reg Ref 18597).

11.9.2. In relation to the properties in Blessington Manor, the closest dwelling is on the boundary of the site, to the north-east. This does not adjoin any proposed residential units however. A property at Kilmalum View is set back approximately 2m from the boundary. This does not have windows that are directly opposing any rear windows however. It is possible that this existing dwelling could overlook some of the proposed rear gardens and this property could suffer from loss of privacy from future occupiers of the development utilising their rear gardens. Details of appropriate screening should be provided by way of condition, should the Board be minded to grant the proposal. There is sufficient setbacks from the other dwellings on the Blessington Manor Estate so as to ensure that no overlooking results.

11.9.3. In relation to those properties located to the south-east of the site, these are sufficiently set back from any proposed dwellings so as to ensure no overlooking results. In their submissions on the application, the occupiers of these dwellings raised concerns in relation to the impact of the proposed pedestrian and cycle routes which pass in relatively close proximity to the existing housing. As existing the rear of these dwelling houses are relatively exposed and do not benefit from screening, it is considered that additional screening measures should be submitted by way of condition. I consider that this measure will overcome concerns in relation to the proximity of the proposed cycle/footpaths. I consider the same measures will

overcome any amenity impacts to the permitted dwelling house, which is proposed to be built to the west of these existing properties.

11.9.4. The occupier of these properties have also raised the issue of overshadowing and loss of daylight/sunlight as a result of the proposal. Given the orientation of the proposed built form relative to these properties, I do not consider that overshadowing or loss of daylight/sunlight would result.

11.9.5. The dwellings on the opposite site of Kilmalum Road are sufficiently distant from the proposal so as not to be impacted by overlooking/loss of privacy.

11.9.6. The dwelling to the south/south-east of the site, is 16.5m from the boundary at the closest point and as such is sufficiently distant from the proposal so as not to be impacted by overlooking/loss of privacy, nor will it be impacted by loss of daylight/sunlight.

11.10. Residential Amenities/Residential Standards

11.10.1. 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; Quality Housing for Sustainable Communities 2007 and the Kildare County Development Plan 2017-2023.

11.10.2. The application includes a Housing Quality Assessment and I have had regard to same.

Overall Mix

11.10.3. A mix of dwelling is provided and includes 312 no. housing units, 18 no. duplex units and 30 no. apartments. The breakdown is as follows

Houses:

54 X 2 bed; 208 x 3 bed and 50 x 4 bed.

Apartments:

9 X 1 bed; 21 x 2 bed

Duplexes

1 x 1 bed; 9 x 2 bed; 8 x 3 bed

11.10.4. The proposed mix provides for a variety of household types and is in line with Objective HSO 8 of the Kildare County Development Plan which seeks to ensure an appropriate mix of housing types and sizes is provided in each residential development.

Houses

11.10.5. The houses comply with the minimum standards as set in Quality Housing for Sustainable Communities 2007, as relates to floor area, minimum room sizes and storage areas.

Apartments

11.10.6. Specifically in relation to the 48 no. apartment/duplexes that are proposed the relevant standards are outlined in Sustainable Urban Housing: Design Standards for New Apartments (2018). The mix is in line with SPPR 1 of Design Standards.

Floor Area

11.10.7. The apartment/duplexes all exceed the minimum floor areas required with the majority of the units exceeding the minimum floor areas by more than 10%.

Dual Aspect

11.10.8. 100% of the apartment/duplexes are dual aspect units are provided which exceeds standards.

Private Amenity Space

11.10.9. The apartment/duplexes will have private amenity space in the form of gardens/terraces for the ground floor units, and terraces/balconies at the upper floors, all of which exceed the minimum standards.

Public and Communal Open Space

11.10.10. Section 17.4.7 Kildare CDP requires that 15% of the total site area should be reserved for public open space. A total of 1.79ha of the site area is proposed as public open space, which is approximately 15.1% of the total site area of 11.83ha.

11.10.11. While I note the concerns of Kildare County in relation to the provision of open space close to the minimum requirements, I consider the overall provision of open space to be acceptable. However additional details of children's play areas, including play equipment should be provide by way of condition, should the Board be minded to approve the development. In relation to same, I note that a number of submissions have highlighted the lack of a public park in Blessington, and note the only playground is located 1.6km from the development site. As such the provision of suitable open space with appropriate play equipment would be a welcome addition to the town.

11.11. Social Infrastructure

11.11.1. A number of third party submissions have highlighted the lack of social infrastructure within the town of Blessington and have stated that the town does not have capacity to accommodate this development.

11.11.2. A Community Infrastructure Statement has been submitted with this application and I have had regard to same. This considers childcare facilities, education facilities and other social infrastructure in the town and environs. In terms of childcare facilities, a demand of 46 no spaces are generated by this development. A crèche is being provided to facilitate same and I consider that this is appropriate. In terms of education facilities, sufficient capacity was identified in the surrounding area. A lack of appropriate open space was highlighted in third party submissions. I concur that the town is somewhat deficient in same and the provision of suitable play equipment and quality open space in the development is welcomed.

11.11.3. Other Issues

11.11.4. Archaeology – An Archaeological Assessment has been submitted with the application. I am satisfied that potential effects would be avoided, managed and mitigated by the proposed mitigation measures and best practice measures. I am satisfied therefore that the proposed development would not have any unacceptable direct, indirect or cumulative effects on cultural or archaeological heritage.

11.11.5. Development Contributions - I note that a number of the submissions have highlighted that, should this development be approved, the development contributions would go to Kildare County Council yet the future occupiers would utilise facilities provided by Wicklow County Council. I share these concerns and

consider than an appropriately worded condition should be imposed requiring agreed contributions to both Kildare and Wicklow, should the Board be minded to grant.

11.11.6. Part V – While I note the concerns of Kildare in relation to the Part V proposals, I consider that an appropriate condition could be imposed requiring agreement with the requisite housing departments of both Kildare and Wicklow could be imposed should be Board be minded to grant permission.

12.0 Conclusion and Recommendation

The National Planning Framework (NPF) is a Government plan for the future growth and development of our country out to the year 2040. The roadmap for implementing the National Planning Framework is addressed through a number of implementation matters including the Regional Spatial and Economic Strategies (RSES-EMRA). Kildare and Wicklow are located in the Eastern and Midlands Regional Area (EMRA). The principle purpose of the RSES-EMRA is to ensure the sustainable and appropriate growth of the region in line with planned investment.

The proposal of 360 units would breach significantly the target of 60 units allocated to Blessington Environs to 2023, as set out Table 3.3 'Settlement Hierarchy – Population and Housing Unit Allocation 2016-2023' of Variation No. 1 of the Kildare County Development Plan 2017-2023. This allocation has been considered as part of the top down hierarchy of plans, as outlined above, and would undermine the objectives of these plans, and would represent an unwanted precedent for similar development for smaller towns in the Eastern and Midland Region. Furthermore, the objectives of the Blessington LAP (Wicklow County Council) states that development should proceed on a sequential basis, with housing development taking place initially on undeveloped lands in proximity to the town centre.

Having regard to the scale of the proposal, and having regard to the location of the site on the periphery of the town of Blessington, having regard to the deficiencies in pedestrian and cycle infrastructure, to the lack of a frequent and accessible public transport service, and having regard to flooding issues pertaining to the site, the proposed would be contrary to the provisions of the National Planning Framework, the provisions of the Regional Strategy for the Eastern and Midland Region, and would materially contravene the provisions of the core strategy and settlement

strategy for Kildare, as set out in Variation No. 1 of the Kildare County Development Plan 2017-2023. It would also be contrary to the settlement strategy, as relates to Blessington, as set out in Wicklow County Council Development Plan 2016-2022, and as set out in the Blessington Local Area Plan 2013-2019.

The impact of flooding has not been substantially addressed in the submitted Site Specific Flood Risk Assessment and the applicant has not sufficiently demonstrated the development would not be at risk of flooding and has not sufficiently demonstrated that the development would not contribute to off-site flooding.

The submitted Traffic and Transport Impact Assessment has not demonstrated that the capacity of the two junctions at Kilmalum Roundabout and the N81 Roundabout are sufficient to cater for the development, should the Blessington Inner Relief Road be completed. In addition the proposals for pedestrian and cycle infrastructure improvements along the Kilmalum Road are considered to be inadequate, having regard to the abrupt termination of same along Kilmalum Road and the lack of connection to the pedestrian and cycle infrastructure close to the Kilmalum Roundabout.

I therefore recommend that planning permission should be refused for the reasons set out below.

Recommended Order

Planning and Development Acts 2000 to 2019

Planning Authority: Kildare County Council & Wicklow County Council

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 3rd Day of March by Windlynn Ltd. care of Brock McClure Planning and Development Consultants, 63 York Road, Dun Laoghaire, Co. Dublin.

Proposed Development:

The proposed development will consist of 360 no. dwelling units in a mix of houses, duplexes and apartment units ranging from 2 to 3 storeys, including associated car

parking spaces, internal roads and paths, public and private open spaces and a crèche. The breakdown of units is as follows:

- a) 2 no. 3 bed 2 storey terraced units - House Type A,
- b) 2 no. 4 bed 3 storey terraced units - House Type B,
- c) 28 no. 3 bed 3 storey terraced units - House Type C (including 4 no. Part V units),
- d) 2 no. 3 bed 3 storey terraced units – House Type C1
- e) 48 no. 2 bed 2 storey terraced units - House Type D (including 14 no. Part V units),
- f) 6 no. 2 bed 2 storey terraced units – House Type E
- g) 12 no. 4 bed 2 storey semi-detached units - House Type F,
- h) 12 no. 4-bed 2 storey semi-detached units – House Type F1,
- i) 26 no. 3 bed 2 storey semi-detached units - House Type G,
- j) 15no. 3 bed 3 storey semi-detached units – House Type H,
- k) 1no. 3 bed 3 storey semi-detached units – House Type H1,
- l) 14 no. 4 bed 2 storey semi-detached units - House Type I,
- m) 23 no. 3 bed 2 storey semi-detached units - House Type J,
- n) 17 no. 3 bed 2 storey detached units - House Type K,
- o) 57 no. 3 bed 2 storey semi-detached units - House Type L (including 4 no. Part V units),
- p) 1 no. 3 bed 2 storey semi-detached units - House Type L1,
- q) 36 no. 3 bed 3 storey semi-detached units - House Type M,
- r) 1 no. 4 bed 3 storey detached units - House Type N,
- s) 3 no. 4 bed 3 storey detached units - House Type O,
- t) 6 no. 4 bed 3 storey detached units – House Type Q
- u) 1 no. 1 bed (at first floor over) 1 storey duplex – Duplex Type P (Part V unit),
- v) 1 no. 2 bed (at ground floor under) 1 storey duplex – Duplex Type P (Part V unit),
- w) 6 no. 3-bed 2 storey duplex – Duplex Type R (including 5 no. Part V units),

- x) 6 no. 2-bed 3 storey duplex – Duplex Type R (including 5 no. Part V units),
- y) 2 no. 3-bed 3 storey duplex – Duplex Type S (including 1 no. Part V unit),
- z) 2 no. 2-bed 3 storey duplex – Duplex Type S (including 1 no. Part V unit),
- aa) 12 no. 2-bed apartments in 3 storeys in apartment Blocks T1 and T2,
- ab) 9 no. 1-bed apartments in 3 storeys in apartment Blocks U1, U2 and U3, and
- ac) 9 no. 2-bed apartments in 3 storeys in apartment Blocks U1, U2 and U3.

Out of the 360 residential units, 36 no. units are dedicated to meet the applicant's obligations under Part V of the Planning & Development Act.

Each unit has associated private open space, as well as public open spaces accessible to all units with hard and soft landscaping treatment. Balconies are to be provided in the apartment blocks T1, T2, U1, U2 and U3 and terraces are provided at first and second floor of duplex types P, R and S.

The proposed development includes for measures to upgrade the Blessington Orchard/Kilmalum Road and Culvert over the Deerpark Watercourse, from the Roundabout junction of Kilmalum Road with Kilmalum Crescent to the culvert over the Deerpark Watercourse and these works are to comprise replacement of the existing dished curb and crossing, with a new ramped pelican pedestrian crossing, a cycle track adjacent to Kilmalum Road to improve pedestrian and cycle connections into the subject site to and from Blessington connecting into an existing footpath at Kilmalum Road, underground connection to the existing watermain, upgrade to the existing pipe culvert within the proposed open space of the subject site and proposed new culvert beneath Blessington Orchard Road/Kilmalum Road. 490 parking spaces are proposed within the curtilage of house type units, 130 shared spaces are proposed on street, with a further 7 disabled car parking spaces and 48 visitor spaces, giving an overall total of 675 car parking spaces for residential car parking. Residential bicycle spaces are provided on curtilage for the housing units with a further 141 bicycle spaces provided throughout the development for apartment, duplexes and visitor spaces. In addition, a two-storey crèche (approx. 476.5 sqm) with approx. 730 sqm of outdoor play area with a capacity for 80 no. children will be provided. Associated car parking for the crèche, resulting in 19 no. car parking spaces and 1 mini bus parking space will also be provided. The

development will have 1 no. vehicular access and 2 no. pedestrian accesses from Blessington Orchard/Kilmalum Road. Pedestrian connections to the adjoining residential development at Blessington Manor via Kilmalum View and/or Kilmalum Crescent can be facilitated through the open space network of this development. Bin storage is provided either on curtilage or in dual storage units grouped per every 2 units. The development will include associated site and infrastructural works including 2no. ESB substations of approx. 21.75sqm each, foul and surface water drainage, attenuation tanks, landscaping boundary walls and fences, internal roads, cyclepaths and footpaths.

All on lands measuring c.11.83 hectares (including third party owned lands) bounded generally to the east by the Blessington Manor Development, to the south by Blessington Orchard Road/Kilmalum Road and to the west by existing residential at Kilmalum Road, Blessington, Kildare, Co. Wicklow.

Decision

Refuse permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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.

Reasons and Considerations

1. The proposal of 360 housing units would breach significantly the target of 60 housing units allocated to Blessington Environs to 2023, as set out Table 3.3 'Settlement Hierarchy – Population and Housing Unit Allocation 2016-2023' of Variation No. 1 of the Kildare County Development Plan 2017-2023. Having regard to this breach, and having regard to the location of the site on the periphery of the town of Blessington, and having regard to the deficiencies in pedestrian and cycle infrastructure, to the lack of a frequent and accessible public transport service, and having regard to flooding issues pertaining to the site, the proposed development would be contrary to the provisions of the National

Planning Framework, the provisions of the Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031, and would materially contravene the provisions of the Core Strategy and Settlement Strategy for Kildare, as set out in Variation No. 1 of the Kildare County Development Plan 2017-2023. It would also be contrary to the Settlement Strategy, as relates to Blessington, as set out in Wicklow County Council Development Plan 2016-2022, and as set out in the Blessington Local Area Plan 2013-2019. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site is located on lands identified as Flood Zone A and B. The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009), and accompanying Appendices, provides guidance in relation to development proposals in areas at risk of flooding. The proposed development fails to demonstrate the development will not be at risk of flooding, and does not provide sufficient detail of how the proposal will not increase the risk of flooding elsewhere as per the requirements of the Box 5.1 'Development Management Justification Test' of the guidelines. The Board is not satisfied that adequate site specific information has been presented in relation to proposals for flood risk management, in particular in relation to the proposed swale/French drain running through the site, the capacity of the Deerpark watercourse and proposed culvert upgrades to cater for the additional surface water flows, the impact of changes in site levels on existing flood storage, and the need to account for appropriate climate change factors when considering predicted flood levels, and related finished floor levels. In the absence of the required information, and having regard to existing flood mapping showing extensive flooding in and around the site, the Board is not satisfied that the applicant has clearly demonstrated that the flood risk arising from the development can be limited, and is not satisfied the applicant has demonstrated the proposal will not increase flood risk elsewhere. In the absence of such information, the proposed development would be prejudicial to public safety and contrary to the proper planning and sustainable development of the area.
3. The submitted Traffic and Transport Impact Assessment has not demonstrated that the capacity of the two junctions at Kilmalum Roundabout and the N81

Roundabout are sufficient to cater for the development, in the event that the Blessington Inner Relief Road is completed. In addition, the proposals for pedestrian and cycle infrastructure improvements along the Kilmalum Road are considered to be inadequate, having regard to the abrupt termination of same along Kilmalum Road, and the lack of satisfactory connection to the pedestrian and cycle infrastructure close to the Kilmalum Roundabout. The proposed development would, therefore, have the potential to give rise to traffic congestion and would endanger public safety by reason of traffic hazard.

Rónán O'Connor
Senior Planning Inspector

22nd July 2020

Decision Quashed