



An
Bord
Pleanála

Inspector's Report

ABP-313264-22

Development	Construction of 183 apartments, gym, cafe and creche. A Natura Impact Statement (NIS) was submitted with this application.
Location	Parson Street, Maynooth, Co. Kildare
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	21370
Applicant(s)	Glenveagh Homes Ltd.
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First and Third Party
Appellant(s)	<ol style="list-style-type: none">1. Glenveagh Homes Ltd.2. Geraldine & Robert Rowan3. Joseph Penny (on behalf of the Parson Lodge Residents Association)4. Emmett & Ailish Farrelly5. Ann Burns & Adrian Downes

6. Mary & James Fox
7. Edward Power
8. Murray & Teresa Piggott

Observer(s)

Jennifer Whitty.

Date of Site Inspection

03rd of February 2023.

Inspector

Karen Hamilton

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1.0 Site Location and Description

- 1.1.1. The site is to the south of Maynooth town centre, Co. Kildare and extends from Parson Street, along the north, the Royal Canal, along the south. The site includes the Maynooth Rectory (Protected Structure RPS Ref: B05-56), and associated out buildings and is access directly from Parsons Street. The area to the rear of the rectory consists of overgrown greenfield. There are mature trees and hedging along the boundary to the south and there is direct access onto the Royal Canal tow path, to the south.
- 1.1.2. Parsons Lodge a residential cul-de-sac is located to the west of the site. There is road through Parsons Lodge which connects to the southwest of the subject site, closed by an agricultural gate.
- 1.1.3. The existing vehicular access into the site, via Parsons Street, to the north. The site is bound by a large block wall associated with the protected structure. To the rear of this block wall lies a two-storey outbuilding (the Coach House). There is a row of terrace dwellings to the right (north) of the vehicular entrance, towards to the town centre. There is public on street parking in front of these houses. The front of the site is located within an Architectural Conservation Area (ACA).

2.0 Proposed Development

The proposed development would comprise of:

A mixed residential and commercial development (total gross floorspace of c. 20,023m²) as summarised below:

- a single level basement car park of c.8,153m²,
- c.4,497m² office floorspace including refurbishment and adaptive re-use of the protected former Maynooth Rectory (RPS Ref: B05-56),
- 183 no. apartments and ancillary/commercial development in 4 no. blocks ranging in height from 3 to 9 storeys over single level basement shared with the proposed office structure.

A Natura Impact Statement will be submitted with the planning application.

3.0 Planning Authority Decision

3.1. Decision

Decision to grant permission for subject to 63 no conditions of which the following are of note:

C2: Reduction in the height of Block A to remove the second floor (not greater than 4 storeys) resulting in an overall reduction of apartments to 169 no units. Block D shall not exceed 7 storeys over basement.

C3: Submission of a revised site layout to include:

- a) DMURS compliance statement and Conservation Impact Assessment in relation to the new entrance, removal of wall along Parsons Street and impact on the protected structure,
- b) Full retention of the Coach House,
- c) Design details of the vehicle link to lands to the north,
- d) Pedestrian linkage only into Parsons Lodge,
- e) Pedestrian access to the Royal Canal with no gates.

C4: Archaeological Monitoring

C5: Submission of revised junction details of the intersection of the new glazed link with the former Rectory, detailed widow schedule, report on the chimney stack and proposed removal and repair of floors in the Rectory.

C7: Use of a Conservation Architect during the works to the protected structure.

C8: Compliance with all mitigation measures in the Ecological Impact Assessment.

C9: Continuation of the eradication of Japanese knotweed.

C19: Submission of a Construction Traffic Management Plan.

C23: No construction traffic through Maynooth town.

C34: Submission of a SuDS strategy in line with the PA requirements and submission of a groundwater monitoring regime to confirm the compatibility of the

SuDS strategy with the groundwater situation on the site and addressing the receiving watercourse on Parson Street (consent, capacity etc).

C35: Compliance with drainage issues and minimum capacity for attenuation tanks to include the climate change factor.

C37: Submission of a Flood Risk Mitigation Plan (FRMP) which shall include a groundwater monitoring programme.

C42: Submission of a Construction Phase Surface Water Management Plan in accordance with the IFI guidelines.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Following the submission of further information, the area planner recommended a refusal of permission for three reasons relating to the impact of the traffic and the absence of the Maynooth Outer Orbital Routes, the impact on the protected structure and the impact of the mass on the Architectural Conservation Area.

This recommendation was overturned by the Senior Executive Planner (SEP) and signed by the Senior Planner. An additional report by the SEP referred to the location of the site within Maynooth, the Dublin Metropolitan Area Strategic Plan (MASP) and the town centre zoned lands. Overall, it was considered the proposal complied with the plans for the site as per the Maynooth Local Area Plan. It was considered the impact of the proposal was greatest along the Royal Canal and not the front of the site and the ACA, protected structure.

In relation to the Roads Department initial comments (the removal of the full wall along Parsons Street is not acceptable) and alternative conditions as per the Senior Engineer report (signed 15th of March 2022) are considered more reasonable. The removal of part of the road was considered acceptable in relation to the impact on the ACA.

Planners first report

The PA report assessed the proposal including the principle of development, heights, visual impact, impact on the built heritage and traffic and transport. Additional information was requested as summarised below:

Further information

- Reduction in the height of Block D to seven storeys over basement.
- Alteration of balconies in Block A to ensure no overlooking of dwellings
- Micro-climate assessment.
- Additional details of the works to the Rectory.
- Reduction in the width of the link between the Rectory and the office building.
- Submission of a conservation methodology for the proposed works.
- Relocation of Block A and creche bin away from the rear of Parsons Lodge.
- Submission of details road design drawings for the proposal.
- Details of the proposed widening and realignment along Parsons Street.
- Written agreement from the Municipal District Engineers for the relocation of three carparking spaces from along Parson Street.
- Additional details with no right turn onto Parsons Street.
- Inclusion of minimum width for future development of the TRO (h) Roads Objective.
- Reduction in the level of parking (not considered acceptable by the applicant).
- Inclusion of a carparking strategy for the mixed-use scheme.
- Submission of a Mobility Management Plan
- Loading bays.
- Public Transport Study.
- Additional design details of the works to Parsons Street and associated entrance, footpath, and cycle path.
- Noise Impact Assessment.
- Alterations of the landscaping proposals.
- Additional Drainage proposals and request for a riparian strip.
- Request for additional information in the flood risk assessment.

- Additional Archaeological testing.

3.2.2. Other Technical Reports

Roads, Transportation and Public Safety Department: Recommend Refusal. In the event of a grant of permission a list of conditions is recommend.

Chief Fire Officer: No objection to the proposal.

Water Services Department: No objection subject to conditions.

Housing Department: Recommend alterations by condition.

Heritage Officer: No objection subject to conditions.

Conservation Officer: No objection subject to conditions.

Parks Department: Planners Report refers to verbal confirmation of conditions.

3.3. Prescribed Bodies

Irish Water: No objection subject to conditions.

Department of Defence: Comments in relation to crane operations.

Irish Aviation Authority: Comments in relation to crane operations.

Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media: Further information on archaeological testing required to be submitted as part of further information.

Iarnrod Eireann: No objection to proposal.

3.4. Third Party Observations

There were a significant number of third-party submissions and observations received by the Planning Authority (PA) during the initial application (70 no submissions and 7 no. public representations) and in relation to the significant further information. The submissions were mainly from the residents in the vicinity of the site and the issues raised are like those in the grounds of appeal.

4.0 Planning History

4.1.1. Subject Site

Reg Ref 94/119

Permission granted for the erection of a porch/folly.

Reg Ref 80/1025

Permission granted for a side and rear boundary wall at the Rectory.

4.1.2. Adjoining Site

Reg Ref No 07/2044

Permission refused for the demolition of house no. 12, 13 & 14 and the erection of new blocks of varying heights up to 5 storeys consisting of 7 no retail units, 1 no crèche and 3 no restaurants.

5.0 Policy Context

5.1. National Planning Framework (NPF)

NPO 1b

- Eastern and midland Regional- 490,000-540,000 additional people.

NPO 68

A Metropolitan Area Strategic Plan may enable up to 20% of the phased population growth targeted in the principal city and suburban area, to be accommodated in the wider metropolitan area i.e., outside the city and suburbs or contiguous zoned area, in addition to growth identified for the Metropolitan area. This will be subject to:

- any relocated growth being in the form of compact development, such as infill or a sustainable urban extension.
- any relocated growth being served by high-capacity public transport and/or related to significant employment provision; and
- National Policy Objective 9, as set out in Chapter 4.

NPO 71

City/county development plan core strategies will be further developed and standardised methodologies to ensure a co-ordinated and balanced approach to future population and housing requirements across urban and rural area.

Appendix 2

Population and Employment in Urban Settlements in the Eastern and Midland Regional Assembly area, (Census of Population 2016)

- Maynooth with a population of 14,585 had 6,295 resident workers and with total jobs at 5,201 the ratio of resident works was 0.826 (average settlement 0.86).

5.2. Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands Regional Assembly (EMRA). (June 2019)

The RSES is a strategic plan for the future development of the region up to 2031. Kildare County is within the eastern region with Maynooth and Naas identified as the key towns for the county.

Maynooth is in the Dublin Metropolitan Area (DMA).

Maynooth is included in the Metropolitan Area Strategic Plan (MASP) area.

Section 11.3: Enhanced rail services proposed between Dublin- Sligo including the DART to Maynooth.

5.3. Section 28 Guidance

- 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')
- Urban Development and Building Heights – Guidelines for Planning Authorities,

- Architectural Heritage Protection- Guidelines for Planning Authorities.

5.4. Kildare County Development Plan 2023-2029

5.4.1. Introduction

The Kildare County Development Plan 2017-2023 was in place at the time of the planning application and the decision making by the Planning Authority.

The Kildare County Development Plan (KCDP) 2017-2023 came into effect on the 28th of January 2023 and is the current development plan. I note the main policies relating to the site including the zoning, density and overall design guidance is similar in both the previous development plan and the current development plan.

As further detailed below the Maynooth Local Area Plan (LAP) 2013-2019 remains in place until updated.

5.4.2. Maynooth

- Maynooth is a Strategic Development Area in the Dublin Metropolitan Area Strategic Plan (MASP).

5.4.3. Core Settlement

- CS O5 Promote compact growth and the renewal of towns and villages through the development of underutilised town centres and brownfield sites, and where appropriate, pursue through active land management measures a co-ordinated planned approach to developing appropriately zoned lands at key locations, including regeneration areas, vacant sites and under-utilised areas in cooperation with state agencies, while also maintaining a 'live' baseline dataset to monitor the delivery of population growth on existing zoned and serviced lands to achieve the sustainable compact growth targets of 30% of all new housing within the existing urban footprint of settlements.

5.4.4. Densities

Table 3.1: Appropriate densities from the sustainable residential guidelines.

- Town centre: Site specific
- Inner Suburban/infill: Site specific

- Public Transport Corridors: 50 uph

HO O5; Encourage increased densities that contribute to the enhancement of a town or village by reinforcing street patterns or assisting in redevelopment of backlands and centrally located brownfield sites

5.4.5. Core Strategy

- HO O4: Ensure appropriate densities are achieved in accordance with the Core Strategy in Chapter 2 of this Plan, and in accordance with the principles set out in Guidelines for Planning Authorities on Sustainable Urban Development (Cities, Towns and Villages), DEHLG, 2009, Urban Design Manual: A Best Practice Guide, DEHLG, 2009; Urban Development and Building Height Guidelines for Planning Authorities (2018); and with reference to Circular Letter NRUP 02/2021 (April 2021).

5.4.6. Regeneration, Compact Growth and Densification

- HO P6: Promote and support residential consolidation and sustainable intensification and regeneration through the consideration of applications for infill development, backland development, re- use/adaptation of existing housing stock and the use of upper floors, subject to the provision of good quality accommodation.

5.4.7. Car parking

- Section 5.11 an area-based approach is required.
- TM 0111: there will be a maximum requirement for car parking spaces
- TM 0113: parking will reflect the urban locations and the guidance in the sustainable urban design guidance.
- Section 15.7.8: Carparking standards
- Table 15.8: Maximum car parking standards

5.5. **Maynooth Local Area Plan (LAP) 2013-2019.**

Kildare County Council and Meath County Council are commencing the preparation of a Joint Local Area Plan (LAP) for Maynooth and its environs (Maynooth and

Environs Joint Local Area Plan 2024-2030). Until this plan is in place the 2013-2019 LAP remains in place.

5.5.1. Town centre

- There are underutilised backland sites capable of redevelopment.

5.5.2. Future development strategy: Canal Harbour

- Expansion of the town centre in a sustainable manner and strengthen linkages between the town centre and the train station through well-designed urban development.
- Part B: Figure 9 illustrates the lands, in part, as residential
- Part B: Figure 11: Indicative pedestrian and roads routes through the site, towards Parsons Lodge.

5.5.3. Part C: Land use zoning

- The site is zoned as A1: Town Centre where it is an objective “*To provide for the development and improvement of appropriate town centre uses including retail, commercial, office, residential, amenity and civic use.*”
- The purpose of the zoning is to protect and enhance the special character of the town centre while improve retailing, residential, commercial, office, cultural and other uses appropriate to the centre of a developing town

5.6. Natural Heritage Designations

The site is located:

- adjacent to the Royal Canal Proposed Natural Heritage Area,
- c. 1.5km to the southwest of the Rye Water Valley/ Carton proposed Natural Heritage Area (001398),
- c. 1.5km Rye Water Valley/Carton SAC (001398),
- c. 25km South Dublin Bay SAC (000210),
- c. 25km North Dublin Bay (000206),
- c. 25km South Dublin Bay and River Tolka Estuary SPA (004024).

5.7. EIA Screening

- 5.7.1. 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.)
- 5.7.2. The proposed development is for 183 no apartment units and c.4,500m² of office space, on a site area of c. 1.98ha. The proposed development is sub-threshold in terms of EIA having regard to Schedule 5, Part 2, 10(b) (i) and (iv) of the Planning and Development Regulations 2001 (as amended).
- 5.7.3. The applicant submitted an EIA Screening Report including criteria to comply with Schedule 7A of the Planning and Development Regulations, 2001 (as amended) under the following headings with additional information under other sub criteria.
1. Characteristics of Proposed Development
 2. Location of Proposed Development
 3. Types and Characteristics of Potential Impacts
- 5.7.4. Appendix 2 of the Planners Report includes an EIA Screening Report which considered the information contained in the applicants Schedule 7 information and assessed the proposed development against those criteria. The PA concluded that the proposed development did not require and Environmental Impact Assessment.
- 5.7.5. A number of third-party submissions have raised the need for an EIA. They consider the site is within a sensitive location and having regard to the cumulative impact of other potential development an EIA should have been requested by Kildare County Council.
- 5.7.6. I have taken into consideration the third-party submissions and assessed the proposed development having regard to the above criteria and associated sub criteria having regard to the Schedule 7 information and information which

accompanied the application, *inter alia*, Appropriate Assessment Screening, Ecological Impact Assessment, and landscape details. The assessment is detailed below as per the subheadings from the Schedule 7 criteria.

Characteristics of Proposed Development

- 5.7.7. The proposal for the mixed-use scheme located on an urban site which comprises of overgrown scrub, trees and hedgerows which has a low value biodiversity. The proposal is not of a scale which would be unusual on an urban site and there will be no significant impacts from construction or operation. It is not envisaged that there will be any significant excavation, infilling or recontouring of the site. The reuse of the protected structure is integrated into the overall design of the scheme.
- 5.7.8. Third party submissions note the potential for adjoining cumulative impacts and the need for EIA. The applicant's EIAR screening includes the cumulative impact of development in the vicinity of the site, as per the online planning system for the past 5 years, and there are no identified projects which would lead to a significant environmental impact. The subject site is not linked to or reliant on any part of any residential or mixed-use developments in the vicinity and therefore I consider this proposal may be assessed as a stand-alone residential development.

Location of Proposed Development

- 5.7.9. The site is currently a greenfield site on lands zoned for town centre uses in the Maynooth town plan. Maynooth is in the Dublin Metropolitan Area and area intended to support a planned growth in population. The quantum of development proposed and the location contiguous to a built-up area will not have a minor impact on the natural resources of the area. The main use of natural resources is the land and although there is a watercourse (Royal Canal) along the south of the site mitigation measures are included to prevent any water pollution through the construction or operation of the site.

Types and Characteristics of Potential Impacts

- 5.7.10. The subject site is a c. 1.98ha, zoned, serviced lands contiguous to the town centre of Maynooth. The size and design of the proposed development would not be unusual in the context of a developing urban area the site will connect to the public foul sewer, water, and utilise the existing road network. The site is not zoned for the

protection of a landscape or for natural or cultural heritage. The protected structure on the site has been integrated into the overall proposed scheme.

Having regard to:

- (a) Characteristics of the proposed development,
- (b) The nature and scale of the proposed development, on zoned lands served by public infrastructure,
- (c) The types and characteristics of potential impacts,

it is concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment. Therefore, I consider the need for an Environmental Impact Assessment can be excluded.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. Seven **third party appeals** were received from residents of the Parson Lodge estate, (and the Parsons Residential Association (RA)) which adjoins the site. The RA submission was accompanied by many photographs, a number of appendices and a list of supporting third parties (No. 167).
- 6.1.2. The issues raised throughout these submissions are similar in nature and are summarised under common themes below.

Permeability and connectivity

- The connection through Parson's estate is for both residential and commercial and it is unsafe for pedestrians and cyclists.
- The proposal will increase the number of vehicles through the Parsons estate.
- There is already an available access 50m closer to the entrance.
- The proposed Parson lodge link will not benefit train or bus users.
- National urban design guidance states that underutilised connectivity can lead to anti-social behaviour (Crime Prevention information submitted).

- There has been no assessment of the benefits of this scheme.
- There are currently a lot of cars parked within the Parsons lodge estate.
- Guidance in DMURS was not followed and the residents in the surrounding area were not consulted.
- There is a historic problem with people parking in Parson Lodge for collection from the train station.
- The current estate road has not been designed to accommodate a growth in traffic.
- There is no natural desire line to open Parsons Lodge for pedestrian access and all facilities are located to the north of the site.

Traffic and Transport

- There should be no construction traffic through Parsons Lodge.
- The additional traffic from the proposed development will have a negative impact along Parsons Street.
- There is already congestion along Parsons Street.
- There was a previous issue with parking in Parsons Lodge.
- The proposed development is premature pending the delivery of the MEER Route (Maynooth Eastern Ring Road).
- The TRICS data with the application is not sufficient.
- While the MEER may alleviate some traffic from Maynooth, there will remain congestion due to other recently withdrawn applications (e.g., St Patricks College Reg Ref 1529).
- The Mobility Management Plan assumes only 24 car trips will be undertaken in the AM. This is unrealistic.
- The traffic survey was undertaken when the University was on break. This is not reflective.

Density

- Higher densities are not acceptable at all locations.

- The site does not provide the context for higher densities.
- The permeability constraints were not considered by KCC in assessing the density.
- The density is 105uph when the rectory is excluded.

Height

- The proposal is too large.
- The applicant has not demonstrated compliance with the Building Height Guidance.
- The proposed height is not in compliance with the Maynooth LAP which requires heights to reflect the character of the area.
- The planning history on the site includes a development like this. Permission was refused for the height and scale of the proposal.
- There are protected views from along the Royal Canal.

Impact on Residential Amenity

- The scale of the building will be overbearing and seriously injure the amenities of the residents in Parsons Lodge.
- There will be significant overshadowing and loss of sunlight.
- There is a significant difference in the height of the proposed development and those buildings in Parsons Lodge.
- The proposal will lead to wind tunnelling, reflected sunlight glare and light pollution.
- The terrace levels at the top of Level 2 will cause overlooking onto the residents' gardens.
- The office/ commercial building should include opaque glass.
- The northern elevation of Block A shows 10 balconies completely overlooking the rear of house no 4,5,6 and 7 Parsons Lodge.
- The further information request did not remove any overlooking.
- Block B also overlooks No 6 & 7 Parsons Lodge.

- The daylight analysis indicates the VSC as a loss in values in Parsons Lodge which is a negative impact on the residents.
- The proposal does not comply with the BRE guidelines.
- The applicant did not include a noise assessment. There is potential for negative impact from the noise generated from the proposed development.
- The ESB substation is too close to the rear of those properties of No 6 & No. 7 Parsons Lodge.
- The developer would not meet with the residents about the design of the scheme.
- The pedestrian access through Parsons Lodge will have a negative impact on their residential amenity.
- The Board have refused permission previously for impact on views. This proposal will block views from surrounding dwellings.

Impact on Maynooth

- The smaller units are for a transient community and will not support the existing community.

Impact on the Built Environment

- The Rectory, a protected structure, is dominated by the office building.
- The overall development has a negative impact on the unique historic character of Maynooth.
- The proposal does not comply with the objectives of the Local Area plan or the development plan about the built environment.
- There will be a negative impact on the 22 protected structures within the vicinity of the site.
- The building works should comply with Appendix B of the Architectural Heritage Protection Guidelines

Environmental Impact Assessment

- Kildare County Council should have requested an EIA for the application.

- The site is considered a sensitive site.
- The site is contiguous to other sites which are expected to be developed in the future.

Flooding

- The flood risk assessment noted the soil drainage as “poor”.
- The mapping of the area shows the number of water bodies that traverses the site as liable to flooding.

Biodiversity

- The removal of the Japanese Knotweed should not be facilitated through the internal residential street with Parsons Lodge and should start in the larger compound.
- There will be a significant impact on the water quality of the Royal Canal and the supporting biodiversity. This is due to the poor soil drainage.
- The trees and hedgerows should be retained as a significant feature and act as a buffer from urban expansion.
- There should be a tree preservation on the site

6.1.3. The **first party appeal** relates to the inclusion of Conditions No 2, 34 & 35. In addition, the application requires clarification in respect of Conditions No 3, 37 & 42. The issues raised are summarised below:

Background and Introduction

- Overview of the location of the site and the preplanning meetings.

Condition No 2 (Height of Block A)

- Condition No 2 requires alterations to Block A to reduce the height (removal of the second-floor level) to include the design before altered by further information.
- There was no clear justification for this condition in the planner’s report.
- The proposed reduction of the number of units is 8 although only 4 were added with the RFI submission.

- The rationale for the amendments were justified in the submitted documents.
- The tallest elements of the proposal are located close to the train station.
- While the eastern portion of Block A has increased it provides a more balanced shoulder height relationship with Block B and there are 3 storeys beside Parsons lodge estate.
- The submitted Landscape Visual Impact Assessment (LVIA) justifies the scale of the alteration.
- The visual impact of all viewpoints was considered slight or neutral.
- The viewpoint has been amended to consider the alterations at FI stage.
- An amended continuous elevation has been submitted to illustrate the proposal with those alterations required by Condition No 2.
- A full visual impact assessment has been submitted with the appeal.
- The planning application was accompanied by an overshadowing assessment which indicates no significant impact from the additional height.
- The orientation of the balconies has been altered in the FI and there will be no overlooking onto Parsons Lodge (separation distance >35m).

Conditions No 34 & 35 (Submission of SuDS measures)

- Both 34 and 35 predominantly relate to the delivery of SuDS measures and drainage requirements by the Water Services.
- A technical appendix has been submitted by the applicant's engineers. The overarching design was discussed at length at preplanning.
- The results of a groundwater monitoring assessment confirm that design of the surface water drainage scheme is appropriate and fit for purpose.
- It is requested that the Board omit Condition No. 34 and No. 35 as the proposed development requires no further consideration.

Conditions No 35 (2) I (Inland Fisheries Ireland (IFI) Guidance.

- Compliance with the IFI guidance.
- This item was raised in Item No 33 of the FI.

- It is noted that all surface water will be treated in line with the IFI guidance.
- The protection of the Canal is important and has been considered.
- A minimum riparian zone from the “river channel” is only required where water compatible development is permissible.
- The riparian strip is not appropriate and would clearly conflict with the development as permitted and the adjoining residential development.

Clarification of Matters

Condition No 3

- Condition in relation to the removal of part of the wall and design of an appropriate access in compliance with DMURS.
- Details for clarity/ proposal are included in the appeal.
- Approximately 21m of the existing boundary wall is to be removed (as per submitted engineering drawings).
- A visibility splay of 49m for a bus corridor road of a speed limit 50 km/hr as per Section 4.4.4 (Table 4.2).
- It is proposed only to allow vehicles exiting the development to turn left (no traffic towards Maynooth Village).
- Traffic signs/ markings, left only sign turn and a no right turn sign 2m before the stop line
- The existing coach house will be retained in its entirety.
- Drwg 10859-2050 indicates a vehicular link for the construction. The corner radi has been limited to 6m to allow the occasional large vehicle and all other works in line with DMURS.
- Pedestrians and cyclists will be accommodated from Parsons Street to the Royal Canal. The shared surface allows the safe movement of cyclist and pedestrian.

Conservation Conditions

- Condition No 3 requires the retention of the entire Coach House.

- The Conservation officer recommended revisions to Option No 1 of the Further Information, for the Parson Street frontage.
- The applicant requires further clarification on a more sensitive solution to maintain the walled encloser.
- Appendix No 3 (Conservation Architect report) states that the revised detail and updated drawing prepared by Tobin's Engineers confirms the existing Coach house will be retained in its entirety.

Conditions No 37 (Flood Risk)

- Condition No 37 requires the submission of a flood risk mitigation plan (FRMP).
- The application was accompanied by a Flood Risk Assessment (FRA) Report.
- Through the proposed surface water drainage infrastructure and retention of existing levels at the rectory, there will be no increase to flood risk to adjacent properties.
- Ground water was not identified as a potential flood risk.
- The levels submitted with the FI is incorrect. The 1000-MRFS flood level was calculated at 56.91OD instead of 56.60OD.
- A response to Condition No 37, by the applicant's engineer, accompanied the application.

Conditions No 42 (surface water design)

- Condition No 42 required the submission of a Construction Phase Surface Water Management Plan and the applicant is required to submit all proposals for the treatment of surface water and any water pollution prevention.
- It should be noted that best practice mitigation measures have been included in the CEMP (list of measures included). These are considered sufficient to address the concerns of the PA.
- These mitigation measures have been included in the NIA.

6.2. Applicant Response

The applicant has responded to the third-party submissions. The submission is summarised below:

6.2.1. Introduction & Background

- Further information was submitted which amended the application to increase the height of Block A and reconfigure the design, reduce the height of Block D and reduce the link to the Rectory Building.
- The site is close to the town and the train station, contains a protected structure and is accessible to the Royal Canal.
- There is a previous refusal on the site (Reg Ref 07/2044). The previous four reasons can be overcome.
- Preplanning took place on the 10th of March 2020 and 24th of June 2020, key engineering and architectural issues were discussed.

6.2.2. Principle of Development

- The PA assessed the application and considered the proposal is not contrary to the provisions of the Maynooth Local Authority Plan 2013-2019 (MLAP) or the Kildare County Development Plan (KCDP) 2017-2023.
- The proposal has been designed to comply with the MLAP and the KCDP.
- The land use zone of A1, Town Centre, permits the proposed developments.
- The proposal includes a high-quality scheme in compliance with the national guidance on apartments.

6.2.3. Density & Height

- The net density is 137 units per hectare (uph) although excluding services is 97 uph. Densities of 50 plus are accepted within the MLAP and KCDP.
- The overall plot ratio is 1.11 (which complies with Table 17.1 of the KCDP).
- The proposed site coverage (23%) is well below the requirement for town centre sites (80%).
- The site is accessible and can accommodate higher densities.

- The PA undertook a full assessment of the height about the impact on the built environment, the site and compliance with the local policy.
- The proposed height is supported by the policies of the national legislation, in particular Table 4 of the building height guidance.
- The visual impact of the proposal has been considered in the overall design.

6.2.4. Permeability & Anti-Social Behaviour

- The permeability has been integrated in compliance with the Urban Design Framework Plan and Policy EA6, which seeks to provide overlooked cycle and pedestrian linkages between residential areas, amenity area and the town core.
- The applicant refers to historic antisocial behaviour in Parsons Lodge estate.
- The use of the site, provision of CCTV and the overall residential development would prevent any anti-social behaviour.
- The links into the site will primarily benefit the Parsons Lodge residents.

6.2.5. Overbearing, Overshadowing & Overlooking

- A daylight, sunlight and overshadowing study was submitted which demonstrated that the proposed development will not result in undue overshadowing
- The proposal complies with Section 17.2.5 of the CDP.
- The tallest elements of the proposal are beside the train station.
- Block D was reduced from 9 storeys to 7 storeys whilst Block A was increased from 3-4 storeys to 3-5 storeys after further information request.
- Section 17.2.4. of the KCDP development plan requires a separation distance of 35m to eliminate any overlooking. The front balconies of Block A were amended during FI to reduce any impact on Parsons lodge.
- Block A, the closest to Parsons lodge, is the smallest block and the hipped shoulder is retained at 3-4 storeys.
- The submitted photomontages illustrate no significant visual impact.

6.2.6. Traffic & Parking

- The proposal includes a mixed-use scheme which will reduce the need for travel.
- The scheme is within easy walking distance to Maynooth and beside public transport.
- The applicant was accompanied by a Mobility Management Plan which promotes a modal shift to more sustainable travel patterns.
- A Traffic and Transport Assessment (TTA) accompanied the application which indicates excellent pedestrian/ cycle and public transport availability. There are proposed works for the DART and good bus services
- Traffic surveys included an analysis of the impact on four key junctions. No significant impact on the junctions at Kilcock Road (L14) or Leinster Street or new access onto Parsons Street. At the Straffan road junction (R406) at the projected design year (2038) there will be a degree of saturation and queue length but is significantly lower than “without MERR” (Maynooth Eastern Ring Road).
- The quantum of car parking was agreed with KCC roads.
- Due to the location of the site the significant reduction of 70% car parking requirement complies with the apartment guidance.
- Illegal parking is a matter for the Local Authority.
- A Construction and Environmental Management Plan was submitted with the application.
- Condition No 19 also requires the applicant to submit a Construction Traffic Management Plan prior to any development.

6.2.7. Environmental Impact Assessment

- The planners report includes a screening assessment for EIA.
- The applicant submitted a screening assessment for EIA.
- The proposal is not likely to have a significant effect.

6.2.8. Conservation, Heritage & Visual Impact

- An Architectural Heritage Impact Assessment was submitted with the application.
- The proposal is considered to represent an appropriate response to a historic setting.
- A visual impact assessment considered the overall impact and the reduction in units to 177.
- Some viewpoints indicate a light impact although these are mitigated by screening.
- The most sensitive views are along the Canal and Block D was reduced to prevent any significant impact.

6.3. Planning Authority Response

The PA has responded to the first and third appeals as summarised below:

6.3.1. First party submission

Condition No 2

- There was a request for a reduction in height to mitigate against any visual impact.
- The PA considered the historic setting.
- In response to the FI the applicant increased the overall height of Block A (not requested by the PA) and was inconsistent with the design rationale in the original proposal. The highest part of the development was to be along the Royal Canal Dock.
- The absence of the stepped approach towards the Royal Canal lacks coherence and undermines the justification for a taller building.
- Condition No 2 is considered proportionate to mitigate from the potential visual impact.
- The condition required the omission of Floor 2 so the architectural detail would not be lost in any consequent development.

Condition No. 3

- The options noted by the applicant refer to the part demolition of the Coach House which has been assessed as being a notable feature within the curtilage of the protected structure.
- Aspects of the Coach House have contributed to the character of the protected structure including the archway and the hipped roof in some of the proposal presented by the applicant.
- The Board should ensure the grant of permission safeguards the protected structure and any of the aspects which contribute to its character.

Conditions No. 34, 35 & 37

- These conditions have been carefully reviewed and considered by the Water Services section and it is requested these be upheld.

6.3.2. Third party submissions

- These have been reviewed and considered and it is requested the Board upholds the PA decision.

6.4. **Observations**

6.4.1. One observation was received from an individual on behalf of the Maynooth Community Council. The issues raised are summarised below:

- In general, the provision of houses, extension of the town centre and design of the public realm is welcomed.

6.4.2. Environmental Impact Assessment (EIA)

- An Environmental Impact Report should have been prepared by the applicant.
- The site is an environmentally sensitive area near a river, SAC and is within a flood zone and riparian corridor. These have not been adequately addressed in the applicant's submission.

6.4.3. Community Infrastructure

- There is not sufficient community infrastructure to support the growth of population

- There are insufficient services already in Maynooth.
- There is insufficient evidence of assessment of the school capacity.

6.4.4. Traffic

- There is a current problem with traffic in Maynooth.
- The traffic survey was completed during the week when the University was closed.
- The traffic survey is flawed.
- The Maynooth Eastern Relief Road has not been started yet and the proposal should not be permitted until it is complete.
- The concerns in relation to the traffic should be taken account and not dismissed.
- The Roads Authority had concerns in relation to the independence of the consultants who undertook the Road Safety Audit.
- The traffic should not be allowed to turn right coming out of the proposed site.

6.4.5. Urban Height Guidelines

- The seven storeys and density are not compliant with the guidelines.
- The proposal will have a negative impact on the tow path and the surrounding area.
- The heights should be no more than 4 storeys.

6.4.6. Condition No 3

- The requirement for a pedestrian access along the southwest boundary onto the Royal Canal was not the subject of public consultation and should have.

6.4.7. Condition No 8 (b)

- The applicant should be requested to inform the council of the name of the appointed Ecological Clerk of Works before works commence.

6.4.8. Condition No 17

- No information in relation to the signalised junction was submitted with the application and was not the subject of public consultation.

6.4.9. Condition No 50

- The PA should have evidence of the retention of a qualified Arborist on site.

6.4.10. Condition No 53 (a)

- The PA should have evidence of the retention of a qualified Landscaped Architect on site.

6.5. Further Responses

Three third party submissions were received in relation to the first party appeal. The issues raised are similar in nature and are summarised in common themes below:

6.5.1. Alterations of Block A

- The set back of Block A from the boundary is 6.3m which is near the adjoining properties.
- Block A is 23.15m from the rear south corner of house number 7. The alterations at FI are sufficient to remove any overlooking issues.
- The applicant had preplanning meetings with the RA and indicated the design was to be 60 uph (150 unit). The scale has increased from initial design.

6.5.2. Overshadowing

- The Shadow Analysis illustrates there will be complete morning shadowing at the rear of house numbers 5, 6 and 7 between March and December.

6.5.3. Traffic and Transport

- Parson's street remains heavily congested without any proposal on the site.
- The CSO states that 75% of trips are made by car.
- There will be an additional 171 cars from the proposed development.

6.5.4. Clarification in respect of Condition No 3

- There will be a 2m wide footway and 2m wide cycleway from Parson Street to Royal Canal. This is not required as there are already linkages.
- There should be no construction traffic through Parsons Lodge.
- There appears to be a different visual treatment of the pedestrian footpath and cycleway from the north internal boundary and from the Royal Canal.

7.0 **Assessment**

The Board received seven third party appeals and a first party appeal (in relation to conditions). I have addressed the issues raised in both the first- and third-party appeal under headings below, as they relate to each issue:

- Density
- Height
- Impact on Residential Amenity
- Impact on the Built Heritage
- Traffic and Transport
- Surface Water Design and Flooding.
- Other
- Appropriate Assessment

7.1. **Density**

Introduction

- 7.1.1. The site is located to the south of Maynooth town centre on lands zoned for the town centre use. The site is surrounded in the most part by residential and is bound to the south by the Royal Canal and associated tow path. Maynooth train station is located on the opposite site of the Royal Canal and a pedestrian overbridge provides access across the Royal Canal.

- 7.1.2. The initial proposal submitted included 183 apartments, associated residential amenities and an office development. The office proposal is linked to the refurbishment of the Maynooth Rectory, at the front of the site.
- 7.1.3. Third party submissions have been received from residents of Parson Lodge, an existing residential estate to the southwest of the site. The dwellings within this estate comprise of detached two storey dwellings. The third parties note the constraints of the site and are concerned the overall proposal is excessive and the proposed density of c.105uph (exclusion of the Rectory) is not appropriate.

National and Regional Policy

- 7.1.4. Maynooth is located within the Eastern and Midlands Regional area and the Dublin Metropolitan Area (DMA). The policies and objectives of the National Planning Frameworks (NPF) which provides the framework for development of the country, directs future growth to city and suburbs. National Policy Objective (NPO) 68 requires that 20% of the national growth is accommodated within the Metropolitan Area. Emphasis is placed on those areas which are served by high-capacity public transport.
- 7.1.5. The Eastern and Midlands Regional Spatial and Economic Strategy (EMRA RSES) provides a similar planning blueprint to the NPF but on a regional basis. Key towns, including Maynooth, are identified to support the growth of the region. The EMRA RSES notes the location of Maynooth in the DMA and the proposal for enhanced rail services between Dublin- Sligo including the DART to Maynooth. The report of the PA refers to NPO 5.4 and 5.6 of the regional guidelines which support higher densities at appropriate locations.
- 7.1.6. The site is in the town centre of Maynooth, accessible on foot to the train station. As indicated above, both the national and regional planning policy support the development of sites such as the subject site. In terms of the required densities, Section 28 guidance for residential development such as Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Design Standards for New Apartments – Guidelines for Planning Authorities and the Urban Development and Building Heights – Guidelines for Planning Authorities support increased densities on town centre sites, close to town centre and located along high frequency transport nodes.

- 7.1.7. The location of the site, in Maynooth, contiguous to the town centre and easily accessible to the train station, would support a proposal with high density. The national guidance promotes minimum net densities of 50 units/ha (uph) on sites such as this appeal site. The applicant's response to the grounds of appeal notes the proposed net density of c. 137 uph (proposed at further information stage). As stated above, no upper limit is specified in the national and regional guidance, and I consider the location of the site is appropriate to support higher densities, subject to the relevant planning considerations, further detailed below.

Local Policy

- 7.1.8. The Kildare County Development Plan 2023-2029 is the current development plan for Kildare, updated since the PA granted permission for the proposed development. The current KCDP reiterates the information in the national and regional guidance and Table 3.1 states that town centre densities should be site specific and 50uph for new development at public transport corridors.
- 7.1.9. The applicant's response to the grounds of appeal notes the site coverage at 23.2% below the maximum threshold of 80% as set out in the KCDP (2017-2023). Section 15.2.1 of the current KCDP (2023-2027) refers to site coverage, which should be considered on a qualitative basis, rather than quantitative.
- 7.1.10. The Maynooth LAP 2019 also provides guidance for development in the town. The review of this plan is currently underway along with Meath County Council. The current plan does not include any limits on density and supports the appropriate town centre expansion.

Characteristics of the site

- 7.1.11. As stated above the site is in the town centre, close to the train station. The Maynooth Rectory is located along the front of the site, north and the proposal includes the retention, upgrade, and reuse of this protected structure. The four residential blocks (A- D) are located along the south of the site, adjoining the tow path. The site is relatively flat and open with little constraints. Although the third-party submissions consider the proposal is excessive, it is of note that the area has been designated for the expansion of Maynooth town centre. In this regard it would be considered reasonable that higher densities would be reasonably required at this location.

7.1.12. The elements of the design which have been raised in the grounds of appeal which are of concern include the height of the overall development and the location of the balconies in Block A. These issues have been addressed in detail below and I have included specific reference to Section 3.2 of the building height guidelines which also will aid the Boards assessment on the appropriateness of the higher densities at this site.

7.1.13. Overall, I am satisfied the site can accommodate higher densities, subject to conditions discussed further below. The location of the taller buildings along the south of the site and the office development in the context of the protected structure is also assessed in detail below. I have concluded that the impact on the built environment is acceptable.

Conclusion

7.1.14. Having regard to the location and characteristics of the site and the guidance in the national, regional, and local planning policy in relation to higher densities, I consider the proposed densities of c. 130uph (only for the residential and on foot of the FI request) is acceptable at this location. This is subject to a range of other planning considerations which have been discussed in detail below and relate to the connectivity with the train station, the integration of the protected structure and the impact on the visual and residential amenity.

7.2. Height

Introduction

7.2.1. The proposal was originally submitted to the PA for 183 apartments and 4,497m² of office space. The proposal relates to five blocks A-D and the office block which is associated with the refurbishment of the Rectory. The height of the initial proposal is summarised below:

- Block A: 3-4-5 storeys
- Block B: 5-7 storeys
- Block C: 6 storeys
- Block D: 6-7-9 storeys

- Office Block: 3 storeys

- 7.2.2. Following the submission of further information, the proposal was amended to reduce the number of units from 183 to 177 and the office space to 4,453m². To accommodate the changes the applicant reduced the height of Block D from 9 to 7 storeys over basement and increased the height of Block A to five storeys from 3-4 storeys.
- 7.2.3. The PA report noted the increase in height of Block A, which was considered unacceptable. Condition No 2 was included requiring alterations to Block A to reduce the height (removal of the second-floor level) leaving an overall reduction of apartments to 169. The applicant has appealed the inclusion of this condition as unreasonable.
- 7.2.4. The third-party appellants have concerns in relation to the overall design and layout of the scheme, in particular the density of the height. It is not considered the scale or mass is appropriate for the site. It is considered the height and location of Block A remains unacceptable.
- 7.2.5. I have addressed all the issues relating to height separately below.

Condition No. 2

- 7.2.6. Condition No 2 states the following:

“The grant of permission permits the construction of 169 no. residential units in total. The second-floor level (as indicated in drawing PSM-HJL-ZZ-01-DR-A-1012, Revisions B, received as further information on 21/01/2022) of Block A shall be omitted, and Block A shall not exceed 4 storeys over basement. Block D shall not exceed 7 storeys over basement. Revised plans shall be submitted for the written consent of the Planning Authority prior to commencement of any development works on site.

Reason: In the interest of visual amenities and to reduce overall visual impact, clarity, and orderly development.”

- 7.2.7. The first party appeal considers the rationale for this condition is not clear and the integration of the proposed alterations during the submission of further information has been justified. The applicant considers the landscape visual impact and accompanying documentation successfully illustrate the overall impact of the

additional floor for Block A. This first party appeal statement was accompanied by an updated assessment of the increased height of Block A and that criteria in Section 3.2 of the building height guidelines.

- 7.2.8. The applicant submitted a detailed visual impact assessment illustrating the differences between Block A (as proposed by the applicant (3-5 storeys)) and with the removal of the second floor (compliance with condition No 2 (3-4 storeys)). The submitted views also include the reduction in height of Block D (as required by FI).
- 7.2.9. The PA response to the first party appeal considers the retention of Condition No 2 is essential to mitigate against any visual impact and to comply with the applicant's initial design rational for a stepped approach to the heights of the blocks. It is requested that the condition is retained so that the architectural details of the upper floors can be retained.
- 7.2.10. The national guidance contained in the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) 2009' and the accompanying design manual advocates high quality sustainable development which is well designed and built to integrate with the existing or new communities and the urban design manual provides best practice design criteria such as context, connections, inclusivity, variety, efficiency, layout etc. where it is a requirement for the design of new development to improve and enhance the existing situation to make a positive contribution to the neighbourhood. This approach is referenced in the applicant's Architectural Design Statement whereas they note the design has addressed criteria 01 (context) and 02 (connections) of the urban design manuals.
- 7.2.11. I note the applicant's Architectural Design Statement also refers to the massing of the buildings through the use of bookend buildings. The height of the buildings drops from 9 storeys (initial design and to 7 on foot of FI, Block D) to 3 storeys (in Block A). On foot of the further information request the applicant increased the proposed height of Block A to 4 storeys, generally in line with Block B. This, in my opinion, removed the stepped approach as detailed in the initial design.
- 7.2.12. The Board will note my assessment relating to height below in relation to the third-party concerns and in relation to the impact on the residential amenity. In the first instance, the Board will note my assessment of the proposed heights in relation to

the national building height guidance, the county development plan and the Maynooth LAP is considered acceptable having regard to the location of the site, the land use zoning, and the design. This aside, I have had regard to the location of Block A relative to the rear of those closest properties in Parsons Lodge and concluded that the reduction in height (i.e., removal of the second floor) was considered appropriate having regard to the availability of sunlight for the existing residents.

- 7.2.13. Therefore, having regard to the applicant's architectural design proposal and the location of Block A adjacent to Parsons Lodge I consider Condition No 2 should be retained in the event the Board grant permission for the proposed development.

Urban Development and Building Heights: Guidelines for Planning Authorities

- 7.2.14. The third-party submission specifically raised the need for proposed heights to comply with the criteria for taller buildings as set out in the national urban building height guidance. Section 3.2 of this guidelines requires the applicant to demonstrate to the satisfaction of the PA/ABP, that the proposed development satisfies specific criteria. The application was accompanied by a range of additional information which includes specific assessment on the visual amenity, impact on built heritage etc.
- 7.2.15. The applicant's response to the grounds of appeal notes that the proposal is not reliant on SPPR3 and considers the proposal is compliant with the criteria in section 3.2 of the guidelines. I note the proposal is not reliant on the requirements of SPPR3 (i.e., there is no material contravention of the development plan or local area plan) although I consider the proposal, which includes building heights up to 7 storeys, should be assessed against the development management criteria in 3.2, further detailed below.

At the scale of the relevant city/town	
The site is well served by public transport with high capacity, frequent service, and good links to other modes of public transport.	The site is located adjacent to the Maynooth train station, connected via a pedestrian overpass across the Royal Canal. This DART supports a high capacity, frequent commuter service. The EMRA RSES also identifies this route for public investment. Bus Services are available in the vicinity of

	the site and the site is c. 200m to Straffin Road which provides branch, orbital and peak time routes for Bus Connects ¹
Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views.	The site is identified for town centre expansion. The proposal includes the retention, upgrade, and adaptation of a protected structure to a high standard and has been assessed considering the Architectural Heritage Protection Guidelines. The front of the site, adjoining Parsons lodge is within an Architectural Conservation Area (ACA). The site is relatively flat in comparison to the surrounding area and there are no protected views along the canal. The proposal will be visible from the ACA and a Visual Impact Assessment and detailed photomontages illustrate an appropriate form and mass of development.
Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.	The proposal was accompanied by a Landscape and Visual Impact Assessment (LVIA) updated on foot of a further information request. Computer-Generated Images also accompanied the application which clearly illustrate the proposal from the surrounding area. Having regard to the flat topography of the site and the location along the Royal Canal I consider the impact of the visual amenity and the surrounding area has been considered and appropriate height and, taller buildings to the east of the site are at a scale and mass for the site.

¹ [maynooth-area-map.pdf \(busconnects.ie\)](https://www.busconnects.ie/maynooth-area-map.pdf)

On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.	The proposal includes connectivity into the existing Parsons Lodge housing estate and integrates pedestrian and cycle access from Parsons Street onto the tow path, in line with DMURS. The higher buildings are located along the south, adjoining the tow path. The design includes a stepped approach to the layout of the buildings. The photomontages and visual impact assessments clearly illustrate that this design approach is appropriate for the site.
At the scale of district/ neighbourhood/ street	
The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape	The redevelopment of the protected structure in conjunction with the overall mixed-use development and higher density housing will support the town centre expansion area and create positive street-level activity. The creation of the new entrance along Parsons Street will enhance the existing street space along the ACA. Supporting residential amenity is located within the house and public pedestrian and cycle routes through the site, onto the tow path will aid the creation of a sustainable residential neighbourhood.
The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered	The proposal comprises of a stepped down approach to the four Blocks A-D, as discussed in detail above. The architectural details are a high standard, in compliance with the urban design manual. The architects design strategy details the contemporary glazed office building and clearly illustrates the brick and glazing details. The elevations

	include staggered fronts with a range of brick types.
The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009).	<p>The location of the site along the edge of the Royal Canal provides a capacity for greater height on the site. Landscaping is provided along the south, adjoining the Royal Canal with pedestrian and cycle connectivity directly onto the tow path.</p> <p>There is an identified flood area at the entrance of the site and a Flood Risk Assessment is included justifying the proposal in accordance with the The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009)’.</p>
The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner	The perimeter public realm (including cycle lanes and footpaths) would improve legibility with the wider urban area. The inclusion of the access onto the tow path and through Parsons Lodge with further provide permeability through the site.
The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.	The proposed development comprises a mix of studio (c.5%) 1 (38%), 2 (54%) and 3-bed (3%) units. The proposal would expand the smaller unit typology within this area and the proposal complies with SPPR 8 of the apartment guidelines. Supporting residential amenity areas are provided and the office use in the Rectory support the area for town centre expansion.

At the scale of the site/building	
The form, massing and height of proposed developments should be carefully modulated to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.	The form, massing and height proposed is such that there will be maximum light into the units and ADF values comply with the BRE guidelines. Section 7.3 of my assessment notes the potential for an impact on one of the rooms in Parsons Lodge although concludes that the impact will be negligible on compliance with Condition No. 2 and the levels would comply with the BRE guidelines.
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'	A Daylight and Sunlight analysis was submitted as part of the application which states that the proposal complies with the BRE and BS standards for sunlight and daylight.
Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or	The application has demonstrated that the proposals can meet all the requirements of the daylight provisions, as stated above Condition No 2 will increase daylight into one of the rooms on the grounds floor of No. 7 Parsons Lodge.

an effective urban design and streetscape solution.	
Specific Assessments	
Specific impact assessment of the micro-climatic effects such as downdraft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.	The application includes a “ <i>Wind Microclimate Study</i> ”. The study uses the Lawson’s sitting comfort criteria and indicates the predicted impacts are within the relevant parameters and no mitigation measures are required.
In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision	The development is not located in proximity to sensitive to bird or bat areas. The application was accompanied by a Bat Report and an Ecological Impact Assessment. The AA concludes no significant impact on any protected species within any European Site. Condition No 47 requires the provision of 10 nesting boxes for swifts in accordance with Bird watch Ireland specification, which I consider reasonable.
An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave link	Alterations to Block B are included in the proposal, one of which includes new telecommunications infrastructure
An assessment that the proposal maintains safe air navigation.	A submission was received from the Irish Aviation Authority. As per my assessment below, the requirements for additional lighting on the roof have been assessed and the recommended condition is considered reasonable.

An urban design statement including, as appropriate, impact on the historic built environment.	An Architectural Design Statement and an Architectural Heritage Impact Assessment. The proposal includes the refurbishment of a protected structure, and the design is considered as a sensitive approach.
Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.	An EIAR screening assessment and an NIS and Ecological Impact Assessment have been submitted. Impacts on Ecology and Biodiversity have been covered in both documents.

7.2.16. It is clear from the assessment above that the location of the taller buildings on the site is within the overall context of the national guidance.

Kildare County Development Plan 2023-2029

7.2.17. The Kildare County Development Plan 2023-2029 (KCDP) came into effect on the 28th of January 2023 and is the current development plan. The proposal was assessed against the Kildare County Development Plan 2017-2023.

7.2.18. Section 14 of the current KCDP deals with Urban Design, Placemaking and Regeneration. It is a priority of the development plan to put the development of towns and villages first to achieve a critical mass and compact form of growth. Examples of appropriate residential density and building heights are included in Section 14.8.1 with examples based on the delivery of densities of 75 uph. Guidance of the development of heights considers building heights more than 6 storey are acceptable on suitably configured sites with the prevailing building heights considered.

7.2.19. Policy UD 011 of the development plan required that in mixed use scheme, new development greater than 4 storeys will be required to address the development management criteria set out in section 3.2 of the Urban Development and Building Heights Guidelines. Third party submissions do not consider the applicant has sufficiently addressed the criteria as set out in the in the Urban Design guidance.

7.2.20. As stated above in my assessment, it is my opinion that the proposal provides a high-quality scheme in compliance with the national urban design manual and Section 3.2 of the urban building guidance. Therefore, the proposal and those taller buildings in Block B- C and D are acceptable in the context of the county development strategy.

Maynooth Local Area Plan 2013-2019

7.2.21. The third-party appeal considers the proposed height is not in compliance with the Maynooth LAP which requires heights to reflect the character of the area. I note HP 6 of the LAP refers to the location of apartments in town centre locations, close to transport connections and the acceptability of higher density scheme where they exhibit a high architectural design standard. The LAP also includes indicative urban design framework which includes the site for residential use and indicative pedestrian routes through the site and onto the tow path. Having regard to the location of the site and that information contained in the Maynooth LAP, I do not consider there is any contravention of the policies and objectives for the proposed development of the site.

Conclusion

7.2.22. Therefore, having regard to the design and layout, the location of the site in a designed town centre expansion area, adjoining the Roya Canal and with pedestrian connectivity to bus routes and the Maynooth Train Station, I consider the increase heights of the building, up to 7 storeys in site is appropriate at this location and can be accommodated without significant negative impact on the visual amenity of the surrounding area. I consider the proposal complies with the national and local planning policies and objectives in relation to building heights.

7.3. Impact on Residential Amenity

Introduction

7.3.1. The site is located to the east of Parsons Lodge estate. Parsons Lodge comprises of c. 10 two storey detached dwellings. The 3rd party submissions are submitted by the residents of Parsons Lodge. Concern is raised in relation to the impact of the taller buildings to the rear of their residential amenity, the proposed pedestrian and cycle connection through the estate into the proposed development.

- 7.3.2. I have assessed the impact of the proposed development on the residential amenity of those residents in Parsons Lodge. I have considered the design as submitted on foot of the FI request (increase in the height of Block A) and the conditions by the PA with regard the reduction in the height of Block A by c. 3m (from a 3-4-5 storey building to a 2-3-4 storey building). As stated previously, having regard to the design rationale I recommend that Condition No 2 is retained in any grant of permission.

Overlooking

- 7.3.3. Block A, the closest residential building is located to the southwest of Parsons Lodge. The residents of Parsons Lodge are concerned the balconies of Block A and Block B and the terrace level of Block A will cause overlooking on their properties.
- 7.3.4. Section 15.2.2 of the current KCDP requires a separation distance of 22m between opposing first floor windows and 35m from taller buildings to eliminate any overlooking. This separation distances remain the same as the previous development plan.
- 7.3.5. On foot of a further information request the applicant altered the design and layout of Block A. The response of the applicant refers to the amended design of Block A and the relocation of balconies away from the rear of Parsons Lodge. The balconies on the northern elevation of Block A are partially recessed with the closest balcony c. 25m directed north.
- 7.3.6. Having regard to the orientation of Block A, the design of the balcony, the separation distance to Parsons Lodge and the inclusion of Condition No.2 (reduction in the height of Block A by c. 3m) I do not consider there will be any significant overlooking from Block A on those properties along Parsons Lodge.
- 7.3.7. Overlooking from the proposed office is also raised by the appellants. They consider the glazing in the office building should be opaque. The office building is located c.55m from the rear of the existing dwellings along Parsons Lodge. I note the distance of the office building and the design which includes a setback for the third floor, and it is my opinion that this proposed building should not cause any significant overlooking, albeit the glazed detail on the elevations.

Impact on Sunlight into the dwellings

- 7.3.8. The application was accompanied by a Daylight, Sunlight and Overshadowing Study (amended on foot of the FI submission). The grounds of appeal note the Vertical Sky Component (VSC) shows a loss in values across all properties in Parsons Lodge which will negatively impact residents.
- 7.3.9. Section 5 of the daylight and sunlight study assesses the VSC into the rooms of properties in Parsons Lodge. In all cases the VSC into the rooms has decreased. The impact is greater in the rooms of those dwellings along the boundary of the site. I note the proposed VSC is greater than 27% in all but one room (room no. 20, ground floor of House No 7 has a VSC of 24.11%). The BRE guidelines state that if the VSC is less than 27% then the occupants of the building would notice a reduction in the amount of sunlight.
- 7.3.10. Building A is located to the east of those closest dwellings in Parsons Lodge. I note this Daylight, Sunlight and Overshadowing Study takes account of the design of Block A as presented by the applicant during further information. The grant of permission requires the height of Block A to be reduced by one storey (removal of second floor and c.3m). The Board will note the applicant has appealed the inclusion of Condition No.2 and therefore there are no updated daylight and sunlight analysis relating to an amended VSC. This aside, the removal of the second floor in Block A will, in my opinion, increase the availability of sunlight and reduce the impact on the rear of those dwellings in Parsons Lodge.

Overshadowing

- 7.3.11. The daylight and sunlight analysis also includes a shadow analysis of the proposed development. This analysis indicates overshadowing on the rear of the properties along Parsons Lodge, during the morning in March. No further overshadowing is illustrated.
- 7.3.12. I note the orientation of the residential properties (southeast) to the existing dwellings, the height of Block A (c. 14.3m once the second floor has been removed) and the distance from the rear of the dwellings (c. 25m) and I do not consider there will be any significant overshadowing from the proposed development.

Overbearing

- 7.3.13. Verified photomontages accompanied the application. View No 7 and No 17 are taken from Parsons Lodge. View No 7 illustrates the proposal as seen from the connecting road, in the centre of Parsons Lodge, whilst View No 17 illustrates the proposal from the middle of the estate, front of the existing building. I note View No 7 clearly illustrates the buildings in the context of the proposed development, on the opposite side of the pedestrian and cycle through route and c. 23 to the southeast of No 7 Parsons Lodge (the closest dwelling).
- 7.3.14. Whilst I consider the proposal will be visible from the rear of those dwellings in Parsons Lodge, I do not consider they would cause any significant overbearing on the existing properties. Block A is positioned to the southeast and not directly opposing those existing dwellings. The stepped approach to the layout of the residential blocks is such that the closest aspect of Block A, to Parsons Lodge, is two storeys in height. Therefore, having regard to the design and layout of the proposal I do not consider there will be any overbearing impact on the existing residential properties.
- 7.3.15. The office building is c. 32m from the edge of the boundary with Parsons Lodge (c. 55m from the closest dwelling), separated by an area of landscaping associated with the proposed development. The building is c.12.6m (3 storeys with the 3rd floor set back) with a fully glazed elevation. Having regard to the design of the office building and location in the centre of the site, I do not consider the building will be overly visible from the rear of those existing properties therefore, I do not consider there would be any significant overbearing impact.

Impact of the Construction Traffic

- 7.3.16. The residents of Parsons Lodge are concerned the construction traffic will traverse through the estate. The applicant's response to the appeal refers to Section 4.0 of the CEMP and Condition no 19 which requires the applicant to prepare and submit a Construction Traffic Management Plan prior to the commencement of development. I note the applicant has stated that Parsons Lodge estate has not been taken in charge to date. I consider this would prevent the use of the estate for construction traffic. This aside I note the residential nature of the estate and I do not consider it reasonable for large construction traffic to traverse daily. In this regard, I consider it

reasonable that there would be no construction traffic through Parsons Lodge and in the event of a grant of permission a condition restricting the same would be reasonable.

Anti-social Behaviour

- 7.3.17. The impact of anti-social behaviour generated by the proposed pedestrian and cycle connection is a concern by the residents of Parsons Lodge. The principle of this connection as been addressed below with regards to the promotion of permeability and connectivity, and I have concluded that the connection complies with national and local policy.
- 7.3.18. The applicant's response to the grounds of appeal refers to the inclusion of a management company on the site and the use of appropriate levels of CCTV to prevent any anti-social behaviour.
- 7.3.19. Section 3.13-3.18 of the Urban design manual provides guidance for the design of residential streets. Pedestrian connections should be designed to ensure they are well used, have passive supervision and good visibility from all areas. These design features will prevent anti -social behaviour.
- 7.3.20. I note the design of the proposed development along the pedestrian connections in particular the ground floor apartments. I consider the proposal includes active surveillance at the proposed connection between Parsons Lodge and the subject site. The proposed connection is wide and should be well lit to minimise any opportunity for hiding, promote safety and encourage use at different times of the day. I consider the design of the connection has regard to that best practice and urban design guidance in relation to the promotion of security and safety.

Conclusion

- 7.3.21. Therefore, having regard to the location of the site, the design and layout of the residential blocks and the office building, in particular the separation distance from the existing dwellings in Parsons Lodge and the inclusion of Condition No.2, it is my opinion that the proposal will not have any significant negative impact on the residential amenity of those existing dwellings.

7.4. Impact on the Built Heritage

Introduction

- 7.4.1. The subject site includes the refurbishment and adaptive re-use of the protected former Maynooth Rectory (RPS Ref: B05-56), comprising of a change of use from residential to office use and the inclusion of a 2-storey glazed link atrium and bridge to the rear (187 m²) connecting the refurbished protected structure to a proposed 3 – storey over basement office building (3,417 m²). The front of the site, along Parson Street, is included within the Maynooth Architectural Conservation Area (ACA). The northern boundary treatment, along Parson Street, includes a block wall associated within the Rectory building.
- 7.4.2. A number of third-party submissions have raised the impact of the proposed development on both the Rectory and the ACA. It is considered the proposal has a negative impact on an architecturally sensitive area and does not comply with the Architectural Heritage Protection Guidelines (Appendix B).
- 7.4.3. The application was accompanied by a Landscape and Visual Impact Assessment an Archaeological Assessment and an Architectural Heritage Report (updated as part of the further information submission).
- 7.4.4. The report of the Kildare County Conservation officer noted the impact of the height of Block D on the Royal Canal and Maynooth Harbour, the alterations proposed to the front entrance/boundary wall (onto Parson Steet) and the design of link building at the rear of the Rectory. Whilst the Conservation officer still had concerns in relation to the revised design and reduction in height of Block D, a grant of permission was recommended subject to the submission of a sensitive design solution for the new entrance and alterations to the boundary wall. The grant of permission included a condition (No. 3), detailed below.

Condition No. 3

- 7.4.5. As part of the 1st party submission the applicant has submitted a design for the entrance of the site, which includes work to the boundary wall along the front of the site. The applicant has not appealed this condition, rather they consider the information submitted will allow clarification of detail required by the Board. I have addressed the implications one the traffic and transport below. The information

submitted includes the removal of the existing entrance pillars and part removal of the existing boundary wall to provide a new entrance into the site.

- 7.4.6. Condition No 3 (part A) specifically requests the submission of DMURS compliance statement and a detailed Conservation Impact Assessment demonstrating the necessity and extent of the wall removal along Parson Street. The grounds of appeal is accompanied by a letter from the applicant's conservation architect to state that this design represents a sensitive solution to maintain a walled enclosure to the site.
- 7.4.7. In the absence of any DMURS compliance statement, for the site entrance, and Conservation Impact Assessment I do not consider the applicant has complied with this condition. Whilst the information provided is useful to address the traffic issues detailed below, it does not provide sufficient evidence to address the impact on the boundary wall along Parson Street. Upon site inspection I noted the quality of the existing wall was poor. I consider information on the stability of the wall and the exact proposed works would be critical to understand the impact of any reconstruction.
- 7.4.8. In the event of a grant of permission, I consider the wording of condition no. 3 (part A) should be retained and the applicant should be required to submit that DMURS statement of compliance along with the Conservation Impact Assessment for compliance to the PA. Whilst I consider the overall visual impact of the works respect the character and setting of the Rectory, there is insufficient information to adequately determine compliance with condition no.3.

Visual Impact

- 7.4.9. The proposed residential blocks are located to the south of the site, along the Royal Canal. The office building to the rear of the Rectory is 3 storeys, with the third set back, and includes a completely glazed elevation.
- 7.4.10. As stated above the application was accompanied by a Landscape and Visual Impact Assessment and Verified Photomontages and CGIs, updated on foot of the further information request. Views from along Parson Street, Maynooth University, and long range i.e., along the Royal Canal have been submitted. The views from the ACA are taken from the north of the entrance and I note the proposed office building has been screened by a deciduous tree. The Landscaping Report illustrates the retention of the same mature trees in the front garden, along with additional planting, and includes CGIs of the proposal from the entrance along the ACA. I note the

Rectory and the front gardens remain and the greatest impact on views on to the rear of the site. Having regard to the flat topography, I do not consider Blocks A-D will have a negative impact on the character or setting of the ACA.

7.4.11. The report of the Conservation Officer notes the impact of the proposal. As stated above, this impact is considered substantial along the Royal Canal and tow path rather than on the character and setting of the protected structure and ACA. I have previously addressed this issue this above in my assessment of the increased scale and height.

7.4.12. The Architectural Heritage Protection Guidelines refers to the inclusion of modern interventions and works within the curtilage of protected structures. I note the guidance in Section 6 of national guidance sets out the development control policies and objectives for assessing proposals. Section 15.17.1.2 of the KCDP also provides guidance for development within the curtilage, attendant grounds and setting of the protected structure, where the impact on the special character is considered. The criteria in the national guidance and the development plan refer to the interrelationship between the existing and the proposed which does not preclude contemporary buildings.

7.4.13. The verified images clearly illustrate the impact of the proposed development on the protected structure. Whilst I note the proposed buildings will be visible, I consider the overarching proposal for town centre expansion requires development on the site and I consider the proposal as submitted, including the distance of the taller buildings along the southern boundary and the design of the link connection and office building, will ensure the overall proposal respects the character and setting of the Rectory building. I also consider the proposed access will open the site along Parsons Street, allow the Rectory to become visual and enhance the setting of the ACA.

Conclusion

7.4.14. Having regard to the design and layout of the proposal, the landscaping proposed and the restoration and reuse of the Rectory, I consider the proposal represents an appropriate siting, proportion, scale, and mass within the setting of the protected structure and the ACA. In relation to the works to the boundary wall, it is my opinion that insufficient information has been submitted to allow compliance with Condition

No 3 and the impact on the structural integrity of the boundary wall. This condition should be retained in the event of any grant of permission.

7.5. Traffic and Transport

Introduction

- 7.5.1. Access into the site is via the existing vehicular entrance from Parsons Street. A large block wall, associated with the protected structure, bounds the site along Parson Street. The front of the site is within a designated Architectural Conservation Area and both the Planning officer, and the Conservation Officer consider this existing boundary treatment adds to the character of the area.
- 7.5.2. As part of a further information request the applicant provided two options for the vehicular entrance into the site. The report of the Roads Department noted that adequate sightlines had not been provided for the entrance (as stated in the RSA) and recommended a refusal of permission for this and several other reasons. In the event of a grant of permission the Senior Engineer provided a recommended list of conditions. The final grant of permission included Condition No 3 as an approach to provide access into the site whilst respecting the heritage relating to the front boundary and the protected structure (removal of part of the boundary wall). The applicant (first party appeal) has requested clarification from the Board on the imposition of this condition (Condition No. 3).
- 7.5.3. The third-party appellants are not satisfied this condition is acceptable and have concerns in relation to the impact of the increased traffic movements from the proposal on the immediate area and Maynooth town. Concern is also raised in relation to the proposed pedestrian and cycle access through Parsons Lodge.
- 7.5.4. I have addressed the inclusion of Condition No. 3 (as per the first party appeal) in the first instance and thereafter other concerns raised by the third parties in relation to the impact on the movement and flow into the site, through Parsons Lodge and Maynooth town.

Condition No 3

- 7.5.5. Condition No 3 requires the submission of a revised site layout to include:
- a) DMURS compliance statement and Conservation Impact Assessment in relation to the new entrance, removal of wall along Parsons Street and impact on the protected structure,
 - b) Full retention of the Coach House,
 - c) Design details of the vehicle link to lands to the north,
 - d) Pedestrian linkage only into Parsons Lodge,
 - e) Pedestrian access to the Royal Canal with no gates.
- 7.5.6. The first party appeal has raised the wording of condition No 3 and requests Clarification of Matters. The appeal was accompanied by a report from the applicant's engineers and a proposed site layout, road design illustrating the partial removal of the wall along Parsons Street, the integration of three on street parking spaces to the right of the entrance and all other works required to accommodate pedestrian, cycle, and vehicle access into the site.
- 7.5.7. The applicant states the proposed entrance includes the removal of c. 21m of existing boundary wall and complies with those requirements Section 4.4.4 (Table 4.2) of DMURS (49m for a bus corridor road). The access arrangements include left only for traffic exiting the site (traffic signs etc included). In addition, the proposal includes the retention of the Coach House (behind the boundary wall) and the integration of pedestrian and cyclist access from Parson Street through the site onto the Royal Canal.
- 7.5.8. The response of the PA notes the original options received from the application included the part demolition of the Coach House (including the archway and hipped roof). The PA response requested that the Board should ensure the character of this building is safeguarded. No proposal to amend the Coach House have been submitted with the applicant's appeal. The impact on the built heritage is addressed in detail above and the Board will note my concerns in relation to the stability of the boundary wall and the absence of Conservation Impact Assessment, as required in Condition No 3.

7.5.9. Whilst the applicant is not appealing this condition, they consider that the information submitted to comply with Condition No 3 may alleviate concerns that the development may increase traffic along Parson Street, heading into Maynooth. As stated above, insufficient information has been submitted to address the concerns of the Conservation officer. In this regard, I consider the applicant should be required to comply with the requirements of Condition No. 3, in relation to the impact on the built heritage, albeit that the proposal may be considered acceptable from a vehicular access point of view. I also note the overall impact of the increased traffic from the proposal relates to the absence of traffic infrastructure in the wider Maynooth area, rather than an appropriate entrance detail, further discussed below.

Maynooth Eastern Ring Road (MEER)

7.5.10. The Maynooth Eastern Ring Road will provide a distributor/link/arterial road to the east of Maynooth to link the R405 and R148. The MEER is funded from the Local Infrastructure Housing Activation Fund (LIHAF) is 95% completed and due to be finished in Q3 2025. The estimated delivery was previously 2020 but delayed due to Covid 19. A Traffic & Transport Assessment accompanied the application. It notes the proposed network upgrades and using this information in the traffic modelling. The TTA notes the percentage reduction of traffic at 3 junctions at locations close to the proximity of the site and includes Parsons Street.

7.5.11. Third party submissions consider the proposed development is premature pending the delivery of the MEER. It is noted that some traffic will be alleviated in Maynooth but there will remain congestion due to other recently withdrawn applications (e.g., St Patricks College Reg Ref 1529).

7.5.12. I note the timescales for the delivery of the MEER are mostly in line with the estimated delivery of the proposed development. The TTA has considered those upgrades in the traffic modelling, and I am satisfied the proposal will not be premature pending the delivery of the MEER.

Roads Objective TR02 Maynooth LAP 2013-2019

7.5.13. The policies and objectives of the Maynooth LAP remains relevant to the decision making for the Maynooth area and provide detailed guidance for appropriate future guidance. Road Objective TR02 (part of the MEER) is for a new street connecting Straffan Road (J) with Leinster Street (K) and onto Parsons Street (L). The street

between J and K has been completed. The report of the Roads Department notes the link between K and L will be challenging due to the constraints long this section (location of existing buildings). The proposed link road is not within the ownership of the applicant. A link to the north of the site is proposed, to comply with this Roads Objective. I consider this is sufficient to allow the future connectivity to the proposed link road.

Maynooth Outer Orbital Road (MOOR)

- 7.5.14. The proposed road extends from the eastern end of the northern access road in the Moyglare Estate, Mariavilla in Co. Kildare to the Moygaddy Junction on the Dunboyne Road (R157). Map 1 of the Maynooth LAP illustrates the indicative route for the MOOR and the delivery of this route is highlighted as a key challenge for the town. The route bypasses the town of Maynooth, and the LAP breaks down the route into sections. Table 5.4 of the current Kildare County development plan includes part of the MOOR (west/southwest) R148 to L1012 c. 3km – Kilcock Road to Moyglare Road and from the Kilcock Road south to Rathcoffey/Straffan Road to be delivered as a priority road. No timescale for the delivery of roads projects is included.
- 7.5.15. The report of the Roads Department recommends a refusal of permission, in the first instance, based on an increased traffic congestions in an already heavily congested town centre, with every junction already at peak capacity and in the absence of the MOOR, will increase the traffic congestion in Maynooth. It is stated in the report that the proposal would contravene the Department of Transport's publication "Smarter Travel a Sustainable Transport Future- A New Transport Policy for Ireland 2009-2020"
- 7.5.16. The Smarter Travel ² guidance promotes the use of sustainable transport options as alternatives to the use of the car. This national guidance does not provide reference to the MOOR. The site is beside the Maynooth train station which provides a commuter service into Dublin. Figure 12.5 of the Greater Dublin Area Transport Strategy also highlights the location of Maynooth on a regional Core Bus Corridor ³. The electrification of the Maynooth line from the City Centre to Maynooth is part of the DART + West project. Overall, I note the site is well located to take advantage of

² [gov.ie - Smarter Travel: A Sustainable Transport Future \(www.gov.ie\)](http://www.gov.ie)

³ [Greater-Dublin-Area-Transport-Strategy-2022-42-1.pdf \(nationaltransport.ie\)](http://nationaltransport.ie)

existing and proposed sustainable transport options in accordance with national guidance. A carparking rate of 0.50 spaces per residential units and 0.40 spaces per 42m² of office space has been included, well below the maximum allowed in the KCDD plan.

- 7.5.17. Whilst the applicants TTA considers the delivery of the MEER in the traffic modelling, it does not take into consideration the alleviation of traffic volumes from the town centre and the works proposed by the MOOR. The report of the Roads Department has not raised any issues with the modelling in the TTA. In this regard, I note the Roads Department has raised the existing levels of traffic congestion in Maynooth town centre. I consider the location of the site contiguous to the town centre and the train station supports a sustainable development option for a site zoned as a town centre expansion centre. I do not consider the proposed development is reliant on the delivery of the MOOR and does not contravene the national policy on sustainable travel.

Access through Parsons Lodge.

- 7.5.18. Parson Lodge is a residential estate to the southwest of the site with c. 10 detached dwellings. An internal access road ends along the boundary of the site and there is currently an agricultural type of gate into the site. The proposal includes a pedestrian and vehicular connection, through this opening between the proposal and Parson Lodge. The residents of Parsons Lodge are against this proposed connection as they consider it is unnecessary, does not provide any shortened through route and would lead to anti-social behaviour within the Parsons Lodge estate.
- 7.5.19. The applicant's response to the grounds of appeal notes that Parsons Lodge has not been taken in charge, therefore no vehicular access could be included although the pedestrian and vehicular access has been provided in accordance with the objectives of the Urban Design Framework Plan (Policy EA 6).
- 7.5.20. Figure 9 of the Maynooth Local Area Plan illustrates the proposed Urban Design Framework Plan for Maynooth. The road through Parsons Lodge is highlighted as a minor road. An area through the site, directly east of the access gate between the site and Parsons Lodge is illustrated as part of the future road network and pedestrian route. Figure 12 of the LAP: Indicative Layout" provide greater detail to the intended connection between the site and Parsons Lodge. I note the road

network does not flow between both sites although a footpath connection has been illustrated. Supporting text refers to the necessity for permeability. Policy EA 6 requires overlooked cycle and pedestrian linkages between residential areas amenity areas and the town core.

- 7.5.21. Section 3.3 of the national guidance Design Manual for Urban Roads and Streets (DMURS) provides guidance on the design and layout of streets for new residential development with an aim to create better connected places. A design principle of any scheme should include an integrated street network where permeability is promoted and the number of walkable/ cycle able routes between destinations is maximised. These principles are supported in Section 7.0 of the urban design manual which highlights that key desire lines can support urban development. In addition to the proposed connection into Parsons Lodge, the proposal includes pedestrian and cycle connectivity onto the tow path and to the east of the site. Therefore, having regard to the national guidance on the requirement for permeability and connectivity for existing and future residents and the proposed urban design strategy for Maynooth, I consider the inclusion of pedestrian/ cycle routes is necessary to support sustainable residential development.

Traffic and Transport Assessment (TTA)

- 7.5.22. The information contained in the applicant's TTA is queried by the third parties. They have concerns in relation to the timing of the traffic survey (when the University was on a break), the Mobility Management Plan (assumes only 24 car trips) and they do not consider the TRICS data is sufficient.
- 7.5.23. The applicant's response to the grounds of appeal notes that TRICS trip rate data was based on the growth factors for the Dublin Metropolitan Area and the land use for privately owned residential units and employment/office development, which I consider reasonable. The response also includes a summary of the impact on the 4 no key junctions with two junctions (junction 1 at Kilcock Road and junction 2 at Leinster Street) operating within capacity in the design year 2023 with the MEER scenario. Junction 3 (Straffan Road) will have a slight increase in the degree of saturation although remains above 90%. At the proposed entrance there will be no significant impact, having regard to the inclusion of the MEER. Having regard to the projected delivery dates of the MEER, I consider it reasonable that this project is

included in the junction analysis, and I consider the conclusions of the TTA reasonable in so far as no significant negative impact on the flow of traffic.

- 7.5.24. The traffic survey was undertaken on Tuesday 29th of January 2019 during the AM peak and PM peak. As sated above, the grounds of appeal consider the University Traffic was not included. I note the key dates for staff and students at the university and the beginning of second semester towards the end of January⁴ whereas exams etc are during most of January. No specific dates for 2019 are available although having regard to the current registration for the university, it would be reasonable that there would be a presence of either staff or students on the campus. I also note the limited semester periods and consider the impact of traffic from the University is not constant throughout the year. In this regard I consider the timing of the traffic count acceptable.

Conclusion

- 7.5.25. Having regard to the location of the site, proximity to the town centre, the availability of sustainable transport options, the limited quantum of car parking and the proposed delivery of the MEER, I consider the proposal development would not lead to significant increased traffic congestion within Maynooth town centre or the immediate vicinity of the site. I consider the overall design and layout of the proposal promotes permeability and connectivity, as required by national and local guidance.

7.6. Surface Water and Flooding

Introduction

- 7.6.1. The surface water design strategy includes a number of nature-based solutions (NBS) although having regard to the high-water table on the site, these natural design solutions is limited, and hard engineering solutions are also incorporated into the overall design strategy. The surface water design includes a detention basin and attenuation tanks to allow surface water from hardstanding areas to flow and then filtrate to the soil. On foot of further information request the applicant submitted soakaway testing to the PA and the design was altered to include 3 no additional soakaways. A regime to monitor the groundwater was installed and the applicant's

⁴ [Key Term Dates | Maynooth University](#)

response to the further information noted where groundwater was recorded to be high, impermeable membrane will be used to prevent contamination. The final report from the Water Services department, following the submission of further information, recommended a grant of permission subject to seven conditions of which alterations to the surface water design are required to increase the use of nature-based solutions on the site. The applicant has been requested to submit, *inter alia*, additional geotechnical and hydrogeological advice and groundwater monitoring results, in addition to the provision of additional NBS in the surface water design strategy.

7.6.2. The first party has appealed the inclusion of Conditions No. 34 and 35 which relate predominantly to surface water matters. They consider both conditions are not warranted as the current surface water drainage scheme, amended on foot of a further information request, is appropriate to accommodate the proposed development. Both conditions are lengthy and contain reference to both generic and site-specific SuDS requirements.

7.6.3. The applicant also requested clarification from the Board on other conditions relating to surface water i.e., Condition No. 37 and No 42, further detailed below.

Condition No. 34

7.6.4. Condition No. 34 is summarised as follows:

Prior to finalising the drainage and SuDS strategies and designs and prior to commencement of development, the applicant shall consider a revised drainage and SuDS strategy for the proposed development in accordance with Greater Dublin Strategic Drainage Study, recently published “Water Sensitive Urban Design Interim Best Practice Guidance by the Department of Housing, Local Government, and Heritage water service provided to maximise the nature based solutions (NBS), if no SuDS can be integrated then an infiltration system can be used which shall be subject to expert geotechnical and hydrogeological advice. It is requested that a retention pond is integrated into the design of the open space as a means of increasing the NBS. The applicant is requested to submit other details such as consent to discharge water to the Lryeen River, capacity of the river, works required etc.

- 7.6.5. The national guidance for surface water management in urban areas⁵ promotes the use Sustainable Urban Drainage Strategy (SuDS), as these support green infrastructure and ecosystem services. Where hard engineering solutions can only be used, they can also be “greened” e.g., nature-based solutions alongside. This approach assists climate adaptation and resilience. The PA condition requires the applicant to integrate additional SuDS (NBS) into the surface water design. As stated above, the design is required to be amended in conjunction with expert geotechnical and hydrogeological advice, having regard to the ground conditions.
- 7.6.6. The applicant has submitted the results of groundwater monitoring (Appendix 1) and argues that the groundwater conditions will not aid the use of these nature-based solutions, therefore the proposal has to include hard engineering solutions. The applicant refers to the technical documentation submitted by the engineer to the further information and the accompanying civil design.
- 7.6.7. The results of the groundwater monitoring states that the ground water is high averaging a depth of 0.72m below ground level. The engineers report states that infiltration is not possible, due to this requirement for groundwater level a minimum of 1.0m below the ground level. The applicant considered the use of a retention pond to collect surface water is not appropriate as it will greatly reduce the amenity space, relocate bicycle parking, and alter the design of the proposed for the proposed development. In relation to the capacity of the surface water discharge on the Roosk Tributary, the engineers report notes that there should be no impact on the capacity of the tributary as the surface water will be discharged at greenfield rates.
- 7.6.8. I note the guidance for surface water design promotes the use of NBS in proposed developments and while this is the ideal solution to treating surface water, the guidance does not preclude the use of hard engineering options where the ground conditions do not allow the NBS. In general, I consider the applicant has submitted sufficient information, *inter alia*, groundwater monitoring as evidence to suggest the groundwater conditions would not support NBS. I consider the integration of a retention pond would lend the design and layout of the proposal to be altered to such as scale that it would require significant alteration of the landscaping proposals. I have some concerns in relation to the absence of sufficient information on the

⁵ Nature-based solutions to Management of Rainwater and Surface Water Runoff in Urban Areas

capacity of the Roosk Tributary to accommodate the surface water run-off. In this regard, I note the watercourse and the lands at the entrance of the site are located within a flood zone, further detailed below.

- 7.6.9. Having regard to the technical information submitted by the applicant and the general acceptance of the Water Services for applicant's surface water design i.e., recommendation to grant permission, I consider the surface water design is reasonably acceptable. I consider the applicant has provided sufficient information with the application as evidence that the surface water can be successfully treated on site with no negative impact on discharge. I consider the Boards standard surface water condition can be included on any grant and this would allow the PA and applicant to address any surface water concerns following the grant of permission. This would, in my opinion, enable clarification of minor issues rather than a redesign of the scheme as required in Condition No 34.

Condition No 35

- 7.6.10. Condition No 35 is summarised as follows:

The following issues identified in the engineering report received on the 07.01.2022 shall be addressed and take into account the potential for the SuDS to fail , compliance with the GDSDS , the provision of attenuation storage volume for 100-year storm event plus 20% climate change factor is 707m³ yet the total provided storage volume is 602m³, the latter is to be provided, compliance with the Inland Fisheries Ireland Guidance 'Planning for watercourse in the Urban Environment' and maintenance of a minimum riparian zone.

- 7.6.11. The Inland Fisheries guidance⁶ highlights the need to protect the riparian strips along rivers, lakes, and streams as a means of protecting the vegetation. The recommended riparian strip along the side of the river is 10m (vegetation) with additional areas for recreation (middle zone) and 35m for the maintenance of the river. The closest building (Block D) is located c. 10m from the edge of the Royal Canal to the south of the site and is separated by the tow path. The applicant considers the riparian corridors referenced in the IFI guidance is not applicable in

⁶ [IFIUrbanWatercoursesPlanningGuide \(fisheriesireland.ie\)](https://fisheriesireland.ie/IFIUrbanWatercoursesPlanningGuide)

this instance as the canal is not a “river channel” as detailed in the guidelines. The applicant states that best practice measures to prevent any water protection will be complied with.

- 7.6.12. I note the site is separated from the canal by the tow path, where that vegetation along the canal has already been defined. I note additional planting and landscaping along the southern boundary of the site, c. 5m also includes a boundary rail. Having regard to the existing site conditions along the canal and the current riparian strip, I consider there is sufficient lands set aside to protect the integrity of the canal both in terms of the ecosystem and the maintenance.
- 7.6.13. The PA have also raised the surface water design in this condition in particular the size of the attenuation storage tanks. The applicant’s response notes additional smaller attenuation tanks throughout the site i.e., under car park at manholes and pipes etc. It is considered the total storage volume will be 717.57m³. It is stated the design follows the GDSDS and other best practice guidance. I note the Water Service Section of Kildare Council has not submitted any comments on the applicant’s appeal to the surface water conditions.
- 7.6.14. I note the design and layout of the scheme, the location of the Royal Canal and the tow path use of best practice design and construction methods for the surface water and I consider the proposal would not lead to a negative impact on the Royal Canal or other watercourse. As stated above in my assessment of condition No 34 I consider the Board standard surface water condition will allow further engagement with the Water Services Section, in the event there is any discrepancy with the surface water design although overall I consider the proposal is acceptable.

Condition No 37

- 7.6.15. The applicant has required clarification of condition No 37 which requires the submission of a flood risk mitigation plan (FRMP) prior to any works. Condition No. 37 also requires additional information in relation to the proposed works at Parsons Street, confirmation of contradictions within the report being 0.1% and 1% AEP MRFS fluvial etc, addressing pre-existing surface water overland flows into the subject site, impact on any third party.
- 7.6.16. The Strategic Flood Risk Assessment Map in the Maynooth LAP highlights Maynooth town and an area where development proposals are subject of site-

specific Flood Risk Assessments. The OPW maps indicate flooding along Parson Street, along the Roost Tributary which overflows into the front of the site during the mid-range future scenario.

7.6.17. A Flood Risk Assessment Report (FRA) accompanied the application which notes the mid-range scenario. The FRA also notes the results of the CFAM study with part of the site liable to flooding (fluvial) during the 100- 1,000 mid-range. The applicant has stated that the FFL of the existing Rectory building is 58.4m OD (1.M above the estimated mid-range) and the residential apartments are not within any flood zone. As the primary access is through the potential flood area, a secondary access for emergency tender is available to the east onto the canal harbour area. No coastal or groundwater flood potential has been identified.

7.6.18. Section 5 of the Planning System and Flood Risk Management Guidelines for Planning Authorities requires the justification of development in areas defined as Flood Zone A & B with a requirement for compliance of the Justification test (Box 5.1). Section 4.6 of the FRA includes a list of compliance with the Justification Test Criteria as summarised below:

1. The lands are zoned for development.
 - (i) Surface water will be managed and discharged at greenfield rates
 - (ii) The existing rectory building, and residential apartments are over 1m above the 1000-year flood.
 - (iii) The primary access from Parsons Street is liable to flood in an extreme event although a secondary access point has been agreed in the event of an emergency.
 - (iv) The proposal is compatible with the wider planning objectives of the area.

7.6.19. The applicant does not consider any additional information (or submission of a FRMP) is required and has demonstrated no flood risk with the existing levels remaining the same at the Rectory building and the site entrance along Parson Street. In addition, the level of water infiltrating to the ground will be treated and will not lead to any flood risk. I note the FRA does not include any assessment of any proposed alterations to the entrance off Parson Street (i.e., compliance with

condition No 3) although I consider any deviation from the existing proposal would be minor in nature and the overall site levels would remain, in general, in keeping with the current proposals.

- 7.6.20. Having regard to the proposed development and the submission of the FRA with the application, consider the applicant has addressed any impact of the proposed development on the flood zones along the front of the site. It is my opinion, based on the design and layout of the site, that technical information submitted with the application and the applicants appeal that there is sufficient access into the site for emergency tenders and the proposed development should not cause any impact on any third-party lands, with regard flood impact.

Condition No 42

- 7.6.21. The applicant required clarification of condition No 42 which requires the applicants “Construction Surface Management Plan” to address the management of surface water run-off on site and prevention of polluting water, by including a:

- a) A site layout identifying any potential surface water and/or groundwater receptors,
- b) The location and design of any proposed mitigation measures,
- c) Proposals for a surface water and/or groundwater monitoring programme, as appropriate.

- 7.6.22. The applicant considers the information contained in the Construction Environmental Management Plan (CEMP), in relation to the mitigation measures to protect water and prevent water pollution from surface water, is sufficient to address those concerns. The applicant’s response listed the best practice mitigation and environmental control measures. I note these are generic in nature and not linked to the delivery of any site-specific works. I note the information contained in both the CEMP and the Construction and Demolition Waste Management Plan, of which is also generic in nature and whilst a map of the compound location etc is included, no additional information with regards any site-specific mitigation measures. I note the applicant’s engineer’s response does not include any additional details in relation to Condition No 42 and I note the applicant has not appealed this condition and it is unclear from the submission what clarification on the condition they are requesting.

7.6.23. Having regard to the location of the site near the Royal Canal, the discharge of surface water to the Roosk Tributary and the high water levels on the site , I consider it reasonable that the level of detail in the surface water design would be such that the PA would be satisfied, prior to the commencement of any works, that all necessary steps have been undertaken to prevent any water pollution and may require site specific information on the location of those mitigation measures. I consider Condition No 42, or such conditions similar to condition No 42, is reasonable and necessary to ensure the works are undertaken

Conclusion

7.6.24. Having regard to the current ground conditions on the site and the national guidance in relation to surface water I consider it reasonable that the surface water design strategy includes a range of natural and hard engineering solutions to the treatment of the surface water on site. Taking into consideration the technical information submitted with the application and the grounds of appeal I consider the treatment of the surface water has been designed in accordance with best practice.

7.7. Other

7.7.1. An observation received from a resident in the vicinity of the site has raised a number of additional issues not in the grounds of appeal. I have addressed these issues below:

- Condition No 3: The requirement for a pedestrian access along the southwest boundary onto the Royal canal was not the subject of public consultation and should have.: This issue has been addressed under permeability and the need to comply with national and local planning guidance.
- Condition No 8 (b): The observer considers the application should be requested to inform the council of the name of the appointed Ecological Clerk of Works before works commence. I note the PA condition required compliance with those mitigation measures in the Ecological Impact Statement (also includes the use of a Clerk of Works). I consider that condition reasonable to prevent have negative impact on any ecological features of interest.

- Condition No 17: The observer is concerned that the information in relation to the signalised junction was not the subject of public consultation. I consider it reasonable that additional minor works to the traffic infrastructure would be subject to normal compliance, on foot of any grant of permission.
- Condition No 50: The observer considered the PA should have evidence of the retention of a qualified Arborist on site. The applicant has submitted information in relation to the landscaping, tree removal planting etc. I consider any planning permission is subject to compliance with those plans and particulars and the evidence of qualifications of those undertaking works would not normally be required.
- Condition No 53 (a): The PA should have evidence of the retention of a qualified Landscaped Architect on site. The applicant is required to comply with the plans and particulars with regard landscaping details. The Board will not my recommendation for a condition requiring those works to be confirmed by a qualified landscape consultant.

7.7.2. The observer has also raised the overall impact of the proposal on the community infrastructure and the capacity of Maynooth to accommodate a growth in population. As discussed throughout my assessment above, the status of Maynooth to accommodate a growth in population is highlighted in the national regional and local planning policy. The application is accompanied by a plethora of information e.g., Planning Statement, childcare assessments etc. I note the PA have not raised the capacity of Maynooth to accommodate additional growth as a significant planning issue. In this regard, I do not consider the impact of any growth in population would have a significant negative impact on the infrastructure of Maynooth.

7.8. **Appropriate Assessment**

Introduction

7.8.1. The site located is a greenfield site located within the urban setting. The Royal Canal is located along the south of the site and is separated from the site by the tow path. The site is located c. 1.5km from the Rye Water Valley/Cartron SAC (001398). c. 15km from Ballynafagh Bog SAC (000391), Ballynafagh Lake SAC (001387) and c. 25km from the South Dublin Bay SAC (000210), North Dublin Bay SAC (000206),

South Dublin Bay and River Tolka Estuary SPA (004024) and North Bull Island SPA (004006).

Proposed Development

- 7.8.2. The proposed development is for a mixed-use scheme beside Maynooth Town centre. The proposal comprises of 183 residential units and office space for c.4,500m² and other associated works. The Royal Canal connects into the Rye Water Valley/Carton SAC c. 6km to the east of the site. It is proposed to discharge the surface water into the Roosk Tributary, to the northwest of the site, on the opposite side of Parsons Road. This tributary flows into the Lyreen River and then into the Rye Water Valley/Carton SAC c. 1.5km to the northeast of the site. The application was accompanied by an Appropriate Assessment Screening Report and Natura Impact Statement (NIS). The PA, and the Heritage officer, considered the NIS and determined there was no likely effects following the implementation of mitigation measures.

Screening for Appropriate Assessment

- 7.8.3. The site is not located within a designated European Site although located c. 1.5km from the Rye Water Valley/Carton SAC (001398) and c. 25km from other European Sites within Dublin Bay. The Appropriate Assessment Screening Report noted three European Sites within a 15km radius of the site although having regard to the Source-Pathway-Receptor framework, *inter alia*, nature and scale of works, possible impacts, potential pathways and sensitivity and location of ecological features, seven other European Sites were included in the screening assessment. The summary of these European Sites is listed below.

Summary of European Sites with a potential link to the site.

Site Name and Code and distance from site	Qualifying Interest and Conservation Objectives
Special Areas of Conservation (SAC)	
Rye Water Valley/Carton SAC (001398)	QI: Petrifying springs with tufa formation (Cratoneurion) [7220], Vertigo angustior (Narrow-mouthed Whorl Snail)

c. 1.5km	<p>[1014], <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016]</p> <p>CO: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>
Ballynafagh Bog SAC (000391), c. 15km	<p>QI: Active raised bogs [7110], Degraded raised bogs still capable of natural regeneration [7120], Depressions on peat substrates of the <i>Rhynchosporion</i> [7150]</p> <p>CO: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>
Ballynafagh Lake SAC (001387) c.15km	<p>QI: Alkaline fens [7230], <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016], <i>Euphydryas aurinia</i> (Marsh Fritillary) [1065]</p> <p>CO: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>
South Dublin Bay SAC (000210), c. 25km	<p>QI: Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] <i>Salicornia</i> and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110]</p> <p>CO: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>
North Dublin Bay SAC (000206) c.25km	<p>QI: Mudflats and sandflats not covered by seawater at low tide [1140]; Annual vegetation of drift lines [1210]; <i>Salicornia</i> and other annuals colonising mud and sand [1310]; Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330]; Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]; Embryonic shifting dunes [2110]; Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]; Fixed coastal dunes with</p>

	<p>herbaceous vegetation (grey dunes) [2130]; Humid dune slacks [2190]; Petalophyllum ralfsii (Petalwort) [1395]</p> <p>CO: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>
Special Protection Areas (SPA)	
<p>South Dublin Bay and River Tolka Estuary SPA (004024)</p> <p>c.25km</p>	<p>QI's: Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]; Oystercatcher (<i>Haematopus ostralegus</i>) [A130]; Ringed Plover (<i>Charadrius hiaticula</i>) [A137]; Grey Plover (<i>Pluvialis squatarola</i>) [A141]; Knot (<i>Calidris canutus</i>) [A143]; Sanderling (<i>Calidris alba</i>) [A144]; Dunlin (<i>Calidris alpina</i>) [A149]; Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]; Redshank (<i>Tringa totanus</i>) [A162]; Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]; Roseate Tern (<i>Sterna dougallii</i>) [A192]; Common Tern (<i>Sterna hirundo</i>) [A193]; Arctic Tern (<i>Sterna paradisaea</i>) [A194]; Wetland and Waterbirds [A999]</p> <p>CO: To maintain or restore the favourable conservation condition of the bird species listed as Qualifying Interests for this SPA.</p>
<p>North Bull Island SPA (004006)</p> <p>c.25km</p>	<p>QI's: Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]; Shelduck (<i>Tadorna tadorna</i>) [A048]; Teal (<i>Anas crecca</i>) [A052]; Pintail (<i>Anas acuta</i>) [A054]; Shoveler (<i>Anas clypeata</i>) [A056]; Oystercatcher (<i>Haematopus ostralegus</i>) [A130]; Golden Plover (<i>Pluvialis apricaria</i>) [A140]; Grey Plover (<i>Pluvialis squatarola</i>) [A141]; Knot (<i>Calidris canutus</i>) [A143]; Sanderling (<i>Calidris alba</i>) [A144]; Dunlin (<i>Calidris alpina</i>) [A149]; Black-tailed Godwit (<i>Limosa limosa</i>) [A156]; Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]; Curlew (<i>Numenius arquata</i>) [A160]; Redshank (<i>Tringa totanus</i>) [A162]; Turnstone (<i>Arenaria interpres</i>) [A169]; Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]; Wetland and Waterbirds [A999]</p>

	CO: To maintain or restore the favourable conservation condition of the bird species listed as Qualifying Interests for this SPA.
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Assessment of likely significant effects.

- 7.8.4. The site will be served by an existing water connection to the public mains. Having regard to the high-water table on the site, the nature-based solutions to SuDS is restricted and the proposal incorporates a retention basin which will collect the surface water runoff before discharge to the soil. Any SuDS measures will have perforated pipes so the groundwater cannot enter the surface water infrastructure.
- 7.8.5. As stated above, the surface water discharge will be via the Roosk tributary, to the north which flows into the Lyreen River and then into the Rye Water Valley/Cartron SAC c. 1.5km to the northeast of the site. The Rye River flows east into the Liffey River and eventually Dublin Bay.
- 7.8.6. Table 3.1 of the applicants screening report “*Identification of Designated Sites within the Likely Zone of Impact*” includes an overview and assessment of the proposed development on seven European Sites within the Zone of Influence. Having regard to the precautionary approach the applicants AA screening report considered there was a potential pathway for indirect effects on the deterioration of the water quality, from the release of polluting materials, on five European Sites as listed below:
- Rye Water Valley/Cartron SAC (001398),
 - South Dublin Bay SAC (000210),
 - North Dublin Bay SAC (000206),
 - South Dublin Bay and River Tolka Estuary SPA (004024) and
 - North Bull Island SPA (004006)
- 7.8.7. I note those European Sites within Dublin Bay are over 25km (as the crow flies) and c. 34km via hydrological connectivity. The screening assessment notes an extremely precautionary approach to the assessment of likely effects although having regard to the distance of the site from Dublin Bay and having regard to both the precautionary approach and the best scientific evidence before me, I find no evidence to suggest

that the proposed development would have a significant negative impact on the qualifying interest of the European Sites in Dublin Bay. In this regard, noting the nature of the proposed development, the distance to Dublin Bay and those European Sites I consider these European Sites may be screening form any Stage 2 assessment.

7.8.8. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually (or in combination with other plans or projects) would not give rise to significant effects on the following:

- South Dublin Bay SAC (000210),
- North Dublin Bay SAC (000206),
- South Dublin Bay and River Tolka Estuary SPA (004024) and
- North Bull Island SPA (004006)
- Ballynafagh Bog SAC (000391),
- Ballynafagh Lake SAC (001387) and

or any European site in view of the sites conservation objectives and Appropriate Assessment is therefore not required.

This determination is based on the following:

- Consideration of objective and best available scientific information provided in the AA Screening Report and other accompanying information prepared as part of the application.
- The conservation objectives and qualifying interests in all the European Sites and the absence of any identified source-pathway-receptor.
- The distance of the proposed development from European sites in the wider area and a demonstrated lack of any meaningful ecological connections to those sites.

Measures intended to reduce or avoid significant effects on these European sites have not been considered in the screening process.

7.8.9. **Stage 2- Appropriate Assessment**

Introduction

7.8.10. The NIS provides a background on the screening process and examines and assesses potential adverse effects of the proposed development on the following European Sites:

- Rye Water Valley/Cartron SAC (001398),
- South Dublin Bay SAC (000210),
- North Dublin Bay SAC (000206),
- South Dublin Bay and River Tolka Estuary SPA (004024) and
- North Bull Island SPA (004006)

7.8.11. As stated above, I consider the Rye Water Valley/Cartron SAC is the only European Site which has the potential to be impacted either directly or indirectly from the proposed development.

Impact on Rye Water Valley/Cartron SAC

7.8.12. The Qualifying Interests of the Rye Water Valley/Cartron SAC is listed below:

- Petrifying springs with tufa formation (Cratoneurion) [7220],
- Vertigo angustior (Narrow-mouthed Whorl Snail) [1014],
- Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]

7.8.13. The conservation interest is to restore the favourable conservation status of the springs and the Narrow-mouthed Whorl Snail while maintaining the conservation status of the Desmoulin's Whorl Snail.

7.8.14. The potential direct impacts are identified in the form of deterioration in water quality, via surface water pollution. The Stage 2 assessment identifies the need for best practice environmental control measures to be incorporated into the design of the development.

Mitigation Measures

7.8.15. Section 5.2.1.1 of the NIS includes the "Construction Phase Control Measures". A list of measures detailed are integrated into the design of the proposed development

and included in the Construction and Demolition Waste Management Plan (CDWMP). Mitigation Measures are included to control the runoff of fuels or sedimentation using controlled pouring/ refuelling and management of topsoil removal during construction. During operation surface water will be collected and treated before discharge using petrol interceptors, stormtech attenuation tanks etc. It is considered these measures will prevent any indirect impacts.

7.8.16. No direct impacts are envisaged during the construction or operation on the site.

Cumulative Impact

7.8.17. Section 6.2 looks at other projects in the vicinity of the site Section 6.3 concludes on the cumulative impact of the proposal. The NIS includes an assessment of the permissions from the online planning system and additional projects identified in the surrounding area in the last 5 years. No plans or projects were identified which could be connected to the site or potentially results in an addition or cumulative impact. I have assessed those included in the NIS, which I consider reasonable, and I do not consider there is any potential for any cumulative impact on the Rye Water Valley/Carlton SAC or any other European Site.

Conclusion

7.8.18. In conclusion following an examination, analysis, and evaluation of the potential impacts of the proposed development on the conservation objectives of the Rye Water Valley/Carlton SAC, I conclude that considering the best scientific evidence the proposed development does not pose a risk of adversely affecting the integrity of the Rye Water Valley/Carlton SAC. I am of the opinion that the risk of contamination of any watercourse, including the adjoining Roosk Tributary, is extremely low.

7.8.19. The development of a mixed-use scheme of apartments and office space has been assessed in light of the requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended.

7.8.20. Having carried out screening for Appropriate Assessment of the project, it was concluded that having regard to best scientific evidence, it may have a significant effect on the following European sites;

- Rye Water Valley/Carlton SAC (001398),

- 7.8.21. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying interests/special conservation interests of those sites in light of the conservation objectives.
- 7.8.22. Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of this European Sites or any other European site, in view of the site's Conservation Objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects

8.0 Recommendation

It is recommended the proposed development is GRANTED subject to the following conditions

9.0 Reasons and Considerations

The site is contiguous of Maynooth town and designated as an area appropriate for the expansion of the town centre. Maynooth is located within the Dublin Metropolitan Area (DMA). The policies and objectives of the National Planning Framework (NPF) and the Eastern and Midlands Regional Area Regional Spatial Economic Strategy (EMRA RSES) support compact growth in those towns identified as having capacity to support additional population in the DMA. The proposed development provides the refurbishment and revitalization of a protected structure in conjunction with a mixed-use scheme of office use and high density residential development. It is considered that the proposal complies with both the national, regional, and local policies and objectives in particular the Urban Development and Building Height Guidelines, the Architectural Heritage Protection Guidelines, the Kildare County Development Plan 2023-2029, and the Maynooth Local Area Plan. Having regard to the design and layout of the proposed development, subject to conditions below, the proposed development would not seriously injure the residential or visual amenities of the area or endanger public safety by reason of traffic hazard and would not lead to conflict between road users, that is, vehicular traffic, pedestrians, and cyclists. The proposed

development would accord with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity</p>
2.	<p>The proposed development shall be amended as follows:</p> <p>a) The second-floor level of Block A shall be removed.</p> <p>For clarity, the permission shall relate only to 169 no residential units.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interests of visual and residential amenity</p>
3.	<p>Prior to the commencement of development, the applicant shall submit a revised site layout plan including entrance arrangements for the written agreement of the Planning Authority detailing the following:</p> <p>a) A Design Manual for Urban Roads and Streets (DMURS) compliance statement and a detailed Conservation Impact Assessment demonstrating the necessity for, and the extent of, the partial removal of the front roadside boundary wall along Parson Street and the associated treeline within the site adjacent to the wall. The portion of the wall required to be removed</p>

	<p>shall be the minimum necessary to achieve satisfactory sightlines and DMURS compliance in this town centre location within an Architectural Conservation Area and within the curtilage of a Protected Structure.</p> <p>b) Full retention of the Coach House, a Protected Structure which shall not be altered in the absence of a prior separate grant of permission.</p> <p>c) The design details of the proposed vehicular link to lands to the north of the site as outlined in DRWG Ref 1089-2050A-P01. This connection shall be constructed to the property boundary completed to the written satisfaction of the Planning Authority and of ransom strip shall be included.</p> <p>d) Pedestrian linkages only shall be provided to Parsons Lodge estate to the southwest to the written satisfaction of the Planning Authority. No gates shall be provided at this location.</p> <p>e) Pedestrian access shall be provided to the Royal Canal towpath along the southwest boundary. No gates or controlled access are permitted at this location.</p> <p>Reason In the interest of public safety and to ensure permeability.</p>
4	<p>Prior to commencement of development, the developer shall provide for the following:-</p> <p>(a) The appointment of a conservation expert, who shall manage, monitor and implement works on the site and ensure adequate protection of the historic fabric during those works.</p> <p>(b) The submission of details of all finishes and of all existing original features to be retained and reused where possible, including interior and exterior fittings/features, joinery, fenestration, plasterwork, features (cornices and ceiling mouldings), roofs, staircases including balusters, handrail and skirting boards.</p> <p>(c) Submission of revised junction details at the intersection of the new glazed link at the Rectory, detailed condition report of central chimney stack and method statement, details of the proposed removal and repair of</p>

	<p>existing floors in the Rectory, details of the suitable lime render finish on the exterior.</p> <p>All repair/restoration works shall be carried out in accordance with best conservation practice as detailed in the application and the “Architectural Heritage Protection Guidelines for Planning Authorities” (Department of Arts, Heritage and the Gaeltacht, 2011). The repair/restoration works shall retain the maximum amount possible of surviving historic fabric in-situ including structural elements, plasterwork and joinery and shall be designed to cause minimum interference to the building structure and/or fabric.</p> <p>Reason: To ensure that the integrity of the historic structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.</p>
5	<p>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 -</p> <ul style="list-style-type: none"> (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. <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>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.</p>

6	<p>Prior to commencement of development, an invasive species management plan shall be submitted to and agreed in writing with, the planning authority. Any identified invasive species shall be cleared from the site in accordance with the agreed management plan.</p> <p>Reason: To prevent the spread of invasive species.</p>
7	<p>The operation of cranes shall be co-ordinated with the Air Corps Air Traffic Services to ensure that any crane operations during construction do not adversely impact the safety of operation. The applicant shall notify/engage with the Air Corps Air Traffic Services no later than 30 days before use.</p> <p>Reason: In the interest of public safety and aviation movement.</p>
8	<p>Mitigation and monitoring measures outlined in the plans and particulars, including the Ecological Impact Assessment submitted with this application as set out in the various sections, shall be carried out in full, except where otherwise required by conditions attached to this permission.</p> <p>The applicant shall employ a qualified Ecological Clerk of Works (ECoW) to oversee and implement the mitigation measures and other ecological works listed throughout the submitted documentation.</p> <p>Prior to commencement of development the applicant shall confirm with the Planning Authority the location of a minimum of 10 nesting boxes or bricks for swift and calling system, in accordance with Birdwatch Ireland specification.</p> <p>Reason: In the interest of protecting the environment and in the interest of public health.</p>
9	<p>(a) The wheels [and undersides] of all vehicles transporting aggregate from the site onto the public road shall, prior to the exit of such vehicles onto the public road, be washed in a wheelwashing facility, which shall be located a</p>

	<p>minimum distance of [30] metres from the public road and shall be constructed to the written satisfaction of the planning authority.</p> <p>(b) The entrance/access road shall be surfaced using bitumen macadam material or other materials acceptable to the planning authority, between the public road and the wheelwash.</p> <p>(c) In dry weather conditions, all roads within the site and the active working face shall be sprayed with water at least [three] times a day.</p> <p>Reason: In the interest of traffic safety and convenience, and to protect the amenities of the area.</p>
10	<p>A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following:-</p> <p>(a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;</p> <p>(b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;</p> <p>(c) details of proposed street furniture, including bollards, lighting fixtures and seating;</p> <p>(d) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.</p> <p>The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.</p> <p>Reason: In the interest of visual amenity.</p>
11	<p>The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs, [access road to the service area] and the underground car park shall be in accordance with the detailed standards of the planning authority for such works.</p>

	<p>The findings of the Stage 1/ 2 Road Safety Audit, shall be closed out, signed off and incorporated into the development at the developer's expense. Stage 3 Audits shall be conducted. Exact details of any improvement measures shall be submitted to the planning authority for written agreement prior to the commencement of development.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
12	<p>Details of the road network to be used by construction traffic shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. No construction traffic shall be permitted through Parsons Lodge.</p> <p>Reason: In the interest of traffic safety.</p>
13	<p>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:</p> <ul style="list-style-type: none"> • Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; • Location of areas for construction site offices and staff facilities; • Details of site security fencing and hoardings; • Details of on-site car parking facilities for site workers during the course of construction; • Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; • Measures to obviate queuing of construction traffic on the adjoining road network;

	<ul style="list-style-type: none"> • Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network; • Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works; • Provision of parking for existing properties at [specify locations] during the construction period; • Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels; • Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater; • Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil; • Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains. • A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority. <p>Reason: In the interest of amenities, public health and safety.</p>
14	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>

15	<p>Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.</p> <p>Reason: In the interests of amenity and public safety</p>
16	<p>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.</p> <p>Reason: In the interests of visual and residential amenity.</p>
17	<p>A minimum of 20% of all communal car parking spaces should be provided with functioning EV charging stations/points, and ducting shall be provided for all remaining car parking spaces, including in-curtilage spaces, facilitating the installation of EV charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.</p> <p>Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles</p>
18	<p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p>

	<p>Prior to commencement of development the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit.</p> <p>Upon Completion of the development, a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.</p> <p>Reason: In the interest of public health and surface water management</p>
19	<p>Prior to commencement of development the developer shall enter into water and wastewater connection agreements with Irish Water</p> <p>Reason: In the interest of public health.</p>
20	<p>Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas</p>
21	<p>Prior to the commencement of development, the developer shall retain the professional services of a qualified Landscape Architect as Landscape Consultant throughout the life of the site development works and shall</p>

	<p>notify the planning authority of that appointment in writing. The developer shall engage the Landscape Consultant to procure, oversee and supervise the landscape contract for the implementation of the permitted landscape proposals. When all landscape works are inspected and completed to the satisfaction of the Landscape Consultant, he/she shall submit a Practical Completion Certificate (PCC) to the planning authority for written agreement, as verification that the approved landscape plans and specification have been fully implemented.</p> <p>Reason: To ensure full and verifiable implementation of the approved landscape design proposals for the permitted development, to the approved standards and specification</p>
22	<p>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.</p> <p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.</p>
23	<p>The management and maintenance of the proposed development, following completion, shall be the responsibility of a legally constituted management company, which shall be established by the developer. A management scheme, providing adequate measures for the future</p>

	<p>maintenance of the development; including the external fabric of the buildings, internal common areas (residential and commercial), open spaces, landscaping, roads, paths, parking areas, public lighting, waste storage facilities and sanitary services, shall be submitted to and agreed in writing with the planning authority, before any of the residential or commercial units are made available for occupation.</p> <p>Reason: To provide for the future maintenance of this development in the interest of residential amenity and orderly development</p>
24	<p>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.</p> <p>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</p>

Karen Hamilton

Senior Planning Inspector

27th of February 2023