



An  
Bord  
Pleanála

## Inspector's Report

### ABP-307534-20

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<b>Development</b>	23 No. dwellings and associated development.
<b>Location</b>	Glebe House, New Road, Straffan, Co. Kildare.
<b>Planning Authority</b>	Kildare County Council
<b>Planning Authority Reg. Ref.</b>	20227
<b>Applicant(s)</b>	Padraic Ryan
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Padraic Ryan
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	5 <sup>th</sup> of November 2020
<b>Inspector</b>	Caryn Coogan

## 1.0 Site Location and Description

- 1.1. The Glebe is a large residential curtilage located in Straffan village, Co. Kildare. It is 300metres from the centre of the village. It is located along New Road opposite the village national school, and alongside *The Beeches* housing estate. The subject site (1.75ha) is square in configuration and it is flat. The site hosts a large two storey dwelling, *Glebe House*, (a protected structure), and small number of cottages and outbuildings.
- 1.2. Glebe House is currently vacant, however a number of the outbuildings and cottages are occupied. It includes in the National Inventory of Architectural Heritage as is described as a three-bay two-storey Georgian House over basement. Built around 1760, and is setback from the road within landscaped grounds and a gravel forecourt to the front.
- 1.3. The ancillary buildings within the curtilage of Glebe House have been converted to 8No. residential units.
- 1.4. The site contains a number of mature trees particularly to the east of Glebe House.
- 1.5. There are two vehicular access points to the site off New Road. There are double yellow lines along the roadside boundary of the site between the two entrances, this is the north-eastern site boundary. The general area is mainly residential in landuse with a number of housing estates off New Road, and one-off dwellings to the north of the subject site.

## 2.0 Proposed Development

- 2.1. It is proposed to demolish a number of the outbuildings
  - (i) convert Glebe House into 3No. apartments,
  - (ii) convert ancillary outbuilding (Coach House) into 1No. dwellings,
  - (iii) the conversion and refurbishment of a rear extension to Glebe House to an apartment, and
  - (iv) to provide for 19No. new houses.

The overall development consists of **23No. dwelling units**.

2.2. The 19No. new dwellings will consist of :

- 3No. Type A detached two storey four bedroom dwellings;
- 1No. Type b, two storey detached four bedroom dwellings with part barrel vaulted roof on the site of the existing haybarn being demolished.
- 6No. Type C two storey, part single storey semi-detached four bedroom dwellings;
- 2No. D, two storey and part single storey semi-detached, three bedroom dwelling;
- 1No. F, two storey and part single storey detached five bedroom dwelling
- 1No. Type H, two storey and part single storey detached, five bed dwelling.

There are solar photovoltaic (PV) on the roofs of the new dwellings and the existing coach house, boundary treatments and landscaping works to include the reinstatement of some historical pathways to the front of Glebe House.

### 3.0 Planning Authority Decision

#### 3.1. Decision

Kildare Co. Co. refused the proposed development for 2No. reasons:

1. Having regard to the dominance of and character of the suburban – type housing proposed, combined with the overall design, scale and layout, it is considered that the proposed development would have a negative visual impact on the curtilage and setting of the Protected Structure (RPS No. B14-23), NIAH Ref; 11809006, Glebe House and would therefore be contrary to Policy PS 2 of the Kildare County Development Plan 2017-2023 which seeks to protect the curtilage and special character of the proposed structures from inappropriate development. The quantum of housing units proposed would be contrary to Policies CH1 and CH2, as they would negatively visually impact on the historic designated landscape of the Glebe House (B14-23) and adjoining Straffan Lodge (RPS No. B14-74) which are protected structures. The

proposed development would therefore contravene development plan policies which seek to protect the curtilage and special character of the protected structures and their historic designed landscape and would therefore be contrary to the proper planning and sustainable development of the area.

2. In the absence of satisfactory information to determine the potential impact of traffic generated from the proposed development on the surrounding residential area and adjoining local roads, the proposed development risks creating serious traffic congestion and therefore would be contrary to the proper planning and sustainable development of the area.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

The key points of the assessment can be summarised as follows:

- The appropriateness of new housing on land zoned B is questionable as there is ample land zoned for new residential development under zoning objective C. It is considered not necessary to develop lands zoned B- infill residential.
- Concerns regarding the suburban nature of the houses to the side of Glebe House. There is a mis-match occurring through the tacking-on of new housing to the protected structure. There is scope for uniquely designed housing maybe a courtyard at this location.
- Chapter 17 Development Management Standards: The proposed density of 13No. dwellings is low, but all of the houses are located in one portion of the site, and it would appear considerably higher if the open space area was discounted from the density calculations.
- The private open space gardens to the rear of a number of the dwellings is in excess of development plan standards.
- The floor area of the apartments and storage provision are acceptable
- The public open space area is only overlooked by Glebe House

- The proposal does not comply with the policies contained in Chapter 12 of the county development Plan relating to protected structures.
- Knotweed was observed on the site.
- A bat survey would have been preferable
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### 3.2.2. **Other Technical Reports**

*Environment:* No objections

*Water Services:* No objections

*Transportation:* The report indicates concerns regarding congestion on New Road, a revised layout for parallel parking is required,

*Parks:* Recommendations for the engagement of qualified arborist during construction period. Conditions are recommended.

*Heritage Officer:* Further Information regarding the management of an invasive species, Bat Survey, and fencing along ditch of western boundary.

*Conservation Officer:* Recommends Refusal because the number of housing units is not in accordance with PS 2 and PS 3, as they would negatively impact on the setting and curtilage of the protected structure. The housing units are not in accordance with PS 16 and would also negatively impact on the adjoining Straffan Lodge, and the number housing units would negatively impact on the historic designed landscape of both protected structures. In addition, the subdivision of the protected structure into apartment units would impact on the interior character of the of the protected structure. The proposal does not comply with the policies of Chapter 12 of the Kildare County development Plan 2017.

### 3.3. **Prescribed Bodies**

*Inland Fisheries:* The development is located within the catchment of the River Liffey, a salmonoid system. Any stockpiling of topsoil must be carefully considered, a comprehensive water management system is required, adequate capacity in public sewers

### 3.4. Third Party Observations

There were 6No. third part submissions/ objections to the proposed development citing the following concerns:

- The features of Glebe House will not be maintained.
- No new community facilities proposed
- There has been a massive increase in housing units in Straffan
- Excessive density
- New Road is congested and unsafe
- Access opposite school, there is daily traffic congestion.
- The design and layout is suburban in form and will result in a significant and irreversible loss of historic character
- Removal of hedgerow to provide a footpath will result in a negative impact on the biodiversity of the site.

### 4.0 Planning History

#### ***Planning Reference 04/3054***

Permission sought by Deborah O’Riordon for a residential development of 18No. terraced houses, 10No. two-bedroom apartments and 4Ni. Two storey terraced houses. Application deemed withdrawn.

#### ***Enforcement :UD 4762***

Enforcement Action taken in relation to an unauthorised building on site.

### 5.0 Policy Context

#### 5.1. Development Plan

#### ***Kildare County Development Plan 2017-2023***

#### ***Variation No. 1 – To include the National Planning Framework***

#### **Figure 2.1 Settlement Strategy for the Eastern & Midland Region**

This Development Plan seeks to encourage the focus of new development on:

- (i) Consolidation within the existing urban footprint, by ensuring 30% of all new homes are targeted within the existing built-up areas to achieve compact growth of urban settlements;
- (ii) Supporting the achievement of more sustainable climate resilient communities in towns and villages through residential and employment opportunities with a focus on sustainable urban regeneration and compact growth together with supporting social and community facilities;
- (iii) Supporting national investment in public transport services by focusing new development areas in key locations to achieve the integration of land uses and high-quality public transport provision;
- (iv) Achieving economies of scale for services and infrastructure in identified growth towns;
- (v) Promoting economic development and employment opportunities within defined Strategic Employment Development Areas in the North-West corridor of the Metropolitan Area, in line with the overall Growth Strategy;
- (vi) Facilitating development in the smaller towns and villages in line with the ability of local services to cater for growth that responds to local demand;
- (vii) Recognising the role of the rural countryside in supporting the rural economy and its role as a key resource for agriculture, equine, bloodstock, forestry, energy production, tourism, recreation, mineral extraction and rural based enterprises;
- (viii) Supporting, facilitating and promoting the sustainable development of renewable energy sources in the county;
- (ix) Protecting local assets by preserving the quality of the landscape, open space, recreational resources, natural, architectural, archaeological and cultural heritage and material assets of the county;
- (x) Promoting social inclusion and facilitating the delivery of objectives contained in the Kildare Local Economic and Community Plan (LECP) 2016-2021.

National Policy Objective (NPO) 18b of the NPF specifically makes provision to develop a programme for 'new homes in small towns and villages' with local authorities, public infrastructure agencies such as Irish Water and local communities to provide serviced sites with appropriate infrastructure to attract people to build their own homes and live in small towns and villages.

### **2.11.6 Villages under The Kildare Settlement Strategy**

The villages of Johnstown, Straffan (pop. 635), Ballymore Eustace, Allenwood, Johnstownbridge, Coill Dubh/Coolearagh, Kilmeague, Caragh, Kildangan, Suncroft, Robertstown, Ballitore, Crookstown, Moone, and Timolin located in rural settings will seek to supply new local employment opportunities, while also addressing decline, with a special focus on activating the potential for their renewal and development.

### **2.5.13 STRAFFAN VILLAGE PLAN**

The subject site is zoned B;- Existing Residential and Infill

#### **2.5.13.12 Straffan Village Plan Principles**

- (i) Straffan should be developed in a planned coherent manner to ensure the development of an attractive and sustainable village.
- (ii) The rate of growth must cater for local demands at an appropriate scale.
- (iii) Suburban residential development located on the outskirts of the village shall not be permitted.
- (iv) The River Liffey shall be protected and enhanced in terms of its recreational and ecological potential.
- (v) All new development shall have regard to the character, form and scale of buildings in the village and shall reuse where possible existing buildings / out-buildings in order to promote sustainable development.
- (vi) All new development shall have regard to the protected structures in the village core. All new buildings shall be sympathetic to their surroundings so as not to visually impinge on the historic streetscape.
- (vii) The conservation and integration into new developments of existing stone walls, trees and native hedgerows shall be required, together with the promotion of similar materials for new boundaries.

#### **2.5.13.13 Development Objectives Residential Development**

In order to facilitate local demands, 6.2 ha of lands have been zoned for new residential development, which reflect the zoning in the previous village plan. Having regard to the size of the village, previous levels of growth and to existing planning permissions there is considered to be sufficient zoned land to cater for



growth in accordance with the county Settlement Strategy. Future residential development should be undertaken in conjunction with social / community and appropriate commercial development.

It is an objective of the Council to:

**RD 1** Apply the following development requirements to lands identified “C1” (New Residential) on Map V2-2.14:

-- This site shall be accessed from the Barberstown Road with proposed buildings fronting onto this road.

-- High quality traditional building materials and indigenous landscaping will be required.

-- Existing trees and vegetation on the site shall be retained and integrated into any new development if merited. □

– Any new development proposal must ensure that the residential amenity of adjoining properties is not impinged upon.

-- Improvements in pedestrian and cycling facilities back to the village centre as part of development proposals shall be required, where appropriate.

**RD 2** Apply the following development requirements to lands identified “C2” (New Residential) on Map V2-2.14

-- High quality traditional building materials and indigenous landscaping will be required.

-- Existing trees and vegetation on the site shall be retained and integrated into any new development if merited.

-- Improvements in pedestrian and cycling facilities back to the village centre as part of development proposals shall be required, where appropriate.

## **Chapter 4 – Housing (Table 4.3)**

### **Edge of centre sites within small town/village**

The emphasis is on achieving successful transition from central areas to areas at the edge of the smaller town or village. Development of such sites tends to be predominantly residential in character and given the transitional nature of such sites, densities in the range of 20-35 dwellings per hectare will be appropriate including a wide variety of housing types from detached dwellings to terraced type accommodation.

## **Chapter 12 – Architectural and Archaeological Heritage**

### **12.4 Protected Structures**

**PS 2** Protect the curtilage of protected structures or proposed protected structures and to refuse planning permission for inappropriate development within the curtilage or attendant grounds of a protected structure which would adversely impact on the special character of the protected structure including cause loss of or damage to the special character of the protected structure and loss of or damage to, any structures of architectural heritage value within the curtilage of the protected structure. Any proposed development within the curtilage and/or attendant grounds must demonstrate that it is part of an overall strategy for the future conservation of the entire built heritage complex and contributes positively to that aim.

**PS 3** Require that new works will not obscure views of principal elevations of protected structures.

**Chapter 12** appended to this report.

## **5.2 National Planning Context**

National Planning Framework 2040

The National Planning Framework has a population projection by 2040 to 5.7million people, which provides for one million extra people, 660,000 new jobs and 550,000 new houses by 2040.This represents a signifigant growth and Dublin and the metropolitan region, including Kildare.

### ***National Policy Objective 11***

In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages subject to development meeting appropriate planning standards and achieving targeted growth.

### ***National Policy Objective 35***

Increase residential density in settlements through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes area or site-based regeneration and increased buildings

## 5.2. **Natural Heritage Designations**

The subject site is not located within a Natura 2000 site. The subject site is located 7kilometres south of the Rye River/ Carton Valley SAC.

Ballynafagh Bog SAC – 10Km west of the site

## 5.3. **EIA Screening**

Having regard to the nature and scale of the proposed development involving demolition of a single dwelling house and other small structures within the confines of a suburban site and to the nature of the receiving environment there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore be excluded at preliminary examination and a screening determination is not required.

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

#### 6.1.1 **Reason No. 1**

Attached to the appeal is an Architectural Heritage Impact Assessment and accompanying opinion by John F. Greene Grade 1 Conservation Architect. The report concludes:

- It is considered that the proposed development will not result in a negative impact on the architectural heritage of the protected structure.
- It is considered that the proposed development will result in a neutral impact on the Architectural Heritage of Straffan Lodge.
- It is considered the proposed development will result in a neutral impact on the Architectural Heritage of the setting of the area.

The rear of Glebe House is devoid of historic, architectural or landscape features. The gable end of Straffan House is setback 65metres from the subject site. There are tall fast growing trees planted along the boundary, and Straffan Lodge will be fully screened from the proposed dwellings. In addition, the proposed development involves the provision of a new hedgerow and supplementary trees along the western boundary of the site.

In terms of the alleged dominant impact on Glebe House, it is submitted the number of dwellings is moderate given the size of the site. The applicant is prepared to accept a condition that House No. 18 be removed and relocated House No. 19 in order to pull the proposed western row of housing fully behind the front building line of Glebe House.

A number of similar examples to the current proposal are provided on appeal, Orchard Road, Sallins Road, Naas. Diswellstown Manor, Castleknock, Johnstown Lodge.

The planning authority has referred to the proposal been contrary to the policies of the development plan. The wording of the first reason does not state 'material contravention', therefore the Board can grant permission for the development.

The Board can grant planning permission for the development under National Policy Objective 35 in the National Planning Framework which seeks to increase residential density in settlements.

#### **6.1.2 Reason No. 2**

The alleged traffic congestion along New Road refers to the opening and closing of the national school. The applicant was advised at pre-planning stage to provide a setdown area and carparking. This was difficult to provide and retain the trees to the front curtilage of the house.

On appeal a new setdown area and a revised carparking layout for the apartments is proposed. An independent road safety audit was carried out.

#### **6.2. Planning Authority Response**

There was no response from the planning authority.

## 7.0 Assessment

- 7.1. The proposed development of 23No. housing units at Glebe House, Straffan involves converting Glebe House into 3No. apartments, an apartment conversion to a rear extension of Glebe House, and providing 19No. new dwellings on the remainder of the site. Glebe House, a protected structure, the proposal includes retention of the existing access road to the main house, and a large front and side garden area as public open space in order to protect the views of the house. The new housing will be to the side and rear of the protected structure.
- 7.2. The planning authority refused the development for 2No. reasons stating the design, scale and layout would have a negative visual impact on the curtilage and setting of the Protected Structure, and the proposed development could create serious traffic congestion within the surrounding area.
- 7.3. I will assess the proposed development under the following headings:
- Planning Policy
  - Design and Layout
  - Impact on Protected Structure/ Architectural Heritage
  - Traffic
  - Appropriate Assessment

### 7.3 Planning Policies (National and Locally)

The National Planning Framework 2020 has a population projection by 2040 to 5.7million people, which provides for one million extra people, 660,000 new jobs and 550,000 new houses by 2040. This represents a significant growth in Dublin and the metropolitan region, including Kildare, which within the county, will be accommodated in the major towns and the small villages. National Policy Objective 11 states *'In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages subject to development meeting appropriate planning standards and achieving targeted growth'*, and National Policy Objective 35 states *'increase residential density in settlements through a range of measures including reductions in vacancy, re-use of existing buildings, infill*

*development schemes area or site-based regeneration and increased buildings*'. Essentially the subject site is an underutilised serviced site, zoned for residential development, in the village of Straffan, Co. Kildare. It is located alongside existing (The Beeches) and proposed residential developments and a national school. The site currently includes a large dwelling which is a protected structure and several small outbuildings some of which are currently residential in use. Therefore, the principal of a residential development on the site is conducive to the existing and adjoining land uses.

According to the Kildare County Development Plan 2017 Straffan is designated as a 'village' in the County Settlement Strategy. According to the village plan all new development in Straffan should have regard to the character, form and scale of existing buildings in the village and shall reuse where possible existing buildings/ outbuildings in order to promote sustainable development. The subject site is zoned B '**Existing Residential/ Infill**'. The proposed density is modest, and in keeping with the pattern of development in the area. On balance the proposal is acceptable in terms of planning policy. I note the Planning Report on file states that Zoning C in the Straffan plan is for new residential development, and that the current proposal is inappropriate under Zoning B. However given the level of one off housing to the north of the site, The Beeches housing estate to the south, and the residential use of the subject site, I consider the extent of the site to be infill and supporting an existing multiple residential unit use, and it is located in close proximity to the village centre and adjoining the national school. Therefore, a low density of 13units per hectare is in keeping with the zoning objective for the area, and acceptable in principle under the zoning objective for the subject site.

#### 7.4 **Design and Layout**

The proposal includes for the refurbishment and conversion of Glebe House into 3No. apartments. The apartments are spacious and represent a mix of housing types. There is a later modern rear extension to Glebe House that will also be converted to an apartment, creating 4No. apartments in total. Access to Glebe House shall be from the existing avenue to Glebe House maintaining the original approach to Glebe House.

The new housing is to the rear and western side of Glebe House. The proposal involves converting 1No. coach house into a dwelling, and includes another new dwelling beside the Coach House. These two houses can be viewed from the approach and front garden area of Glebe House. However the setback from the front building line of Glebe House, ensures the protected structure will remain the dominant feature on the site, and there is landscaping proposed to the rear of the dwellings, screening the ground floor of the dwellings entirely from view within the curtilage of the Protected Structure.

The remaining outbuildings will be demolished, and this will enhance the overall setting of the Glebe House. On the greenfield portion of the grounds, which is where a swimming pool and equestrian paddock existed and is now overgrown and unkempt, there are 19No. detached and semi-detached contemporary houses proposed. Three of the new dwellings will address New Road and be accessed from a short cul de sac, with 4No. dwellings backing onto them. There is a row of 9No. dwellings proposed along the western (side) site boundary. Each dwelling has a simple design with high quality finishes. The new dwellings are accessed off a spine road which in turn is accessed off New Road to the rear of Glebe House. The proposed main access to the overall scheme is currently the rear and subsidiary access to the property.

The most pronounced aspect of the overall design is large garden area retained to the front of Glebe House which shall be used as public open space. The space (0.532Ha) is safe and conveniently accessible to all dwellings in the scheme. The area will be overlooked by the apartments in Glebe House. The planning authority were concerned the area would only be overlooked by Glebe House and not the new dwellings, however, I consider this level of passive surveillance to be adequate.

The proposed density is 13units per hectare which is lower than the density prescribed for village or edge of centre locations in the development plan. The low density is considered to be appropriate given the sensitive nature of the site in terms of protecting the architectural merits of the Protected Structure.

There is no overlooking of the detached two storey dwelling to the north of the subject site addressing New Road. The mature hedge along the northern site boundary is to be retained and this provides significant natural screening. There is

Protected Structure to the west of subject (Straffan Lodge) which will also be screened from the proposed development by a mature hedge. There is a housing estate to the south of the proposed development (The Beeches), however the new development does not impinge on the existing estate. Therefore, the impacts on existing residential development adjoining the subject site will be negligible.

Overall, I consider the proposed design and layout will readily integrate onto the subject site with due regard to the existing residential pattern of the area. The proposed new residential element supports urban consolidation in close proximity to the village centre, and overall the proposal provides a diversity of housing to meet with future community needs. The proposed layout provides a safe, comfortable and functional living environment for the future residents, and appropriate landscaping is proposed throughout the scheme.

## **7.5 Impact on Protected Structure**

A Conservation Impact Assessment was prepared and accompanied the planning application. I note Chapter 12 of the Kildare Development Plan 2017 in particular Section 12.4 relating to Protected Structures. Glebe House is a protected structure in the development plan. In the National Inventory of Architectural Heritage, the house is listed as 'Category of Special Interest' and is of Social and Historical interest. It was formerly the residence of the Church of Ireland clergy in the locality. It is set within its own landscaped curtilage.

Under the proposed scheme, Glebe House will retain the majority of internal subdivisions, and the impact on the historic fabric will be minimal and can be reversed if the property is to be restored back to a single residence in the future.

In my opinion, the proposed layout which includes the dwellings to the rear and side of the protected structure is respectful to the historic setting. The historic pathways to the front of the house and the garden area deliberately maintain a clear setting to the front of the house. The removal of the inappropriate outbuildings and extensions adjoining the house will also impact positively on the setting of Glebe House. I note the Conservation Officer report on file considered the layout of the proposed scheme to be too suburban in character and would materially detract from two protected structures, namely the Glebe House on the subject site and Straffan Lodge on the adjoining site to the west. Of particular concern was the 9 No. dwellings along the



western site boundary, and the proposal projecting past the front building line of Glebe House.

I note the Architectural Conservation reports submitted with the application and on appeal. There is a mature hedge along the western site boundary, and the adjoining Straffan Lodge is not visible from within the subject site, albeit partial gable elevations. There is no relationship between the proposed development and the adjoining Straffan Lodge. I consider the proposal will have minimal impact on the adjoining protected structure.

In terms of the Glebe House, the proposed layout to the rear will have a minimal impact on the setting and curtilage of the main house because that element of the site is currently unkempt and most of the site area is to the rear of the protected structure is not utilised. In addition, the majority of existing outbuildings and new additions to the protected structure are unsightly, and currently in individual residential use. The greatest impact of the proposed development will be to the front of the protected structure. I note the position and location of House Type F that is perpendicular to the main house, which projects beyond the building line of Glebe House. The massing of the House Type F is broken up with single storey structures to the side of the main two storey element. I consider the visual impact will not be significant. The use of the curtilage has evolved over time. The site for the new houses was recently a swimming pool and equestrian paddock. The current proposal advances Glebe House into modern living accommodation in line with current residential accommodation standards, and I consider it is acceptable to be able to view the new contemporary dwellings within the grounds of the house from the front garden area and approach to the dwellings. I consider the setbacks and building lines of the proposed new dwellings to be acceptable in term of the setting of the Protected Structure.

Overall, I consider the design and layout has been carefully executed to have a minimal visual impact on the protected structure. The concerns of the planning authority and the conservation officer could be addressed by removing 1-2 dwellings visible from the front curtilage of the protected structure. However, I consider ample space and garden area to the front curtilage of Glebe House has been retained within the scheme to ensure the minimal impact to the protected structure.

Furthermore, it is my opinion, the high quality design and separation distances will

enhance the current setting of Glebe House and create a quality, compact housing development with a mix of housing types.

The conversion of the main house into apartments will ensure its preservation of Glebe House and prevent further physical deterioration of the building which has been vacant for some time.

## **7.6 Traffic**

There are 2No. vehicular accesses to the subject site, and both accesses are to be retained and utilised under the proposed scheme. The access to Glebe House has restricted sightlines and it will function as a pedestrian/ cyclist entrance.

The main access to the proposed scheme is via an existing (rear and subsidiary) access along New Road. It is located further north along the roadside boundary. There is a new footpath proposed along the roadside boundary. The sightlines parking provision and auto tracking are acceptable.

The Roads Section expressed concerns regarding traffic congestion in the area. I did note during my site inspection, that considerable congestion occurred during school opening and closing times. However, this congestion will occur at the school regardless of the proposed development, and is a temporary congestion that is associated with a lot of schools. Families within the scheme can access the school by walking and are unlikely to drive to the school as it is located across the road from the proposed site.

On appeal, the applicant has presented a setdown area along the front frontage of the scheme, which will require the removal of a number of notable trees. The parking area associated with the proposed apartments has been re-configured. Overall, I consider the setdown area to be a planning gain for the local community whereby a number of cars waiting can park off the New Road, and this will ultimately ease congestion associated with the school times.

## **7.7 Other Matters**

The planning application included an Arboriculturist Impact Assessment and Tree Protection Plan. It is noted the zoning map in the development plan includes Tree Woodland Preservation Objective, however these trees have not been the subject of a Tree Preservation Order.

The Ecological Impact Assessment recommended a bat survey be carried out which should be included as conditions of a permission.

There are separate foul and surface water drainage proposals. Surface water from the impermeable area will drain to the public system via attenuation.

## **7.8 Appropriate Assessment**

There is an open ditch forming the western site boundary of the site, and the surface water may link into the River Liffey which runs along the south of the K-Club golfing complex to the south of the village. The supporting river system does not drain into the Rye River/ Carton Valley SAC which is approximately 7Km north of the Straffan on the other side of the M4. There is no direct or indirect link from the subject site to a Natura 2000 site. Therefore, no Appropriate Assessment issues arise and it is not considered the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on the conservation objectives of any European site.

## **8.0 Recommendation**

- 8.1. Based on my site inspection and the assessment of the content of the appeal file, I recommend the proposed development be granted planning permission by the Board.

## **9.0 Reasons and Considerations**

Having regard to the zoning of the site, the pattern of development in the area, and the design, form and height of the proposed dwellings, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with national policy and local development policies and objectives for the area, would not seriously injure the integrity, setting and character of the protected structure or the visual and residential amenities of the area, would be acceptable in terms of traffic safety and convenience, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on appeal to An Bord Pleanála 10th of July 2020, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, proposals for increased on-site attenuation in accordance with the *Greater Dublin Regional Code of Practice for Drainage Works*, shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** In the interest of public health.

3. The developer shall enter into water and/or waste water connection agreement(s) with Irish Water prior to the commencement of this development.

**Reason:** In the interest of public health.

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

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

5. (a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs and car parking bay sizes shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths and corner radii within the development shall be in accordance with the guidance provided in the National Cycle Manual.

(b) The materials used in any roads/footpaths provided by the developer shall comply with the detailed standards of the planning authority for such road works.

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

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

6. Prior to the commencement of development, the following shall be submitted to, and agreed in writing with, the planning authority:

(a) Proposals to setback the boundary along New Road Road to provide for a parking area associated with the national school on the opposite side of New Road,

(b) Details of the height and specification for the new boundary treatment and recessed entrance to be provided along New Road to serve the residential element of the development, and

(c) Details of replacement access to The Glebe House from New Road which shall be a pedestrian access only,

The new footpath and cycle lane along New Road shall be provided by the developer, in accordance with the requirements of the planning authority.

**Reason:** In the interests of traffic and pedestrian safety.

7. Details of all boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

8. Proposals for a naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and numbers shall be provided in accordance with the agreed scheme.

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

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

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

10. The developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement of

development. A practical completion certificate shall be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority and in accordance with the permitted landscape proposals.

**Reason:** To ensure full and verifiable implementation of the approved landscape design.

11. All of the houses with on-curtilage parking shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements, including details of design of, and signage for, the electrical charging points shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of sustainable transportation.

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

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

13. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall –

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

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

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

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

14. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

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

15. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority full details of the proposed public lighting, including the lighting levels within open areas of the development.

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

16. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and 3 (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted



under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

**Reason:** To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

17. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

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

18. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning

authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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**Caryn Coogan**  
**Planning Inspector**

**09/12/ 2020**