



An  
Bord  
Pleanála

## Inspector's Report

### ABP-311825-21

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<b>Development</b>	Alterations to Blocks 3, 4, 7, 8 and 9 and the creche building of previously permitted development ABP-307258-20 as amended by ABP-311161-21.
<b>Location</b>	Lands at Devoy Quarter, Naas West, Co. Kildare.
<b>Planning Authority</b>	Kildare County Council
<b>Applicant(s)</b>	Randelswood Holdings Ltd.
<b>Type of Application</b>	Section 146B.
<b>Prescribed Bodies</b>	Transport Infrastructure Ireland.
<b>Observer(s)</b>	None.
<b>Inspector</b>	Karen Hamilton

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Appendix A: EIA Screening Determination Form

## 1.0 Introduction

- 1.1. An Bord Pleanála received an application for alterations to a previously permitted development (reference ABP-307258-20 & modified under Ref ABP 311161-21) on the 21<sup>st</sup> of November 2021, from Downey Planning on behalf of Randelswood Holdings Ltd. to alter the permission granted for a residential development on lands at Devoy Quarter, Naas West, Naas, Co. Kildare. The request for alterations is made under Section 146B of the Planning and Development Act, 2000, as amended.
- 1.2. In accordance with Section 146B (2)(a) of the Planning and Development Act 2000 (as amended) and following a review of the submitted details, it was concluded that the alterations to which this request relates, amounted to a significant alteration to the overall development, and it could not be reasonably concluded that the Board would not have considered the relevant planning issues differently to a material extent, and that other planning issues for consideration might also arise. As a result, the alteration was considered to constitute the making of a material alteration of the terms of the development concerned.
- 1.3. Pursuant to subsection (3)(b)(i) notice was subsequently served on the requester to require the submitted information to be placed on public display and submissions sought, prescribed bodies to be issued a copy of the proposal, and additional drawings to be submitted.
- 1.4. Following the receipt of this information and display period up to 17<sup>th</sup> of May 2022, a determination is now required under subsection (3)(b)(ii) of the Act whether to —
  - (i) make the alteration,
  - (ii) make an alteration of the terms of the development concerned, being an alteration that would be different from that to which the request relates (but which would not, in the opinion of the Board, represent, overall, a more significant change to the terms of the development than that which would be represented by the latter alteration), or
  - (iii) refuse to make the alteration.

## 2.0 Site Location and Description

- 2.1. The site (2.127ha), a greenfield site, is located to southwest of Naas Town Centre, Co. Kildare. The subject is accessed and located to the east of the John Devoy Road a relatively new connection road linking the town centre to the bypass along the southern boundary of Naas. A residential complex, Devoy Quarter, adjoins the site to the northeast and includes the Osprey hotel within the grounds. A range of apartments and duplex units are integrated into this scheme and potential connectivity exists between both sites.
- 2.2. Newly constructed residential estates are located to the southwest on the opposite side of John Devoy Road and mostly comprise of two storey dwellings. An SHD application has been recently granted for lands to the south for 314 no residential units. The site contains a number of hedgerows and trees on the boundaries and an open stream runs along the west of the site, adjoining the John Devoy Road.

## 3.0 Planning History

### **ABP 307258-20**

- 3.1. Permission was granted under ABP 307258-20 for 152 no apartments in 7 no blocks, a community building and creche subject to 16 conditions of which the following are of note:

C2: Alterations to the proposed development should include:

- the removal of the external staircases of the duplex units and revisions to the waste facilities.
- removal of gates for the entrances along John Devoy Road.
- alterations to the boundary treatment and;
- removal of the cycle lane from the internal road.

C3: Revisions to the landscaping scheme

C4: Compliance with the NTA National Cycle Manual.

## **ABP 311161-21**

3.2. A S146B application was submitted to the Board for the following alterations to ABP 307258-21:

- Alterations to the red line boundary of the site,
- Amended layout of parking, bin stores to accommodate boundary changes,
- Re-orientation and redesign of the permitted crèche building and amendments to associated car parking and outdoor spaces,
- Revisions to the entrances to permitted Blocks 3,4,5,7,8 and 9 and associated external alterations.

3.3. The Board considered the proposed alterations where not material and permitted the alterations subject to the retention of balcony details permitted under ABP 307258-20.

## **4.0 Proposed Changes**

### **4.1. Introduction**

Overall, the alterations relate to 4 no. Blocks (3, 4, 7, 8 and 9), crèche and associated areas and may be summarised as follows:

- The number of units has increased by 19 units, from a permitted 152 units to 171 units.
- Internal and external modifications to permitted blocks 3, 4, 7, 8 and 9 to accommodate the change of unit mix within these blocks, to allow for the increase in units numbers.
- The proposed modification application will provide an additional 19 no. apartments. This will result in a unit mix of 58 no. 1 bed units (34%), 28 no. 2 bed units (16%), 59 no. 2 bed duplex units (35%) and 3 no. 3 bed (2%) and 23 no. 3 bed units (13%)
- Car parking spaces have increased by 22 no. spaces (reduced to 10 no spaces following the public consultation) and bicycle spaces increased by 21 no. spaces around the site to accommodate changes.

- Inclusion of a new bin store and a new ESB substation.
- Increase in the height of all Blocks (3, 4, 8 & 9) to accommodate an additional floor for 19 no. units.
- Increase in the height of the crèche to accommodate an additional floor for 2 no. units.
- Minor amendments to the northern boundary to reflect land in ownership.
- Residential amenity and landscaped area amended to accommodate the additional car parking spaces, bin storage and ESB substation.

I have elaborated further on each aspect of the proposed alterations hereunder, for clarity.

#### 4.2. **Alterations to Previously Permitted Blocks 3, 4, 7, 8 & 9**

Block 3 alterations include:

- Additional floor and increase in height (increase from 3 storey to 4 storey).
- 8 no. additional units (increase from 22 no. units to 30 no. units)
- Change to the previously permitted mix (granted 8 no. 1 bed units, 12 no. 2 bed units and 2 no 3 bed units to proposed 12 no. 1 bed units, 10 no. 2 bed units and 6 no. 3 bed units).
- Internal reconfiguration of the duplex units from the first and second floors up to the second and third floor.
- External modifications to include the removal of access door and alterations to the balcony location for the proposed and existing units.

Block 4 (corner unit) alterations include:

- Additional floor on the northern element (increase from 3 storey to part 4 storey).
- 4 no. additional units (2no. 1 bed and 2 no. 2 beds).
- Change to the previously permitted mix (granted 10 no. 1 bed units, 9 no. 2 bed units and 1 no 3 bed units to proposed 12 no. 1 bed units, 11 no. 2 bed units and 1 no. 3 bed units).

Block 7 alterations include:

- Change to the previously permitted mix (granted 8 no. 1 bed units, 8 no. 2 bed units and 3 no 3 bed units to proposed 10 no. 1 bed units, 8 no. 2 bed units and 2 no. 3 bed units).

Block 8 alterations include:

- Additional floor (increase from 3 storey to 4 storey).
- 2 no. additional units
- Change to the previously permitted mix (granted 6 no. 1 bed units and 2 no. 2 bed units to proposed 4 no. 1 bed units, 7 no. 2 bed units and 3 no. 3 bed units). Overall, the change represents 2 less one bed, 5 more 2 bed and 3 more three bed units.

Block 9 alterations include:

- Additional floor (increase from 3 storey to 4 storey).
- 2 no. additional units
- Change to the previously permitted mix (granted 6 no. 1 bed units and 6 no. 2 bed units to proposed 4 no. 1 bed units, 7 no. 2 bed units and 3 no. 3 bed units).

Creche alterations:

- Increase the height to accommodate an additional floor (single storey to two storey)
- 2 no. 2 bedroom units on the first floor with associated balconies.

## 5.0 Public Consultation

- 5.1. The Board considered the alterations where material and directed the requester to publish notices of the proposed request, to make information regarding the request available for inspection, and to invite submissions to be made to the Board.
- 5.2. The applicant was requested to make the following information available:

- An updated sunlight and daylight report which is accompanied by detailed plans and particulars which clearly illustrates the ADF of each room and identifies those rooms, in all Blocks, which cannot meet the recommended BRE Guidance standards. This report should address the full extent of requirements of BRE209/BS2011, as applicable.
- Additional Computer-Generated Images (CGIs) illustrating the proposed development and the full context, including, *inter alia*, the carparking spaces, bin storage and ESB substations. Additional CGI's shall be provided from the internal road networks and shall clearly illustrate the visual impact of the additional car parking beside the public open space and Block 3, 4 & 5.
- Full specification of type and location of all planting proposed.
- A report highlighting the change to the unit mix, having regard to the permitted and proposed unit mix.
- Clarity on the total number of additional units proposed.
- An updated Housing Quality Assessment detailing compliance with the required storage areas for the apartments having regard to Section 3.31 of the *Sustainable Urban Housing: Design Standards for New Apartments*'
- An updated Traffic Assessment and/or plans detailing the appropriate turning manoeuvres required for all car parking spaces, having regard to the proposed landscaping and DMURS.
- An updated car parking proposal having regard to the requirements of Condition No. 3 (a) of the permitted proposal ABP 307258-20.
- Details of all changes to bicycle parking.

5.3. A set of drawings that clearly compared and contrasted the proposed alterations with the development as permitted was to be made available also. The planning authority had to be informed of the request and invited to make submissions upon it.

5.4. The applicant published a public notice and made available the proposed changes. One submission from Transport Infrastructure Ireland was received which acknowledged the consultation and made no observation to the alterations proposed.



## 6.0 Policy Context

### 6.1. Project Ireland 2040 - National Planning Framework (NPF)

#### 6.2. Section 28 Ministerial Guidelines

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design Manual);
- Design Standards for New Apartments – Guidelines for Planning Authorities;
- Design Manual for Urban Roads and Streets (DMURS);
- The Planning System and Flood Risk Management (including the associated Technical Appendices);
- Childcare Facilities Guidelines for Planning Authorities;
- Urban Development and Building Heights – Guidelines for Planning Authorities;

#### 6.3. Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly 2019-2031: (EMRA-RSES)

- Naas is a designated Key Town in the Core Region. (capacity for commensurate growth)

#### 6.4. Kildare County Development Plan (KCDP) 2017-2023

Variation No 1 of the development plan was adopted by the elected members on the 09th of June 2020 to include an updated Core Strategy, in line with the NPF and EMRA-RSES.

The changes to the development plan have been included in the following information.

- Table 2.2- Settlement Strategy- Naas is identified as a Key Town (Tier 1 of the settlement strategy) with high quality transport links and the capacity to act as regional drivers to complement the Regional Growth Centres.
- Section 2.7- The preferred development strategy, informed by the SES is to build strong urban centres focusing on the MASP and Key Towns of Naas and Maynooth.

- Table 3.3- Population and Housing Unit Allocation 2020-2023. Population growth of 2,514 persons and a dwelling target of 898.
- SO1- Support the sustainable long-term growth of Key Towns (Naas).
- SO9: Sequentially develop lands within towns and villages in accordance with Development Plan Guidelines (DEHLG, 2007).

## 6.5. Naas Local Area Plan (LAP) 2021-2027

The Naas LAP 2021-2027 has been adopted by the elected members since the original grant of permission (ABP 307258-20), the land use zoning remains the same.

- Zoning Objective C: New residential – *“to provide for new residential development and other services incidental to residential development.”*

## 7.0 Assessment

### Introduction

7.1. The applicant was permitted 152 no apartments in 7 no blocks, a community building and creche under ABP 307258-20. The Board considered the alterations proposed under ABP- 31161-21 where minor in nature and include the following:

- Alterations to the red line boundary of the site,
- Amended layout of parking, bin stores to accommodate boundary changes,
- Re-orientation and redesign of the permitted crèche building and amendments to associated car parking and outdoor spaces,
- Revisions to the entrances to permitted Blocks 3,4,5,7,8 and 9 and associated external alterations.

7.2. The applicant in their submission has elaborated on the proposed alterations and how they differ from the parent permission in terms of height, unit numbers, unit mix, parking and amenity space. The following assessment has regard to both the original permitted scheme ABP-307258-20 and the recent alterations permitted under ABP-311161-21.

7.3. The alterations submitted with this S146B application were considered material and the applicant was requested to advertise the proposed changes and include additional information. Following a period of public consultation, one response was received from Transport Infrastructure Ireland (TII) acknowledging the consultation. The following assessment has regard to the additional information submitted following the public consultation. No submission was received from the Planning Authority in regard to the proposed alterations.

### **Apartment Design and Layout**

7.4. The alterations apply to the previously permitted blocks 3, 4, 7, 8 and 9. In general the alterations include an increase in height of blocks 3, 4, 8 and 9 by one storey and alterations to the unit mix within blocks 3, 4, 7, 8 and 9. The overall alterations, including the increase in height and change to unit mix will increase the number of additional units from permitted 152 units to 171 units.

7.5. The Board noted the permitted density at 72 units per hectare (uph) acceptable, having regard to the location of the site within Naas town. I consider any increase of density to c. 78uph would not significantly alter the overall parameters of the original permission and would be acceptable at this location.

### Unit Mix

7.6. In terms of unit mix the amended documentation submitted with the additional, final formation included a report detailing and clarifying the unit increase and changes to the mix. The unit mix permitted for ABP 307258-21 includes 54 no. one bed units (36%), 73 no. two bed units (48%) and 25 no. three bed units (16%). The Change of Unit Mix Report notes the mix now proposed is as follows 58 no. one bed units (34%), 87 no. 2 bed units (51%) and 26 no. 3 bed units (14%). The Urban Design Statement notes the new mix of unit types is more in keeping with the current residential market.

7.7. I note the substantive mix of units remains similar to the previously permitted development with an appropriate mix and range of one, two and three bed units. The change of mix report further details the breakdown of unit types across the duplex and apartment units. The most significant change relates to an increase in three bed duplex units from 7% (11 no.) to 13% (23 no.) which I consider reasonable. Overall, I consider the change to unit mix is appropriate,

### Increase in Height

- 7.8. As stated above, blocks 3, 8 and 9 will increase by one floor from 3 to 4 storey and block 4 (corner unit) to 5 storey. Overall, the height of those blocks will increase by c. 3.8m.
- 7.9. Updated verified views/ photomontage were submitted with the initial S146B application and included six views. The applicant was requested to submit additional Computer-Generated Images (CGIs) illustrating the proposed development and the full context, including, *inter alia*, the carparking spaces, bin storage and ESB substations. These additional CGI's were to be located from the internal road networks and shall clearly illustrate the visual impact of the additional car parking beside the public open space and Block 3, 4 & 5.
- 7.10. The updated CGI's include 10 view points taken from locations along the John Devoy road and internally beside the creche, community building, public open space and at the entrances into the site. The proposed additional floors are clearly illustrated in the submitted visuals. The overall massing and elevational treatment remain similar to the permitted development. The existing proposed materials (i.e., render and brick detail) will continue into the additional floor.
- 7.11. I do not consider the increase in height and additional floors onto blocks 3, 4, 8 and 9 will have a significant visual impact on the permitted scheme or the surrounding area. I consider the increase in height acceptable.

### Daylight, Sunlight & Overshadowing

- 7.12. An updated Daylight, Sunlight and Overshadowing report for the proposed development was submitted with the initial S146B application. The report stated that rooms within Blocks 3, 4, 5, 7, 8 & 9 were assessed against the minimum Annual Daylight Factor (ADF). The standards for applied for habitable rooms were 2% for kitchens and living rooms, 1.5% for living rooms and 1% for bedrooms. The table which accompanied this analysis highlighted a number of rooms which could not meet the minimum ADF requirements, as listed below:

#### Block 4

- B4-06.1 LKD (1.2%)
- B4-08.1 Liv (0.78%)

- B4-08.4 Bed (0.51%)
- B4-10.1 LKD (1.51%)

#### Block 7

- B7-01.1 LKD (1.54%)
- B7-02.1 LKD (1.03%)
- B7-09.1 LKD (1.75%)

7.13. The accompanying plans did not provide clarity on the exact location of those rooms. An updated sunlight and daylight report was requested to provide clarity on the location of the rooms. This updated information included the floorplans with corresponding ADF figures. In addition, an assessment of the Annual Probable Sunlight Hours (APSH) of living rooms with windows that face within 90° of due South was included.

7.14. In considering daylight and sunlight impacts, the Apartment Guidelines (2020) state that PA's should have regard to quantitative performance approaches outlined in guides like the BRE guide Site Layout Planning for Daylight and Sunlight (2nd edition) or BS 8206-2: 2008 – Lighting for Buildings – Part 2: Code of Practice for Daylighting' (Section 6.6 refers). The Building Height Guidelines (2018) state under Section 3.2 Development Management Criteria, that at the scale of the site/building, 'appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment's Site Layout Planning for Daylight and Sunlight (2nd edition) or BS 8206-2: 2008 – Lighting for Buildings – Part 2: Code of Practice for Daylighting'. I note the latter document British Standard (BS) 8206-2:2008 has since the publication of the guidelines been replaced by BS EN 17031:2018 'Daylight in Buildings', however, I am satisfied that it does not have a material bearing on the outcome of the assessment and that the relevant guidance documents remain those referenced in the Building Height Guidelines and the Apartment Guidelines. I note the original proposal was not considered a material contravention of the development plan in regard to density or height.

7.15. Daylight: As stated above, a number of rooms cannot meet the target standards from the BRE guidance. I note an additional room in Block 2 have been included in the

updated in the updated analysis. The accompanying drawing provide clarity in relation to the location of these rooms.

#### Block 2

- B2-01.2 - LKD (1.76%)
- B2-07.1 - LKD (1.72%)

#### Block 4

- B4-06.1- LKD (1.44%)
- B4-08.1 - Liv (0.84%)
- B4-08.4 - Bed (0.55%)
- B4-10.1- LKD (1.51%)

#### Block 7

- B7- 01.1 - LKD (1.67%)
- B7-02.1 - LKD (1.12%)
- B7-18-2 - LKD (1.88%)

7.16. The conclusion of the sunlight and daylight report notes the percentage of units which meet the target at 98.7%. I note the location of rooms above, which do not meet the minimum targets, are now identifiable on the maps. The value of ADF into each room is slightly below the minimum standards in most cases.

7.17. In relation to ADF value for B4-08.1 and B4-08.4, I note both rooms are linked to is a corner unit. The available sunlight into these rooms is very limited. The absence of sufficient daylight into these rooms appears to be based on the location of the unit in the corner of the building. The applicant has not provided any compensatory measures to overcome the limited daylight into this unit. I note this is a two-bedroom unit with a separate living room. It is my opinion that the current design, which can not substantially meet the BRE target standards is not acceptable. A condition to integrate the living room and kitchen and both bedrooms, can be included by the Board.

7.18. Overshadowing: The site is located to the south of the Osprey Apartments and detached dwellings to the east along Rathasker Road. Shadow projection drawings

have been submitted which illustrate no shadow cast on existing properties. I note the location of the blocks and the orientation of the site to the south and west of existing properties and consider these shadow projection drawings acceptable. The Board will note the increase height applied to those blocks along the west and southwest of the site. I do not consider the alterations would have any significant impact on the residential amenities of the occupants of existing properties.

#### Alterations to the Internal Layout

- 7.19. In relation to the layout, a Housing Quality Assessment has been submitted for the units within each block and the additional 2 no. apartments proposed above the crèche. The applicant indicates compliance with all the minimum room sizes, storage areas and private amenity space. The “Planning Report” notes compliance with SPPR 1 and 3 of the Sustainable Urban Housing: Design Standards for New Apartments’, for both the mix and the minimum floor areas of the apartments.
- 7.20. The submitted plans and particulars illustrate storage areas, in the most part storage areas in the hall and bedroom as boiler space and bedroom furniture. The applicant was requested to submit an updated Housing Quality Assessment detailing compliance with the required storage areas for the apartments having regard to Section 3.31 of the Sustainable Urban Housing: Design Standards for New Apartments’. I note the floor plans submitted include the required built-in storage areas. Whilst storage space is included in the bedrooms, I note there is additional space for bedroom furniture and therefore, it is my opinion the layout can comply with the requirements of Section 3.31 of the Sustainable Urban Housing: Design Standards for New Apartments’

#### **Car Parking and Bicycle Parking Alterations.**

##### Quantum of Car and Cycle Parking

- 7.21. An increase in 22 no. car parking spaces (from 175 no. spaces to 197 no. spaces) and an increase of 24 no. cycle parking spaces (from 190 spaces to 214 spaces) was included in the initial S146B application. A large number of the extra car parking spaces were located along the public open space, adjoining Block 9 and along the internal road, in place of previously proposed landscaped areas
- 7.22. The applicant was requested to submit the following as additional information:

- An updated Traffic Assessment and/or plans detailing the appropriate turning manoeuvres required for all car parking spaces, having regard to the proposed landscaping and DMURS.
- An updated car parking proposal having regard to the requirements of Condition No. 3 (a) of the permitted proposal ABP 307258-20.
- Details of all changes to bicycle parking.

7.23. The updated Traffic and Transport Report states that there are now 181 spaces proposed for 171 residential units (increase of 10 spaces rather than 22 no. spaces). The ratio of car parking at 1.06 per unit with 6 motorcycle spaces. Bicycle parking remains at 214 spaces, 1.25 per unit. The carparking ratio has been reduced from 1.15 spaces per residential unit to 1.06 spaces per unit. I note the range of one bed units proposed (36%) and having regard to the location of the site, close to the town centre, I consider the car parking revision is acceptable.

#### Design of Car parking and Cycle parking

- 7.24. The updated plans and particulars illustrate the car parking spaces removed from the area adjoining the open space. The layout complies with the original permitted proposal. I consider the original scheme is most appropriate in terms of impact on the privacy of the future occupants of the ground floor units and also in terms of functional open space.
- 7.25. The updated traffic and transport assessment includes a series of swept path assessments which, along with the reduction in car parking, provides clarity on the appropriate turning manoeuvres internally.
- 7.26. An updated site layout drawing illustrates the alterations to the cycle parking areas including two new cycle storage areas in the central open space area. I do not consider the central open space is an appropriate location for the bike stores and will have a negative impact on the visual amenity and functionality of the open space. These Bike stores should be repositioned towards the community building. I consider this would reduce any negative impact on the central open space.



## Condition No 2

7.27. The application was accompanied by a Traffic Assessment as part of a DMURS Compliance review which notes Condition No 2 (d) of the original permitted scheme ABP 307258-20 as follows:

*“The internal road layout shall be redesigned to include the removal of the cycle lane without increasing the width of the carriageway, with the additional space required to allow access to the perpendicular parking laid out in accordance with Figure 4.82 of Design Manual for Roads and Streets.”*

7.28. The report notes the proposed internal access route has been amended to fully incorporate the requirements as set out in Figure 4.82 of DMURS and the route has been reduced to 5.5m at home zones and 6m for orbital routes. As stated above swept path analysis has been submitted with the amended details. I consider this reasonable.

### **Open Space and Landscaping**

7.29. The applicant was requested to submit a “Full specification of type and location of all planting proposed” as additional information. A landscape masterplan has been submitted with the alterations. I note the bike store to the north of the public open space was not included in the overall design. I have addressed the location of this bike store above and consider a condition to relocate these bike stores beside the community building is appropriate.

7.30. The landscaping masterplan highlights the new open space areas. The applicant has submitted a detailed response to the matters pertaining to item 3 of ABP 307258-20. The response confirms that contact has been made with Kildare County Council to confirm the landscape proposals. These details will also form compliance for ABP 307258-20.

## **8.0 Environmental Impact Assessment**

8.1. Class (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.)

8.2. The proposed development is for 152 no apartment units (increased to 171 with the alterations), on a site area of c. 2.127ha. An Environmental Impact Assessment (EIA) Screening Report was submitted with the original application (ABP-307258-20) which concluded that an Environmental Impact Assessment Report was not necessary. The proposed development was considered to be 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 (as amended). The applicant submitted an Ecological Impact Assessment Report, with these proposed alterations, including the information set out in Schedule 7A of the Planning and Development Regulations, 2001 (as amended) to allow a screening for EIA in accordance with the criteria in Schedule 7 regarding the:

1. Characteristics of Proposed Development
2. Location of Proposed Development
3. Types and Characteristics of Potential Impacts

8.3. An EIA Screening report was also submitted with the proposed amendments under ABP-311161-21 which concluded that having regard to the nature, scale and location of the proposed development, by itself or in combination with other plans and projects, is not likely to have significant effects on the environment, it was considered that an EIA was not required. I note the Inspector’s Report and the Board’s Direction on both the original application and the amendments, that the proposed development would not be likely to have significant potential effects on the environment.

8.4. The total combined units included in both the original permitted development (ABP 307258-20) and those subsequent amendments (ABP 311161-21) total 171 units, under the requirement for a mandatory EIA. The nature and the size of the proposed development is well below the applicable thresholds for EIA. The development would not give rise to significant use of natural resources, production of waste, pollution, nuisance, or a risk of accidents. The development is served by municipal drainage and water supply. The site is not subject to a nature conservation designation and

does not contain habitats or species of conservation significance. The AA Screening set out below concludes that the potential for adverse impacts on European sites can be excluded at the screening stage. The various reports submitted with the application address a variety of environmental issues and assess the impact of the proposed development, in addition to cumulative impacts with regard to other permitted development in proximity to the site, and demonstrate that, subject to the various construction and design related mitigation measures recommended, the proposed development will not have a significant impact on the environment.

8.5. I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other submissions, and I have considered all information which accompanied the application including inter alia:

- Landscape plan and Photomontages/CGI
- Transport Assessment,
- Engineering Services Report, and Engineering drawings
- Sunlight Daylight and Shadow Analysis
- Appropriate Assessment Screening Report
- Planning Statement

8.6. I have completed an EIA screening assessment as set out in Appendix A of this report. I consider that the location of the proposed development and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment.

8.7. Noting the requirements of Section 299B (1)(b)(ii)(II)(C), whereby the applicant is required to provide to the Board a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account, I would note that the following assessments / reports have been submitted in the course of the making of the application:

- An AA Screening Report in support of the Habitats Directive (92/43/EEC) and the Birds Directive (2009/147/EC) has been submitted with the application, which also address requirements arising from the Water Framework Directive and the Urban Wastewater Treatment Directive.
- A Flood Risk Assessment that addresses the potential for flooding having regard to the OPW CFRAMS study which was undertaken in response to the EU Floods Directive.
- A Preliminary Construction and Demolition Waste Management Plan has been submitted which was undertaken having regard to the EC Waste Directive Regulations 2011 and has relied on standards derived under or related to the EU Environmental Noise Directive, as well as air quality monitoring and standards derived from the EU Ambient Air Quality Directive.

8.8. Overall, I am satisfied that the proposed development would not have a significant effect on the environment. In addition, I am satisfied that the information required under Section 299B(1)(b)(ii)(II) of the Planning and Development Regulations 2001 (as amended) have been submitted. It is my opinion that a screening determination should be issued confirming that there is no requirement for an EIAR based on the above considerations.

## 9.0 Appropriate Assessment

### Introduction

9.1. An Appropriate Assessment Screening Report was submitted with the application under ABP-307258-20, and it was concluded that that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on:

- Ballynafagh Lake SAC (1387),
- Ballynafagh Bog SAC (0391),
- Mouds Bog SAC (2331),
- Pollardstown Fen SAC (0396)
- Poulphouca Reservoir SPA (004063)

or any other European site, in view of the sites conservation objectives ( as listed below), and a Stage 2 Appropriate Assessment was not therefore required.

### **Brief Description of the Development**

- 9.2. The proposed development is for 171 no apartment units, on a site area of c. 2.127ha. Wastewater from the development will pass to the Osberstown wastewater treatment plant (also known as the Upper Liffey Valley Regional Sewerage Scheme). This plant discharges treated wastewater to the River Liffey under licence from the Environmental Protection Agency (EPA). Water will be supplied from a mains supply which originates from reservoirs at Ballymore Eustace, along the River Liffey. The Poulaphouca Reservoir SPA (site code: 4063), from which drinking water supply for this development may originate, is also considered to fall within the zone of influence of this project. Surface water from the site will be attenuated on site and will pass to an existing surface water sewer network.
- 9.3. There are no European sites located within or in close proximity to the site. The Submitted Screening Report listed 5 no. sites within a 15km radius of the site as the follows:
- Ballynafagh Lake SAC (1387)
  - Ballynafagh Bog SAC (0391)
  - Mouds Bog SAC (2331)
  - Pollardstown Fen SAC (0396)
  - Poulphouca Reservoir SPA (004063)

#### Natura 2000 sites

<b>Natura 2000 Code</b>	<b>Site Code</b>	<b>Distance to site</b>	<b>Qualifying Interests</b>
Poulaphoca Reservoir SPA	004063	c.10km to the southeast	Greylag Goose; Lesser Black-Headed Gull.
Mouds Bog SAC	002331	c.8km to the west	Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] Depressions on peat substrates of the Rhynchosporion [7150]

Ballynafagh Bog SAC	000391	c.10km to the northwest	Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] Depressions on peat substrates of the Rhynchosporion [7150]
Ballynafagh Lake SAC	001387	c.12km to the northwest	Alkaline fens [7230] Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016] Euphydryas aurinia (Marsh Fritillary) [1065]
Pollardstown Fen SAC	000396	c.11km to the southwest	Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210] Petrifying springs with tufa formation (Cratoneurion) [7220] Alkaline fens [7230] Vertigo geyeri (Geyer's Whorl Snail) [1013] Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]

- 9.4. I note the Inspector's report on the initial application (ABP 307258-20) made reference to the location of the site at a significant distance from the Dublin Bay and existing state of the site and absence of any habitats directly or indirectly linked to the SAC's. It was considered there was no source-pathway-receptor from the subject site to any European Site.
- 9.5. A revised screening report accompanied the proposed amendments which concluded that given the nature of the proposed alterations they will not, either individually or cumulatively in combination with the other identified plan or projects, adversely effect the integrity of any European Site
- 9.6. The Board was satisfied that the proposed development would not adversely affect the integrity of European sites in view of the sites' conservation objectives. A revised screening report accompanied the proposed amendments under ABP-311161-21 which concluded that given the nature of the proposed alterations they will not, either

individually or cumulatively in combination with the other identified plan or projects, adversely effect the integrity of any European Site.

- 9.7. It is my opinion, having regard to the information presented in both this application and the previous applications that no source-pathway-receptor exists and proposed alterations would not adversely affect the integrity of any European sites in view of the sites' conservation objectives.

### **Screening Determination**

- 9.8. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, it is concluded that project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites, Ballynafagh Lake SAC (1387), Ballynafagh Bog SAC (0391), Mouds Bog SAC (2331), Pollardstown Fen SAC (0396), Poulphouca Reservoir SPA (004063), or any other European site, in view of the sites' conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.
- 9.9. This determination is based on the following:
- The nature and scale of the proposed development on fully serviced lands,
  - To the intervening land uses and distance from European Sites, and
  - Lack of direct connections with regard to the source-pathway-receptor model.

### **10.0 Recommendation**

- 10.1. Having regard to the above assessment, I recommend that in accordance with subsection (3)(b)(ii) of section 146B of the Act 2000 (as amended) the Board – (ii) make the alteration, subject to conditions, for the reasons and considerations set out below.

### **11.0 Reasons and Considerations**

Having regard to the following:

- a) the policies and objectives set out in the Kildare County Development Plan 2017- 2023, as varied,
- b) the location of the site on lands with a zoning objective for residential development in the Naas Local Area Plan 2021-2027,
- c) the National Planning Framework, Project 2040,
- d) the Rebuilding Ireland Action Plan for Housing and Homelessness, 2016
- e) Urban Development and Building Heights, Guidelines for Planning Authorities, prepared by the Department of Housing, Planning and Local Government in December 2018
- f) the Design Manual for Urban Roads and Streets (DMURS),
- g) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009
- h) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments issued by the Minister in December 2020,
- i) the nature and scale of the Strategic Housing Development permitted under ABP-307258-20 & modified under Ref ABP 311161-21,
- j) the appropriate assessment and environmental impact assessment carried out in the course of this application
- k) the nature and scale of the alterations,
- l) the absence of any significant new or additional environmental effects (including those in relation to European sites) arising as a result of the proposed alterations,
- m) the absence of any new or significant issues relating to the proper planning and sustainable development of the area arising from the proposed alterations, and
- n) submissions received,



it is considered that the proposed alterations would be material, subject to the alteration of Condition No 2, and the proposed development would constitute an acceptable residential density, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience.

**Condition No 2:**

The proposed development shall be amended as follows:

e. The internal configuration of proposed unit B4-08 is amended so as the living room and kitchen are amalgamated, and the bedrooms are amalgamated. That is, the unit shall become a one-bedroom unit. Revised configuration shall ensure the rooms can meet the minimum ADF standards from the Building Research Establishment's Site Layout Planning for Daylight and Sunlight (2nd edition).

f. The two-no. bike stores in the central open space shall be relocated away from the central open space towards the community centre.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

## 12.0 Recommended Draft Order

REQUEST received by An Bord Pleanála on the 21<sup>st</sup> of November 2022 from Downey Planning on behalf of Randelswood Holdings Ltd under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of the Strategic Housing Development on lands at Devoy Quarter, Naas West, Naas, Co. Kildare, which is the subject of a permission under An Bord Pleanála reference number ABP-307258-20 & modified under Ref ABP 311161-21. WHEREAS the Board made a decision to grant permission, subject to conditions, for the above-mentioned development by order dated the 09<sup>th</sup> of September 2020, AND

WHEREAS the Board has received a request to alter the terms of the development, which is the subject of the permission,

**AND WHEREAS** the proposed alterations are described as follows:

- The number of units has increased by 19 units, from a permitted 152 units to 171 units.
- Internal and external modifications to permitted blocks 3, 4, 7, 8 and 9 to accommodate the change of unit mix within these blocks, to allow for the increase in units numbers.
- The proposed modification application will provide an additional 19 no. apartments. This will result in a unit mix of 58 no. 1 bed units (34%), 28 no. 2 bed units (16%), 59 no. 2 bed duplex units (35%) and 3 no. 3 bed (2%) and 23 no. 3 bed units (13%)
- Car parking spaces have increased by 10 no. spaces and bicycle spaces increased by 21 no. spaces around the site to accommodate changes.
- Inclusion of a new bin store and a new ESB substation.
- Increase in the height of all Blocks (3, 4, 8 & 9) to accommodate an additional floor for 19 no. units.
- Increase in the height of the crèche to accommodate an additional floor for 2 no. units.
- Minor amendments to the northern boundary to reflect land in ownership.
- Residential amenity and landscaped area amended to accommodate the additional car parking spaces, bin storage and ESB substation.

**AND WHEREAS** the Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alteration would result in a material alteration to the terms of the development, the subject of the permission,

**AND WHEREAS** the Board decided, in accordance with section 146B(3)(b)(i) of the Planning and Development Act 2000, as amended, to require the submitted information to be placed on public display and submissions sought, prescribed bodies to be issued a copy of the proposal and additional drawings to be submitted,

**AND WHEREAS** having considered all of the documents on file and the Inspector's report, the Board considered that the making of the proposed alterations would not be likely to have significant effects on the environment or on any European Site,

**NOW THEREFORE** in accordance with section 146B(3)(b)(ii)(ii) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned decision so that the permitted development shall be altered, in accordance with the plans and particulars received by the Board.

**Condition No 2:**

The proposed development shall be amended as follows:

e. The internal configuration of proposed unit B4-08 is amended so as the living room and kitchen are amalgamated, and the bedrooms are amalgamated. That is, the unit shall become a one-bedroom unit. Revised configuration shall ensure the rooms can meet the minimum ADF standards from the Building Research Establishment's Site Layout Planning for Daylight and Sunlight (2nd edition).

f. The two-no. bike stores in the central open space shall be relocated away from the central open space towards the community centre.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

**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**

Having regard to the following:

- o) the policies and objectives set out in the Kildare County Development Plan 2017- 2023, as varied,
- p) the location of the site on lands with a zoning objective for residential development in the Naas Local Area Plan 2021-2027,
- q) the National Planning Framework, Project 2040,
- r) the Rebuilding Ireland Action Plan for Housing and Homelessness, 2016
- s) Urban Development and Building Heights, Guidelines for Planning Authorities,
- t) prepared by the Department of Housing, Planning and Local Government in December 2018
- u) the Design Manual for Urban Roads and Streets (DMURS),
- v) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009
- w) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments issued by the Minister in December 2020,
- x) the nature and scale of the Strategic Housing Development permitted under ABP-307258-20 & modified under Ref ABP 311161-21,
- y) the appropriate assessment and environmental impact assessment carried out in the course of this application
- z) the nature and scale of the alterations,

- aa) the absence of any significant new or additional environmental effects (including those in relation to European sites) arising as a result of the proposed alterations,
- bb) the absence of any new or significant issues relating to the proper planning and sustainable development of the area arising from the proposed alterations, and
- cc) submissions received,

### **Appropriate Assessment Screening**

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within a zoned and serviced urban site, the Screening for Appropriate Assessment submitted with the application, the Inspector's Report, and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

### **Environmental Impact Assessment**

The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report submitted by the applicant, identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

Having regard to:

- (a) the nature and scale of the proposed development on an urban site 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),

the Board 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 Board decided, therefore, that an environmental impact assessment report for the proposed development was not necessary in this case.

### **Conclusions on Proper Planning and Sustainable Development**

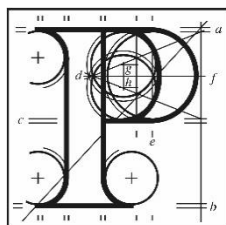
The Board considers that the proposed alterations would be material and, subject to compliance with conditions, the proposed development would constitute an acceptable residential density, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience.

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Karen Hamilton  
Senior Planning Inspector

24<sup>th</sup> of May 2022

## Appendix A: EIA Screening Determination Form



An  
Bord  
Pleanála

### EIA - Screening Determination for Strategic Housing Development Applications

A. CASE DETAILS		
<b>An Bord Pleanála Case Reference</b>		ABP-311825-21
<b>Development Summary</b>		Alterations to Blocks 3, 4, 7, 8 and 9 and the creche building of previously permitted development ABP-307258-20 as amended by ABP-311161-21.
	<b>Yes / No / N/A</b>	
<b>1. Has an AA screening report or NIS been submitted?</b>	<b>Yes</b>	An EIA Screening Report and a Stage 1 AA Screening Report and NIS was submitted with the application
<b>2. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?</b>	<b>No</b>	

3. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	SEA undertaken in respect of the Kildare County Development Plan 2017- 2023.
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<b>B. EXAMINATION</b>	<b>Yes/ No/ Uncertain</b>	<b>Briefly describe the nature and extent and Mitigation Measures (where relevant)</b>  <b>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)</b> <b>Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.</b>	<b>Is this likely to result in significant effects on the environment?</b> <b>Yes/ No/ Uncertain</b>
<b>1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)</b>			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	The development comprises the construction of residential units on lands zoned residential in keeping with the residential development in the vicinity.	No



<p><b>1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</b></p>	<p><b>Yes</b></p>	<p>The proposal includes construction of apartments which is not considered to be out of character with the pattern of development in the surrounding town.</p>	<p>No</p>
<p><b>1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?</b></p>	<p><b>Yes</b></p>	<p>Construction materials will be typical of such urban development. The loss of natural resources or local biodiversity as a result of the development of the site are not regarded as significant in nature.</p>	<p>No</p>
<p><b>1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?</b></p>	<p><b>Yes</b></p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and implementation of a Construction and Environmental Management Plan will satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.</p>	<p>No</p>

<p><b>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</b></p>	<p><b>Yes</b></p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and implementation of a Construction Environmental Management Plan will satisfactorily mitigate potential impacts.</p> <p>Operational waste will be managed via a Waste Management Plan to obviate potential environmental impacts. Other significant operational impacts are not anticipated.</p>	<p><b>No</b></p>
<p><b>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</b></p>	<p><b>No</b></p>	<p>No significant risk identified. Operation of a Construction Environmental Management Plan will satisfactorily mitigate emissions from spillages during construction. There is no direct connection from the site to waters. The operational development will connect to mains services. Surface water drainage will be separate to foul services.</p>	<p><b>No</b></p>

<p><b>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</b></p>	<p><b>Yes</b></p>	<p>Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature and their impacts may be suitably mitigated by the operation of a Construction Environmental Management Plan. Management of the scheme in accordance with an agreed Management Plan will mitigate potential operational impacts.</p>	<p><b>No</b></p>
<p><b>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</b></p>	<p><b>No</b></p>	<p>Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of a Construction, Environmental Management Plan would satisfactorily address potential impacts on human health. No significant operational impacts are anticipated.</p>	<p><b>No</b></p>
<p><b>1.9 Will there be any risk of major accidents that could affect human health or the environment?</b></p>	<p><b>No</b></p>	<p>No significant risk having regard to the nature and scale of development. Any risk arising from construction will be localised and temporary in nature. The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location.</p>	<p><b>No</b></p>

<b>1.10 Will the project affect the social environment (population, employment)</b>	<b>Yes</b>	Redevelopment of this site as proposed will result in an increase in 193 no apartments which is considered commensurate with the development of a Dublin City.	<b>No</b>
<b>1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?</b>	<b>No</b>	Stand alone development, with minor developments in the immediately surrounding area.	<b>No</b>
<b>2. Location of proposed development</b>			
<b>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</b> <ol style="list-style-type: none"> <li>1. European site (SAC/ SPA/ pSAC/ pSPA)</li> <li>2. NHA/ pNHA</li> <li>3. Designated Nature Reserve</li> <li>4. Designated refuge for flora or fauna</li> </ol>	<b>No</b>	No conservation sites located on the site. An AA Screening Assessment and NIS accompanied the application which concluded no significant adverse impact on any European Sites.	<b>No</b>

<p><b>5. Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</b></p>			
<p><b>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</b></p>	<p><b>No</b></p>	<p>No such uses on the site and no impacts on such species are anticipated.</p>	<p>No</p>
<p><b>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</b></p>	<p><b>No</b></p>	<p>No features of landscape, historic, archaeological or cultural importance could be affected. A protected structure is located outside the site and it has been established that there will be no significant adverse impact on the character and setting.</p>	<p>No</p>
<p><b>2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?</b></p>	<p><b>No</b></p>	<p>There are no areas in the immediate vicinity which contain important resources.</p>	<p>No</p>

<p><b>2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?</b></p>	<p><b>No</b></p>	<p>There are no connections to watercourses in the area. The development will implement SUDS measures to control surface water run-off. The site is not at risk of flooding.</p>	
<p><b>2.6 Is the location susceptible to subsidence, landslides or erosion?</b></p>	<p><b>No</b></p>	<p>There is no evidence in the submitted documentation that the lands are susceptible to lands slides or erosion and the topography of the area is flat.</p>	<p>No</p>
<p><b>2.7 Are there any key transport routes(eg National Primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?</b></p>	<p><b>No</b></p>	<p>The site is served by a local urban road network.</p>	<p>No</p>
<p><b>2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?</b></p>	<p><b>Yes</b></p>	<p>There is no existing sensitive land uses or substantial community uses which could be affected by the project.</p>	<p>No</p>

<b>3. Any other factors that should be considered which could lead to environmental impacts</b>			
<b>3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?</b>	<b>No</b>	No developments have been identified in the vicinity which would give rise to significant cumulative environmental effects.	<b>No</b>
<b>3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?</b>	<b>No</b>	No trans boundary considerations arise	<b>No</b>
<b>3.3 Are there any other relevant considerations?</b>	<b>No</b>		<b>No</b>

<b>C. CONCLUSION</b>			
<b>No real likelihood of significant effects on the environment.</b>	<b>Yes</b>	EIAR Not Required	
<b>Real likelihood of significant effects on the environment.</b>	<b>No</b>		

## D. MAIN REASONS AND CONSIDERATIONS

Having regard to: -

- (a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- (b) the location of the site on lands zoned to protect and provide for residential uses in the Kildare County Development plan 2017-2023 and the Naas Local Area Plan 2021-2027, and the results of the Strategic Environmental Assessment of the plan;
- (c) The existing use on the site and pattern of development in surrounding area;
- (d) The availability of mains water and wastewater services to serve the proposed development,
- (e) the location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended)
- (e) The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003),
- (f) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and
- (g) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the proposed Outline Construction & Demolition Waste Management Plan.

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

Inspector: \_\_\_\_\_ Karen Hamilton

Date: \_\_\_\_\_ 23<sup>rd</sup> of May 2022