



An
Bord
Pleanála

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

Inspector's Report ABP-313306-22

Strategic Housing Development

Demolition of existing structures on site, construction of 569 no. residential units (325 houses and 244 apartments), creche, neighbourhood centre, and all associated site works. Application includes an EIAR and NIS.

Location

Great Connell, Newbridge, Co. Kildare

Website

www.greatconnellshdnewbridge.com

Planning Authority

Kildare County Council

Applicant

Aston Limited

Prescribed Bodies

1. Irish Water
2. National Transport Authority

3. Transport Infrastructure Ireland
4. Inland Fisheries Ireland
5. Department of Housing, Local Government and Heritage - DAU

Observer(s)

1. Brian, Colette & Amy Harte
2. Ces and Marian Smyth
3. Melanie Tierney
4. Optimise Design on behalf of Paul & Wendy Aitken
5. Perry and Kate Whitworth
6. Robert Dunne
7. Vladimir Sedyshev

Date of Site Inspection

4th January 2023 & 14th May 2025

Inspector

Paul O'Brien

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1.0 Introduction

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

2.0 Site Location and Description

- 2.1.** The subject site with a stated area of 27.635 hectares, comprises lands to the east of Newbridge town, Co. Kildare, located to the east of the River Liffey and to the west of the Great Connell local road. The River Liffey takes the form of a number of meanders through the eastern side of Newbridge.
- 2.2.** To the north of the site is the Wellesley Manor residential development and which consists of two-storey detached and semi-detached houses. The lands to the south and east of the Great Connell local road are primarily in agricultural use, and rapeseed was planted at the time of the most recent site visit in May 2025.
- 2.3.** There are two houses and three agricultural sheds/ stores on site that are proposed for demolition as part of the development. One of the houses, a two-storey structure called 'Greatconnell' is located to the north east corner of the site between the junction of Wellesley Manor and Great Connell Road and the other, a single storey unit called 'Valencia Lodge', is to the south of the Great Connell roundabout. This house is located to the north of a private access road to the farm shed/ stores. A medium sized surface car park is located to the east of this house between it and the Great Connell Road. This may operate as an overflow car park serving the industrial/ construction yard to the east of the site. The single storey house and agricultural units were previously in use by Murphy Construction, at the time of the first site visit, and who also have a large site/ facilities to the east of the road/ the subject site.
- 2.4.** Newbridge is located on the Dublin to Cork railway line and the railway station is approximately 2.1 km to the north west of the site, though the actual journey distance is far greater than this, at approximately 3 km. There is one train an hour to/ from Newbridge and Dublin Heuston with extra trains in the peaks to Heuston and also

Grand Canal Dock. Most southbound services go to Portlaoise, though some Galway and Waterford trains stop here also in the peaks.

2.5. The nearest bus stops indicated on google maps are located to the west on the Kilcullen Road, however there is no direct access to these due to the presence of the River Liffey. The nearest, accessible bus stops are therefore to the north of the site on the Naas Road and are approximately 1 km/ 1.1 km from the site. A number of bus routes serve these stops, and I have summarised them as follows:

Route (operated by):	From	To	Frequency – Off Peak
125 (Go-Ahead Ireland)	Newbridge via Naas, Crumlin, and Dawson St	UCD	Only operates once in the Morning to UCD and once in the evening but only from Kildare Street, Dublin City Centre. Other services do not serve Newbridge
126/A/B/D/E/T/U/X (Go-Ahead Ireland)	Newbridge to Naas and Newlands Cross	Eastbound: Dublin – Amiens Street (Variations to other locations such as DCU) Westbound: Curragh, Kildare and Rathangan	Every 30 minutes with extras in the peak times. Reduced service on Sundays. Every Two Hours to Kildare and two a day to Rathangan
726 (Dublin Coach)	Dublin Airport via Red Cow and Naas	Newbridge and onto Portlaoise	Hourly – 24 hours a day.

Other bus services are available from Main Street with the relevant bus stops just under 2 km from the subject site. A number of Local Link services operate to and from Newbridge and provide connects to neighbouring towns and villages.

3.0 Proposed Strategic Housing Development

3.1. The proposal, as per the submitted public notices, comprises the demolition of a number of structures on site, including two vacant houses, and the construction of 325 houses and 244 apartment units – a total of 569 residential units. The development is supported with a creche, public open space, car parking and all other necessary infrastructure.

The following tables set out some key elements of the proposed development:

Table 1: Key Figures

Gross Site Area	26.635 hectares
Net Site Area	15.978 hectares
No. of Houses	325
No. of Apartments	244
Total	569
Childcare	886 sq m with capacity for 154 Children
Commercial	Convenience Shop: 909 sq m Medical Units (x 3): 120/ 120/ 90 sq m Café: 125 sq m Restaurant: 213 sq m Shop/ Convenience units (x 5) 112/ 49/ 171/ 100/ 100 sq m. Total 2,141 sq m
Density – Net Site Area	35.6 units per hectare
Public Open Space Provision	2.613 hectares – 16.4% of the site area.

Plot Ratio	0.41
Site Coverage	21.5%
Car Parking – Total	1,008
Bicycle Parking	
Residential	536
Residential Visitor	134
Creche	22
Commercial	40
Total	732

Table 2: Unit Mix - Houses

Houses				
Bedrooms	2 Bed	3 Bed	4 Bed	Total
	64	173	88	325

Table 3: Unit Mix – Apartments/ Duplexes

Apartments/ Duplexes				
Bedrooms	1 Bed	2 Bed	3 Bed	Total
No. of Apartments	33	135	10	178
No. of Duplexes			66	66
Total	33	135	76	244

- Vehicular access is from an existing roundabout onto the Great Connell Road, this junction to be upgraded to a fully signalised junction.
- Water supply and foul drainage connections to the existing public network will be provided.
- Public open space is proposed to be provided throughout the site area.
- The site is divided up into 4-character areas.

3.2. The application was accompanied by various technical reports and drawings, including the following:

- Planning Report & Statement of Consistency – Declan Brassil + Company
- Material Contravention Statement – Declan Brassil + Company
- Statement of Housing Mix - Declan Brassil + Company
- ABP Cover Letter and Statement - Declan Brassil + Company
- Statement of Housing Mix – Declan Brassil + Company
- Part V Costings – O’Flynn Architects
- Landscape Development Report – TBS
- Architectural Design Statement – O’Flynn Architects
- Architectural Design Statement (Rev. B – March 2022) – O’Flynn Architects
- Building Life Cycle Report – O’Flynn Architects
- Universal Access Statement – O’Flynn Architects
- Engineering Planning Report – Punch Consulting Engineers
- Traffic and Transportation Assessment – Punch Consulting Engineers
- DMURS Compliance Statement – Punch Consulting Engineers
- Outline Mobility Management Plan – Punch Consulting Engineers
- Stage 1 Road Safety Audit – Bruton Consulting Engineers
- Great Connell SHD, Newbridge Flood Risk Assessment – JBA Consulting
- ESB Infrastructure Report – Metec Consulting Engineers
- Outdoor Lighting Report – Sabre Electrical Services Ltd.
- Report in Support of Appropriate Assessment Screening – Dixon Brosnan Environmental Consultants
- Natura Impact Statement (NIS) - Dixon Brosnan Environmental Consultants
- Environmental Impact Assessment Report Volume 1 – Non-Technical Summary – O’Callaghan, Moran & Associates
- Environmental Impact Assessment Report Volume 2 – Report - O’Callaghan, Moran & Associates
- Environmental Impact Assessment Report Volume 3 – Appendices - O’Callaghan, Moran & Associates

- Construction Environmental Management Plan - O'Callaghan, Moran & Associates
- Resource & Waste Management Plan - O'Callaghan, Moran & Associates
- Daylight and Sunlight Assessment Report – 3D Design Bureau
- Verified Views and CGI – 3D Design Bureau
- Retail Assessment – MacCabe, Durney Barnes

4.0 Planning History

Subject site:

P.A. Ref. 051564/ ABP Ref. PL09.218894 refers to a February 2007 decision to refuse permission for the development of a two-storey above basement level commercial/ community centre comprising; car parking and service areas at basement level; four shops, a pharmacy and a restaurant on the ground floor; and five offices and two no. two-bed apartments at the first floor. A single reason for refusal was issued as follows:

'It is considered that the proposed development would be premature pending the determination by the planning authority of a road layout and design for the Newbridge Outer Relief Road and would, therefore, be contrary to the proper planning and sustainable development of the area'.

I note from the applicant's report that the site was entered onto the Vacant Sites Register and subsequently appealed to An Board Pleanála. Vacant Site Levy Refs. **VS012, ABP Ref. VV09.303065**, and **Ref. VS013, ABP Ref. VV09.303069** refer. The Board decided to issue notices to the Planning Authority, to cancel these entries from the Vacant Site Register. In relation to VS012, the ABP Inspector reported that the site does not have adequate roads infrastructure and is therefore not suitable for development and there was also a deficiency in the public foul drainage system. A similar report was issued for VS013 and in addition there was a landownership issue over lands to the north east of the site, and the owner of these lands may not have

been adequately informed of the decision of the Planning Authority to enter these lands onto the Vacant Sites Register.

Adjoining Lands:

ABP Ref. 302141 refers to an October 2018 decision to grant permission for a Strategic Housing Development consisting of the demolition of existing agricultural buildings and the provision of 343 no. residential units (283 no. houses, 60 no. apartments), childcare facility and all associated site works on lands to the west of the River Liffey and west of the subject site. Condition no. 2 states: 'No works shall commence until the Liffey Valley Regional Sewerage Scheme Contract 2A Newbridge Eastern Interceptor Sewer has commenced and no units shall be made available for occupation until the Liffey Valley Regional Sewerage Scheme Contract 2A Newbridge Eastern Interceptor Sewer has been commissioned to the satisfaction of the planning authority'.

P.A. Ref. 221504 refers to November 2023 decision to grant permission for the provision of approximately 790m of new Distributor Road, including a new bridge over the River Liffey, forming part of the Newbridge South Outer Orbital Road (NSOOR) linking the Great Connell Road to the section of the NSOOR permitted under ABP Reg. Ref. 302141-18 (Belin Woods,). The development to comprise of the provision of a single carriageway road, with cycleways and footpaths in both directions, including a five-span bridge of approximately 170m over the River Liffey, with provision for future bus stops and associated toucan pedestrian crossing; tie-in of the proposed section of Distributor Road with the Great Connell Road including upgrade of the existing roundabout to a signal control junction including toucan crossings on all arms of the junction; Provision of a proposed River Park of approximately 9.2ha as a multi-use recreational amenity, including pedestrian and cycle routes connecting to existing public space network, a multi-use games area (MUGA) and incorporating biodiversity and water management features; Provision of 2 No. new agricultural entrances from the proposed Distributor Road to adjoining lands (pending any future residential development of those lands); and all associated

earthworks, signage, lighting, drainage works, services and connections, landscaping works, environmental measures and all ancillary works above and below ground level. An EIAR and NIS were included with the application.

5.0 Section 5 Pre-Application Consultation

5.1. A Section 5 Pre-Application Consultation took place, remotely via Microsoft Team due to Covid-19 restrictions in place, on the 22nd of October 2021; Reference ABP-311390-21 refers. Representatives of the prospective applicant, the Planning Authority and An Bord Pleanála attended the meeting. The development as described was for the demolition of existing structures on site and the construction of 606 no. dwellings (353 no. houses, 253 no. apartments) creche, and associated site works at Great Connell, Newbridge, Co. Kildare.

5.2. An Bord Pleanála was of the opinion having regard to the consultation meeting and the submission of the Planning Authority, that the documentation submitted requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála. The following information, as summarised, was to be submitted with any application for permission:

1. Traffic and Transport – Further consideration and/or justification of the documents as they relate to the traffic and transport provision. The submitted documentation should address the requirements of the Newbridge Local Area Plan 2013-2019 (as extended) for the delivery of the Newbridge Southern Outer Orbital Relief Road (NSOORR) and compliance with Objective SRO5a. Regard should be given to the submission of a Traffic and Transport Assessment, including, inter alia, potential scenarios with and without the bridge, capacity of the surrounding junctions and the impact of the proposed development on the surrounding road network. Plans and particulars should clearly indicate compliance with the required upgrades stated in the Transport Section Report, including any third-party consents required for works, the need for signalised junctions in the vicinity of the site and the DUMRS standards for the internal network.
2. Flood Risk Assessment - Further consideration and/or justification of the documents as they relate to the Site-Specific Flood Risk Assessment. The

submitted documentation should include the current permitted and under construction SHD development (ABP 302141-18) in the baseline assessment and full details of all infrastructural works required for the proposed development. Plans and particulars should clearly indicate compliance with national guidance, The Planning System and Flood Risk Management- Guidelines for Planning Authorities (2009), and the accompanying technical documentation, inter alia, full details of compensatory storage areas, alterations to all watercourses and drainage ditches, ground level changes, water level changes and a detailed assessment of the impact of flooding on any third-party lands.

3. Open Space - Further Consideration and/or justification of the documents as they relate to the proposed development strategy for the site in particular the design of the communal and public open space throughout the site and along the River Liffey. Particular regard should be had to 12 criteria set out in the Urban Design Manual which accompanies the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009). Plans and particulars should clearly indicate the delivery of high-quality design of the open space which demonstrates useable and functional areas for all sectors of the community and a wide range of age groups. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

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

1. An updated Statement of Material Contravention to address the need for a contravention of the Kildare County Core Strategy. The documentation should cross reference the appropriate development strategy necessary to comply with national guidance for sustainable residential development and the justification for a population on the subject site. In addition, any references to promotion of development and the circumstances of Newbridge, including those relating to the availability or otherwise in the town, and surrounding area, of housing,

development land, employment, commercial or social services, should be based on verifiable facts.

2. Justification for the size of the crèche, compliance with the national guidelines, Childcare Facilities- Guidelines for Planning Authorities (2001), and an analysis of the childcare provision in the vicinity where justification for the reduced size for the childcare facility is proposed.
3. A plan clearly illustrating the proposed boundary treatment, integration of pedestrian and vehicular access and any consents necessary to undertake works.
4. Response to issues raised in Appendix B of Planning Authority Report, which includes the internal reports of the Drainage Dept. relating to the SUDS hierarchy, and the Park Department relating, inter alia, design approach and landscaping etc.
5. A zoning map which includes the land use zoning on the site with an overlay of the proposed development and all associated infrastructure works.
6. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority, and the phased delivery of such public open spaces
7. A Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.
8. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format. The notice and

statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene

9. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.

5.3. Finally, a list of authorities that should be notified in the event of the making of an application were advised to the prospective applicant and which included the following:

1. Irish Water
2. Transport Infrastructure Ireland.
3. National Transport Authority
4. Minister for Culture, Heritage and the Gaeltacht (natural heritage)
5. Heritage Council (natural heritage)
6. An Taisce — the National Trust for Ireland (natural heritage)
7. The relevant Childcare Committee
8. The Department of Education and Skills
9. Inland Fisheries Ireland
10. Waterways Ireland

5.4. Applicant's Statement

5.4.1. A document titled 'ABP Cover Letter and Statement' prepared by Declan Brassil + Company was submitted with the application as provided for under Section 8(1)(iv) of the Act of 2016.

The following specific information was provided in response to the opinion:

Issue 1 – Traffic and Transport: The applicant commits to the development of the Newbridge Southern Orbital Ring Road (NSORR) in accordance with Objective SR05a of the Newbridge Local Area Plan 2013 – 2019. Approximately 350 m of the road will be constructed as part of this application, the Great Connell Road roundabout to be upgraded to a signalised controlled junction and arrangements are proposed for roads to be taken in charge by Kildare County Council. A separate

application will be made to Kildare County Council for the continuation of the road and the provision of a bridge over the River Liffey and it was expected that this application would be lodged in Q2 of 2022.

A full Traffic and Transport Assessment (TTA) was included with the application. This considered a number of scenarios and assessed them against five junctions in the vicinity of the subject site. One junction, Buckley's Cross, was operating above capacity and Kildare County Council have proposals for its upgrade. The proposed internal road network is design in accordance with DMURS, and a Stage 1 Road Safety Audit is submitted with the application. An Engineering Report prepared by Punch in addition to the TTA have been provided in support of the application.

Issue 2 – Flood Risk Assessment: A Site-Specific Flood Risk Assessment (SSFRA) has been prepared by JBA Consulting in support of the application. Full regard was had to existing and permitted developments including on lands to the west of the subject site. In summary the development will be at a low risk of flooding and will not increase the flood risk to adjoining lands. Compensatory storage is proposed as part of the development, and these provide for a surplus of 1278 sq m compared to the pre-development situation. The proposal in relation to flood risk has been peer reviewed by Arup Consulting Engineers and the methodology/ findings have been validated by them.

Issue 3 – Open Space: Section C of the submitted Architectural Design Statement, prepared by O'Flynn Architects, provides a full response to the issues raised in relation to open space. Section D of the Architectural Design Statement demonstrates how the design has been developed in accordance with the 12 criteria set out in the Urban Design Manual. In addition, the Landscape Development Report prepared by TBS provides full details on the landscaping strategy for the proposed development. The design provides for active and passive amenity spaces with a total of 2.595 hectares of open space/ 16.35 of the net site area to serve the development. All areas of open space are in excess of 10 m in width and do not include the proposed swales. Tables 3.3.1 and 3.3.2 of the applicant's report details the open space provision.

8.31 hectares of zoned amenity lands along the River Liffey will be provided. This will be open to public access and will form part of the River Liffey Linear Park.

Additional Information to be provided in support of the application:

- 1. Material Contravention Statement:** A statement has been prepared by Declan Brassil & Co. and has been suitably updated. This demonstrates how the development is compliant with the Regional, County and Local planning/ strategies. A Social Infrastructure Audit has been prepared by Future Analytics KPMG in support of the application, and which demonstrates that there are sufficient social services in the immediate area to support this development.
- 2. Childcare Facilities:** A creche that can cater for 154 children is proposed as part of the development. The proposed development provides for a demand for 143 childcare spaces and the proposed development demonstrates compliance with this.
- 3. Boundary Treatments and Integration:** TBS have prepared Drawing No. 306 – ‘Boundary Plans & Details’ and this details the proposed boundary treatments throughout the scheme. The hedgerow to the southern boundary is to be retained and will benefit from passive surveillance by the proposed houses. Drawing no. PA-002 – ‘Proposed Master Site Layout Plan’ prepared by O’Flynn Architects details the pedestrian permeability and connectivity to/ through the site. As part of the submitted development it is proposed that the Great Connell Roundabout will be upgraded, and details have been prepared by Punch.
- 4. Surface Water Infrastructure & Landscaping Design:** Full details are provided in Section 7 of the Engineering Planning Report and Appendix A of the Traffic and Transportation Assessment prepared by Punch. Further details are provided in Section C of the Architectural Design Statement prepared by O’Flynn Architects and Appendix 1 of the Landscape Development Report prepared by TBS.
- 5. Land Use Zoning:** Drawing no. PA-010 ‘Site Layout Showing Land Use Zoning Objectives’ prepared by O’Flynn Architects has been submitted and indicates all land use zoning objectives of the Newbridge Local Area Plan overlaid on the proposed site layout and which includes all proposed infrastructure works.
- 6. Site Layout Plan:** Drawing no. PA-009 ‘Site Layout Showing Proposed Taking In Charge Areas’ prepared by O’Flynn Architects, indicated the areas proposed to be taken in charge by the planning authority. Drawing No. PA- 008 ‘Site Layout Showing Proposed Phasing Plan’ provides the phasing plan for the scheme and includes details regarding the provision of open spaces and relevant infrastructure.

7. Sunlight/ Daylight/ Overshadowing: A Daylight and Sunlight Assessment Report has been prepared by 3D Design Bureau in support of the proposed development. The submitted assessment concluded that the proposed development would have an imperceptible impact on the adjoining Wellesley Manor development in respect of Vertical Sky Component (VSC), Annual Probable Sunlight Hours (APSH), Winter Probable Sunlight Hours (WPSH), and Sun On Ground (SOG) in gardens and amenity areas.

Within the development itself, all of the 791 rooms tested demonstrated compliance with the BRE Guidelines for Average Daylight Factor (ADF) and all amenity spaces complied with the BRE Sun on Ground (SOG) guidelines. The open space serving the creche failed to comply with the guidelines, but this space is purposely located to the northern side of the building in the interest of safety and privacy. This space receives appropriate levels of daylight and good sunlight during the afternoon in the summer.

8. Material Contravention: A statement has been provided, and which is referred to in the public notices.

Article 288B Statement: As an EIAR has been prepared due to the scale of development/ number of units proposed, there is no requirement to prepare a statement in respect of Article 299B.

6.0 Relevant Planning Policy

6.1. National Policy

6.1.1. Project Ireland 2040 – National Planning Framework (NPF) – First Revision

Chapter 2 of the National Planning Framework (NPF) is entitled ‘A New Way Forward’ and sets out the role of the NPF.

National Policy Objective 12 states: ‘Planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Planning and

Development Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.’

Chapter 4 of the National Planning Framework (NPF) titled ‘Making Stronger Urban Places’ and it sets out to enhance the experience of people who live, work and visit the urban places of Ireland.

A number of key policy objectives are noted as follows:

- National Policy Objective 12 seeks to ‘Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being’.
- National Policy Objective 14 seeks to ‘Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets that can accommodate changing roles and functions, increased residential population and employment activity, enhanced levels of amenity and design and placemaking quality, in order to sustainably influence and support their surrounding area to ensure progress toward national achievement of the UN Sustainable Development Goals.’
- National Policy Objective 20 provides that ‘In meeting urban development requirements, there be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth’.
- National Policy Objective 22 provides that “In urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected”.

Chapter 6 of the NPF is entitled ‘People, Homes and Communities’ and it sets out that place is intrinsic to achieving a good quality of life.

A number of key policy objectives are noted as follows:

- National Policy Objective 37 seeks to ‘Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages’.
- National Policy Objective 43 seeks to ‘Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location’.
- National Policy Objective 45 seeks ‘To increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights’.

The Revised National Planning Framework’ was published in April 2025 and includes revised figures of 50,000 per annum in the years to 2040. The NPF was revised to allow planning for an additional 950,000 people in Ireland between 2022 and 2040.

6.1.2. The following are relevant:

- Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021,
- Climate Action Plan 2024 and Climate Action Plan 2025

6.1.3. Section 28 Ministerial Guidelines

The following is a list of Section 28 - Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (DoHLGH, 2024)
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DoHLGH, 2023).
- Urban Development and Building Heights - Guidelines for Planning Authorities – (DoHPLG, 2018).
- The Planning System and Flood Risk Management including the associated Technical Appendices (DEHLG/ OPW, 2009).
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’) (DoEHLG, 2009).
- Quality Housing for Sustainable Communities’ (DoEHLG, 2007).
- Childcare Facilities Guidelines for Planning Authorities’ (2001).

Other Relevant Policy Documents include

- ‘Transport Strategy for the Greater Dublin Area 2016 – 2035’.
- ‘Design Manual for Urban Roads and Streets’ (2013) and updated in 2019.
- ‘Permeability Best Practice Guide – National Transport Authority’.

6.2. Regional Policy

6.2.1. Regional Spatial and Economic Strategy (RSES) 2019 – 2031

The Eastern & Midland Regional Assembly ‘Regional Spatial & Economic Strategy 2019-2031’ provides for the development of nine counties including County Kildare and supports the implementation of the National Development Plan (NDP).

The retail hierarchy under Table 6.1 identifies Newbridge as a Level 2 settlement in the region. A Local Transport Plan is to be prepared for Newbridge.

6.3. Local/ County Policy

Kildare County Development Plan 2023 - 2029

- 6.3.1.** The Kildare County Development Plan 2023 - 2029 is the current statutory plan for County Kildare, including Newbridge.

6.3.2. Chapter 2 – ‘Core Strategy & Settlement Strategy’ indicates that Newbridge is a ‘Self-Sustaining Growth Town’ located within a ‘Multi-Modal Transport Corridor’. The following objectives are noted as relevant:

‘CS 01: Ensure that the future growth and spatial development of County Kildare is in accordance with the population and housing allocations contained in the Core Strategy which aligns with the regional growth strategy as set out in the National Planning Framework and Regional Spatial and Economic Strategy for the Eastern and Midland Region and further specified in the ‘Housing Supply Target Methodology for Development Planning’.

‘CS 04: Ensure that sufficient zoned and adequately serviced lands are available to meet the planned population and housing growth of settlements throughout the county in line with the Core Strategy and the Settlement Hierarchy.’

‘CS 07: Promote and facilitate the development of sustainable and socially integrated communities through, a plan-led approach that is informed by settlement capacity audits and social infrastructure audits by providing for land use zoning designations capable of accommodating employment, environmental education, community, leisure, education campuses, childcare, recreational and cultural facilities having regard to the quality of the receiving environment, and any landscape character, archaeological and architectural heritage sensitivities.’

‘CS 09: Review and prepare on an ongoing basis a portfolio of Local Area Plans (LAPs) for the mandatory LAP settlements (and environs, where appropriate) of Naas, Maynooth, Newbridge, Leixlip, Kildare, Athy, Celbridge, Kilcock, Monasterevin, Sallins, Clane and Kilcullen in accordance with the objectives of the County Development Plan and 36 all relevant Section 28 Ministerial Guidelines.¹⁴

¹⁴ Where any objectives of an LAP are deemed to be no longer wholly consistent with the County Development Plan, the Planning Authority, will, where practical, consider options regarding the initiation of a review and/or prepare a statutory amendment to the LAP.’

‘CS 13: Require that the design of future development complies with the 10- minute settlement principle through the creation of a safe, attractive, permeable, and universally accessible environment for all, including permeability to existing estates to require public consultation which maximises the potential for active modes of

travel along with accessibility to both present and planned public transport options and to advocate for increased public transport options to meet this goal where none are in place.’

‘CS 20: Prepare a Local Transport Plan, Settlement Capacity Audit and Social Infrastructure Audit for each local area plan, in order to facilitate the integration of land use and transportation, to apply a tiered approach to zoning and to identify deficiencies in social infrastructure provision, all in order to provide a sustainable growth strategy for each town.’¹⁵ ‘

¹⁵ Detailed infrastructure assessments, consistent with NPO 72 and the methodology for a Tiered Approach to Zoning under Appendix 3 of the NPF, and Settlement Capacity Audits under Appendix A of the Development Plans, Guidelines for Planning Authorities (2022) will continue to be prepared to inform the development strategy for future Local Area Plans in the county.’

Table 2.8 of the Kildare County Development Plan 2023 – 2029 provides the ‘Core Strategy Table’ and I have extracted the following from the development plan:

Census 2016 Population	Settlements percentage per total County population	2021 Population Estimate (based on % growth from 2011-2016)	Housing & Population Target %	Population Target 2023 to 2028 (end of Q4) (persons)	Housing Target 2023 to 2028 (end of Q4) (units) in accordance with HSTGs	Residential Zoned Land Requirement (ha)	Target Residential Density (UPH)
22,742	10.20%	24059	11.60%	2917	1061	35	35-50

6.3.3. The ‘Settlement Strategy’ is provided in Chapter 3 of the Plan and indicates that Newbridge has been allocated 1061 dwellings over the period 2023 – 2028. Chapter 8 ‘Urban Centres & Retail’ designates Newbridge as a Level 2 retail centre. Chapter 6 refers to Movement and Transport, Chapter 7 – Infrastructure and Chapter 15 refers to Urban Design with Development Management Standards covered in Chapter 17. Also relevant are Chapter 12 – Architectural and Archaeological Heritage, Chapter 13 – Natural Heritage and Green Infrastructure and Chapter 14 – Landscape, Recreation and Amenity.

6.4. Newbridge Local Area Plan 2013 – 2019 – Extended to 2021

This plan was extended to the 22nd of December 2021; however no replacement plan has been adopted to date. Consultation was opened on the preparation of a new plan in November 2023. A note on the Kildare County Council website under the page 'Current Local Area Plans' states: 'Kildare County Council will have regard to the following adopted Local Area Plans until such time as they are reviewed or another plan made' and the list includes the Newbridge Local Area Plan 2013 – 2019.

The following referred to the subject lands when the plan was in place:

The lands were subject to two different zonings:

- C – 'New Residential' with the objective 'To provide for new residential development'.
- F – 'Open Space & Amenity' with the objective 'To protect and provide for open space, amenity and recreational provision'.

A 'Movement Objective' is indicated crossing the site from the north east at the Great Connell roundabout (starts further to the north east with a connection to the R445 – Naas Road) and which heads in a south west direction over the River Liffey and on to the lands on the opposite bank of the river.

The C Zoned lands were broken into C12 and C13 and the C13 lands had a specific objective for 'The provision of a small, high quality designed neighbourhood centre to serve the local population will be acceptable as part of the overall development of these lands'.

Part B of the plan includes Policies and Objectives, and the following are noted:

'It is the policy of the Council:'

'HL 1: To ensure that the density and design of development respects the character of the existing and historic town in terms of structure, pattern, scale, design and materials with adequate provision of open space'.

'HL 3: To encourage appropriate densities for new housing development in different locations in the town while recognising the need to protect existing residential communities and the established character of the area'.

'HL 5: To require applications for residential developments over 20 units, to demonstrate the provision of an appropriate mix of dwelling types having regard to the following:

- The nature of the existing housing stock and existing social mix in the area;
- The desirability of providing for mixed communities;
- The provision of a range of housing types and tenures;
- The need to provide a choice of housing, suitable for all age groups and persons at different stages of the life cycle;
- The need to cater for special needs groups'.

'HL 6: To restrict apartment developments generally to town centre locations or suitably located sites adjoining public transport connections. Apartments will not be permitted where there is an over concentration of this type of development. Higher density schemes will only be considered where they exhibit a high architectural design standard creating an attractive and sustainable living environment. Duplex units shall not generally be permitted'.

'HL 7: To facilitate and co-operate in the provision of community facilities in tandem with residential development including, in particular, local services, schools, crèches and other education and childcare facilities, including youth facilities'.

'HL 8: To require applications for residential developments over 25 units, to demonstrate how the proposed increase in population will be accommodated in terms of education provision'.

'HL 9: To require all new residential estates to provide the "White Light" Compact Fluorescent Lamp (CFL) public lighting concept'.

'HL 10: To facilitate sustainable development in Newbridge in accordance with the settlement strategy set out in Kildare CDP 2011–2017'.

'It is an objective of the council:

'GMO 2: That all development proposals would promote walking and cycling modes in Newbridge by ensuring consistency with the relevant measures contained in Chapter 9 of the Draft Transportation Strategy for the Greater Dublin Area 2011–2030 (or as amended) during the period of this plan'.

'GMO 10: To ensure that all works in Newbridge accord with the principles as set out in the Design Manual for Urban Roads and Streets (DMURS), (2013)'.

'GMO 13: To encourage and seek the provision of landscaped pedestrian and cycle links between and within residential estates and between residential areas, the town centre, industrial areas and the railway station'.

'SRO 5: To seek the construction of the following transport links, subject to environmental and conservation considerations, as identified on Maps 2 and 7 and to preserve these routes free from development:

'a) The Southern Relief Road from the R445 at Littleconnell (A) to the R416 Athgarvan Road at Kilbelin (B), including a new crossing over the River Liffey'.

'The design of these transport links shall be in accordance with the Design Manual for Urban Roads and Streets (DMURS)'.

7.0 Third Party Submissions

A total of seven submissions were received.

A submission was made by Optimise Design on behalf of Paul and Wendy Aitken and other residents by way of attached petition, and other submissions were made from individual members of the public. The submissions from residents/ members of the public, grouped under appropriate headings, can be summarised as follows.

7.1.1. Proposed Development:

- Reference is made to connections/ links to adjoining lands and these do not form part of the application.
- The application refers to the Newbridge Local Area Plan which has now expired and is no longer fit for purpose.
- Welcome for the development, though it is not in keeping with other residential developments in the area.
- A seven-year permission has been sought and if granted, and if development failed to commence, then other applications in the area would be affected.
Recommend that only a five-year permission be granted.

- The proposed density is not suitable for this site/ location.

7.1.2. Residential Amenity:

- The upper floors of the proposed apartments would give rise to overlooking of existing properties which are in residential use.
- Potential issue from noise from traffic; traffic noise may be reflected from the elevations of the proposed Block 8 and Block 9 apartments.
- The site cannot be considered an urban location and the justification for increased heights should therefore fail.

7.1.3. Proposed Local Centre:

- Concern about the proximity of the local centre to private property and also about its location relative to the public road.
- It is considered that the local centre should be relocated to a more central location on site. Doing so would allow for it to be better serviced.
- Concern raised about deliveries etc. in the location proposed.

7.1.4. Infrastructure:

- There is no capacity in Newbridge for further development and reference is made to traffic congestion, shortage of school places and medical services.
- A single bridge currently provides for the crossing of the River Liffey in Newbridge.
- There is a need for the second bridge to be constructed before more development takes place in Newbridge. The proposed development is premature pending the completion of this bridge and the associated road network.
- Uncertainty over the applicant stating that they would build the bridge subject to funding and only after they have received permission for this development.
- Permitting the proposed development would require a third bridge to serve Newbridge.
- The Local Area Plan has expired and there is no traffic plan in place.
- Insufficient provision is made for electric vehicles/ charging of same.

- Poor public transport in the area, with reference made to the lack of bus links to the railway station, which is over 3 km from the town.
- Road safety issues through increased traffic impacting on the ability of existing residents to access/ exit their properties.
- The Newbridge South Orbital Relief Road (NSORR) is unlikely to be built and fully operational no earlier than 2029.

7.1.5. Drainage and Flood Risk:

- The site is located within a floodplain.
- An Irish Water wayleave crosses the site on a north east/ south west axis, and which compromises the development potential/ layout of the site.

7.1.6. Social Infrastructure:

- The submitted Childcare/ Educational Assessment is inaccurate as it refers to part time childcare as though they were fulltime services.
- There is a need for more secondary schools to serve Newbridge.
- Since 2018 ABP have granted 1435 residential units, which would require 753 primary school places and there is only capacity for 517 primary school places.
- The proposed development does not demonstrate the '15-minute city' concept.
- Shortage of Gardai in Newbridge.
- There is no public swimming pool in Newbridge, the nearest pool is in Naas and which has no public transport connections.

7.1.7. Open Space/ Amenity Lands:

- Concern about the inclusion of the linear park as part of the application, this facility was funded by public money.
- The linear park should be taken into public control.
- There is a shortage of public open space in Newbridge.
- Any proposed park on the Great Connell side of the River Liffey should be accessible from the existing linear park.

- Semi-mature and mature trees, of native species, should be planted to reflect the biodiversity of the existing linear park and trees should not be planted along the edge of the river/ should be setback.
- The proposed open space is fragmented with a lack of large individual areas of amenity land.

7.1.8. Other Issues:

- Concern about discrepancies in the submitted plans and documentation.
- A number of options/ variations of the proposed development are provided and no detail is provided as to why the final one was chosen by the applicant.

A number of maps/ plans were submitted in support of the submissions.

8.0 Planning Authority Submission

8.1. The Chief Executive's report, in accordance with the requirements of section 8(5)(a) of the Act of 2016, was received by An Bord Pleanála on the 12th of July 2022. The report states the nature of the proposed development, the site location and description, submissions received, details the relevant Development Plan policies and objectives and provides a planning assessment of the development.

8.2. The Planning Authority through the Chief Executive's report recommend that permission be refused due to the prematurity of the proposed development in advance of the delivery of the Southern Relief Road including the crossing of the River Liffey. The development would consequently be disconnected from the town centre, lead to an increase in car-based journeys and the provision of the bridge in the future would negatively impact upon open space/ residential amenity.

8.3. The CE report also includes a summary of the views of the elected members of the Kildare-Newbridge Municipal District Meeting held on the 8th of June 2022, and these are outlined as follows:

- Need for the second bridge over the River Liffey to allow this development to progress.
- Concern about a grant of permission for the SHD and the bridge not been delivered in the future.

- Need for additional schools to serve the needs of the area.
- Need for additional parks/ amenity spaces to serve the residents of the area.
- Services to be in place before development.
- The development may impact on the capacity/ ability of services to cope with increased demand.
- Concern about the density of the proposed development.
- The ratio of apartments to houses is too high and at 45% may contravene the Development Plan.
- Need for increased sustainability measures such as solar panels and electric vehicle charging points.
- Need to encourage the planting of native species.
- Potential impact on employment opportunities in the area.
- Welcome for a local shop but uncertainty as to what the other units would be provided for. No provision was made for a community centre or youth facilities.
- The development was not age friendly.
- Need for improved links and permeability.
- The proposed road should be designed to not encourage high traffic speeds.
- A number of procedural issues were raised such as a query as to whether the Board consider the comments of the Local Councillors, or the contents of the CE report, query on levies, and comment on date of submissions.
- The proposed seven-year permission is too long and may prevent other development taking place.

8.4. Planning Assessment

This is summarised as follows under the following relevant headings of the Chief Executive Report.

Opinion as to whether the proposed Strategic Housing Development would be consistent with the relevant objectives of the Kildare County Development

Plan 2017-2023 and the Newbridge Local Area Plan 2013 – 2019 (Extended to 2021):

Policy Context: The proposed development is considered in the context of the Kildare County Development Plan 2017 – 2023, the Newbridge Local Area Plan 2013 – 2019 (extended to 2021), the National Planning Framework, the Regional Economic and Spatial Strategy 2019 – 2031 and an extensive list of National Guidance.

The Planning Authority refers to the Kildare County Development Plan 2017 – 2023 and the Newbridge Local Area Plan 2013 – 2019 as extended. The site is located on lands zoned C12 and C13 which are suitable for development of the nature proposed. A neighbourhood centre is proposed in accordance with the specific objective of the C13 zoning. The western part of the site is zoned F – Open Space and Amenity. The Planning Authority reports that ‘the principle of the development largely complies with local planning policy’.

Quantitative Assessment:

Core Strategy: The number of proposed units is acceptable having regard to Variation No. 1 of the Kildare County Development Plan 2017 – 2023 which allows for 699 dwellings up to 2021 and to the period of 2026, 1,631 units are allowed for. The Planning Authority provide a breakdown of the number of permitted/ proposed units in the Newbridge area. The review of the Kildare County Development Plan 2023 – 2029 provides for an increase in the number of permissible units over the lifetime of the plan. The Planning Authority recommend that an appropriate phasing plan be put in place if permission is to be granted for this development in order to align with the delivery of housing set out in the Core Strategy.

Density: Table 4.2 of Chapter 4 of the Kildare County Development Plan 2017 – 2023 and Table 14.2 of the Newbridge Local Area Plan 2013 – 2019 (extended to 2021) sets out a general density. Whilst the Newbridge Local Area Plan does not provide for a specific density for the subject site, a general rate of 35 units per hectare for C zoned lands should be applied. In the context of the Kildare County

Development Plan, the subject lands can be considered to be 'outer suburban/ greenfield' sites and a density of 30-50 units per hectare is appropriate. The proposed development provides for a density of 35.6 units per hectare and the Planning Authority consider this to be appropriate for this outer suburban site.

Plot Ratio: Table 17.1 of Section 17.2.3 of the Kildare County Development Plan 2017 – 2023 provides for plot ratios and the Planning Authority consider that the proposed 0.26 is acceptable for this site.

Public Open Space: A total of 2.613 hectares/ 16.4% of the site area is proposed and this is above the requirements of the Kildare County Development Plan 2017 – 2023. In addition, some 8.31 hectares of amenity zoned lands (F) are included adjacent to the River Liffey. Open space is spread throughout the site and a 'Landscape Design Strategy' is provided with the application.

Residential Mix: The proposed development provides for 569 residential units in the form of 325 (57%) houses and 244 (43%) apartments in the form of one-, two-, three- and four-bedroom units. The Planning Authority consider the proposed unit mix to be acceptable.

Building Heights: The Planning Authority describe the general layout/ proposed height of units but do not report any opinion on the issue of building heights.

Part V Provision: The applicant proposes to transfer 28 houses and 86 apartments in order to meet their Part V requirements. The Kildare County Council Housing Department raises some issues but also provides a condition in the event that permission is to be granted.

Neighbourhood Centre & Creche and other Uses: The development includes the provision of a neighbourhood centre consisting of 11 units located to the north east of the site and which will allow for a range of uses. The Planning Authority report that this is appropriately located and allows for a range of acceptable uses.

A creche of 886 sq m and which can cater for 154 children is proposed adjacent to the neighbourhood centre within a mixed-use building with two floors of residential use over. The facility will be provided with adequate amenity space. The Planning

Authority report that the development generates a demand for 151 childcare spaces and the proposed facility will meet the demand.

A Social Infrastructure Audit has been submitted with the application, and it concludes that existing social infrastructure in the area can cater for the proposed development. The Planning Authority report that the Department of Education and Skills have made a submission on the Draft Kildare County Development Plan and that there is adequate capacity at both primary and secondary levels to cater for the proposed development.

Water Services: A connection will be provided to the public water system; contact has been made with Irish Water in this regard. Foul drainage proposals include connection of the proposed system to a pumping station. A foul sewer crosses the site and the applicant proposes the diversion of part of this in agreement with Irish Water. SuDS measures and nine attenuation tanks on site will be included in the proposed surface water drainage system. A separate system will be provided to serve the proposed NSORR Road.

The Kildare Water Services Department have reported a need for revisions to the proposed surface water drainage system and also some houses may require a raising of their proposed floor levels. This may require the submission of a revised planning application.

Access, Permeability & Car Parking: A total of 350 m of the proposed NSORR will be provided in the development. This section of road will allow for the future development of a bridge over the River Liffey.

The Planning Authority report that the non-completion of this road will result in future residents having to walk approximately 1.5 km from the site to the town centre, even though they are only 1 km from the town centre. There are no bus stops on the local road and the site is approximately 3 km from the railway station. The proposed development is therefore likely to be car dependent. Concern is expressed about the future volume of car-based traffic and the potential impact on the existing road network.

Residential Standards: The Planning Authority report that the proposed development appears to be acceptable, however they do not propose to carry out an in-depth analysis of this aspect of the development.

Qualitative Assessment:

Principle of Development: The Planning Authority consider that the proposed development is acceptable having regard to the Kildare County Development Plan 2017 – 2023 and the Newbridge Local Area Plan 2013 – 2019, as extended, and the planning history of the area. The development is assessed against the 12 criteria detailed in the Urban Design Manual, 2009. I have summarised them as follows:

1. Context: Generally, responds to the existing area with the taller units along the Newbridge South Outer Orbital Road (NSOOR). Provision is made for a wayleave for an existing Irish Water foul sewer that crosses the site. The layout design has taken account of existing hedgerows and a drain/ stream. Approximately 450 m of road frontage is available, and suitable development will be provided along this length of road. Suitable setbacks will be provided where deemed necessary. Higher density development will be provided along the NSOOR.

The site is located to the south east of the town centre and is slightly disconnected due to the presence of the River Liffey and the lack of permeability/ connectivity proposed. The proposed section of road will align with the permitted section of the NSOOR under construction to the west of the River Liffey/ the subject site.

2. Connections: A network of pedestrian, cycle and vehicular routes is proposed throughout the scheme, however it is reported that the site is restricted by the provision of only one access point to the site, to/ from the Great Connell Roundabout as the full provision of the NSOOR is not proposed at this time. The Planning Authority are concerned about this as the road/ associated bridge may not be provided in full by the applicant in the future. Similarly, the proposal indicates the future provision of other connections though they are not proposed as part of this application. Bus stops are not available in close proximity to the development site and as such the proposed scheme would be dominated by private car use. The

Planning Authority consider that greater permeability can be provided for all users of the site.

3. Inclusion: A hierarchy of open spaces is proposed, and which are generally acceptable though the Kildare County Parks Department have sought revisions to the proposed scheme. Open space is appropriately overlooked in a number of locations. Parts of the development will not include private curtilage to the front of houses/ apartments in order to create the look/ air of streets such as along the NSOOR and the Great Connell Road. Homezones will also be provided for. All dwellings will be Part M compliant, and a number of houses will be for Part V provision. A creche is proposed and suitable play areas will also be provided for on site. Outdoor exercise equipment will also be provided for. The lack of connection over the River Liffey will reduce the potential connection of the site to Newbridge town centre. The proposed civic plaza to the northeast of the site could be developed to accommodate markets and other local outdoor events.

4. Variety: The proposed development provides for a mix of houses and apartments with units between two and four storeys in height. A mix of materials will provide variety in the external appearance of these units. A range of open spaces is proposed throughout the development site.

5. Efficiency: The Planning Authority consider that the net density is appropriate in terms of the efficient development of land and having regard to the location of the subject site. A mix of dual and triple aspect units are proposed with single aspect units mostly facing towards the south. A Building Lifecycle Report has been provided in support of the application.

The proposed landscaping of the site promotes pollination and diversity. Suitable bin storage is provided for each unit and potential composting areas are identified in the submitted Landscape Report. The Water Services Department have recommended that the surface water management strategy be significantly redesigned. Bicycle parking is provided throughout the site, and provision has been made for electric vehicle charging.

6. Distinctiveness: The proposed scheme is defined by the boundaries to the east and west, the new neighbourhood centre, the built urban edge along the Great Connell Road and the River Liffey to the west of the site. The Parks Department recommend that a landscaping scheme be proposed for the Great Connell Roundabout, forming the entrance to the site, as well as been a local landmark. The Planning Authority welcome the provision of roof gardens. The NSOOR would provide an opportunity for a high-quality piece of infrastructure that would form a landmark in the context of Newbridge.

7. Layout: A total of 16.4% of the site will provide for public open space, which will be suitably overlooked and will maximise the views of the River Liffey. The proposed development includes the provision of four-character areas. The Planning Authority report concern about the presence of surface car parking detracting from the visual amenity of the proposed open space areas. A hierarchy of roads and surfaces adds to the natural phasing and definition of the four-character areas.

8. Public Realm: A hierarchy of open spaces are proposed including a civic plaza. These areas will be suitably overlooked ensuring passive surveillance. The applicant is requested to provide details of proposed signage and wayfinding as well as details of the proposed name of this development. Consideration to be given to reducing the amount of surface car parking on site.

9. Adaptability: The proposed houses can be extended to the rear in the future if required. Details are also provided in the Architectural Design Report indicating how attic conversions can be provided for. A mix of house types are proposed, and which allow for future residents to trade up or down as required.

10. Privacy and Amenity: All units are provided with private amenity space, and the design has attempted to ensure that solar gain/ lighting is achieved to the maximum possible. The Transport Department raises concern about the potential impact of noise from the NSOOR on residential amenity. In the absence of full details on this road, it is not possible to ascertain the full impact. Boundary treatments are acceptable although bespoke treatments are required where the proposal develops towards the River Liffey.

11. Parking: The Transport Department have reported that there is a shortfall in car parking; the lack of basement/ undercroft car parking is noted. Concern arises that the shortfall in parking may result in haphazard car parking in the area.

12. Detailed Design: The Planning Authority report that 'A further analysis of the detailed design of the scheme has not been carried out'. The Transport Department have raised concern about the impact of noise on residential amenity.

Statement as to whether to recommend that permission be granted or refused:

The Planning Authority recommend that permission be refused due to the following reasons/ considerations:

1. It is the view of Kildare County Council that it is necessary to provide the full length of the Newbridge South Orbital Ring Road (NSORR). There is a need for this route to ensure that the development of these lands is not car based, and to reduce traffic congestion in the area. It is not possible to ascertain the impact on future residential amenity if details on the new bridge/ road are not available. There was no certainty that an application for the rest of the road/ bridge will be made.

Note: An application was lodged in December 2022 for the completion of the road and to provide for a bridge under PA Ref. 221504 and no decision has been issued to date.

2. The proposed development does not align with the delivery of housing set out in the core strategy of the Kildare County Development Plan 2017 – 2023 – Variation 1.

3. The proposed SUDS strategy is not acceptable, and a number of recommendations for revision remain in place.

The Planning Authority have provided a list of conditions in the event that permission is granted for the proposed development. I note condition no.1 which requires the removal of 68 houses as the impact on residential amenity cannot be ascertained in advance of the approval of a bridge/ associated road through the site. Condition 2 limits development to commence only on full completion/ opening of the Newbridge Southern Orbital Ring Road (NSORR). Condition 3 requires further landscaping details and condition 4 requires a revised SuDS strategy. The Planning Authority

advise that other conditions are provided in Appendix B/ other Kildare County Council Departmental reports.

In addition to the Planning report, additional Kildare County Council internal reports have been provided and are included in Appendix A of the CE report, summarised as follows:

- Environment Section: No objection subject to recommended conditions.
- Kildare Municipal District: No objection subject to recommended conditions.
- Housing Section: Condition provided in the event that permission is granted for this development.
- Fire Service: No objection subject to recommended conditions.
- Roads, Transportation & Public Safety Department: Need for the Newbridge South Orbital Relief Road (NSORR) to be in place including a new bridge over the River Liffey. The submitted TTA is acceptable with surveys undertaken at appropriate times. Conditions are provided in the event that permission is recommended for the proposed development.
- Parks Section: No objection subject to recommended conditions.
- Water Services: No objection subject to recommended conditions. Revised SuDS proposal required.
- Strategic Projects and Public Realm section: Further details are required in relation to public open space, integration with the River Liffey, boundary treatment throughout the development, and the use of nature based drainage systems to serve the site.

9.0 Prescribed Bodies

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

- Irish Water
- Department of Housing, Local Government and Heritage
- National Transport Authority (NTA)

- Transport Infrastructure Ireland (TII)

9.2. Responses were received from the above listed bodies, and a submission was also made by Inland Fisheries Ireland. The following is a brief summary of the issues raised and includes any conditions/ recommendations that were made.

9.2.1. Irish Water:

- A water supply can be provided without a need for substantial upgrade works by Irish Water. Works and services will be required on site.
- A wastewater connection to service the proposed development can be provided without a need for infrastructure upgrade by Irish Water.

Irish Water has requested that in the event that permission is granted that conditions be included as follows:

- ‘The applicant shall sign a connection agreement with Irish Water prior to any works commencing and connecting to the Irish Water network’.
- ‘Irish Water does not permit any build over of its assets and separation distances as per Irish Waters Standards Codes and Practices shall be achieved. (a) Any proposals by the applicant to build over/near or divert existing water or wastewater services subsequently occurs, the applicant shall submit details to Irish Water for assessment of feasibility and have written confirmation of feasibility of diversion(s) from Irish Water prior to connection agreement’.
- ‘All development shall be carried out in compliance with Irish Water Standards codes and practices’.

9.2.2. Department of Housing, Local Government and Heritage:

Archaeology: The Department of Housing, Local Government and Heritage note the submitted archaeological details and they agree with the proposed mitigation measures recommended in the Archaeological Assessment Report and recommends that suitable archaeological mitigation be provided. A list of recommended conditions is provided.

Nature Conservation: Note the submitted Appropriate Assessment (AA) Screening and recommended mitigation measures. There is no hydrological or hydrogeological pathway between these designated Natura 2000 sites and the proposed development site. The Department agrees with the finding of the AA Screening.

Ecological Impact Assessment: Recommend that appropriate measures be taken to replace any woodlands, hedgerows, stonewalls, rivers, streams and wetlands that are to be removed to facilitate this development. The applicant to identify how green infrastructure is incorporated into the design of the proposed development. The Department recommends that the pedestrian path should avoid an identified area of Annex 1 habitat entirely. The hydrological regime to be maintained to allow the habitat to periodically flood and suitable measures should be taken to connect this habitat to other woodland habitats, particularly along the River Liffey.

9.2.3. Inland Fisheries Ireland (IFI):

IFI recommend that a revised surface water layout be provide that incorporated soft engineering/ nature-based options rather than the use of underground attenuation tanks; such options to include swales and bio-retention areas. The applicant is requested to take regard to the following documents: 'Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas – Best Practice Interim Guidance Document' by Department of Housing, Local Government and Heritage and 'Planning for watercourses in the urban environment' by IFI. The applicant to ensure that foul and storm water infrastructure has adequate capacity to serve the proposed development, that surface water drainage systems are adequate, and that suitable monitoring be put in place.

9.2.4. National Transport Authority (NTA):

Note that Newbridge is served by a number of train services (this is overstated), however the site is 28 minutes walking distance from the station and 10 to 15 minutes from the nearest bus stop. The NTA has no proposals to provide a bus service to serve this site. However, the NTA recommend that the bus stops be designed in accordance with the National Cycle Manual requirements.

Any links to Wellesley Manor to the north shall be for pedestrians/ cyclists only and not allow for car access. If a vehicular access is required to the south, then only one shall be provided. Other recommendations for the site/ road layout are made by the NTA. Suitable measures to be put in place in relation to provision of suitable cycle infrastructure.

9.2.5. Transport Infrastructure Ireland (TII):

Required that the proposed development be undertaken in accordance with the recommendations of the submitted Transport (Traffic) Assessment and Road Safety Audit submitted. Any recommendations, that arise, should be incorporated as Conditions in the event that permission is granted. The developer should be advised that any additional works required as a result of the Transport Assessment and Road Safety Audits should be funded by the developer.

10.0 Assessment

10.1. The Board has received a planning application for a housing scheme under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. Having examined the application details and all other documentation on file, including the Chief Executive's Report from the Planning Authority and all of the submissions received in relation to the application, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the main issues in this application are as follows:

- Principle of Development and Procedural Issues
- Density and Scale of Development
- Design and Layout
- Visual Impact
- Residential Amenity – Future Occupants
- Residential Amenity – Existing/ Adjacent Residents
- Transportation, Traffic and Parking
- Infrastructure and Flood Risk
- Childcare, Social Infrastructure and Part V Social Housing Provision
- Comment on Submission/ Observations of South East Area Committee

- Other Matters
- Material Contravention
- Appropriate Assessment Screening – Natura Impact Statement
- Environmental Impact Assessment

Note: This application was lodged in April 2022 and the Kildare County Development Plan 2017 – 2023 was in force at the time but this was replaced with the Kildare County Development Plan 2023 – 2029 on the 28th of January 2023 and was in place at the time of assessment of this application.

10.2. Principle of Development and Procedural Issues

10.2.1. Status of the Local Area Plan: At the outset I propose to address the fundamental issue of the status of the Newbridge Local Area Plan 2013 – 2021. For the purposes of background information, the Newbridge Local Area Plan 2013 – 2019 came into force in 2013 and was extended up to the 22nd of December 2021. A note on the Kildare County Council website states, ‘Kildare County Council will have regard to the following adopted Local Area Plans until such time as they are reviewed or another plan made’ and includes Newbridge on the list of Local Area Plans.

10.2.2. Under Section 18 (4)(a) of the Planning and Development Act, 2000, as amended, a local area plan ‘*shall indicate the period for which the plan is to remain in force*’. In this regard, I would highlight the following excerpts of the LAP:

Section 1.1 states that ‘This plan shall have a duration of 6 years...’.

Section 2.2.3 states that ‘While this plan will have a duration of 6 years initially, the provisions of the Planning Act allow in certain circumstances for the duration of local area plans to be extended to 10 years.’

10.2.3. As outlined above, I acknowledge that Section 19 of the Act of 2000 provides a mechanism to extend the period for which an LAP is to remain in force, and the Planning Authority used this provision to extend the life of the plan to December 2021. The mechanism to extend the plan involves a formal process including the preparation of a CE Report, the passing of a resolution by the Planning Authority, and public notification that any such resolution has been passed. It is evident that the previous LAP although extended has now expired. The preparation of a new LAP for Newbridge is only at a pre-draft stage.

10.2.4. Whilst the lifetime of a Local Area Plan may be extended through the incorporation of the plan into the County Development Plan, no such provision was made in the Kildare County Development Plan 2023 – 2029. No specific zoning for Newbridge was included in the Kildare County Development Plan either. The Kildare County Development Plan includes in Volume 2 a number of Villages & Rural Settlements with defined boundaries, land use zoning and relevant objectives for the development of these places. Newbridge is not included, and I refer to Objective CS 09 which seeks to ‘Review and prepare on an ongoing basis a portfolio of Local Area Plans (LAPs) for the mandatory LAP settlements (and environs, where appropriate) of ...Newbridge...in accordance with the objectives of the County Development Plan and all relevant Section 28 Ministerial Guidelines’. Kildare County Council may have considered the zoning of this site to remain in place and in accordance with the local area plan until it was reviewed. However, having regard to the fact that the LAP has expired subsequent to the adoption of the Kildare County Development Plan, the zoning status of the subject lands remains ambiguous.

10.2.5. Land Use Zoning and the definition of Strategic Housing Development: The status of the Newbridge Local Area Plan and its associated zoning have significant implications for the status of the application given the definition of Strategic Housing Development. In this regard, aside from development involving student accommodation and/or shared accommodation, Section 3 of the Planning and Development (Housing) and Residential Tenancies Act, 2016, defines ‘strategic housing development’ as ‘the development of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses’.

10.2.6. Therefore, while the application site was zoned for residential and other uses under the Newbridge Local Area Plan 2013 – 2019, I am of the opinion that this plan is no longer in place and the site is not bound to the objectives of that plan. The plan was extended for a specific period, up to and including the 22nd of December 2021 and no further extension was proposed. The development of this site is therefore to be considered in accordance with the Kildare County Development Plan 2023 – 2029, relevant Section 28 Guidelines and in accordance with the proper planning and sustainable development of the area. I may refer to the Newbridge Local Area Plan in specific cases to inform an aspect of the development, such as the provision of the

Newbridge South Outer Orbital Relief Road (NSOORR) which was an objective of that plan.

- 10.2.7.** The questions around the LAP status, site zoning, and the definition of Strategic Housing Development constitute a substantive procedural issue in this case. Therefore, should the Board be minded to grant permission, I would recommend that a limited agenda Oral Hearing be held to ventilate these matters further.
- 10.2.8. The Principle of Development:** Notwithstanding the core procedural issues, I now turn my attention to the acceptability of the development having regard to the Core Strategy and principles of compact growth and sequential approach, particularly having regard to the provision of 1,061 housing units over the period 2023 to the end of 2028 for Newbridge.
- 10.2.9.** I consider that the proposed site is suitably located for residential development in the context of the built-up area of the town and the nature of development adjacent to it, having particular regard to the extent of existing housing to the north of the site, and the permitted NSOORR would provide for a direct access to the town centre. In addition, I consider that the Great Connell Road to the east of the site acts as a natural boundary for residential development especially considering the industrial/ warehousing development to the east of this road. I do not consider that it would be premature to develop the site in the context of its location relative to the built-up urban area and proximity to the town centre. The site is served by a public water main and foul sewer and Uisce Éireann's Capacity Register indicates that suitable services are available here.
- 10.2.10.** In relation to the core strategy, Objective CS 01 seeks to 'Ensure that the future growth and spatial development of County Kildare is in accordance with the population and housing allocations contained in the Core Strategy which aligns with the regional growth strategy as set out in the National Planning Framework and Regional Spatial and Economic Strategy for the Eastern and Midland Region and further specified in the 'Housing Supply Target Methodology for Development Planning'. Table 2.8 – Core Strategy Table of the Kildare County Development Plan identifies the population of Newbridge as increasing by 2,917 people by the end of 2028 and this would require the provision of 1,061 units based on a density of 35 – 50dph. The proposed development of 569 units would comprise 54% of the core

strategy allocation and, the net site area of 15.98 hectares would equate to 46% of the required residential zoned land indicated in Table 2.8. I refer to the Planning Authority comments in the CE report that permission had been granted for a number of developments in the area and 'Potentially these applications, as well as the proposed development, would contravene the growth forecast to 2023 in Newbridge but would be within the permitted growth for the period to 2026'. The Planning Authority recommend that a suitable phasing strategy be put in place. As I have reported, the Kildare County Development Plan 2023 – 2029 allows for 1,061 units in the period between 2023 and 2028 and I am satisfied that this provides adequate capacity for the proposed development. I agree with the Planning Authority that a suitable phasing plan should be put in place, and this is considered further later in my report.

10.2.11. Conclusion on Principle of Development: Having regard to the foregoing, I do not consider that the site is appropriately zoned for residential development, as required by SHD legislation, given the absence of a current Local Area Plan. As noted above, should the Board be minded to grant permission, I recommend that this matter is further ventilated through the mechanism of a limited agenda oral hearing as provided for under section 18 of the Planning & Development (Housing) Residential Tenancies Act, 2016. The Board should note Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 which defines 'strategic housing development' as the 'development of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses'. In this regard, the Board should note that the Newbridge Local Area Plan 2013 – 2019, extended to the 22nd of December 2021 ceased to have effect from that date. It is recommended that having regard to the provisions of Section 18 of the 2016 act, as amended, that a limited oral hearing is held to seek further information to enable the Board to deal with this application. The applicant and Kildare County Council should be asked to clarify as the Local Area Plan no longer remains in force and no valid zoning for residential use or for a mixture of residential and other uses is provided for within a Local Area Plan regarding the subject site, to provide any further information, for example any relevant provision of the current Kildare County Development Plan, or other relevant matter in accordance with the applicable

legislation for Strategic Housing Development, which is considered might assist the Board in clarifying its ability to deal with this application.

10.2.12. Notwithstanding, I consider that, in principle, the site is appropriately located for the type of development proposed and would comply with Objective CS 01 of the Kildare County Development Plan 2023 – 2029. The subject site is immediately adjacent to existing residential development and adjoins the built-up urban area of Newbridge, and it is in relatively close proximity to existing amenities. It is served by a public water main and foul sewer and there is capacity in both. The provision of the NSOORR would further improve connectivity with the town centre and existing facilities and the development of the site with the permitted road infrastructure would result in a suitable sequential and compact development to the eastern side of Newbridge. The subject development would contribute to the core strategy and the number of residential units proposed would still result in ample headroom being left for future development proposals in the town.

10.3. Density and Scale of Development

10.3.1. The proposed development of 569 residential units on a site area of 27.64 hectares provides for a gross density of 20.6 units per hectare. The net density is 35.6 units per hectare. The Kildare County Development Plan through Table 2.8 indicates a 'Target Residential Density (UPH)' of 35-50 for Newbridge. The proposed net density is in accordance with that indicated in Table 2.8.

10.3.2. National policy is to encourage the densification and consolidation of urban areas where this is deemed to be suitable. I note the comments of the Planning Authority that the site is located on the periphery of Newbridge and that high frequency public transport is not available at present for the future residents of the development. I do consider that the density and scale of development is appropriate in this location for the following reasons:

- The site is located on lands that were zoned for residential development in accordance with the Newbridge Local Area Plan 2013 – 2019, extended to December 2021, but which I now consider to be expired.
- The subject site is located within the urban settlement of Newbridge.

- The proposed density of 36 dwellings per hectare is acceptable in the context of development located to the edge of the built up area of Newbridge. Newbridge can be defined as a Large Town in the context of the Eastern Regional Spatial & Economic Strategy (RSES), and this location is a ‘Suburban/ Urban Extension’ with a density range of 30dph to 50dph, with density of up to 80dph in ‘accessible’ locations as per Table 3.5 of the Compact Settlement Guidelines. The site is located on the eastern edge of Newbridge. I agree with the Planning Authority that this location cannot be described as accessible in the context of the RSES considering the distance from Newbridge train station and the lack of bus routes serving the Great Connell Road. The proposed density of 36dph is clearly within the density range of the guidelines for a suburban/ urban extension of a Large Town such as Newbridge.
- The RSES identified Newbridge as one of the urban settlements for which a transport plan is to be prepared. It would be expected that such a plan would provide for a town bus service that connects residential/ employment areas to each other and the town centre/ railway station. The proposed development has provided for bus stop locations on the NSOORR, and which are accessible to a large number of the proposed residential units.

10.3.3. CE Report Comments: The Planning Authority through the CE Report is concerned primarily about the development of the NSOORR and this issue has been addressed since the lodgement of this application, through a grant of permission for the bridge over the River Liffey and connecting link roads.

10.3.4. Conclusion on Density and Scale of Development: Having regard to the designation of Newbridge, the availability of services and the location of the subject site, I am satisfied that the proposed density at 36 units per hectare is acceptable in this location. The lands are located on the edge of the developed town but cannot be considered to be an accessible location in the context of the Compact Settlement Guidelines. The density is within the appropriate range of the Compact Settlement Guidelines for a Large Town such as Newbridge. No material contravention issues arise in relation to zoning as the proposed net density of 36dph is in accordance with the range of 35-50dph set out in Table 2.8 of the Kildare County Development Plan 2023 – 2029.

10.3.5. I am satisfied that the proposed design and layout are acceptable, and I have no reason to recommend a refusal of permission to the Board for these reasons.

10.4. Design and Layout

10.4.1. As already reported, the majority of the site is located on lands that were zoned C in the Newbridge Local Area Plan 2013 – 2019 as extended and are suitable for residential development. The focus is therefore to integrate such a development into the existing surrounding area. The development of these lands is constrained by the location of the proposed Newbridge Southern Outer Orbital Relief Road (NSOORR) and which cuts through the site on a north east to south west axis to cross the River Liffey. Some concern was expressed in the submitted observations about the type of units proposed and which were considered to be out of character with the existing area. The Planning Authority were concerned that the full length of the proposed NSOORR would not be provided in advance of the development of this site.

10.4.2. Concerns about intention to provide the NSOORR have been effectively addressed through the grant of permission under PA Ref. 221504. There is permission in place for the full length of the road from the Great Connell Road to the east over the River Liffey via a bridge and the road will connect into the existing section at Belin Wood, providing a connection to the R146 to the west and which in turn provides a connection to Newbridge town centre. A section of the road is included in this application in order to provide access to the residential development to the north and south of the NSOORR.

10.4.3. I am satisfied that the issue of delivery of the full length of the road has been addressed to the extent that permission is in place for this piece of infrastructure. The delivery of the road is a matter for the developer to progress with the Planning Authority, as is the case with any such planning application. I am satisfied that the uncertainty has been removed and the recommended refusal of permission by the Planning Authority has been addressed since the lodgement of this application. I note that an EIAR and NIS were submitted in support of the road application and no issues of concern arose. I would recommend that a condition be included that ties the phasing of the development of this site into the provision of the link road and bridge. Whilst the existing road network can accommodate development, as per the submitted Traffic and Transportation Assessment, it would be in the interest of

proper planning that the entire road be in place prior to the completion of this development.

- 10.4.4.** In terms of the general site layout, I am satisfied that this is acceptable. Higher density and taller buildings are provided at the entrance to the development at Great Connell Road/ to the north east of the site. These provide for a gateway/ landmark entrance to the development at the proposed road junction here and take account of the C13 zoning with mixed use development proposed. As already reported, the proposed density is considered to be in accordance with local and national policy and this limits the height of the proposed development such that the tallest units, at the eastern site entrance, are to a maximum height of four storeys and the standard height throughout the site results in two storey units.
- 10.4.5.** The NSOORR is a significant road in the context of South Newbridge and the applicant has designed the development to address this road, whilst also ensuring that a suitable setback is provided along its length. This road will function as a distributor road, and it is clear that the intention is not to design a street here. Residential units are set back from the roadside edge and vehicular access is limited to two junctions to the north and only one to the south directly off this road. The southern access will be the busiest as it serves the greatest number of units, 400 out of the proposed 569, and the southern portion of the site includes potential for access to adjoining lands to the south.
- 10.4.6.** Whilst the proposed residential units are set back from the roadside edge, the design has ensured that units address the road and provide for active frontage through the location of house/ duplex fronts and the footpaths along the roadside edge and a separate footpath to the front of the residential units. This is an acceptable compromise, the design is not for a street, but the road is designed to integrate into its urban context.
- 10.4.7.** Drawing No. PA-007 indicates that four character areas are to be provided here. Character Areas 2 and 3 are wholly to the south and Area 4 is to the north of the NSOORR. Area 1 is partially to the north and south of the road and this is located at the entrance to the development at the junction with the Great Connell Road. I consider the location and design of the character areas to be acceptable. The use of one character area at the eastern entry point ensures a high quality integrated

design at this location. I do note that the character areas are primarily differentiated by material colours/ finishes and if permission is granted, it is important that the elevational treatment is carefully considered to ensure that the character areas can be easily identified from each other.

- 10.4.8.** The general layout of the residential areas is considered to be acceptable. I note that some long straight sections of road are proposed, but road speeds will be kept low through the use of raised tables and shared road space throughout the development area. Tight radii junctions demonstrate compliance with DMURS. Provision is made for two pull-in bus stops along the NSOORR; this will allow for future bus service improvements in the area. Open space is available throughout the site; is generally acceptable but further comment will be made later in this report.
- 10.4.9. CE Comments:** As reported, the primary concern was the delivery of the entire length of the NSOORR, and this issue has been satisfactorily addressed with the application under PA Ref. 221504. Concerns raised about connectivity appear to relate to this road rather than overall design as the CE report references potential connections to adjoining lands and I have already reported that such links are indicated to the south of the site. Connections to the north of the site can be conditioned such that future links can be provided.
- 10.4.10. Conclusion on Design and Layout:** In general, I consider the proposed layout to be acceptable. Considering the constraints of the site, primarily through the permitted NSOORR, and the scale of development, the applicant has provided a good layout for the future occupants of this scheme. Appropriate character areas have been defined and each of these is provided with its own area of open space. The higher density/ taller element of the development is located to the north east, and this will provide for a suitable gateway entrance from the Great Connell Road. These will not have an adverse impact on the visual or general character of the area. The provision of residential development and the NSOORR demonstrates compliance with the Newbridge Local Area Plan.
- 10.4.11.** I am satisfied that the proposed design and layout are acceptable, and I have no reason to recommend a refusal of permission to the Board for these reasons.

10.5. Visual Impact

- 10.5.1.** The applicant has provided a 'Verified Views and CGI' of the subject site. A total of 15 different viewpoints are provided and no issues of concern are raised. The application is accompanied by an Architectural Design Statement, and which provides the architectural context of the development and how it will integrate with the existing area. As already reported, some concern was raised in the observations about the nature of the proposed development and how it would integrate with the existing form of development in the area.
- 10.5.2.** The proposed development is located on the eastern side of Newbridge and as already described, this is a greenfield site though with residential development to the north and the River Liffey is located to the west. The proposed development will change the character of the area from greenfield to urban development in the form of residential units. The visual impact on the area will be reduced through the design of the development and the provision of landscaping along the NSOOR which crosses through the site. I also refer to the development of the lands to the east for warehousing and industrial uses, existing houses to the north and significant urban development to the west of the River Liffey. The development of these lands is sequential and as already reported, I consider that the Great Connell Road provides for a suitable boundary for residential development to this part of Newbridge.
- 10.5.3.** As I have already reported, the proposed density is 36dph and the development is characterised by mostly two storey houses. The development is similar to others constructed in the Newbridge Area and I consider that it will integrate with the existing form of development in this area. The NSOORR is located within the development and as such it will not have an adverse impact on the visual amenity of the area. The proposed bridge over the River Liffey does not form part of this application and this has already received permission.
- 10.5.4. CE Report comments:** The Planning Authority did not raise any specific issues of concern regarding the visual impact of the proposed development. Under the Section '12. Detailed Design' they report that 'A further analysis of the detailed design of the scheme has not been carried out.'

- 10.5.5. Conclusion on Visual Impact:** The proposed development is considered to be visually acceptable in terms of integration with the existing character of the area and also having regard to its location to the east of Newbridge town centre.
- 10.5.6.** The subject development provides for a mix of houses and duplexes and also four-storey apartment/ mixed use blocks. However, the majority of the proposed units are in the form of two-storey houses. The variety in the house design is primarily provided through a mix of brick and render colours. The submitted plans and elevational drawings indicate a high quality of external treatment and final details can be agreed through condition.
- 10.5.7.** I have no reason to recommend a refusal of permission to the Board on the basis of visual impact.

10.6. Residential Amenity – Future Occupants

- 10.6.1. Unit Mix:** The applicant has provided a detailed ‘Housing Mix Breakdown’ and a ‘Schedule of Accommodation and Housing Quality Assessment’. Full details are given on the housing mix, the floor area of units including room areas, storage provision and also private amenity space provision. The proposed development provides for a mix of houses (2,3 and 4 bedroom units) and a mix of apartment/ duplex units (1, 2 and 3 bedroom units). 33 one bedroom units are proposed, and the most common unit types are two bedroom apartments (135) and three bedroom houses (173). The mix also provides for 88 number four bedroom houses. The proposed housing mix is considered to be acceptable and demonstrates compliance with Policy HO P7 of the Kildare County Development Plan 2023 – 2029 and which seeks to ‘Encourage the establishment of sustainable residential communities by ensuring a wide variety of housing typologies and tenures is provided throughout the county.’ I note also Objective HO O15 c) which states ‘Require the submission of a ‘Statement of Housing Mix’ with all applications for 10 or more residential units.’ I am satisfied that the applicant has provided this. The overall mix of apartments/ duplexes and houses is considered to be acceptable in this location.
- 10.6.2. Quality of Units – Floor Area:** The proposed units provide for adequate floor space and all units are provided with storage that is easily accessible to the future occupants of the units. All apartment/ duplex units are provided with more than the

recommended floor area and a number of units are provided with floor areas far greater such as Units 185, 213, 432 and 457 which have floor areas of 45.1% in excess of the recommended area.

- 10.6.3.** The applicant has provided a mix of storage areas throughout the units and generally to a maximum of 3.5 sq m. Attic storage is included in the house design and access via a 'Stira Ladder' is proposed and I consider this to be acceptable. Such storage would be welcomed by the homeowners.
- 10.6.4. Dual Aspect:** All apartments are dual aspect and this demonstrates a high quality of development and is in compliance with SPPR 4 of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities'.
- 10.6.5. Floor to ceiling heights:** Floor to ceiling heights within the apartments are stated to be 2.7m at all levels and this is in accordance with SPPR 5 of the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities'. In terms of the duplex units, they vary between 2.7 at ground floor level, to 2.6m at first floor and 2.47 on the upper floor. This is acceptable and the proposed houses are also provided with appropriate floor to ceiling heights.
- 10.6.6.** The proposed duplex units are three storey, and each unit has individual access with a first floor stairs used to access the upper two floor unit. Apartment Block A and B are provided with a single lift and two stairwells that provide access to the upper floors; a maximum of 6 apartment units are served per floor per lift and this is in compliance with SPPR 6 of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities'.
- 10.6.7. CE Report comment on Sections 10.6.1 – 10.6.8:** Report that the development appears to be compliant with relevant guidelines, however they state that an in-depth assessment was not undertaken of this element of the proposed development.
- 10.6.8. Conclusion on Section 10.6.1 – 10.6.8:** The proposed development provides for an adequate mix of unit types. The internal layout of these units is acceptable and complies with recommended requirements. There is no reason to recommend a refusal of permission to the Board in terms of the proposed unit mix and internal floor area quality.
- 10.6.9. Quality of Units – Amenity Space:** The submitted Schedule of Accommodation and Housing Quality Assessment provides a detailed analysis of all private amenity

spaces to serve the relevant residential units. All houses are provided with adequate private amenity space and in some cases I note that very significant provision of open space is made, such as:

- House 29 – three bedroom house: 101 sq m of open space
- House 53 – three bedroom house: 138 sq m of open space

10.6.10. The proposed duplex and apartment units are provided with a mix of ground floor amenity spaces for the ground floor units and the upper floors are provided with balconies. The open space provision is acceptable for these units and again I note that a number of the units are provided with very generous areas of open space. The apartments have access to upper level roof gardens/ terraces; access is available from the lift serving the relevant upper floors, though in the case of Block C and the Neighbourhood Centre Block, access is more limited to those units within the same areas as this amenity space.

10.6.11. In terms of open space, as already reported, this is dispersed throughout the site with larger areas located towards the centre of Character Areas 1/ 2 and 3 and to the centre of Character Area 4. Additional open space is located along the eastern/ southern banks of the River Liffey. This park can integrate with the existing Liffey Linear Park thereby increasing access to this space and an increased area of space for the benefit of the residents of Newbridge.

10.6.12. Over 3 hectares of amenity space is proposed, and the applicant indicates that this forms just under 17.6% of the total site area. The Planning Authority through the CE Report did not report any issues of concern in relation to the provision of public open space to serve this development. I am satisfied that the proposed development provides for adequate and high quality public open space. This is accessible and the mix of area sizes and locations provides for a hierarchy of open spaces that meet different amenity needs.

10.6.13. Conclusion on Sections 10.6.9 – 10.6.14: The proposed development provides for adequate private and public open space areas. There is no reason to recommend a refusal of permission to the Board in terms of the quality of the amenity spaces, an no issues of material contravention arise.

10.6.14. Daylight and Sunlight – Future Residents: The applicant has prepared a ‘Daylight and Sunlight Assessment Report’ for the units/ open space within the development. This assessment is undertaken based on best practice guidance set out in the following documents:

- Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice’ BRE, 2011 (BR209) and its most recent update.
- BS8206 Part 2:2008, Lighting for Buildings, Code of Practice for Daylighting.

The applicant has also referred to ‘European standard EN 17037:2018 ‘Daylight in Buildings’ which was published in May 2019 and also the British Annex under BS EN 17037:2018.

10.6.15. The submitted assessment undertook the following tests as follows, to ascertain the quality of amenity for future residents of the proposed development:

- Average Daylight Factor (ADF): which is a test applied to habitable rooms within residential units. The applicant has made assumptions in relation to the reflective qualities of the floor, walls and ceilings and the type of windows to be provided. Table 2 of BS8208 Part 2:2008, provides the following minimum Average Daylight Factor (ADF)

- Bedrooms 1%
- Living Rooms 1.5%
- Kitchens 2%

In the case of rooms that serve more than one function, the higher of the two minimum ADFs should be demonstrated. The proposed apartments provide for floor plans in which the kitchen/ living and dining areas are effectively the one room.

10.6.16. The submitted assessment was undertaken for a total of 791 proposed rooms and results are provided in Section 7.4 of the applicant’s report. All tested rooms were found to be compliant. This is as expected considering the layout and heights of the proposed development. The provision of front/ rear gardens to two storey houses ensures that rooms should receive good sunlight throughout the day.

10.6.17. In terms of amenity/ open space areas that form part of the subject site, Sun On Ground (SOG) is assessed, and the recommended minimum is that 50% of the

tested area receives at least two hours of sunlight on the 21st of March. A total of 16 amenity spaces were tested, and all achieved the recommended standard/ were found to be BRE compliant.

10.6.18. The test was also undertaken for the open space associated with the proposed creche and this was found to not be compliant. This space is located in a courtyard that is enclosed fully on three sides (south, east and north) and partially to the west, therefore receipt of daylight is limited. The applicant has carried out an Average Daylight Factor (ADF) and Average Sunlight Hours tests and this results in the following:

- March 21st – 50.01% ADF/ 1 hour 15 minutes Average Sunlight Hours
- June 21st – 5 hours Average Sunlight Hours
- December 21st - 0 hours Average Sunlight Hours

10.6.19. The additional test indicates that the open space serving the creche will be suitable for use in the summer and will also have an amenity function in March. The result for December is noted, however I expect limited use of this space at this time of year considering the weather condition and short daylight hours that would be expected. The amenity function of this space is to allow children to get out into the air for a short period of time. The area/ development is well provided for in terms of open space and access is available to the open space to the south of the creche which would receive good sunlight for much of the day.

10.6.20. Conclusion on Daylight and Sunlight Assessments: I have had appropriate and reasonable regard of quantitative performance approaches to daylight provision, as outlined in the BRE 'Site Layout Planning for Daylight and Sunlight' (2nd edition) and BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'. I am satisfied that the design and layout of the scheme has been fully considered alongside relevant sunlight and daylighting factors. The standards achieved, when considering all site factors and the requirement to secure comprehensive development of this accessible and serviced site within the Kildare County Council area, in accordance with national policy guidance, are in my opinion acceptable and will result in an acceptable level of residential amenity for future occupants. Overall, I am satisfied that the proposed development will provide for good daylight and sunlight to the proposed units.

10.6.21. CE Report comment on residential amenity: The CE report comments that the development appears to comply with relevant standards, however they have not carried out an in-depth analysis as part of their report.

10.6.22. Conclusion on Residential Amenity: Overall the proposed development will provide for a high quality of residential amenity in this part of Newbridge. Room sizes, amenity spaces and supporting facilities are of a good standard. The subject lands are restricted by its location, the available layout and restricted site, but the proposed scheme will provide for a suitable development of this urban site. In addition, the development would provide for a strong urban edge on this part of Newbridge. The development complies with the requirements of National and Local policies in terms of providing for a high quality of residential amenity and I am satisfied that that no material contravention issues arise.

10.6.23. I have no reason, therefore, to recommend to the Board that permission be refused due to the quality of proposed residential amenity here.

10.7. Residential Amenity – Existing/ Adjacent Residents

10.7.1. Overlooking: There are existing residential units in Wellesley Manor to the north of the site. Suitable separation distances and integration with the existing development are provided for. A minimum of 25.6m is provided between the northern elevation of Duplex Block Type 7 and an existing house, number 71 Wellesley Manor, to the north. Separation distances between other proposed and existing units are greater than this in all other cases except for the Neighbourhood Centre where the minimum separation is 22.2m. These separation distances are considered to be acceptable and demonstrate a greater setback than that provided in the Compact Settlement Guidelines which seek to provide for a minimum of 16m between opposing first floor windows. As further justification, the facing windows on Wellesley Manor are front windows and the issue of loss of privacy is less concerning than would be the case with directly opposing windows. No other issues of overlooking arise. Concern was raised about discrepancy about measurements in the submitted drawings, this issue is noted but adequate details are provided to enable an assessment of separation distances and to determine potential impact on residential amenity.

- 10.7.2. Potential Overshadowing:** Through the submitted 'Daylight and Sunlight Assessment Report' impact on adjoining properties through overshadowing is considered. This assessment is undertaken based on best practice guidance set out in 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' BRE, 2011 (BR209) and its most recent update.
- 10.7.3.** Test 1 undertaken by the applicant is the Vertical Sky Component (VSC) analysis, and this is a measure of the available skylight at a given point on a vertical plane. The available diffuse daylight may be adversely affected if after the completion of the development the Vertical Sky Component is both less than 27% and less than 0.8 times its former value.
- 10.7.4.** The assessment was undertaken for 12/13, 71 – 73 and 81 – 87 Wellesley Manor and also Great Connell which is located to the north east of the subject site. All tested units were found to be BRE Compliant in terms of VSC and the impact from the proposed development was also found to be imperceptible.
- 10.7.5.** Test 2 was to ascertain the impact of the development in terms of Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hours (WPSH). This is a measure of sunlight that a window may receive, but the test is only for those windows that lie within 90 degrees of due south. The recommended standard is that the window should receive at least 25% APSH and 5 of the WPSH. A noticeable impact is a figure below the 25% APSH and 5% WPSH, or 0.8 times the baseline figure or a reduction of more than 4% of the APSH.
- 10.7.6.** The same units as per the VSC test, were tested for ASPH and WPSH. All units were found to be BRE compliant and the impact from the proposed development would be imperceptible. No issues of concern therefore arise in terms of impact on VSC, APSH and WPSH.
- 10.7.7.** As already reported, good separation distances are provided between the existing and proposed houses, and this ensures that the potential impact from shadowing is reduced to an acceptable level. The submitted Shadow Study, for March, June and December, does not raise any issues of concern.
- 10.7.8.** Overshadowing to Gardens and Open Spaces: The submitted report also assessed the impact of the proposed development on the gardens/ open spaces of adjoining properties, again those to the north of the site, but also that of a house to the east of

the Great Connell Road. Sun On Ground (SOG) is assessed, and the recommended minimum is that 50% of the tested area receives at least two hours of sunlight on the 21st of March. 12 private amenity spaces were tested, and all achieved the recommended standard/ were found to be BRE compliant.

10.7.9. Conclusion on sunlight/ daylight impacts to neighbouring properties: Existing units and their private amenity spaces will receive adequate sunlight, in accordance with the BRE Guidance. I have no reason, therefore, to recommend to the Board that permission be refused on the basis of impact to the existing amenity of adjoining properties in terms of sunlight/ daylight.

10.7.10. Impact from the proposed Local Centre: Concern was raised about the proximity of existing houses to the proposed local centre with particular issues about deliveries, location relative to the public road and also its location on site. I note that the expired Newbridge Local Area Plan indicated that a small local centre be provided on this part of the subject site and that is what the applicant has proposed here. The site would also provide for a suitable gateway/ landmark on entry to the subject development and for the western side of the reconfigured junction here. In the interest of good practice/ urban design, I consider this location for the local centre to be acceptable and appropriate.

10.7.11. Loading/ set down for the retail units is indicated as on the Great Connell Road side of the development. Although not indicated on the plans, delivery vans could also use the set down area to the north of the creche, west of the local centre if required. I do not foresee that this would have an adverse effect on the residents of Wellesley Manor. The proposed units within the local centre are small and would not require large vehicles for delivery purposes.

10.7.12. CE Report comment on residential amenity: I note again the comments in the CE report that they did not propose to undertake an in-depth analysis of the residential amenity aspects of this development.

10.7.13. Conclusion: Overall, I am satisfied that the development will not have an undue negative impact on the existing residential amenity of the area. The development is located on the eastern edge of Newbridge and adequate separation distances are provided between the proposed residential units and the existing adjoining houses to the north and more limited existing housing to the north east. The submitted

assessments prepared by the applicant indicate that sunlight/ daylight currently received by adjoining residents will not be adversely affected by the proposed development, and no specific issues of concern in relation to overshadowing are foreseen.

10.7.14. I have no reason, therefore, to recommend to the Board that permission be refused due to impact from the proposed development on the existing residential amenity of the area.

10.8. Transportation, Traffic and Parking

10.8.1. Concern was raised through third party observations about the lack of public transport serving the area and also the quality of road infrastructure was not adequate to serve the development of these lands. The need for a second bridge crossing of the River Liffey was raised and this was also given as a recommended reason for refusal by the Planning Authority through the CE Report.

10.8.2. The applicant has provided an Engineering Planning Report, a Traffic and Transportation Assessment (TTA), a DMURS Compliance Statement and an Outline Mobility Management Plan (OMMP) in support of this application. A Stage 1 Road Safety Audit and Lighting Reports have also been submitted. In addition, an EIAR has been submitted.

10.8.3. Traffic and Road Layout: Concern about traffic and inadequate infrastructure were raised as issues in opposition to this development. As I have already referenced, a key consideration is that permission has been granted under P.A. Ref. 221504 for 790m of distributor road including a bridge over the River Liffey and which would provide for a new east west link to the south east of Newbridge, providing relief for the existing bridge over the River Liffey. The subject development only provides for the sections of road necessary to access this development from the Great Connell Road and does not include a river crossing.

10.8.4. The issue of the bridge was a key concern for the Planning Authority, and I am now satisfied that this issue has been adequately addressed. In the event that this proposal does not receive a grant of permission, it does not prevent the development of the link road and bridge. At the time of lodgement of this application, the Planning Authority had no certainty about the development of the link road, and I appreciate their unease about this aspect of the development. Permission was granted under

PA Ref. 221504 for the link road and bridge and all necessary junction upgrades. The applicant for the permitted development under PA Ref. 221504 is the same as that of the subject application, Aston Limited. From the most recent site visit on the 14th of May 2025, the development of this road has not commenced on site.

10.8.5. Whilst the necessary infrastructure has been permitted, I consider it appropriate to condition the phasing of this development in conjunction with the actual provision of the road/ bridge. The first phase of the development, as proposed by the applicant, could take place in the absence of the bridge etc. but later phases would result in a deterioration in capacity for junctions in the area. I note Section 3.11 ‘Phasing of Development’ of the applicant’s Planning Report & Statement of Consistency, and this would set a framework for the development of the site. I would consider the following to be appropriate in terms of road provision:

Table 4: Proposed Phasing

Phase	Permitted	Required
1	169 residential units, neighbourhood centre and childcare facility	<ul style="list-style-type: none"> • Signalise the junction on Great Connell Road. • Provide 350m of NSOORR.
2	150 residential units to commence.	Contract for NSOORR to be signed with commencement date agreed with Kildare County Council
3	150 residential units to commence.	On completion of the NSOORR and full opening of the road and bridge over the River Liffey.

10.8.6. The Kildare Roads, Transportation & Public Safety Department identified a number of matters to be addressed in addition to that of the link road/ bridge, though no specific issues of concern were raised. They considered that the eastern section of the NSOORR would be opened in Q3 2022 and whilst this may not have been taken into charge to date, it is complete. Existing roads/ identified junctions in the area are able to accommodate expected traffic up to 2039, except for the Buckley’s Cross

Roundabout on the Naas Road/ Great Connell Road to the north of the site which will be relieved by the new river crossing.

- 10.8.7.** The NTA have made a number of recommendations and the Kildare Roads, Transportation & Public Safety Department have commented on these. It is proposed that pedestrian/ cycle connections to the lands to the north of the site into Wellesley Manor be provided but the NTA also recommend that vehicular connection not be provided, however Kildare Roads, Transportation & Public Safety Department have recommended that this be provided and note that this housing development has been taken in charge. I would tend to agree with the NTA on this. There are areas of incidental open space along the southern boundary of Wellesley Manor and which are well maintained. Dividing these up by roads, no matter how narrow, would adversely affect the character of this area. Pedestrian/ cyclist connections would be far less obtrusive and would not have the same negative impact on the established character of this residential development.
- 10.8.8.** I am satisfied that the internal road layout as proposed is acceptable and the DMURS Compliance Statement demonstrates that the layout meets recommended requirements. Internal road speeds would be kept low and there is a clear hierarchy of roads and streets within the proposed development site layout.
- 10.8.9.** I agree with the Kildare Roads, Transportation & Public Safety Department in that two such future vehicular links should be provided to the lands to the south. The issues in relation to the junction design on the Great Connell Road would have been addressed through the grant of permission for the link road/ bridge.
- 10.8.10. Conclusion on Traffic and Road Layout:** I am satisfied that the proposed development will be adequately served by an appropriate road layout, though is dependent on the development of completion of the NSOORR to the west of the site.
- 10.8.11. Car Parking:** Car parking provision is set out in Section 15.7.8 of the Kildare County Development Plan 2023 – 2029. These are maximum car parking standards. There are some changes in the requirements from that of the previous development plan and I have summarised the requirements in the following table for clarity.

Table 5: Car parking requirements and provision:

	KCDP 2023 - 2029	Proposed	Difference

Houses: 1 per unit up to 3 bedroom	237 (237 units)		
Houses: 1 space and 0.5 visitor spaces for 4 + bedrooms	132 (88 units)		
Total	369	650	+281
Apartments: 1.5 per unit and 1 visitor space for every 4 units	427 (244 apartments units)		
Total	427	312	-115
Creche: 0.5 per staff member and 1 per 4 children	43 (10 staff/ 154 children)		
Commercial Units	45 (Convenience Unit 1- 1 space per 20 sq m gfa: Total 909 sq m) 27 (5 Smaller Convenience Units – 1 space per 20 sq m gfa: Total 532 sq m) 10 (Clinic 2 spaces per consulting room: Total 5 rooms) 34 (Café 1 space per 10 sq m: Total 338 sq m)		
Total	159	46	-113
Overall Total:	955	1008	+53

10.8.12. The proposed development would have a car parking requirement of 955 spaces, however the Kildare County Development Plan 2023 – 2029 makes clear that this is a maximum car parking provision, and I consider the proposed parking to be

acceptable. Whilst the overall provision is in excess of the requirement the figure is skewed through the number of houses that have two car parking spaces and the requirement for apartment units is surprisingly high in the development plan; for example, the one bedroom apartment units, of which 33 are proposed, may require 49 spaces as per the development plan.

- 10.8.13.** The discrepancy in car parking is not significant in the context of the scale of this development. Car parking provision set out in the Kildare County Development Plan is generous and the requirements of the Apartment Guidelines are reflected in the proposed parking provision.
- 10.8.14.** Housing units are provided with two car parking spaces each, which is double the plan requirement. I note the concerns of the Kildare Roads, Transportation & Public Safety Department in relation to the car parking provision in the area of the neighbourhood centre and also the provision for some of the apartment blocks. The Kildare County Development Plan states under Section 15.7.8 'Parking standards are maximum standards. Residential development in areas within walking distances of town centres (800 metres i.e. a 10-minute walk) and high-capacity public transport services (including but not limited to Dart+ services, Bus Connects routes and any designated bus only or bus priority route) should be designed to provide for fewer parking spaces, having regard to the need to balance demand for parking against the need to promote more sustainable forms of transport, to limit traffic congestion and to protect the quality of the public realm from the physical impact of parking. Therefore, the number of spaces provided should not exceed the maximum provision set out below.'
- 10.8.15.** As reported, the site is not adjacent or within an appropriate walking distance of public transport. The relatively low density of 36dph has resulted in houses on relatively large plots of land and car parking can be provided on the basis of two per unit within curtilage. As also reported, the site is located on the edge of Newbridge and whilst suitable for development of the nature proposed, I have no issue with the provision of two car parking spaces per unit in terms of visual amenity, residential amenity and in terms of traffic/ transport safety.
- 10.8.16.** I note that the applicant proposes that a single space be allocated for car share use. I consider that this number should be increased to at least one per character area

and two spaces for the neighbourhood centre, providing for a minimum of six spaces for such use. Adequate provision is made for EV parking and provision for future proofing of car parking spaces can be provided by way of condition.

10.8.17. Conclusion on Car Parking: The overall car parking provision is in excess of the requirements of the Kildare County Development Plan 2023 – 2029 by 53 spaces. This figure is skewed by each house having two parking spaces, resulting in an excess of 281 car parking space for the proposed houses, but short 115 spaces for the apartments and short 113 spaces for the creche and neighbourhood centre. Whilst the car parking provision in the development plan is for maximum numbers, I am satisfied that the provision of two car parking spaces per house is appropriate considering the location of this site on the edge of Newbridge and where no public transport is available at present. Considering the wording of the development plan, I am satisfied that no material contravention issue arises here. The site is not in an accessible location as per the Kildare Development Plan, which allows for a reduction in car parking where high quality public transport is available or the site is adjacent to a town centre.

10.8.18. Bicycle Parking: Provision is made for 732 bicycle parking spaces with 536 for long stay/ residential use and 134 are for visitor use. Bicycle parking is also provided for the neighbourhood centre/ creche and this is acceptable. The parking provision for the apartments is proposed in line with the table under Section 15.7.2 of the Kildare County Development Plan 2023 – 2029. I have summarised the key points below:

Table 6: Bicycle parking requirements and provision:

Proposed	Total	KCC Development Plan Requirements	Difference
Apartments: 1 space per bedspace	536	531	+5
1 visitor space for every 2	134	122	+12

apartment units			
	670	653	+17

10.8.19. The overall provision of bicycle parking is considered to be acceptable and appropriate for this development and no material contravention issues arise. Cycle provision in the form of infrastructure is good on site and the opening of the NSOORR would allow for easy access to Newbridge town centre and existing public transport in the area.

10.8.20. Public Transport: As already identified, and raised in third party observations, the site is not well served by public transport. There is a however a reasonably good service available from the town centre and from stops on the Naas Road, approximately 1km to the north of the subject lands. The Outline Mobility Management Plan promotes the use of public transport and gives details on service provision in the area.

10.8.21. I refer again to the intention to prepare a Transport Plan for Newbridge and the need for a local bus service may be an outcome of this plan. The NTA have provided a number of town bus service throughout the country in recent times for towns with a similar population and size profile to Newbridge. Alternatively, a reconfiguration of the existing bus network serving Newbridge could avail of the NSOORR and see a regular bus service operate through the subject lands along this road.

10.8.22. CE Comment: The Planning Authority note the distance of the site from existing public transport and whilst I agree with this, the development of suitable public transport could be promoted in conjunction with the development of the new link road.

10.8.23. Conclusion on Transportation, Traffic and Parking: The development is to be provided with an adequate internal road network, adequate car parking and is just within walking distance of Newbridge Town Centre. I note that there is a requirement for a transport plan for Newbridge and I would suggest that the development of this site would support a reconfigured local bus network or even the

provision of a town bus service. Car and bicycle parking provision is appropriate to the scale and nature of development proposed.

10.8.24. I do not foresee that the proposed development will negatively impact on any of the local road networks. The provision of the NSOORR will relieve the current situation where there is a single bridge providing access to Newbridge from the east. I have no reason to recommend a refusal of permission to the Board based on any traffic or transport concerns.

10.9. Infrastructure and Flood Risk

10.9.1. The applicant has submitted the 'Great Connell SHD, Newbridge Flood Risk Assessment' (NFRA) in support of their application. Third party observations referred to potential impact from the development on the floodplain and the Kildare County Water Services Department have recommended conditions in the event that permission is granted. Concern was expressed about the impact of the development on infrastructure in the area.

10.9.2. Flood Risk: I note that the submitted NFRA considers that the assessment was more thorough than the OPW CFRAM mapping for Newbridge with additional overland flow routes identified in the area and the flood extents are also more conservative. Two scenarios were tested, the development with the permitted bridge and the development without the bridge. Revisions to the land levels would impact on overland flow routes including in the identified Flood Zone A areas. In summary the first tested scenario would not increase the flood risk to the surrounded area for 1% AEP events and only minimal impacts for 0.1% AEP events. Any increase would not impact on properties downstream. In the second tested scenario, there would be some localised increased in flood extents and depths. The increase in extents is in greenfield locations where there are no receptors to be impacted upon. Groundwater risk is low. The Justification Test was applied and the impact on the surrounding area was found to not be significant.

10.9.3. The River Liffey is located to the western/ southern sides of the site and there are two drains flowing in to the Liffey that are within/ adjoin the red line boundary of the subject site. Part of the lands are zoned for residential use and the remainder is zoned for open space. Flood events have been recorded in the area but not on the subject lands. A previous flood risk assessment was undertaken in November 2013,

and no issues were identified. GSI records indicate a moderate to high groundwater vulnerability. Additional information sources include the SFRA for the Newbridge LAP, 2013 and also the Eastern CFRAMs, which indicates that the majority of the site is located within Flood Zone C. The following flood sources were considered:

- Fluvial: There is an overland flow path from the River Liffey across the southern section of the site into a drain which is within Flood Zone A and B. Further assessment of this is undertaken by the applicant.
- Tidal: Site is inland, so no issue arises.
- Pluvial: Suitable measures will be taken to address rainfall-generated flows. Further assessment of this is undertaken by the applicant.
- Groundwater: Monitoring of groundwater was undertaken over a period of 10-months and indicates an average depth of 2m across 10 no. borehole locations. The risk from a groundwater flood is considered to be low.

10.9.4. Section 4 of the applicant's report provides a Flood Risk Assessment with particular reference to potential fluvial risk. The submitted assessment is more focused/ site assessment study than CFRAMS. Figure 4-3 indicates 'JBA Flood Extents' and Table 4-2 provides 'JBA vs CFRAM Modelled Results', the study provides greater detail on Flow than that provided by CFRAM.

10.9.5. Section 5 provides details on 'Site Design/ Masterplanning' and outlines the Justification Test requirements. Scenario 1 considers the subject application, and the proposed Liffey Bridge and Scenario 2 only considers the subject application. I have already reported what the conclusion on these tests are and no specific issues of concern arise.

10.9.6. Section 6 provides recommended Mitigation Measures, and which includes Finished Floor Levels to be above the 0.1% Flood Level with an additional freeboard of 500mm. It is also recommended that a Finished Floor Level of 150mm above nearby road levels be provided 'to prevent surface water inundation during an exceedance event'. As second recommended measure is the provision of compensatory storage in accordance with the Kildare County Development Plan SFRA. Such measures have been incorporated into the development design. Access/ Egress to the site is through main roads located in Flood Zone C and

Stormwater Design has been provided to mitigate against pluvial flooding on site. The applicant also refers to Bridge Design for that over the River Liffey and also Residual Risk and which considered blockages and Dam Failure of the upstream ESB infrastructure at Golden Falls and/ or Poulaphouca. Adequate freeboard remains in the case of such a failure event.

10.9.7. Section 7 provides 'The Justification Test for Development Management' in relation to the proposed development. I have summarised the findings as follows:

- Test 1: Lands appropriately zoned: The lands are zoned for residential development and have been subject to SFRA in the preparation of the Newbridge LAP (note this plan has expired).
- Test 2 (i): Lands subject to SFRA and will not impact adjoining areas: Site is within Flood Zones A, B and C. Hydraulic model indicates that the development will not increase the flood risk elsewhere. Suitable measures have been incorporated into the development design to take account of potential flooding issues.
- Test 2 (ii): Measures taken to minimise risk: FFL to be above 0.1% AEP events plus an additional 500mm freeboard.
- Test 2 (iii): Take measures to ensure residual risks can be managed: Suitable freeboard levels are provided to address potential issues that may arise from the development of the bridge and as a result of dam failure upstream.
- Test 2 (iv): Integration/ proper planning: This is addressed in other documents including the Planning Report and Statement of Consistency.

10.9.8. Section 8 provides the Conclusion and again summarises the issues of concern, provides appropriate measures and is satisfied that the development has had full regard to potential risks from flooding. The Conclusion states 'In summary the proposed development will be at low risk of flooding and will not increase the flood risk to the surrounding areas.' The applicants report includes a number of supporting appendices. Details of flood compensation measures are provided in the applicant's Engineering Planning Report in support of this application.

10.9.9. Conclusion on Flood Risk: The submitted information is noted, and I am satisfied that the applicant has provided a thorough assessment. From the available

information the proposed development will not give rise to flooding on adjoining lands and suitable measures are incorporated into the design to ensure that flooding does not impact future residents of this development. I have no reason to recommend a refusal of permission to the Board based on flood risk arising from the proposed development.

- 10.9.10. Foul Drainage:** Uisce Éireann report that the proposed development can be connected to the public foul drainage system without the need for upgrade works. Standard conditions are attached in the event that permission is granted for this development.
- 10.9.11.** I have checked the Uisce Éireann Wastewater Treatment Capacity Register and the ULLVSS WWTP Osberstown that serves Newbridge is indicated as Green – has available capacity. I am therefore satisfied that the proposed development can be connected to the public foul drainage system.
- 10.9.12. Surface Water Drainage:** The Kildare County Council Water Services Department raised a number of issues in regard to the proposed SuDS measures on site, with a recommendation that alternatives to attenuation tanks be provided. They have not ruled out the use of such tanks on these lands. The proposed development includes a number of SuDS measures and full details are provided in Section 2.3 and 2.4 of the applicants Engineering Planning Report. I note that green roofs, permeable pavement and swales will be incorporated into the design as well as soakaways.
- 10.9.13.** The submitted information and details of surface water drainage measures are considered to be acceptable, and final details can be agreed with the Planning Authority by way of condition. There is a complication regarding SuDS features in that the road approved under separate application would have included revised drainage features and addressing all issues may best be done by way of condition, for details to be agreed with the Planning Authority.
- 10.9.14. Conclusion on Infrastructure and Flood Risk:** The site is served by a public water supply and the public foul drainage network, which have capacity to serve this development. Surface water drainage can be adequately catered for and full details on flood risk have been addressed through the applicant's report. I am satisfied that the proposed development can be provided with adequate infrastructure in

accordance with Kildare County Council requirements and that no issues of material contravention arise.

10.10. Childcare, Social Infrastructure and Part V Social Housing Provision

10.10.1. Childcare: The proposed development includes a childcare facility with a stated area of 886 sq m and which can accommodate up to 154 children. This is located to the north east of the site and I consider this location to be acceptable, whilst not centrally located, it is accessible to all units.

10.10.2. The requirement under the ‘Planning Guidelines for Childcare Facilities (2001)’ was for one childcare facility for every 75 units, able to accommodate 20 children. Section 4.7 of the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’ states ‘One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms. The applicant reports that the proposed facility is appropriate to the scale and nature of development proposed. The PA reported no objection to this facility and reported that the proposed facility was compliant with the Kildare County Development Plan 2017 – 2023, as in place at that time.

10.10.3. In the interest of clarity, I have summarised the requirements for childcare provision for this development.

Table 7: Childcare provision requirements

	2001 Childcare Guidelines	2020 Apartment Guidelines – without 1 bed	2023 Apartment Guidelines – without 1 bed and only 50% of 2 beds (2 Bed Apartments only)
Number of proposed Units	569	536	469
1 Facility with capacity for 20 children for every 75 units	152	143	125

- 10.10.4.** The Childcare Guidelines (2001) specify a minimum floor area of 2.32sq m per child but this is age dependent. The proposed facility with 886sq m will adequately meet the expected demand on this site.
- 10.10.5. Conclusion on Childcare Provision:** I consider that the proposed facility is acceptable and will meet the requirements for childcare for a development of this nature.
- 10.10.6. Social Infrastructure:** The Social Infrastructure Audit indicates that there are 6 national schools with capacity for 2,009 children and 4 post primary schools within the Newbridge area, and which have capacity for circa 3,112 students. Two additional post primary schools provide for an additional 983 places. In terms of primary schools there was available capacity for 109 children in March 2022 and no data was provided by the post primary schools. An historical assessment of primary schools found that there has been a reduction of 218 children attending over a ten year period. Post primary schools recorded an increase of 468 over the 10 year period. This rise was expected to continue to 2024 and then slowly fall until at least 2038.
- 10.10.7.** The proposed development may generate a demand for 214 primary places and 137 post-primary places, though a lower figure is expected. The applicant has identified that additional school capacity is to be provided in the area. The Planning Authority reported that the Department of Education and Skills made a submission on the Draft Kildare County Development Plan, 2023 and reported that there was adequate capacity at both primary and secondary levels to care for development in Newbridge. In conclusion the demand for school places can be accommodated in identified schools in the immediate area.
- 10.10.8.** The Audit also provides details on available community facilities and recreation/ open space in the Newbridge area. I do note that this audit is dated March 2022, and some data is likely to be out of date at this stage. This does not impact on the assessment of this development and from the available information the area is well served by community facilities and recreation/ open space. From my site visit, it was apparent that the development of the residential scheme in Belin Woods has provided an extensive area of open space along the River Liffey which in time will combine with that proposed on the subject site to provide for a high quality riverside

amenity. I am therefore satisfied that future residents will have access to good quality amenities.

- 10.10.9. Part V and Social Housing:** A total of 114 units are proposed to be allocated for Part V housing and these consist of 28 houses and 86 no. apartments. The Kildare County Council Housing Department have noted the provision and raised a number of issues in their report. They note that the proposed units are well distributed throughout the site but seek information on the value of the proposed units, need to remove en-suites and costing details to be agreed. A condition is provided by the Housing Department and from the submitted information I am satisfied that the transfer of units can be agreed by way of a suitable condition.
- 10.10.10.** I note the 'Housing for All Plan' and the associated 'Affordable Housing Act, 2021' which requires a contribution of 20% of land that is subject to planning permission, to the Planning Authority for the provision of affordable housing. There are various parameters within which this requirement operates, including dispensations depending upon when the land was purchased by the developer. In the event that the Board decides to grant planning permission, a condition can be included with respect to Part V units and will ensure that the most up to date legislative requirements will be fulfilled by the development.
- 10.10.11. Conclusion:** I am satisfied that the proposed childcare facility will serve the demand generated by the proposed development. Adequate existing childcare provision is available in the area for those who require such a service off-site. Schools, community and other social infrastructure is also available in the area. Part V Housing provision can be addressed by way of condition, but no specific issue of concern arises here.
- 10.11. Comment on Submission/ Observations of the Kildare/ Newbridge Municipal District**
- 10.11.1.** The views of the elected members were submitted alongside and included in the CE report. Having regard to their important role in plan and place making, I have considered the strategic points raised by them, as outlined below.
- 10.11.2.** The issue of road access and need for the River Liffey Bridge was raised. As I have reported this issue has been addressed and the bridge can be delivered independently of this application. I would recommend a phasing plan be agreed

between the developer and the Planning Authority to ensure that the units are provided in conjunction with infrastructure such as the bridge.

10.11.3. Pedestrian linkages and facilities were raised as an issue, and I am satisfied that the proposed development ensures that permeability is provided to and from adjoining sites. The internal footpath network is acceptable and is compliant with DMURS. The proposed bridge over the River Liffey will provide for a significant east to west link for Newbridge.

10.11.4. Concern was raised about the delivery of social/ amenity infrastructure in the area. The provision of schools is a matter for the Department of Education and Youth, however the applicant has provided a Social Infrastructure Report, and which indicates that there is capacity available in the area to serve this development. The proposed development provides for high quality areas of open space and more importantly these are designed to integrate with existing open space such as along the River Liffey and which will be a significant amenity for the residents of Newbridge.

10.11.5. A number of planning issues were raised such as density, unit mix, and duration of permission. As reported the proposed density and unit mix is acceptable and is in accordance with the Kildare County Development Plan 2023 -2029 and relevant national guidelines. The applicant has provided a 'Statement of Housing Mix' justifying the proposed unit mix on site. A seven year permission would not be unusual for a development of this scale. This is a large residential development of 569 units, and I would expect that this would take a number of years to develop. I appreciate that there would be concern about what would be perceived to be an extended length of construction but considering the scale of development and infrastructure necessary to serve this development, I would have no particular issue with the length of permission sought and this does not raise any issues of material contravention.

10.12. Other Issues

10.12.1. Buildings to be demolished: Two detached houses and a number of agricultural/ commercial units are proposed to be demolished as part of this development. The two houses are not of any architectural importance worthy of retention or incorporating into this development. Similarly, the other structures are not of any

architectural significance. The Planning Authority raised no issue in relation to the demolition of these units. No third party issues were raised either in relation to the demolition of the two houses and the agricultural/ commercial units. The retention of these units would prevent the efficient development of this site and would retain units that would not be energy efficient through their age and method of construction. Surveys undertaken in the preparation of the EIAR found that there were no bat roosts on or within these buildings.

10.12.2. Tree Survey: An Arboricultural Assessment, dated March 2022, has been submitted in support of this development. In summary, a total of 55 trees are to be removed and a number of hedgerows are also to be removed. Full details are provided in Appendix 2 of the applicant's report. Two category U and one category A trees are to be removed. The loss of these trees will be mitigated through the proposed landscaping of this site and a number of the existing trees on site area to be retained and incorporated into the landscape design. Full details of tree protection measures are provided.

10.12.3. The submitted details are noted, and no issues of concern are raised by the submitted Arboricultural Assessment or through the reports of Kildare County Council. I note that some of these trees would be removed through the construction of the permitted bridge and link roads.

10.12.4. Lighting: Two Outdoor Lighting Reports have been prepared by the applicant, one for the Distributor Road and the other for the Residential element of this development. No issues of concern arise, and final details can be agreed with the Planning Authority.

10.12.5. Discrepancies in submitted plans/ documentation: I note the comments made by Paul & Wendy Aitken about the separation distance between the subject development and their property in Wellesley Manor. They state that the separation distance is understated by 14m. Whilst I acknowledge that there may be some discrepancies on the submitted plans, I am satisfied that the submitted information is adequate to enable an assessment of the proposed development. The measurements provided on the plans/ drawings are only indicative and I have taken my own measurements of the plans where relevant such as in consideration of issues of overlooking and overshadowing.

10.12.6. Regarding Figure 15 of the Architectural Design Statement, this provides an indication of heights in the subject development, and I do not consider that it sets out to mislead those who read this document. For example, the industrial and office buildings to the east of the site are defined as 3-4 storey residential, when clearly, they are not residential and are labelled as such on the drawings. The purpose here is to illustrate the height of the proposed development and put it in the context of adjoining development. In addition, I refer to the fact that residential development does form part of the local centre and upper floors (second and third floors) are fully residential.

10.13. Material Contravention

10.13.1. The applicant has prepared a 'Material Contravention Statement' in support of their application. The public notices make specific reference to a statement being submitted indicating why permission should be granted, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act, 2000, as amended. This should refer to the provisions of Section 9(6)(a) of the Planning and Development (Housing) and Residential Tenancies Act 2016. This section of the Act states that the Board may decide to grant a permission for strategic housing development in respect of an application under section 4, even where the proposed development, or a part of it, contravenes materially the development plan or local area plan relating to the area concerned. Paragraph (b) of same states 'The Board shall not grant permission under paragraph (a) where the proposed development, or a part of it, contravenes materially the development plan or local area plan relating to the area concerned, in relation to the zoning of the land'.

10.13.2. The statement of Material Contravention has been prepared to acknowledge matters which may be considered to be a Material Contravention of the Kildare County Development Plan 2017 to 2023, and the Newbridge Local Area Plan 2013 - 2019 (extended until December 2021). Both of these statutory plans have now expired, and the current county development plan is the Kildare County Development Plan 2023 – 2029. The issues raised in the Material Contravention Statement are no longer relevant to this development. I have considered all potential material contravention issues throughout this assessment, and I have identified none.

11.0 Water Framework Directive (WFD)

- 11.1.** The subject site is located immediately to the east/ north east of the River Liffey.
- 11.2.** The proposed Strategic Housing Development comprises of the demolition of existing structures on site including two vacant houses, construction of 569 no. residential units (325 houses and 244 apartments), creche, neighbourhood centre and all associated site works on lands at Great Connell, Newbridge, Co. Kildare.
- 11.3.** I have assessed the SHD development at Great Connell, Newbridge and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. I have undertaken a WFD Impact Assessment Stage 1: Screening and which is included in Appendix 4 after my report. This assessment considered the impact of the development on the:
- River Liffey
 - Groundwater
- 11.4.** The impact from the development was considered in terms of the construction and operational phases. Through the use of best practice and implement of a CEMP at the construction phase and through the use of SuDS during the operation phase, all potential impacts can be screened out.

Conclusion

- 11.5.** I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

12.0 Appropriate Assessment – Natura Impact Statement

Appropriate Assessment – Screening Determination

- 12.1.1.** The proposed residential development on lands in Great Connell, Newbridge, Co. Kildare have been considered in light of the assessment requirements of Sections

177U and 177V of the Planning and Development Act 2000 as amended. Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of the site in light of its conservation objectives.

- 12.1.2.** 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 the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA subject to the implantation in full of appropriate mitigation measures.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and monitoring in relation to the Conservation Objectives of the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA.
- Detailed assessment of in combination effects with other plans and projects including historical projects, plans and current proposals.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA.

- 12.1.3.** I have had full consideration of the information, assessment and conclusions contained within the NIS. I have also had full regard to National Guidance and the information available on the National Parks and Wildlife Service (NPWS) website in relation to the identified designated Natura 2000 sites. I consider it reasonable to conclude that on the basis of the information submitted in the NIS report, including the recommended mitigation measures, and submitted in support of this application, that the proposed development, individually or in combination with other plans or projects would not be likely to adversely affect the integrity of the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA.

12.1.4. Full details of my assessment are provided in Appendix 1 and Appendix 2 attached to this report.

13.0 Environmental Impact Assessment

13.1. This application was submitted to the Board after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

13.2. The application was accompanied by an Environmental Impact Assessment Report (EIAR), which is mandatory for the development in accordance with the provisions of Part X of the Planning and Development Act 2000, as amended and Schedule 5 of the Planning and Development Regulations 2001 as amended.

13.3. Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended, and section 172(1)(a) of the Planning and Development Act 2000 as amended provides that an EIA is required for infrastructure developments comprising of urban development which would exceed:

- 500 dwellings
- Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. A business district is defined as ‘a district within a city or town in which the predominant land use is retail or commercial use’.

The development proposes 569 residential units, creche, local centre, and has a stated area of 27.64 hectares. The number of proposed units, and the site area exceed the threshold for EIA for urban development. The proposed development therefore requires mandatory EIA, and an EIAR has been submitted with the application. This has been prepared by O’Callaghan Moran & Associates with support from specialists. The contributors/ specialists are listed in Table 1.1 of the EIAR in relation to the relevant chapter that they contributed to.

13.4. The EIAR is laid out as follows:

Volume I – Non-Technical Summary

Volume II - Report

Chapter One – Introduction

Chapter Two – Existing Site Description

Chapter Three – Project Characteristics

Chapter Four – Alternatives

Chapter Five – Climate

Chapter Six – Land & Geology

Chapter Seven – Water

Chapter Eight – Biodiversity

Chapter Nine – Air

Chapter Ten – Population & Human Health

Chapter Eleven – Population & Human Health – Noise & Vibration

Chapter Twelve – Landscape & Visual Impact

Chapter Thirteen – Archaeology, Architecture & Cultural Heritage

Chapter Fourteen – Material Assets: Site Services

Chapter Fifteen – Material Assets – Traffic & Transport

Chapter Sixteen – Interaction of the Foregoing

Volume III Part 1 – Appendices

Volume III Part 2 – Appendices

13.4.1. Chapter 1 includes an overview of the development, the need for/ purpose of EIA, EIA Methodology including a list of relevant legislation/ guidance, possible outcomes, details on consultation, EIAR process, structure of the EIAR, and a list of the EIAR team and relevant surveys is also provided. No difficulties were encountered in the compilation of the required information in order to prepare the EIAR.

- 13.4.2.** Chapter 2 provides a more detailed site description, relevant planning issues, details on the site environment and details on the available services/ infrastructure on/ adjoining the site.
- 13.4.3.** Chapter 3 provides a detailed description of the proposed development and its characteristics. This includes full details on the residential units, childcare facility, service/ infrastructure provision and amenity provision. Details are also provided on proposed infrastructure provision including the Newbridge South Orbital Ring Road. A total of seven attenuation tanks are proposed throughout the site and are clearly indicated on Document No.192229-PUNCH-XX-XX-DR-C-0160. Measures will be provided to compensate for the loss of existing overland flood flow paths across the site. These measures were designed by PUNCH based on the JBA Consulting Strategic Flood Risk Assessment. Site phasing is detailed in Section 3.11 and indicated on Drawing No: PA-008. Also included is a summary of working practices/ requirements during the construction phase of the development.
- 13.4.4.** Section 3.12 provides details on cumulative impacts of existing, permitting and proposed projects within one kilometre of the subject site. A separate application is proposed to be submitted to Kildare County Council for the completion of the Newbridge South Orbital Ring Road.
- 13.4.5.** Chapter 4 provides a list of reasonable alternatives to the submitted scheme. Regard was had to physical constraints on site and relevant guidance/ supporting documentation.
- 13.4.6.** Submitted alternatives include:
- Alternative Site Layout – 4 layouts provided as alternatives.
 - Alternative Services Design – Different forms of surface-water flow attenuation designs were considered; however a number of the alternatives would have impacted on the useability of the public open space.
 - Alternative Mitigation Measures – Were not proposed as the proposed mitigation measures were deemed to be the most appropriate.
- 13.4.7.** I consider the proposed alternatives demonstrate compliance with the requirements of the EIA Directive.

13.4.8. The likely significant direct and indirect effects of the proposed development are considered in the remaining chapters, in the order provided in the EIAR, which collectively address the following headings, as set out in Article 3 of the EIA Directive 2014/52/EU:

- Population and Human Health
- Biodiversity (Flora and Fauna)
- Land, Soil, Water, Air and Climate
- Material Assets, Cultural Heritage and the Landscape
- Interactions
- Mitigation and Monitoring

13.4.9. I am satisfied that the EIAR has been prepared by competent experts to ensure its completeness and quality, and that the information contained in the EIAR, and supplementary information provided by the applicant, adequately identifies and describes the direct and indirect effects of the proposed development on the environment and complies with article 94 of the Planning and Development Regulations 2000, as amended. Each chapter demonstrates the competency of the assessor, relevant guidance that they have considered, and the assessment criteria.

13.4.10. I have carried out an examination of the information presented by the applicant, including the EIAR, and the submissions made during the course of the application. A summary of the submissions made by the planning authority and prescribed bodies has been set out already in this report. This EIA has had regard to the application documentation, including the EIAR, the observations received, and the planning assessment completed above.

13.4.11. Consultations: Details of the consultations carried out by the applicant as part of the preparation of the application and EIAR are set out in the documentation submitted and these are considered to be adequate. I am satisfied that the participation of the public has been effective, and the application has been made accessible to the public by electronic and hard copy means with adequate timelines afforded for submissions.

13.5. Compliance with the Requirements of Article 94 and Schedule 6 of the Regulations 2001

- 13.5.1. Compliance with the requirements of Article 94 and Schedule 6 of the Regulations is assessed below.

Table 8 - Article 94 information

The information specified in Paragraph 1 of Schedule 6		
	<p>Description of proposed development:</p> <p>Site, design, size and other relevant features</p>	<p>See Chapter 2 for Existing Site Description and Chapter 3 for Project Characteristics. This includes details on the site, proposed design, number of units/ size and relevant features. Also includes full details of all associated site works. The description is adequately detailed to allow assessment of the likely effects on the environment.</p>
	<p>Likely significant effects on the environment</p>	<p>See Chapters 5 – 16. Each of these chapters describes the relevant significant effects on the environment. Chapter 16 provides full details on ‘Interactions of the Foregoing’.</p>
	<p>Design and mitigation measures to avoid, prevent and reduce significant adverse effects</p>	<p>Mitigation measures are provided in each of the relevant chapters 3 – 15 Section 15.9 provides</p>

		details on 'Prevention & Mitigation Measures'.
	Reasonable alternatives and main reasons for the option chosen, taking into account effects on the environment	See Chapter 4. Alternatives include different site layouts, and alternative site services.
Any additional information specified in Paragraph 2 of Schedule 6 relevant to the specific characteristics of the development concerned and the environmental features likely to be affected and methods of assessment		
(a) Description	Description of location	See Chapter 2
	Physical characteristics including where relevant demolition and land use requirements during construction and operation	See Chapter 2 and details of the units proposed for demolition are provided under Section 2.2.
	Main characteristics of the operational phase	The development of a residential scheme of 569 units in the form of houses and apartments, a neighbourhood centre, creche, car parking, amenity space and all associated infrastructure provision.
(b) Reasonable Alternatives		See Chapter 4. The main alternatives would be in terms of location and design/ layout. The site is suitably zoned, and the

		layout is determined by geography, topography, cultural heritage and planning requirements.
(c) Baseline scenario and 'Do Nothing'		The baseline context is provided in Section 5.8 of the applicant's report. The 'Do-Nothing' scenario would leave the lands in agricultural/ partially commercial use. Environmental factors would not change from their current situation.
(d) Factors likely to be significantly affected	Climate	See Chapter 5
	Land & Geology	See Chapter 6
	Water	See Chapter 7
	Biodiversity	See Chapter 8
	Air	See Chapter 9
	Population & Human Health	See Chapter 10
	Population & Human Health – Noise & Vibration	See Chapter 11
	Landscape & Visual Impact	See Chapter 12
	Archaeology, Architecture & Cultural Heritage	See Chapter 13

	Material Assets: Site Services	See Chapter 14
	Material Assets: Traffic & Transport	See Chapter 15
(e) Significant effects		See Chapters 5 - 16
(i) Description of:	(I) Construction and existence of proposed development and demolition	See Chapter 2 and 3
	(II) Use of natural resources	See Chapter 3 and 14
	(III) Emissions	See Chapter 3, 5, 7, 9 and 11
	(IV) Risk from accidents or disasters	See Section 10.5.1
	(V) Cumulative effects with existing or approved developments	Considered under main chapter headings
	(VI) Impact on Climate and vulnerability to Climate Change	See Chapter 5 and individual chapters.
	(VII) Technology and Substances used	See Chapter 1
(ii) Likely Significant Effects	Direct	Considered under main chapter headings
	Indirect / Secondary	Considered under interactions
	Cumulative	Considered under main chapter headings

	Transboundary	Not relevant
	Short term	Most effects are temporary or short term
	Medium Term	Not generally relevant
	Long Term	Considered under relevant chapters.
	Permanent	Permanent development of the site including.
	Temporary	Construction effects are temporary or short term, operational effects are permanent and generally positive.
	Positive	Development of new housing, and biodiversity is enhanced through the proposed landscaping plan.
	Negative	Most effects are temporary or short term.
(f) Forecasting methods, evidence, difficulties encounters and main uncertainties		Yes
(g) Measures to avoid, prevent, reduce or offset adverse effects, monitoring during construction and operation		Yes
(h) Significant adverse effects arising from vulnerability to risks of major accidents and/or disasters, mitigation measures and preparedness and response to emergencies arising from such events		No

Non-Technical Summary	Yes – the Non-Technical Summary accurately reflects the chapters in the main volume of the EIAR.
Reference list of sources	This is provided for each chapter.
List of experts and their competence	This is provided for each chapter.

Having regard to the foregoing, I am satisfied that the information contained in the EIAR, and supplementary information provided by the developer is sufficient to comply with article 94 of the Planning and Development Regulations, 2001. Matters of detail are considered in my assessment of likely significant effects under the following sections below.

13.6. Assessment of Likely Significant Direct and Indirect Effects:

13.6.1. This section of the report sets out an assessment of the likely environmental effects of the proposed development under the following headings, as set out Section 171A of the Planning and Development Act 2000, as amended:

- Population and human health.
- Biodiversity, with particular attention to the species and habitats protected under the Habitats and Birds Directives (Directive 92/43/EEC and Directive 2009/147/EC respectively).
- Land, soil, water, air and climate.
- Material assets, cultural heritage and the landscape.
- The interaction between these factors.
- The vulnerability of the proposed development to risks of major accidents and/or disasters.

Note I will be assessing the EIAR under each of the chapter headings of the applicant's report but in line with the above topic headings.

13.6.2. In accordance with section 171A of the Act, which defines EIA, this assessment includes an examination, analysis and evaluation of the application documents, including the EIAR and submissions received and identifies, describes and assesses the likely direct and indirect significant effects (including cumulative effects) of the development on these environmental parameters and the interaction of these. Each topic section is therefore structured around the following listed headings:

- Issues raised in the appeal/ application.
- Examination of the EIAR.
- Analysis, Evaluation and Assessment: Direct and indirect effects.
- Conclusion: Direct and indirect effects.

13.7. Population and Human Health – Chapter 10.

13.7.1. Issues Raised

Issues were raised about the impacts on of the proposed development on Newbridge, on the availability of social infrastructure, such as schools and public open space, and the impact of the proposed units on the residential amenity of the properties adjoining the site.

13.7.2. Examination of the EIAR

Context

Chapter 10 of the EIAR deals with Population and Human Health and separately Chapter 11 deals with Population & Human Health – Noise & Vibration, see next section of this assessment. The applicant has provided a Social Infrastructure Audit in support this application. The assessment is undertaken in accordance with government and industry best practice guidelines. The chapter considers demographics, economic activity, employment, connectivity and social infrastructure available in the area. Figure 15.1 Site Location (KPMG) of the EIAR provides the Site Location and important existing development in the area. Section 10.5 details 'Receiving Environment: Human Health' Potential effect on population and human health arising from: traffic and transportation, air quality and climate, noise and

vibration, landscape and visual, material assets and the risk of major accidents and/or disasters are dealt with in the specific chapters in the EIAR. Methodology includes site walkovers to identify and characterise neighbouring land uses. Desk top studies of O.S. Maps, aerial photography, information on employment, education, health, tourism, amenity and community were carried out. The assessment is undertaken in accordance with government and industry best practice guidelines. No limitations are identified and are not evident in the assessment.

Baseline

The site is located to the eastern side of Newbridge, Co. Kildare. The county has a stated population of 222,504 as recorded in the 2016 census and Newbridge has a population of 26,258 according to this census. Full details are provided on economy, employment, connectivity, and social infrastructure in Chapter 10.

13.7.3. Potential Effects

A number of potential effects on Human Beings are identified:

- Major Accidents: The EIAR references Major Accidents as a potential effect. It is reported that the nearest Seveso sites are in Leixlip and Enfield and are more than 5km from the subject site.
- Natural Disasters: The lands are not at risk of instability and there is a low risk of flood though it is noted that there is an overland flow path that crosses the site, and which may be impacted by 1:100 and 1:1000 flood events – further details are provided in Chapter 7 of the EIAR.
- Air Quality: This is reported to be good in the vicinity of the subject site.
- Noise and Vibration: Noise assessment indicates that the main noise source is from traffic on the surrounding road network, and this is continuous throughout the daytime, evening and night-time. Further details are provided in Chapter 11.

The following potential impacts are identified:

Project Phase	Potential Direct, Indirect and Cumulative Effects
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Do Nothing	No change in the environment but no economic benefit or nuisance, no contribution to meeting housing demand, no impact on material assets or social infrastructure and no impact on air quality.
Construction	Economic benefit to local shops and business during this phase, however noise and air emission have the potential for localised, temporary, nuisance.
Operational	Provision of additional housing is a positive effect, though this may put a burden on service provision in the area. Increase demand on water supply and foul drainage treatment may impact on the performance of these services. Traffic may increase which would result in a deterioration in local area quality with an impact on human health.
Decommissioning	Not referenced and not relevant to this project.
Cumulative	All relevant assessments took account of the development on adjoining lands including the industrial development to the east and the proposed NSOORR including the river crossing by way of a new bridge over the River Liffey. A benefit would be the development and completion of the eastern section of the River Liffey Linear Park, between the existing bridge to the north and south to the subject site/ proposed bridge.

13.7.4. Mitigation

The applicant has outlined these in Section 10.8 of the EIAR under the Heading Prevention & Mitigation Measures. In summary these include:

- Amenity & Public Realm: Provision of 11.359 hectares of public open space and each home has access to high quality amenity space. Public amenity spaces, including play area, are provided with good passive surveillance.

- Noise: Suitable measures are proposed to overcome issues of noise in the design of this development.
- Daylight, Sunlight and Shadow Assessment: A fully detailed Daylight and Sunlight Assessment was provided in support of this application, and no issues of concern were identified. This considered the impact of the development on adjoining residential development and also the quality of the proposed amenity of the subject development.
- Flood Risk Assessment: A full assessment was undertaken and found that the development would not impact on adjoining lands and the development was designed to have full regard to potential flooding and climate change impacts.
- Social Infrastructure: The development includes a creche and neighbourhood centre that will meet the needs of future residents of this proposal.
- Construction Phase: Details are provided in the submitted Preliminary CEMP and which includes mitigation measures to prevent and mitigate adverse impact on human beings.
- Noise Monitoring: This will be undertaken in locations to be agreed with Kildare County Council.

13.7.5. Cumulative Impacts:

All relevant assessments took account of the development on adjoining lands including the industrial development to the east and the proposed NSOORR including the river crossing by way of a new bridge over the River Liffey.

13.7.6. Residual Impacts:

The EIAR states that the 'development will have a temporary, slight, positive impact on the local economy during the construction stage. In the operational stage the local economy will also benefit from residents availing of local services.' Air quality in the area is good and the development will have an imperceptible, long term impact on air, but which will not be a public health risk.

Table 10.11.1 of the applicant's EIAR provides details a 'Summary of Residual Impacts' with significance varying from Slight to Imperceptible and Impact Quality is Neutral to Positive.

13.7.7. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 10 of the submitted EIAR, all of the associated documents and submission on file in respect of Population & Human Health. I am satisfied that the applicant's understanding of the baseline environment, by way of desk and site surveys, is comprehensive and that the key impacts in respect of likely effects on Population & Human Health, as a consequence of the development have been identified. Third Party Observations have raised a number of issues in respect of Population & Human Health which I address below.

- Impact on Residential Amenity: Issues raised refer to loss of amenity. I am satisfied that this issue has been addressed through my Planning Assessment, but I refer to the adequate provision of separation distances and the submitted Daylight and Sunlight Assessment raises no issues of concern.
- Lack of adequate services in the area: This has been addressed through my Planning Assessment. The applicant has submitted a Social Infrastructure Audit and which demonstrates that there are adequate school places, amenity facilities and other services in the area. The proposed development provides for a neighbourhood centre and creche which will serve the needs of residents of the area. Adequate public open space will be provided as part of this development.

I am satisfied that the issues raised are adequately considered and addressed in the EIAR and I am satisfied that the development will not have a perceptible negative impact on Population & Human Health.

13.7.8. Conclusion: Direct and Indirect Effects on Population & Human Health

Having regard to the examination of environmental information etc. it is considered that by virtue of the nature of the development/ distance from sensitive receptors, there is no potential for significant environmental effects on Population & Human Health.

13.8. Population and Human Health – Noise & Vibration – Chapter 11.

13.8.1. Issues Raised

No specific issues of concern were raised by third parties in relation to Noise & Vibration, other than a concern about the impact on existing houses in Wellesley Manor from car generated noise in the vicinity of the proposed duplex units.

13.8.2. Examination of the EIAR

Context

Chapter 11 of the EIAR deals with Population & Human Health – Noise & Vibration. Section 11.2 lists the ‘Relevant Legislation and Guidance’ and Section 11.3 provides the ‘Methodology’. Under Section 11.3 extensive details are provided in relation to guidance for both the construction and operational phases of the proposed development. No limitations are identified in this chapter, and none were evident in the assessment.

Baseline

The site is located to the eastern side of Newbridge, Co. Kildare. Full description of the proposed development is provided in Section 11.4 and is in accordance with my description of the development and details of the receiving environment are outlined in Section 11.5 and in summary the subject site consists of an area of land of 27.6 hectares located to the west of the Great Connell Road to the eastern side of Newbridge. A residential development, Wellesley Manor, is located to the north of the site and the River Liffey is located to the western side of the site. Site location is identified on Figure 11.1 of the EIAR. Topography is generally level; the site is currently in use for arable farming and a number of buildings are located to the east of the site and detached house is located to the north-eastern corner. Large manufacturing units are located to the east of the site. Full details of these units and the local road network are provided in this section of the EIAR.

Receptors: Two houses on site are to be demolished as part of this development and are not therefore considered a noise sensitive locations for the assessments

undertaken in this chapter. Approximately 33 housing units are located within 100m to the north of the site. Other houses are identified in the EIAR with the nearest 280m from the eastern site boundary. To the west houses are closer with the nearest within 40m from the proposed development site. I note that some of these were under construction at the time of preparation of the EIAR but from the site visit these are complete. Nearest receptors, on a sectoral basis, in terms of noise and vibration are:

- Wellesley Manor to the northeast corner and a detached dwellings on the opposite side of Great Connell Road.
- Residential developments along Athgarvan Road to the west of the site.
- The Ardstone residential development to the southwest of the site.

No schools, childcare facilities or nursing homes were identified as receptors in the immediate area.

Mapping: Kildare County Council Noise Action Plan includes mapping of noise levels along the road network in the area. Details are indicated on Figure 11.2, 11.3, and rail mapping is on Figure 11.4. and 11.5.

Noise Survey: Baseline noise surveys were undertaken in October 2021 full details are provided in Section 11.5.4 Figure 11.6./ Table 11.9 locates the Noise Stations. Figures 11.7 to 11.9 give the noise profile for these locations, with Table 11.10 outlining the noise data. The EIAR provides an assessment of the noise sources recorded.

13.8.3. Potential Effects

A number of potential impacts on receptors in the area are identified:

- Construction phase noise impacts.
- Construction phase vibration impacts.
- Operational phase noise impacts.
- Operational phase vibration impacts.
- Noise impacts within the completed development from external sources – inward impacts.

The applicant undertaken a preliminary screening and operational phase vibration can be scoped out; the remaining four impacts were considered further. Noise risk assessment is detailed under Section 11.5.5 of the EIAR and details of impacts during the construction stage are outlined under Section 11.6.

The following potential impacts are identified:

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	No change in the environment but no economic benefit or nuisance, no contribution to meeting housing demand, no impact on material assets or social infrastructure and no impact on air quality.
Construction	Economic benefit to local shops and business during this phase, however noise and air emission have the potential for localised, temporary, nuisance.
Operational	Provision of additional housing is a positive effect, though this may put a burden on service provision in the area. Increase demand on water supply and foul drainage treatment may impact on the performance of these services. Traffic may increase which would result in a deterioration in local area quality with an impact on human health.
Decommissioning	Not referenced and not relevant to this project.
Cumulative	All relevant assessments took account of the development on adjoining lands including the industrial development to the east of the Great Connell Road, and the proposed NSOORR which includes the river crossing by way of a new bridge over the River Liffey. Full details are provided on the potential cumulative development of the subject application and the NSOORR/ link roads. Impacts on neighbouring receptors are within acceptable noise levels.

	No cumulative impacts have been identified at the operational stage.
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13.8.4. Mitigation

The applicant has outlined these in Section 11.9 of the EIAR under the Heading 'Prevention & Mitigation Measures'. In summary these include:

- Design Stage: The operational stage mitigation measures refer only to inward impacts generated by road traffic noise. Details are provided on the proposed glazing specification of the proposed units under Section 11.9.1.
- Construction Stage: Noise generated at this stage will be below the 65db criteria recommended under BS 5228-1:2009. No issues arise from vibration. Various construction stages measures are provided under Section 11.9.2 including hours of site operation, construction processes, use of plant, and use of vehicles.
- Operational Stage: The completed development will not give rise to noise or vibration measures at the operational stage. Noise generated from plant such as fans and vents are unlikely to be audible beyond a 10m distance. Noise associated with deliveries and visitors to the retail unit is unlikely to impact on surrounding receptors. Noise will not adversely affect amenity areas on the subject site.
- Noise Monitoring: This will be undertaken in locations to be agreed with Kildare County Council.

13.8.5. Cumulative Impacts:

All relevant assessments took account of the development on adjoining lands including the industrial development to the east and the proposed NSOORR including the river crossing by way of a new bridge over the River Liffey. Full details are provided on the potential cumulative development of the subject application and the NSOORR/ link roads. Impacts on neighbouring receptors are within acceptable noise levels.

No cumulative impacts have been identified at the operational stage.

13.8.6. Residual Impacts:

The proposed development will take approximately 6 years to construct. The EIAR states that the 'development will have a temporary, slight, positive impact on the local economy during the construction stage. In the operational stage the local economy will also benefit from residents availing of local services.' Air quality in the area is good, and the development will have an imperceptible, long term impact on air, but which will not be a public health risk.

Table 11.12.14 of the applicant's EIAR provides details a 'Summary of Residual Impacts' with significance varying from Slight to Imperceptible and Impact Quality is negative during the construction phase and neutral during the operational phase of the development.

13.8.7. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 11 - Noise & Vibration of the submitted EIAR, all of the associated documents and submission on file. I am satisfied that the applicant's understanding of the baseline environment, by way of desk and site surveys, is comprehensive and that the key impacts in respect of likely effects on Population & Human Health - Noise & Vibration, as a consequence of the development have been identified. No specific third party observations were raised in relation to this chapter of the EIAR, other than a comment about car generated noise in the vicinity of the proposed duplex units – the EIAR finds car based noise to be within acceptable limits.

I am satisfied that the issues raised are adequately considered and addressed in the EIAR and I am satisfied that the development will not have a perceptible negative impact on Population & Human Health - Noise & Vibration subject to the full implementation of the recommended mitigation measures.

13.8.8. Conclusion: Direct and Indirect Effects on Population & Human Health - Noise & Vibration

Having regard to the examination of environmental information etc. it is considered that by virtue of the nature of the development, distance from sensitive receptors,

and implementation of recommended mitigation measures, there is no potential for significant environmental effects on Population & Human Health - Noise & Vibration.

13.9. Biodiversity, with particular attention to the species and habitats protected under the Habitats and Birds Directives (Directive 92/43/EEC and Directive 2009/147/EC respectively).

13.9.1. Issues Raised

No specific issues were raised by third parties about the impact of the development on biodiversity.

13.9.2. Examination of the EIAR

Context

Chapter 8 of the EIAR deals with Biodiversity, and the applicant reports that a separate Appropriate Assessment (AA) Screening and Natura Impact Statement (NIS) have been submitted in support of this application. The EIAR references a need to consider this chapter in conjunction with Chapter 3 - Project Characteristics, Chapter 5 - Climate, Chapter 6 - Land, Geology, Chapter 7 - Water, Chapter 10 – Population & Human Health including Air, Chapter 11 - Population & Human Health – Noise & Vibration, Chapter 12 - Landscape & Visual Impact, Chapter 14 - Material Assets – Services, Chapter 16 - Interaction of the Foregoing and the Construction Environmental Management Plan (CEMP) provided in Appendix 3.

Section 8.2 provides full details on the ‘Relevant Legislation & Guidance’ at both a European and Irish level and Section 8.3 provides the ‘Methodology’ as to how this chapter was prepared, including details on site surveys which were carried out on the 3rd of December 2020, 19th May 2021, 9th September 2021 and 8th March 2022 to identify the habitats, flora and fauna present on site. This were undertaken in accordance with best practice.

No limitations are identified in this chapter, and none were evident in the assessment.

Baseline

The proposed development is described under Section 8.4 of the EIAR and the receiving environment is detailed under section 8.5 and is broken down into detail on the General Landscape, European Sites which are provided in Table 8.2, details of Natural Heritage Areas (NHAs) – noting that the site is not hydrologically connected to any of them, Habitats under Section 8.5.3 and detailed under Table 8.2, Flora under 8.5.4 – no rare or protected plant species were identified here, 8.5.5 refers to Invasive Species – Himalayan Balsam was located on site.

Section 8.5.6 refers to Bats and details are given on their status and protection, the suitability of the site for bats including considering existing structures and trees on site. Bat activity surveys were undertaken including of the two houses and their associated outbuildings etc and which are proposed for demolition. No evidence of bat roosting was found in either house, though potential for roosting exists. It is reported that the potential for roosting bats in either house was low. Similarly, the outhouses/ sheds have a low roosting value. Common Pipistrelle, Soprano Pipistrelle, Leisler's Bat and Daubenton's Bat were recorded on site with higher numbers found foraging along the treeline along the River Liffey to the southwestern part of the site.

Otters are detailed under Section 8.5.7, and none were recorded within 150m of the proposed development site. The EIAR indicates that frequent access of the lands by people and dogs has resulted in large parts of the site becoming unsuitable for breeding by Otters. Section 8.5.8 refers to Other Mammals including badgers of which none were recorded on site. Section 8.5.9 refers to Amphibians. No reptiles were recorded on this site. Section 8.5.11 refers to Birds and details of bird surveys are provided under this section. Table 8.9 lists the 'Bird Species Recorded during Site Surveys'. I note that Yellowhammer were recorded, and which are on the Red List and European Swallow and Willow Warbler are on the Amber List. No other protected, rare or notable species of invertebrates are recorded within 2km of the subject site. Section 8.5.12 provides full details on Other Species on site/ in the immediate area.

13.9.3. Potential Effects

A number of potential effects are identified during the construction and operational phases of this development. Potential impacts on Habitats are provided in Table 8.10, and the following are noted:

Construction Phase:

- The applicant reports that there will be no impacts on NHAs or pNHAs as a result of the proposed development. The impact on European sites is detailed in submitted AA Screening and NIS.
- Invasive species located on site may continue to spread within the development site area.
- The structures on site, proposed for demolition, are considered to be of a low value as a potential roosting habitat for bats. The applicant's site surveys found no roosting within or on these buildings.
- Whilst a number of mature trees are proposed for removal, these are considered to have a low potential value though their use for bat roosting cannot be ruled out. The trees to be retained along the River Liffey have a higher value for bat use.
- Construction works and the use of lighting may have a negative impact on bats and suitable measures will be undertaken to address any such concerns.

The overall impact on the bat population would be negative, slight and long term in the absence of suitable mitigation measures.

- Although Otters were not recorded, the site does offer a high value foraging resource for them. Works will be required to provide for suitable outflow, and this may impact on otters, however this would not include any impacts on foraging habits for Otters. Otters can adapt to works during the construction phase.
- Impacts on other mammals are likely to be negative, slight and short-term at a local geographic level in the absence of mitigation. Such habitats are reported to be common.
- Impacts on amphibians such as the Common Frog are predicted to be negative, not significant and long-term at the local level.

- As no signs of reptiles were found, the impact would be negative, not significant and long-term at the local level.
- The construction phase could give rise to habitat loss, fragmentation and modification of bird habitats. Indirect impacts would be the displacement of foraging and breeding areas for birds. As birds are mobile, they can move off site during the construction phase of this development, though the construction phase is likely to lead to loss of foraging habitat. Overall, the EIAR reports that the impact on breeding birds is likely to be negative, moderate and long-term at a local level in the absence of suitable mitigation measures.
- The impact on fish and aquatic invertebrates is likely to be negative, slight and long terms at a local level in the absence of suitable mitigation measures. Impacts on water quality are considered in greater depth in Chapter 7 of the applicant's EIAR and under Section 8.6.8. in terms of Water Quality and Aquatic Ecology. If suitable mitigation measures are not provided, contaminated water may enter the River Liffey and impact on Annex II species such as White-Clawed Crayfish and Lamprey species. This would result in a negative, moderate and long term impact.

Operational Phase:

- Potential for light spillages on lands outside the site boundary which in turn may impact on foraging areas. Potential also for noise generated by traffic/ human activity.
- Details on the spread of invasive species and habitat loss were outlined in the section under Construction Phase, though no impacts due to invasive species are predicted to occur during the operational phase. No concerns arise in relation to surface water drainage and flooding is addressed through the design of the site, no impacts on adjoining lands are foreseen and there will be no impacts on habitats due to flooding in the operational phases of this development.
- Bats may be impacted by increased activity, human presence and through the use of artificial lighting during the operational phase. The retention of treelines and woodland will reduce the potential for light spill and whilst some spillage will

reduce the value of lands for foraging/ commuting bats, there will be no light spillage onto high value bat foraging habitats along the River Liffey. The overall impact on bats is predicted to be negative, slight and long term.

- There will be no impacts on the River Liffey, though improved landscaping will encourage more walkers and dogs which in turn could impact on otters though the overall impact during the operational phase is predicted to be negative, slight and long-term at the local level. Similar impacts are expected for other mammals.
- As frogs were not recorded on site, impacts would be negative, imperceptible and long term. No operational impacts on reptiles are predicted.
- Whilst the Red and Amber list birds could be displaced, they were recorded in habitats that are proposed for retention. The overall impact on birds is predicted to be negative, slight and long term.
- The proposed development will provide for attenuation and suitable SuDS measures. The impacts on fish and aquatic invertebrate species are predicted to be negative, not significant and long-term. No significant effects on terrestrial invertebrates are identified.

Section 8.3.4 notes that no specific comments or guidance with regard to biodiversity was provided during the consultation phase other than standard requirements by Kildare County Council.

The following potential impacts are identified:

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	No change in the environment.
Construction	Removal of habitats, disturbance during this phase.
Operational	Provision of new vegetation and trees will provide for new habitats and foraging areas.
Decommissioning	Not referenced and not relevant to this project.
Cumulative	The EIAR considers potential cumulative impacts with regard to other development and plans in the immediate

	<p>area of the subject site. These are outlined in Table 8.13 of the EIAR and include:</p> <ul style="list-style-type: none"> • River Basin Management Plan 2018-2021, • Inland Fisheries Ireland Corporate Plan 2016 - 2020, • Irish Water Capital Investment Plan 2014 - 2016, • Water Services Strategic Plan (WSSP, 2015), • WWTP discharges • Other developments in the immediate area such as the NSOORR.
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13.9.4. Mitigation

The applicant has outlined these in Section 8.9 of the EIAR under the heading 'Prevention & Mitigation' measures. In summary these include:

- Design Stage: Design for the retention of existing boundary hedgerows and treelines and limit the removal of mature trees according to an arborist assessment. Landscape plan to provide for suitable planting on site and encourage pollinators on site. Surface water to fully incorporate suitable SuDS measures. Provide for a suitable lighting scheme where required and reduce light spill to the minimum feasible.
- Construction Phase: A preliminary Construction Environmental Management Plan (CEMP) has been prepared (in Appendix 3 of the EIAR). Careful consideration to be given to development in the vicinity of the River Liffey. Measures to protect water and air quality. Suitable measures are to be used in terms of lighting of the site during the construction phase including in the area adjacent to the River Liffey. Habitats to be protected in accordance with the Wildlife Act and Trees to be protected in accordance with BS: 5837: 2012 – Trees in relation to design, demolition and construction. Any outfall in the vicinity of the River Liffey shall comply with IFI guidelines for development in such river areas. Section 8.9.2.3 details the mitigation measures for bats including when work can taken place including the demolition of existing structures on site. Lighting again

is referenced, and measures will be taken to ensure that bats are not impacted on. Measures to protect birds include no removal of vegetation during the breeding season and bird boxes will be provided in suitable locations throughout the site area. Measures will be taken to monitor the growth of invasive species on site and suitable site hygiene processes/ management options are outlined in the EIAR.

- Operational Phase: No additional measures are required at this stage of the development.

13.9.5. Monitoring:

This is limited to the employment of a bat specialist to examine the buildings proposed for demolition, and trees proposed for removal prior to these works commencing and to determine if bats are present or not.

13.9.6. Cumulative Impacts:

The EIAR considers potential cumulative impacts with regard to other development and plans in the immediate area of the subject site. These are outlined in Table 8.13 of the EIAR and include the River Basin Management Plan 2018-2021, Inland Fisheries Ireland Corporate Plan 2016 - 2020, Irish Water Capital Investment Plan 2014 - 2016, Water Services Strategic Plan (WSSP, 2015), WWTP discharges and other developments in the immediate area such as the NSOORR.

13.9.7. Residual Impacts:

The EIAR outlines these. In terms of Habitats, replacement trees will be provided and will enable the development of new habitats/ foraging areas in partial compensation for the loss of existing habitats/ foraging areas. The EIAR reports that there will be no net loss of trees though there will be a net loss of common habitats through the development of the existing arable lands. No residual impact from invasive species is foreseen. Suitable measures will be provided for bats, otters, other mammals, amphibians and birds. Table 8.12.8 of the EIAR provides a

summary of the Residual Effects. In terms of quality the impact would be negative, but significance varies from Imperceptible, Slight to Not Significant.

13.9.8. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 8 of the submitted EIAR, all of the associated documents and submission on file in respect of Biodiversity. I am satisfied that the applicant's understanding of the baseline environment, by way of desk and site surveys, is fully comprehensive and that the key impacts in respect of likely effects on Biodiversity, as a consequence of the development have been identified. No specific Third Party Observations were raised in relation to Biodiversity.

13.9.9. Conclusion: Direct and Indirect Effects on Biodiversity

Having regard to the examination of environmental information etc. it is considered that by virtue of the nature of the development/ distance from sensitive receptors, there is no potential for significant environmental effects on Biodiversity subject to the full implementation of the Mitigation Measures in the EIAR, with particular reference to best practice construction methods, provision of lighting and ensuring that outfall to the River Liffey is suitably controlled.

Land, Soil, Water, Air and Climate -

13.10. Climate – Chapter 5

13.10.1. Issues Raised

No specific third party concerns were raised in relation to Climate.

13.10.2. Examination of the EIAR

Context

Chapter 5 of the EIAR deals with Climate. Section 5.2 lists the 'Relevant Legislation and Guidance' and Section 5.3 provides the 'Methodology'. Under Section 5.3, the EIAR identifies the predominant source of greenhouse gas emissions in the

construction stage as those associated with the manufacturing and transportation of construction materials, construction activities as well as end of life phases. The EIAR states 'These are commonly referred to as embodied greenhouse gas emissions.' Full details on the amount of embodied carbon emission for a standard house are provided in Table 5-1 of the EIAR. Operational phase emission will be limited due to there being no on-site combustion of fossil fuels to heat homes/ other units as this heating will be generated by heat pumps. PV panels will be provided on housing units, and each home will be able to charge an electric car. It is expected that homes will achieve an A2 BER rating. Table 5-2 outlines the 'Emission Factors for the Neighbourhood Centre and Creche'. Section 5.3.2 provides a brief 'Assessment of Operational Impact: Traffic'.

No limitations are identified in this chapter, and none were evident in the assessment.

Baseline

Section 5.4 provides 'Evaluation Criteria – Climate Change and Policy Context' and sets out national requirements in relation to addressing climate change. This includes details on the 2030 Climate and Energy Framework which sets out EU-wide targets for the period 2021 to 2030. Section 5.4.2 focuses on 'National Policy and Long-Term Vision' and Section 5.4.3 considers 'Kildare-Regional Commitments' and it is noted that Kildare County Council made a voluntary commitment to reduce CO2 emissions by at least 40% by 2030. A Sustainable Energy and Climate Action Plan was prepared in 2018 and a report on progress is to be prepared every two years.

The site is located to the eastern side of Newbridge, Co. Kildare. Full description of the proposed development is provided in Chapter 3 of the EIAR and is in accordance with my description of the development and details of the receiving environment are outlined in Section 5.6. Table 5-4 of the EIAR outlines the 'Baseline Greenhouse Gas Emissions'. Climate Vulnerability is considered under Section 5.6.2 and includes Wind Storms, Extreme Heat/ Drought Events, Extreme Rainfall Events and

Freezing Conditions/ Snow Events. The EIAR refers to the submitted Strategic Flood Risk Assessment (SFRA) and which is included in Appendix 5 of the EIAR and is discussed further in Chapter 7.

13.10.3. Potential Effects

The following potential impacts are identified:

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	Baseline is that if there is no development, there will be no additional greenhouse gas emissions.
Construction	Greenhouse gas emissions from the manufacturing and transport of materials – Details provided in Tables 5-5, 5-6 and 5.7.
Operational	<p>1. Increase in greenhouse gas emissions due to residential traffic associated with the development. Two roads would trigger further assessment by using the Air Quality Spreadsheet issued by the Highways Agency in England, these are:</p> <ul style="list-style-type: none"> • Southern Relief Road (East of Great Connell Roundabout) • Southern Relief Road (West of Great Connell Roundabout) <p>Table 5.9 in the EIAR provides details on the increase in CO2 emissions between the Opening Year and Design Year of 2039.</p> <p>2. Table 5.10 provides the ‘Annual CO2 Emissions from Dwellings’ and Table 5.11 provides the same for the proposed Neighbourhood Centre and Creche.</p> <p>3. Total Greenhouse Gas Emissions are considered in Table 5.12 and as a percentage of Ireland’s 2030 target, the total will be insignificant.</p>

Decommissioning	Not referenced and not relevant to this project.
Cumulative	All relevant assessments took account of the development on adjoining lands including the industrial development to the east of the Great Connell Road on the lands zoned for such development, and the proposed NSOORR including the river crossing by way of a new bridge over the River Liffey. The industrial development would have an imperceptible, negative and long term impact on climate.

13.10.4. Mitigation

The applicant has outlined these in Section 5.9 of the EIAR under the Heading 'Prevention & Mitigation Measures'. In summary these include:

- Design Stage: Buildings will be designed to have a high energy performance.
- Construction Stage: No specific measures proposed, and the impact was determined to be not significant for the construction phase. Emission from construction traffic can be reduced through planning of efficient routings and also careful use of equipment on site with a minimisation of waste generated on site.
- Operational Stage: The mitigation measures included in the design stage will be sufficient to not require any further specific mitigation measures. Flood Risk and design of surface water drainage are considered further in Chapter 7 of the EIAR.
- Monitoring: This is not required.

13.10.5. Cumulative Impacts:

All relevant assessments took account of the development on adjoining lands including the industrial development to the east and the proposed NSOORR including the river crossing by way of a new bridge over the River Liffey. The industrial development would have an imperceptible, negative and long term impact on climate.

13.10.6. Residual Impacts:

Table 5.11 of the EIAR outlines the Residual Impacts. For the Construction Phase the impact would be slight, negative and short terms and for the Operational Phase, the impact would be imperceptible, negative and long-term.

13.10.7. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 5 - Climate of the submitted EIAR, all of the associated documents and submission on file. I am satisfied that the applicant's understanding of the baseline environment, by way of desk and site surveys, is comprehensive and that the key impacts in respect of likely effects on Climate, as a consequence of the development have been identified. No specific third party observations were raised in relation to this chapter of the submitted EIAR.

I am satisfied that the issues raised are adequately considered and addressed in the EIAR and I am satisfied that the development will not have a perceptible negative impact on Climate subject to the full implementation of the recommended mitigation measures, specifically those of the Design Phase of the development.

13.10.8. Conclusion: Direct and Indirect Effects on Climate

Having regard to the examination of environmental information etc. it is considered that by virtue of the nature of the development, distance from sensitive receptors, and implementation of recommended mitigation measures, there is no potential for significant environmental effects on Climate and the production of Greenhouse Gas Emissions would be imperceptible in terms of Ireland's 2030 targets.

13.11. Land & Geology – Chapter 6

13.11.1. Issues Raised

No specific third party concerns were raised in relation to impact to Land and Geology.

13.11.2. Examination of the EIAR

Context

Chapter 6 of the EIAR deals with Land & Geology. Section 6.2 lists the 'Relevant Legislation and Guidance' which is limited by nature of the topic. Section 6.3 provides the 'Methodology' and includes details on site survey and the provision of trail pits and boreholes to inform this chapter of the EIAR.

No limitations are identified in this chapter, and none were evident in the assessment.

Baseline

Section 6.4 provides the Development Description and refers back to the description in Chapter 3 of the EIAR. Relevant to this chapter is site clearance, including stripping/ stockpiling of soils, construction works on site and landscaping measures proposed here.

Section 6.5 provides details on the Receiving Environment. Land is mostly in agricultural use for tillage, there is an agricultural yard and associated buildings to the east of the site which includes a former house, and a separate house is located to the north-east of the site. Geology consists of Alluvium subsoils to the western half of the site and underlain Gravels derived from Limestone to the eastern part of the site. Bedrock was found between 16.5m and 18m below ground level. Details of the bedrock are provided in Figure 6.2 of the EIAR. Soil quality details are provided in Table 6.1 and results are as expected for lands such as these.

13.11.3. Potential Effects

The following potential impacts are identified in Section 6.6 of the EIAR, and the following are noted.

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	Baseline is that if there is no development, there will be no impact on land and geology.
Construction	Land take: will result in 16.3 hectares of the total area of 27.64 hectares occupied by housing units, neighbourhood centre, creche, roads and utility installations. 3 hectares will

	<p>be used as public amenity space and a further 8.3 hectares as amenity space forming the riparian zone along the River Liffey.</p> <p>Approximately 23 hectares of arable land will be lost.</p> <p>Construction Phase will result in the excavation of soils and subsoils for building foundations and service provision. Soil will be retained on site for raising of ground levels and used for fill. Potential for pollution of soils through leaks of oil etc on site.</p>
Operational	Potential for minor oil/ fluid leaks from vehicles etc. owned by residents and which may infiltrate the ground.
Decommissioning	Not referenced and not relevant to this project.
Cumulative	The residential development to the south-west across the River Liffey was identified and industrial development to the east of the site. These would result in the loss of agricultural/ arable lands. The residential development was found to be mostly complete on the day of the most recent site inspection and significant areas of the industrial development have also been completed.

13.11.4. Mitigation

The applicant has outlined these in Section 6.8 of the EIAR under the Heading 'Prevention & Mitigation Measures'. In summary these include:

- Design Stage: No specific prevention and mitigation measures in relation to land take other than the high percentage of open space proposed here. Soils will be retained on site where possible for reuse and suitable SuDS measures are included in the design.
- Construction Stage: A preliminary CEMP is provided in Appendix 3 of this EIAR and will be updated as necessary. Full details of the relevant mitigation

measures are included in this document and are summarised under Section 6.8.2 of the EIAR.

- Operational Stage: Soft landscaping will use clean top soils and suitable planting to ensure that the quality of the soil is enhanced.
- Monitoring: Clerk of Works will ensure that site works are in accordance with the CEMP. No monitoring is required for the operational stage of the proposed development.

13.11.5. Cumulative Impacts:

A development to the south-west across the River Liffey was identified and industrial development to the east of the site. These would result in the loss of agricultural/ arable lands.

13.11.6. Residual Impacts:

Table 6.2 of the EIAR outlines the Residual Impacts. For the Construction Phase the impact would be negative, imperceptible and Long Term and for the Operational Phase the impact would be negative, imperceptible and temporary.

13.11.7. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 6 – Land & Geology of the submitted EIAR, all of the associated documents and submission on file. I am satisfied that the applicant's understanding of the baseline environment, by way of desk and site surveys, is comprehensive and that the key impacts in respect of likely effects on Land & Geology, as a consequence of the development have been identified. No specific third party observations were raised in relation to this chapter of the EIAR.

I am satisfied that the issues raised are adequately considered and addressed in the EIAR and I am satisfied that the development will not have a perceptible negative impact on Land & Geology subject to the full implementation of the recommended mitigation measures, specifically those of the Design Phase of the development.

13.11.8. Conclusion: Direct and Indirect Effects on Land & Geology

Having regard to the examination of environmental information etc. it is considered that by virtue of the nature of the development, and implementation of recommended mitigation measures, there is no potential for significant environmental effects on Land & Geology.

13.12. Water – Chapter 7

13.12.1. Issues Raised

The only third party concerns referred to capacity of existing foul drainage and water supply services to facilitate this development. Uisce Éireann raised no issues of concern.

13.12.2. Examination of the EIAR

Context

Chapter 7 of the EIAR deals with Water. Section 7.2 lists the 'Relevant Legislation and Guidance' and which includes European requirements. Section 7.3 provides the 'Methodology' and includes details on site survey and desktop survey of the subject site. Extensive information sources were available for this chapter. Pre-submission consultation identified a number of issues, and these have been addressed in the Punch Engineering Planning Report and which is included in Appendix 1 of the EIAR. Further consultation was held with Kildare County Council in relation to flood risk and details are provided in Appendix 5 of the EIAR.

No limitations are identified in this chapter, and none were evident in the assessment.

Baseline

Section 7.4 provides the Development Description and refers back to the description in Chapter 3 of the EIAR. Relevant to this chapter is site clearance, including stripping/ stockpiling of soils, construction works, provision of surface water/ foul drainage systems and flood risk.

Section 7.5 details the Receiving Environment.

- Hydrology is considered under Section 7.5.1 and indicated in Figure 7.1. The site is within the catchment of the River Liffey, and which flows to the west/ south west of the site. The Liffey is part of the IE_EA_Liffey Water Management Unit (WMU) and the site is within the Liffey_080 River Water Body and the ecological status/ potential is Good and the river is 'Not at Risk' of meeting its River Basin Management Plan objectives.
- Hydrogeology is detailed under Section 7.5.2. The site is part of the Curragh East Groundwater Body and is classified as a local important aquifer. The underlying bedrock is classified as a regionally important karstified (Rkd) aquifer. The Aquifer vulnerability is 'High' with a rating between High to Extreme. Water level is between 1.0 to 2.92m below ground level.
- Groundwater Quality: The EIAR reports that the Curragh Gravels East Groundwater Body is categorised as being of 'Good' status and it is 'Not At Risk' of failing to achieve its objective of protecting the existing status on site. Table 7.1 provides the 'Groundwater Monitoring Results'.
- Flood Risk: Information is available from the Newbridge Strategic Flood Risk Assessment and the Eastern Catchment Flood Risk Assessment and Management Study (CFRAM). The site is primarily in Flood Zone C, however an overland flow path could give rise to Flood Events and part of the site would therefore be in Flood Zones A and B. A SFRA was prepared and is provided in Appendix 5 of the EIAR. Impact potential is greater during periods of higher roughness/ vegetation growth.

13.12.3. Potential Effects

The following potential impacts are identified in Section 7.6 of the EIAR, and the following are noted.

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	Baseline is that if there is no development, there will be no change due to flood risk, surface water and groundwater.

Construction	Will be excavation of the site, but soils will be retained for fill and to raise ground levels. Potential for oil spills from stored sources and when refuelling mobile plant on site.
Operational	16.3 hectares of the site will be used for development purposes and much of the remaining lands will be used for amenity purposes. The overland flood flow path will be lost through this development. Potential for minor oil leaks from residents/ visitor vehicles.
Decommissioning	Not referenced and not relevant to this project.
Cumulative	The residential development to the south-west across the River Liffey was identified and industrial development to the east of the subject site. These would result in an increase in rainwater run-off rates but which would not exceed the greenfield rates and quality of run-off will not be significantly affected.

13.12.4. Mitigation

The applicant has outlined these in Section 7.8 of the EIAR under the Heading 'Prevention & Mitigation Measures'. In summary these include:

- Design Stage: Flood Risk was identified in the Site Specific Flood Risk Assessment and full details are provided in Appendix 5 of the EIAR.

Consideration is given to the construction of the bridge associated with the NSOORR over the River Liffey and also to the non-construction of this bridge. A number of design measures are listed including setting the Finished Floor Level, provision of compensatory flood storage and provision of an appropriate attenuation system on site. A justification test was undertaken as part of the site would be Flood Zone A and B and results found that the impact on surrounding water levels would not be significant. This assessment was subject to peer review and the design/ recommendations were agreed with – Appendix E of the

SFRA. Suitable SuDS measures are proposed to serve this site/ development and silt traps/ oil interceptors will be provided where identified as appropriate.

- Construction Stage: Similar measures to those proposed for Soil are listed. Measures will be taken to address concrete wash down and surface water outfalls will comply with IFI requirements.
- Operational Stage: The flood mitigation measures will apply to the operational phase of the development. Flow rate to the drainage ditch will be at greenfield levels. Oil interceptors will be provided as well as silt traps for the operational phase in addition to suitable surface water drainage measures.
- Monitoring: Clerk of Works will ensure that site works are in accordance with the CEMP. No monitoring is required for the operational stage of the development.

13.12.5. Cumulative Impacts:

A development to the south-west across the River Liffey was identified and industrial development to the east of the site. These would result in an increase in rainwater run-off rates, but which would not exceed the greenfield rates and quality of run-off will not be significantly affected.

13.12.6. Residual Impacts:

- Flood Risk: Consideration was given in the SFRA to structure blockage/ failure of upstream dams – risk was determined to be low. Other structural failures were considered but adequate freeboard above the proposed finished floor levels would address any such potential issues.
- Surface Water: The development may give rise to an increase in run-off, but the residual impacts would be imperceptible, negative and long term.
- Groundwater: Reduced groundwater recharge due to impermeable forms of development would be offset by the area of open space proposed and therefore the development would have an imperceptible, negative, long term impact on the qualitative and quantitative status of the aquifer underlying the site.

A summary of the residual effects is provided in 7.11.4 of the EIAR.

13.12.7. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 7 – Water of the submitted EIAR, all of the associated documents and submission on file. I am satisfied that the applicant's understanding of the baseline environment, by way of desk and site surveys, is comprehensive and that the key impacts in respect of likely effects on Water, as a consequence of the development have been identified. No specific third party observations were raised in relation to this chapter of the EIAR, other than a concern about the impact on available services. Uisce Éireann reported no objection to this development and I have no reason to believe that adequate services cannot be provided to this area. This is considered further under Chapter 14 – Material Assets: Site Services of the applicant's EIAR.

I am satisfied that the issues raised are adequately considered and addressed in this section of the submitted EIAR and I am also satisfied that the development will not have a perceptible negative impact on Water subject to the full implementation of the recommended mitigation measures, specifically those of the Design Phase of the proposed development.

13.12.8. Conclusion: Direct and Indirect Effects on Water

Having regard to the examination of environmental information etc. it is considered that by virtue of the nature of the development, and implementation of recommended mitigation measures, there is no potential for significant environmental effects on Water.

13.13. Air – Chapter 9

13.13.1. Issues Raised

The only third party concerns referred to capacity of existing foul drainage and water supply services to facilitate this development. Uisce Éireann raised no issues of concern.

13.13.2. Examination of the EIAR

Context

Chapter 9 of the EIAR deals with Air. Section 9.2 lists the 'Relevant Legislation and Guidance' and which includes European and National requirements but also refers to UK guidance. The 'Methodology' is provided under Section 9.3 and includes details on the construction and operational phases. Details are provided on available information on air quality/ standards and specific reference is made to the NSOORR. Table 9-9 of the EIAR provides the 'Project Risk Potential', Table 9-10 provides the 'Receiving Environment Sensitivity', 9-11 provides a 'Framework to determine whether a simple or detailed air quality assessment is required' and 9-12 outlines the need for 'Simple and detailed assessment elements'. Evaluation Criteria are provided under Section 9.3.7 for Air Quality, and Nuisance Dust. No limitations are identified in this chapter, and none were evident in the assessment.

Baseline

Section 9.4 provides the Development Description and refers back to the description in Chapter 3 of the EIAR.

Section 9.5 details the Receiving Environment.

- Local Meteorological Conditions are outlined under Section 9.5.1 and Table 9-16 provides the '30-year Average Meteorological Data Casement Aerodrome (1981 to 2010)' which is considered to be an appropriate indicator of climate conditions on this site.
- Baseline Air Quality is outlined under Section 9.5.2 and includes the location of EPA monitoring stations in the Newbridge area and a breakdown of air quality results from the area. A number of test data results are provided, and these are compared with similar sized towns. Sensitive Receptors are located in Table 9-27 and Figure 9-5.

13.13.3. Potential Effects

The following potential impacts are identified in Section 9.6 of the EIAR, and the following are noted.

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	Baseline is that if there is no development, there will be no change to air quality and baseline levels will change in line with that of Newbridge town and the surrounding area.
Construction	<p>Potential for dust and vehicle emissions during this phase of the development. Dust may come from earthworks, wind flow from temporary stockpiles, handling of materials, landscaping and construction traffic (trackout). Delivery traffic may result in 10 to 50 HGV trips per day – medium scale. There are no ecological receptors within 50m of the site, therefore impact from construction traffic can be screened out.</p> <p>Demolition may result in a volume of between 20,000 and 50,000m³ which is classified as medium, and earthworks would be classified as large scale. These are summarised in Table 9-29 of the EIAR. Full details are provided on demolition, earthworks and construction and trackout. Table 9-30 provides a ‘Summary of the Unmitigated Risk of Dust Impacts: Construction Stage’ with dust soiling found to be either low or medium risk and the health effect is low risk. Without mitigation the impact in terms of dust soiling would be negative, moderate and temporary effects and for health effects the result would be negative, not significant and temporary effects. Mitigation is necessary where the effect is greater than not significant.</p>
Operational	Traffic generation is the main source of impact on air quality. Table 9-31 to 9-34 provide ‘The predicted concentrations of

	NOx, PM10 and NO2 due to traffic associated with the proposed development in isolation and in combination with background for the 'do nothing and do something scenarios for the opening year and design year. The impact on air quality was found to be negligible, negative and long-term and for impact on ecological sites the impact is imperceptible, negative and long-term.
Decommissioning	Not referenced and not relevant to this project.
Cumulative	The development of the NSOORR was considered and was assessed in accordance with expected vehicular movements and resulting impacts on dust generation and air quality. Impact was found not to be significant due to the proposed high level of dust control to be used on site, and due to the baseline air quality is found to be good.

13.13.4. Mitigation

The applicant has outlined these in Section 9.8 of the EIAR under the Heading 'Prevention & Mitigation Measures'. In summary these include:

- Construction Stage: A preliminary CEMP has been prepared and includes suitable measures for the control of dust on site and which are listed under Section 9.8.1 of the applicant's EIAR.
- Operational Stage: No additional mitigation measures are required for this phase of the development.
- Monitoring: Suitable monitoring will be undertaken according to the requirements of Kildare County Council during the construction phase of the proposed development.

13.13.5. Cumulative Impacts:

The development of the NSOORR was considered and was assessed in accordance with expected vehicular movements and resulting impacts on dust generation and air

quality. Impact was found to not be significant due to proposed high level control of dust generated and due to the baseline air quality is found to be good.

13.13.6. Residual Impacts:

- Construction Stage: The CEMP will address any impacts and results would be imperceptible, negative and temporary in nature.
- Operational Stage: Impact on human health would be not significant, negative and long-term and for ecological sites the impact would be imperceptible, negative and long-term.

A summary of the residual effects is provided in 9.11.3 of the EIAR.

13.13.7. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 9 – Air of the submitted EIAR, all of the associated documents and submission on file. I am satisfied that the applicant's understanding of the baseline environment, by way of surveys, is comprehensive and that the key impacts in respect of likely effects on Air, as a consequence of the development have been identified. No specific third party observations were raised in relation to this chapter of the EIAR.

I am satisfied that the issues raised are adequately considered and addressed in the EIAR and I am satisfied that the development will not have a perceptible negative impact on Air Quality subject to the full implementation of the recommended mitigation measures.

13.13.8. Conclusion: Direct and Indirect Effects on Air

Having regard to the examination of environmental information etc. it is considered that by virtue of the nature of the development, and implementation of recommended mitigation measures, there is no potential for significant environmental effects on Air quality.

Material assets, cultural heritage and the landscape.

13.14. Landscape & Visual Impact – Chapter 12

13.14.1. Issues Raised

No specific issues of concern were raised in relation to this chapter by third parties.

13.14.2. Examination of the EIAR

Context

Chapter 12 of the EIAR deals with Landscape & Visual Impact. Section 12.2 lists the 'Relevant Legislation and Guidance' and Table 12.1 (note also referenced as Table 13.1) provides the criteria for describing the significance, quality and duration of the effects of the proposed development. The 'Methodology' is provided under Section 12.3 and refers to desktop surveys and site visits.

No limitations are identified in this chapter, and none were evident in the assessment.

Baseline

Section 12.4 provides the Development Description and refers back to the description in Chapter 3 of the EIAR. Specific elements relevant to this chapter are listed under Section 12.4 and includes the provision of amenity space, vehicular access, footpaths/ cycle tracks, links to adjoining lands, and all enabling/ ancillary works necessary for this development. Further reference is made to the Landscape Proposals under section 12.4.1 and details the hierarchy of open space to be provided on site and these are located on Figure 12.1 – 'Landscape Plan'. The range of potential uses of these areas of open space are outlined in the EIAR. The proposed development seeks to retain as much of the natural vegetation/ trees as possible and to use native planting/ trees where possible on site. Figure 13.2 provides the site layout of the subject site and that of the Ardstone development located to the west of the subject site.

Section 12.5 details the Receiving Environment and provides details on the site location and description. The EIAR makes reference to Zoning Objectives C12 and C13 of the Newbridge Local Area Plan 2013 – 2019, and Zoning Objective F which is to provide for Open Space and Amenity along parts of the River Liffey. There is also

an objective to provide for a new Southern Relief Road between the R445 and the R416; this is the permitted NSOORR. Relevant objectives from the Kildare County Development Plan 2017 – 2023 are provided in Table 12.2 of the applicant’s EIAR. Section 12.5.3 provides details on ‘Views & Prospects’ with a number of relevant objectives listed though none refer specifically to the subject site. The nearest protected view is from the St. Conleth’s Bridge on Main Street, Newbridge looking south east. There are no protected structures or recorded monuments within the subject site and Tables 12.3 and 12.6 indicate those closest to the subject site. There are no Architectural Conservation Areas (ACAs) in close proximity to the subject site. In addition, there are no SACs, SPAs, or NHAs within the subject site. Table 12.5 provides details on relevant green infrastructure policies in the Kildare County Development Plan 2017 – 2023 and Table 12.6 lists those from the Newbridge Local Area Plan 2013 – 2019.

Section 12.5.7 refers to ‘Landscape Character Assessment & Historic Landscape Characterisation’ and a description of the site is provided. The site is part of the River Liffey Character Type. The site is within the Northern Lowlands Character Type and is categorised as Class 1 – Low Sensitivity. The River Liffey Character Type is categorised as Class 4 – Special – which refers to areas with low capacity to accommodate development without having a significant adverse impact on the appearance/ character of the landscape. No Historic Landscape Characterisation has been undertaken for this site to date. Details on Existing Trees, Woodlands and Hedgerows is provided under Section 12.5.7.4, with relevant policies listed. A hedgerow to the south-east boundary of the site is referred to as a ‘Key Hedgerow’ in the Newbridge LAP 2013 – 2019; this is proposed to be retained as part of the development.

Note: The Newbridge Local Area Plan 2013 – 2019 has now expired.

13.14.3. Potential Effects

The following potential impacts are identified in Section 12.6 of the EIAR, and the following are noted.

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	Baseline is that if there is no development, there will be no change to trees/ hedgerows or on the existing visual character of the area.
Construction	<p>This is considered under different headings as follows:</p> <p>Impact on Trees & Hedgerows:</p> <ul style="list-style-type: none"> • 38 out of 69 individual trees are to be removed, in addition to tree lines and hedgerows. 2 X Category U trees and 1 x Category A trees. Impact will be slight and negative. <p>Landscape Character</p> <ul style="list-style-type: none"> • Will be change in character from existing agricultural to urban development. Will integrate with existing development in the area. Moderate and negative impact during construction phase. <p>Impact on Views</p> <ul style="list-style-type: none"> • Potential for visual impact during the construction phase and will be short to medium term in duration. <p>Impact on Protected Views</p> <ul style="list-style-type: none"> • None <p>Impact on Visibility into the site – 18 Viewpoints as per Figure 12.13 of the EIAR</p> <ul style="list-style-type: none"> • Varies from Moderate Negative to Imperceptible – Neutral. • The development of the site will not be visible from all locations.
Operational	<p>Impact on Trees & Hedgerows:</p> <ul style="list-style-type: none"> • Proposed planting as part of the landscaping plan will include native species. Short term impact will not be

	<p>significant-slight and negative, which will reduce to slight and neutral over the long terms as planting matures.</p> <p>Landscape Character</p> <ul style="list-style-type: none"> • Will integrate with its setting and impact will be slight and negative in the long term. <p>Impact on Views</p> <ul style="list-style-type: none"> • Long term impact from the development of the site. <p>Impact on Protected Views</p> <ul style="list-style-type: none"> • None <p>Impact on Visibility into the site – 18 Viewpoints as per Figure 12.13 of the EIAR</p> <ul style="list-style-type: none"> • Varies from Moderate Negative to Not Significant - Negative. • The developed site will not be visible from all locations.
Decommissioning	Not referenced and not relevant to this project.
Cumulative	The proposed development is considered in the context of existing development in the immediate area. These were mostly completed at the time of the most recent site visit in May 2025. Measures are taken to ensure that appropriate mitigation measures are taken to ensure integration of development.

13.14.4. Mitigation

The applicant has outlined these in Section 12.8 of the EIAR under the Heading 'Prevention & Mitigation Measures'. In summary these include:

- Construction Stage: Careful control of construction processes and management of the site. Lighting to be located such as not to give rise to light pollution.
- Operational Stage: Retain as much of the existing vegetation as possible and incorporate it into the site design. Full details of the indicative planting schedule

and landscaping plan provided in Appendix 11 of the EIAR. Control of lighting locations and use of best practice lighting on site.

- Monitoring: Will be undertaken on an on-going basis with particular reference to the site establishment stage, site excavation stage, construction stage and post construction stage.

13.14.5. Cumulative Impacts:

The proposed development is considered in the context of existing development in the immediate area. These are mostly completed at the time of the site visit.

Measures are taken to ensure that appropriate mitigation measures are taken to ensure integration of development.

13.14.6. Residual Impacts:

Considering the location of the site and planning policy for the area, a development of this nature would likely occur at some point on these lands, which in turn would give rise to the indicated impacts in this EIAR. There will be local benefits through improved amenities for residents of the area, and boundaries will be reinforced with native species were identified as appropriate. The impact would be slight, negative – neutral.

13.14.7. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 12 – Landscape & Visual Impact of the submitted EIAR, all of the associated documents and submission on file. I am satisfied that the applicant's understanding of the baseline environment, by way of surveys, is comprehensive and that the key impacts in respect of likely effects on both Landscape & Visual Impact, as a consequence of the development have been identified. No specific third party observations were raised in relation to this chapter of the EIAR.

I am satisfied that the issues raised are adequately considered and addressed in the EIAR and I am satisfied that the development will not have a perceptible negative

impact on Landscape & Visual Impact subject to the full implementation of the recommended mitigation measures.

13.14.8. Conclusion: Direct and Indirect Effects on Landscape & Visual Impact

Having regard to the examination of environmental information etc. it is considered that by virtue of the nature of the development, and implementation of recommended mitigation measures, particularly those of the design phase, there is no potential for significant environmental effects on Landscape & Visual Impact.

13.15. Archaeology, Architecture & Cultural Heritage – Chapter 13

13.15.1. Issues Raised

No specific issues of concern were raised in relation to this chapter by third parties.

13.15.2. Examination of the EIAR

Context

Chapter 13 of the EIAR deals with Archaeology, Architecture & Cultural Heritage. Section 13.2 refers to the general EIA legislation as per Sections 1.2 and 1.5 of the EIAR and also the Heritage Act (1995) is considered to be relevant. The 'Methodology' is provided under Section 13.3 and refers to paper survey, field inspection and programme of archaeological testing. The Paper Survey is listed under 13.3.1, field surveys were undertaken in October 2020, February/ April 2021 and late July 2021. A Geophysical Survey was undertaken in December 2020 and details are provided in Appendix 12 of the EIAR. Archaeological testing was undertaken from 1st to 5th of March 2021 and details are also provided in Appendix 12 of the EIAR.

No limitations are identified in this chapter, and none were evident in the assessment.

Baseline

Section 13.4 provides the Development Description and refers back to the description in Chapter 3 of the EIAR.

Section 13.5 details the Receiving Environment and provides details on the site location and description. The ‘Defined Study Area’ is the development lands and an area of 500m surrounding the boundary, beyond this there would be no direct/ indirect impacts. Section 13.5.2 provides the historical background to the lands/ site and this section includes excerpts from historical mapping of the area. Details of Archaeological Heritage are provided under Section 13.5.3 and relevant legislation is included under this section of the EIAR. Relevant sections of the Kildare County Development Plan 2017 – 2023 and the Newbridge Local Area Plan 2013 – 2019 are listed in this part of the EIAR as relevant to archaeology. There are no recorded archaeological monuments on these lands and the site lies outside the zone of archaeological potential/ notification for the Great Connell Ecclesiastical and Secular Settlement Complex as indicated on Figure 13.10 of the EIAR. There are no known underwater archaeological remains of interest in this area. Previous archaeological testing in the area found nothing of historical significance. Table 13.2 provides a ‘Summary of Geophysical Survey Responses’.

In terms of Architectural Heritage, there are no structures located on the site.

13.15.3. Potential Effects

The following potential impacts are identified in Section 13.7 of the EIAR, and the following are noted.

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	Baseline is that if there is no development, there will be no change in the area, and no impact on any archaeology on site.
Construction	This is considered under different headings as follows: Archaeology: <ul style="list-style-type: none"> • None located on this site to date.

	<ul style="list-style-type: none"> • Low-moderate potential for further remains to be found here. Architectural Heritage: <ul style="list-style-type: none"> • None located here and therefore no impact.
Operational	Archaeology: <ul style="list-style-type: none"> • None located on this site, therefore no impact. Architectural Heritage: <ul style="list-style-type: none"> • None located on this site, therefore no impact.
Decommissioning	Not referenced and not relevant to this project.
Cumulative	The proposed development is considered in the context of the development of the NSOORR over the River Liffey. No negative cumulative impacts are foreseen.

13.15.4. Mitigation

The applicant has outlined these in Section 13.9 of the EIAR under the Heading 'Prevention & Mitigation Measures'. In summary these include:

- Construction Stage: No features located on site, therefore no direct impacts. Some sub-surface materials were located but are not considered to be significant. An Archaeologist will be appointed to monitor works on site. Measures listed as to how archaeology will be protected during the construction phase.
- Operational Stage: No impacts are foreseen.
- Monitoring: Topsoil stripping will be monitored by a suitably qualified archaeologist.

13.15.5. Cumulative Impacts:

The proposed development is considered in the context of the development of the NSOORR over the River Liffey. No negative cumulative impacts are foreseen.

13.15.6. Residual Impacts:

No negative impacts to archaeological or architectural heritage is foreseen as a result of the proposed development. Concludes that the development impact would give rise to a positive, significant impact of overall indirect effect.

13.15.7. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 13 – Archaeology, Architecture & Cultural Heritage of the submitted EIAR, all of the associated documents and submission on file. I am satisfied that the applicant's understanding of the baseline environment, by way of surveys, is comprehensive and that the key impacts in respect of likely effects on Archaeology, Architecture & Cultural Heritage, as a consequence of the development have been identified. No specific third party observations were raised in relation to this chapter of the EIAR.

I am satisfied that the issues raised are adequately considered and addressed in the EIAR and I am satisfied that the development will not have a perceptible negative impact on Archaeology, Architecture & Cultural Heritage subject to the full implementation of the recommended mitigation measures. I also note the lack of recorded archaeological remains and architectural heritage on or immediately adjoining the subject site.

13.15.8. Conclusion: Direct and Indirect Effects on Archaeology, Architecture & Cultural Heritage

Having regard to the examination of environmental information etc. it is considered that by virtue of the nature of the development, and implementation of recommended mitigation measures, particularly those of the construction phase, there is no potential for significant environmental effects on Archaeology, Architecture & Cultural Heritage.

13.16. Material Assets – Site Services – Chapter 14

13.16.1. Issues Raised

Reference was made to concern about the impact of the development on water supply and foul drainage in the area.

13.16.2. Examination of the EIAR

Context

Chapter 14 of the EIAR considers Material Assets – Site Services. Section 14.2 refers to the general EIA legislation of the EIAR and also legislation and guidelines that are relevant to this chapter of the EIAR. The ‘Methodology’ is provided under Section 14.3 and refers to the Planning Engineering Services Report prepared by Punch and which is included in Appendix 1 of this EIAR. Also included is Electricity Infrastructure Report in Appendix 10 and the Traffic & Transport Assessment in Appendix 14. Consultation was held with Irish Water and a Confirmation of Feasibility, and a Statement of Design Acceptance were issued.

No limitations are identified in this chapter, and none were evident in the assessment.

Baseline

Section 14.4 provides the Development Description and relevant to this chapter are connections to mains water, electricity/ energy supplies, surface water drainage, waste management and natural resource consumption.

Section 14.5 details the Receiving Environment and provides details on the site location and description. Water supply is available in the area via a 300mm watermain that runs along the Great Connell Road/ east of the site. Surface water drainage is limited, there is an existing 1000mm concrete storm water sewer which flows from north-east to south-west along the north-eastern boundary of the site and discharges into a small stream prior to outfall into the River Liffey. This sewer currently serves Wellesley Manor. A number of foul drainage sewers cross or are located in close proximity to the site and are located on Figure 14. A 10kV medium voltage overhead power line crosses the site. There is no waste management infrastructure on the site.

13.16.3. Potential Effects

The following potential impacts are identified in Section 14.6 of the EIAR, and the following are noted.

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	Baseline is that if there is no development, there will be no change in the area, and no impact on existing services, but also no provision of additional services into the area.
Construction	<p>This is considered under different headings as follows:</p> <p>Water Supply</p> <ul style="list-style-type: none"> • Bottled water will be used until a connection is made to the public water supply system. <p>Foul Drainage</p> <ul style="list-style-type: none"> • Waste water will be collected and disposed off site. <p>Surface Water Drainage.</p> <ul style="list-style-type: none"> • Nothing referenced. <p>Electricity</p> <ul style="list-style-type: none"> • Existing overhead lines to be undergrounded. This may result in a temporary disruption of power. • Need for electricity for the site lighting and to power the construction compound. <p>Waste Management</p> <ul style="list-style-type: none"> • Mostly construction related waste but some domestic waste from staff facilities. <p>Natural Resource Consumption</p> <ul style="list-style-type: none"> • Materials will be used during the construction phase but also fuel, energy and water.
Operational	<p>Water Supply</p> <ul style="list-style-type: none"> • A 200mm connection will be made to the public system. • May be a temporary disruption to the local supply to make the connection.

	<ul style="list-style-type: none"> • Development is estimated to use 254,868 litres of water per day. <p>Foul Drainage</p> <ul style="list-style-type: none"> • System will connect to Irish Water Upper Liffey Valley Sewerage System. Will be gravity fed to a pumping station and pumped to an existing 900mm sewer. • Daily discharge of 280,355 litres of foul water. <p>Surface Water Drainage</p> <ul style="list-style-type: none"> • Topography prevents use of one outfall so outlets to existing ditch may be required. • The proposed (now permitted) NSOORR includes its own drainage system. <p>Electricity</p> <ul style="list-style-type: none"> • Need to upgrade existing system. • Provision of a medium voltage/ low voltage substation and also the provision of 8 smaller 630 kVA sub-stations. <p>Waste Management</p> <ul style="list-style-type: none"> • Mostly from domestic sources but also some waste from the neighbourhood centre. <p>Natural Resource Consumption</p> <ul style="list-style-type: none"> • Materials will be used during the operational phase but also fuel, energy and water.
Decommissioning	Not referenced and not relevant to this project.
Cumulative	The residential units, neighbourhood centre and the childcare facility will contribute to natural resource consumption/ waste generation during the operational phase of this development.

13.16.4. Mitigation

The applicant has outlined these in Section 14.8 of the EIAR under the Heading 'Prevention & Mitigation Measures'. In summary these include:

- Design Stage:
 - Water Supply: The watermain layout will be provided in accordance with Uisce Éireann standards and suitable water conservation measures will be employed in the development including rainwater harvesting.
 - Foul Drainage: Designed in accordance with Uisce Éireann standards and conservation measures will reduce the volume of discharge to the public sewerage system.
 - Surface Water Drainage: Will be designed in accordance with the Greater Dublin Strategic Drainage Study (GDSDS) and the Newbridge Local Area Plan. Attenuation will be provided but runoff rates to water courses will be greenfield rates. Suitable interceptors such as hydrocarbon interceptors will be provided, and a range of SuDS measures will be provided in the development design.
 - Energy: Conservation will be provided in the development design, to reduce energy consumption.
 - Waste Management: Development to be designed to minimise waste generation and a detailed Resource and Water Management Plan will be provided. Suitable waste collection measures will be provided for each/ type of residential unit.
 - Natural Resource Consumption: Measures to reduce energy and water consumption will also result in a reduction in natural resource consumption.
- Construction Stage:
 - Water Supply: No likely impacts on water supply at this stage.
 - Foul Drainage: No likely impacts on foul drainage at this stage.
 - Surface Water Drainage: Mitigation measures have been described already in Chapter 7 – Water.

- Energy: Connections to the electricity grid may result in short term disruption to the local supply; this will be managed by ESB Networks and will be undertaken to their standards.
- Natural Resource Consumption: Measures to reduce use of fuels by construction vehicles and plant on site will be undertaken. Careful control of materials used on site and soil will be retained for reuse within the development area.
- Operational Stage:
 - Water Supply: Use of water relies on the end user and no mitigation measures can be provided in addition to those designed in.
 - Foul Drainage: Will be inspected and maintained as required.
 - Energy: Use of energy relies on the end user and no mitigation measures can be provided in addition to those designed in.
 - Waste Management: Waste management is again down to the end user. Suitable waste collection will be provided for residents and commercial operators on site.
 - Natural Resource Consumption: Mitigation measures to reduce water use and energy consumption will contribute to the reduction in natural resource consumption, however the use of materials is again reliant on the behaviour of end users.
- Monitoring: Not required during the construction stage but energy and water use will be monitored during the operational stage. The foul water pumping station will be regularly inspected.

13.16.5. Cumulative Impacts:

The residential units, neighbourhood centre and the childcare facility will contribute to natural resource consumption/ waste generation during the operational phase of this development.

13.16.6. Residual Impacts:

The proposed development will result in an increased demand on water supply and foul drainage treatment as well as on electricity and gas supplies. Waste generation will only impact locally and not at a national level and there will be an increase in natural resource consumption. The quality impact would be negative but the significance for each effect is rated as not significant. Full details are provided in Table 14.9.1 of the applicant's EIAR.

13.16.7. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 14 – Material Assets – Site Services of the submitted EIAR, all of the associated documents and submission on file. I am satisfied that the applicant's understanding of the baseline environment, by way of surveys, is comprehensive and that the key impacts in respect of likely effects on site services, as a consequence of the development have been identified.

I note the third party concerns in relation to water supply and foul drainage capacity. The Uisce Éireann Capacity registers do not raise any issues of concern regarding the ability of the site to be adequately serviced/ not give rise to impact on existing residents/ end users in the area.

I am satisfied that the issues raised are adequately considered and addressed in the EIAR and I am satisfied that the development will not have a perceptible negative impact on Site Services subject to the full implementation of the recommended mitigation measures. The site is located on the eastern edge of Newbridge and suitably zoned for residential development of the nature proposed.

13.16.8. Conclusion: Direct and Indirect Effects on Material Assets – Site Services

Having regard to the examination of environmental information etc. it is considered that by virtue of the nature of the development, and implementation of recommended mitigation measures, particularly those of the construction phase, there is no potential for significant environmental effects on Material Assets – Site Services.

13.17. Material Assets – Traffic & Transport – Chapter 15

13.17.1. Issues Raised

Concern was expressed in the third-party observations about the impact of the development on traffic in the area and the need for a second crossing of the River Liffey in Newbridge. Since the lodgement of the subject application, permission was approved for the east west link by way of the Newbridge South Outer Orbital Ring Road (NSOORR). I consider this to be significant as the primary concern regarding road capacity to facilitate this development has been addressed through the approval of the link road and bridge crossing of the River Liffey thereby providing for a second crossing to the east of Newbridge town centre.

13.17.2. Examination of the EIAR

Context

Chapter 15 of the EIAR considers Material Assets – Traffic & Transport. Section 15.2 refers to the general EIA legislation of the EIAR and also legislation and guidelines/ policies that are relevant to this chapter of the EIAR. The ‘Methodology’ is provided under Section 15.3. Traffic counts were undertaken in the area and full consideration of DMURS was taken in the design of the road/ street layout. The layout was designed to ensure that emergency vehicle access could be achieved as required. Car parking provision was in accordance with the Apartment Guidelines, 2018 (as appropriate at that time) and also in accordance with the Kildare County Development Plan 2017 – 2023. Bicycle parking is in accordance with the development plan standards. Consultation included through the tripartite pre-planning process, and also between the applicant and Kildare County Council on a number of occasions and listed under section 15.3.1 of the EIAR. No limitations are identified in this chapter, and none were evident in the assessment.

Baseline

Section 15.4 provides the Development Description, and this refers to the site description provided in Chapter 3 of the applicant’s EIAR. The proposed development will provide 350m of the Newbridge Southern Outer Orbital Relief Road

(NSOORR). The applicant indicated that work was on-going at that time to provide the rest of the road, as I have reported, permission has been approved for the rest of the road and bridge over the River Liffey.

Section 15.5 details the Receiving Environment and provides details on the site location and description, including the development to the west of the subject site under construction at that time by Ardstone Home Limited. Figure 15.2 locates the 'Local Road Network' in the area/ as relevant to the subject site. Full details are provided on this local road network and are supported with photographs. Traffic counts were undertaken in November 2021 and details are provided in Appendix A of the TTA.

Section 15.5.4 refers to the submitted Outline Mobility Management Plan (MMP) and which considers existing and proposed public transport in the Newbridge area. The MMP recommends that a Mobility Manager/ Travel Plan Coordinator be appointed. Section 15.5.5 details the existing and proposed cycle and pedestrian networks in the area. Figure 15-5 provides 'Future External Connectivity Options'.

13.17.3. Potential Effects

The following potential impacts are identified in Section 15.6 of the EIAR, and the following are noted.

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	Baseline is that if there is no development, there will be no change in traffic associated with the subject site.
Construction	Access to the site will be via the existing local road network, traffic will be spread out over the duration of this phase of the development. Construction staff will be scheduled to arrive/ depart outside of peak hour traffic. 40-50 construction traffic are expected on site at any one time. 10-50 HGVs will access the site on a daily basis at the peak time of construction activity here. Roads and footpaths are

	unlikely to be impacted by the proposed development at this stage of the development.
Operational	<p>Trip Generation: Vehicle traffic generation details are provided under Section 15.7.1 for the operational stage of this development and further details provided in Table 15.1. The development of the site is somewhat reliant on the completion of the NSOORR to enable the distribution of traffic throughout the local road network and to avoid all traffic having to cross the River Liffey having to use only the existing bridge.</p> <p>Junctions: 5 junctions, listed under 15.7.4 and indicated through Figure 15.6, were assessed, in accordance with scenarios that none of the NSOORR was open, part open and fully complete/ open. Table 15.2 provides a junction analysis summary report.</p>
Decommissioning	Not referenced and not relevant to this project.
Cumulative	The assessment of the traffic impacts considered the cumulative impact of existing road traffic/ junctions, the development to the west and the provision of the NSOORR.

13.17.4. Mitigation

The applicant has outlined these in Section 15.8 of the EIAR under the Heading 'Prevention & Mitigation Measures'. In summary these include:

- Design Stage:
 - Incorporate DMURS requirements to prioritise pedestrians and cyclists without compromising vehicular traffic. Provide for good permeability within/ to/ from the site and develop attractive streetscapes with appropriate quality of finishes.

- As part of the design, the Great Connell Roundabout was designed to be signalised for safety rather than for capacity reasons. Toucan crosses to be provided on all arms for the safety of vulnerable users of this facility.
- Provision of permeability to adjoining lands or at least passive provision is made.
- Traffic calmed and low speed streets/ roads are designed for.
- Street lighting to a high quality.
- Pedestrian and cycle facilities to a high quality including surfaces, widths and gradients to provide for good comfort for users.
- Bus stop provision to be made on both sides of the NSOORR.
- Construction Stage:
 - Traffic will be subject to the requirement of the Traffic Management Plan that forms part of the Construction Environmental Management Plan. Final details are to be agreed with Kildare County Council prior to the commencement of development.
- Operational Stage:
 - No additional measures are required at this stage.

13.17.5. Cumulative Impacts:

The assessment of the traffic impacts considered the cumulative impact of existing road traffic/ junctions, the development to the west and the provision of the NSOORR.

13.17.6. Residual Impacts:

Construction Phase: Full regard is had to other development in the area, but the scale and phasing of this development does not give rise to any concerns in relation to traffic congestion. Construction traffic will have a short term, imperceptible, negative impact on the local road network.

Operational Phase: A number of scenarios are considered such as the operation or not of the NSOORR. In the absence of the NSOORR, there was adequate capacity

in the Great Connell Roundabout and the Lidl Distributor Road (east of the site/ roundabout) to meet the demands from this development. The roundabout is to be upgraded to a signalised junction as part of this development. Refers to the grant of permission under ABP Ref. 303069-18 that there was adequate capacity in the local road network to accommodate demand from residential development. I note that the EIAR does state 'It is considered that in urban areas a certain level of congestion is to be expected during peak times'. Table 15-9 provides 'Summary Results all Surrounding Junctions'.

13.17.7. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 15 – Material Assets Traffic & Transport of the submitted EIAR, all of the associated documents and submission on file. I am satisfied that the applicant's understanding of the baseline environment, by way of surveys, is comprehensive and that the key impacts in respect of likely effects on Traffic & Transport, as a consequence of the development have been identified.

Third party observations raised concern about the impact of the development on the local road network but also the need for a second crossing of the River Liffey. As I have reported, permission has been approved for a second crossing of the River Liffey and combined with the subject development, the Newbridge South Outer Orbital Relief Road can be completed. The third parties would not be aware of the application for this link road/ crossing as it was submitted after this application was lodged. Whilst no work had commenced at the time of the site visit, it can be expected that the road can be built in conjunction with the development of this site and the EIAR has considered such a process throughout the entire EIAR. Significant road improvements have already taken place to the east of the subject site to facilitate industrial development in the area and road links between the subject site and onto the R445 are good.

There is no requirement for all generated traffic to head north towards the Great Connell Road/ R445 roundabout in the absence of the opening of the River Liffey

crossing. However, the completion of the NSOORR would alleviate the majority of the concerns expressed through third party observations. I consider that the development of this site should be phased in conjunction with the provision of the permitted improved road infrastructure to serve this part of Newbridge.

I am satisfied that the issues raised are adequately considered and addressed in the EIAR and I am satisfied that the development will not have a perceptible negative impact on Traffic and Transport subject to the full implementation of the recommended mitigation measures.

13.17.8. Conclusion: Direct and Indirect Effects on Traffic & Transport

Having regard to the examination of environmental information etc. it is considered that by virtue of the nature of the development, and implementation of recommended mitigation measures, particularly those of the construction phase, there is no potential for significant environmental effects on Traffic and Transport subject to appropriate conditions in regard to phasing of development in conjunction with the development of the NSOORR.

13.18. The interaction between the environmental factors.

Chapter 16 of the EIAR considers the interaction between relevant factors. The chapter considers the relationship between Population & Health/ Air/ Traffic, Water & Biodiversity, Climate & Water, Climate/ Traffic/Material Assets and Land & Geology/ Biodiversity. Table 16.1 of the EIAR indicates 'Interaction'.

13.19. The vulnerability of the proposed development to risks of major accidents and/or disasters.

13.19.1. The EIAR was prepared in April 2022, and no specific chapter was prepared for consideration of major accidents and/ or disasters. This issue was considered in Chapter 10 Population & Human Health under Section 10.5.1. I have already considered this under Section 12.7 of this assessment but in summary the following were considered:

Major Accidents: No Seveso sites or other sites that may give rise to a major accident within 5km of the subject site – therefore no issues of concern arise.

Natural Disasters: Land is not prone to instability. Low risk of flooding and this has been considered through the Strategic Flood Risk Assessment.

Submissions and Observations: No particular issues of concern were raised by the Planning Authority through the CE Report or by third party comments.

- 13.19.2. Assessment:** No issues of concern arise in relation to major accidents or disasters. The site is not located adjacent to a development where a significant impact accident could occur. The issue of flooding has been addressed through the SFRA. Whilst the development of the site increases the chance of road traffic collision, the probability of a significant accident is low.

13.20. Supporting Information

- 13.20.1.** The EIAR is also accompanied by a Non-Technical Summary (NTS) as is required and supporting documentation/ appendices have been provided in Volume III Part 1 and Part 2.

13.21. Reasoned Conclusion on Significant Effects:

- 13.21.1.** The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, provided information which is reasonable and sufficient to allow the Board to reach a reasoned conclusion on the significant effects of the proposed development on the environment, having taken into account, current knowledge and methods of assessment.
- 13.21.2.** The Board is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. Having regard to the examination of environmental information contained above, and in particular to the EIAR and supplementary information provided by the developer, and the submissions from the Planning Authority, prescribed bodies and observers in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- Population and Human Health: Impacts are likely to be positive with the provision of additional housing and an increased local population that will avail of services/ facilities in the area.
- Biodiversity: Impacts to be mitigated by the proposed landscaping strategy; ensure no additional invasive species are introduced; the significant provision of active and passive open space; protection of trees to be retained, and measures to avoid disturbance to bats and nesting birds.
- Land & Soils: The impacts to be mitigated by construction management measures including minimal removal of soil, reuse of excess material within the site; management and maintenance of plant and machinery.
- Water: The impacts to be mitigated by management of surface water run-off during construction; adherence to Construction Management Plan; to avoid uncontrolled contamination of water sources.
- Air Quality & Climate: The impacts will be mitigated by suitable measures taken on site during the construction phase of development. These will be detailed in the adopted Construction Management Plan (CMP).
- Noise & Vibration: Impacts will be mitigated by adherence to requirements of relevant code of practice; location of noisy plant away from noise sensitive locations and through the use of suitable noise control techniques on site. Excessive levels of vibration are not expected on site.
- Landscape & Visual Impact: The development will present as a new development in the landscape. There will also be changed views for some viewers in nearby residences and nearby locations. The proposed development will not have an adverse impact on the character or visual amenity of the area.
- Cultural Heritage: The proposed development would not impact on cultural heritage. There are no Architectural Conservation Areas on site/ adjacent to the site, no recorded monuments or protected structures are located here.
- Material Assets – Site Services: Impacts will be mitigated by consultation with relevant service providers; adherence to relevant codes of practice and guidelines; service disruptions kept to a minimum

- Material Assets – Traffic & Transport: Impacts to be mitigated by implementation of a Construction Environmental Management Plan and the promotion of sustainable travel patterns by residents during the operation phase.

The submitted EIAR has been considered with regard to the guidance provided in the EPA documents ‘Guidelines for Planning Authorities and An Bord Pleanála on Carrying out Environmental Impact Assessment’ (2018); ‘Guidelines on the Information to be Contained in Environmental Impact Assessment Reports’ (draft August 2017) and ‘Advice Notes for Preparing Environmental Impact Statements’ (draft September 2015).

In conclusion, the submitted details have sufficiently demonstrated that the proposed development would not adversely impact on the existing environment. The proposed development is located on lands that were zoned for residential development and these zoned lands have undergone Strategic Environment Assessment (SEA) as part of the county and local plan processes.

14.0 Final Conclusion

- 14.1.** This is an application for 569 residential units in the form of houses and apartments, supported with a neighbourhood centre, creche, and all necessary infrastructure, submitted under the Strategic Housing Development (SHD) process, on lands at Great Connell, Newbridge, Co. Kildare. Seven third party submissions were received and five submissions from prescribed bodies.
- 14.2.** The Kildare County Council through the Chief Executive's Report dated 11th July 2022 recommended a refusal of permission as they considered the development to be premature pending the delivery of the Newbridge South Outer Orbital Relief Road (NSOORR). In the absence of this road, the development would be disconnected from Newbridge town centre, would lead to increased traffic congestion in the area and would compromise how the development would mitigate against the impact of the new bridge over the River Liffey on residential amenity and public open space. The development was considered to be contrary to the proper planning and sustainable development of the area. In the event that permission was to be granted, suitable conditions are provided.
- 14.3.** I have considered in full the report of Kildare County Council and their recommendation. Subsequent to the issuing of the CE report and the lodgement of this application, an application was lodged and granted in November 2023 under P.A. Ref. 221504 for the road and River Liffey Crossing, allowing for the completion of the NSOORR. I am satisfied that this grant of permission allows for the provision of important piece of infrastructure and addresses most of the concerns of Kildare County Council. I have recommended that a condition for phasing of development be included such that only a limited number of residential units be provided on this site such that the majority of units would only be constructed on commencement of the bridge/ road works on site.
- 14.4.** Through the CE report, the Planning Authority reported that a number of residential developments had been permitted in the Newbridge area and there was potential for these combined with the subject development to contravene the Core Strategy growth forecast for the period up to 2023, but the development would be within the permitted growth range to 2026. The Core Strategy of the Kildare County Development Plan 2023 – 2029 allows for 1,061 housing units up to the end of 2028

based on a density of 35 – 50dph. The subject development of 569 units would comprise 54% of the core strategy allocation and, the net site area of 15.98 hectares would equate to 46% of the required residential zoned land indicated in Table 2.8 of the Kildare County Development Plan 2022 – 2028. I am satisfied that the number of units proposed would be acceptable in terms of the current Kildare County Core Strategy and demonstrates compliance with Objective CS 01 which seeks to ensure the development of the county in line with the Core Strategy. As already reported, I agree with the Planning Authority that a suitable phasing plan should be put in place, providing for residential units over the Core Strategy period.

- 14.5.** The Newbridge Local Area Plan 2013 – 2019, was extended to the 22nd of December 2021 and therefore expired on that date. There is no zoning for the town in the Kildare County Development Plan 2023 – 2029 and I consider that there is a significant procedural issue in this regard. The Board should note Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 which defines ‘strategic housing development’ as the ‘development of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses’. In this regard, the Board should note that the Newbridge Local Area Plan 2013 – 2019, was extended to the 22nd of December 2021, and ceased to have effect from that date.
- 14.6.** Notwithstanding my recommendation to grant permission, it is recommended that having regard to the provisions of Section 18 of the 2016 act, as amended, that a limited oral hearing is held to seek further information to enable the Board seek further clarity regarding the zoning status of these lands. The applicant and Kildare County Council should be asked to clarify that, as the Local Area Plan no longer remains in force and no valid zoning for residential use or for a mixture of residential and other uses is provided for within a Local Area Plan regarding the subject site, that they provide any further information, for example any relevant provision of the current Kildare County Development Plan, or other relevant matter in accordance with the applicable legislation for Strategic Housing Development, which is considered might assist the Board in clarifying its ability to deal with this application.

15.0 Recommendation

Section 9(4) of the Act provides that the Board may decide to:

- (a) grant permission for the proposed development.
 - (b) grant permission for the proposed development subject to such modifications to the proposed development as it specifies in its decision,
 - (c) grant permission, in part only, for the proposed development, with or without any other modifications as it may specify in its decision, or
 - (d) refuse to grant permission for the proposed development,
- and may attach to a permission under paragraph (a), (b) or (c) such conditions it considers appropriate.

In conclusion, I consider the principle of development as proposed to be acceptable on this site. The site is appropriate for residential development, is located on a serviced site, where social, educational, and commercial services are available and is located on the eastern side of Newbridge town centre. The proposed development is of a suitably high quality and provides for a mix of houses, apartments and duplex units which are served by high quality open space, a neighbourhood centre and a suitable childcare facility.

I do not foresee that the development will negatively impact on the existing residential and visual amenities of the area. Suitable pedestrian, and cycle provision is available to serve the development. The development is generally in accordance with National Guidance and Local Policy and is in accordance with the proper planning and sustainable development of the area.

Having regard to the above assessment, I recommend that section 9(4)(a) of the Act of 2016 be applied, and that permission is GRANTED for the development, for the reasons and considerations and subject to the conditions set out below.

16.0 Reasons and Considerations

Having regard to

- (i) the site's location on lands to the eastern side of Newbridge town centre and which would provide for an appropriate extension to the eastern side of the urban area,

- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Kildare County Development Plan 2023 - 2029, and appendices contained therein,
- (iii) the provision of 569 residential units would be consistent with the Kildare County Council Core Strategy for the period 2023 to 2028 which has a housing target of 1,061 units over this period,
- (iv) to Housing for All issued by the Department of Housing, Local Government and Heritage, 2021,
- (v) the Guidelines for Planning Authorities on Sustainable Residential Development and Compact Settlements, issued by the Department of Housing, Local Government and Heritage in January 2024,
- (vi) Childcare Facilities Guidelines for Planning Authorities, Department of Housing and Local Government, 2001.
- (vii) Design Manual for Urban Roads and Streets (DMURS) 2019 as updated
- (viii) The Planning System and Flood Risk Management including the associated Technical Appendices (DEHLG/ OPW, 2009)
- (ix) Permeability Best Practice Guide – National Transport Authority.
- (x) The Climate Action Plan 2024 and Climate Action Plan 2025,
- (xi) National Biodiversity Action Plan 2023 - 2030
- (xii) the availability in the area of a wide range of social, community and transport infrastructure necessary to serve this development,
- (xiii) to the pattern of existing and permitted development in the area, and
- (xiv) Submission and Observations received, and
- (xv) Chief Executive's Report and supporting technical reports of Kildare County Council,
- (xvi) the comments made at the Kildare/ Newbridge Municipal District meeting,
- (xvii) the Inspectors Report

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

17.0 Recommended Draft Order

Application: for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 13th of April 2022 by Declan Brassil + Company on behalf of Aston Limited.

The Proposed Development consists of:

- Demolition of two houses, detached garage, sheds and outhouses,
- Construction of a residential development comprising of 569 residential units consisting of 325 no. houses, 244 no. apartments, a neighbourhood centre, a creche, car parking, bicycle parking, internal roads, services infrastructure, bin stores and bicycle store; landscaping, open space, play areas, boundary treatment and public lighting.
- An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of the proposed development.
- The application contains a statement setting out how the proposal will be consistent with the objectives of the Kildare County Development Plan 2017 – 2023 and the Newbridge Local Area Plan 2013 – 2019, which was Extended to 2021. It is submitted that the proposed apartments have been designed to fully accord with the Sustainable Urban Housing: Design Standards for New Apartments 2018 (these are superseded by the 2020 Guidelines). A full Housing Quality Assessment is submitted which provides details on compliance with all relevant standards including private open space, room sizes, storage and residential amenity areas.

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

Decision:

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

Matters Considered:

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

In coming to its decision, the Board had regard to the following:

- (i) the site's location on lands to the eastern side of Newbridge town centre and which would provide for an appropriate extension to the eastern side of the urban area,
- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Kildare County Development Plan 2023 - 2029, and appendices contained therein,
- (iii) the provision of 569 residential units would be consistent with the Kildare County Council Core Strategy for the period 2023 to 2028 which has a housing target of 1,061 units over this period,
- (iv) to Housing for All issued by the Department of Housing, Local Government and Heritage, 2021,
- (v) the Guidelines for Planning Authorities on Sustainable Residential Development and Compact Settlements, issued by the Department of Housing, Local Government and Heritage in January 2024,

- (vi) Childcare Facilities Guidelines for Planning Authorities, Department of Housing and Local Government, 2001.
- (vii) Design Manual for Urban Roads and Streets (DMURS) 2019 as updated
- (viii) The Planning System and Flood Risk Management including the associated Technical Appendices (DEHLG/ OPW, 2009)
- (ix) Permeability Best Practice Guide – National Transport Authority.
- (x) The Climate Action Plan 2024 and Climate Action Plan 2025,
- (xi) National Biodiversity Action Plan 2023 - 2030
- (xii) the availability in the area of a wide range of social, community and transport infrastructure necessary to serve this development,
- (xiii) to the pattern of existing and permitted development in the area, and
- (xiv) Submission and Observations received, and
- (xv) Chief Executive's Report and supporting technical reports of Kildare County Council,
- (xvi) the comments made at the Kildare/ Newbridge Municipal District meeting,
- (xvii) the Inspectors Report

It is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density in this edge of town/ greenfield site, would respect the existing character of the area, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment (AA):

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development

within a suitably zoned and adequately serviced urban site, the Appropriate Assessment Screening Report submitted with the application, the Inspector's Report, and reports on file.

In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, other than South Dublin Bay SAC (Site Code 000210), North Dublin Bay SAC (Site Code 000206), South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) and North Bull Island SPA (Site Code 004006) which there are a likelihood of significant effects. There was therefore a requirement to carry out a Stage 2 Appropriate Assessment.

Appropriate Assessment Stage 2

The Board considered the Natura Impact Statement and all other relevant submissions including expert submissions received and carried out an appropriate assessment of the implications of the proposed development on Dublin Bay SAC (Site Code 000210), North Dublin Bay SAC (Site Code 000206), South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) and North Bull Island SPA (Site Code 004006) in view of the above sites' Conservation Objectives. The Board considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the site's Conservation Objectives using the best available scientific knowledge in the field.

In completing the assessment, the Board considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (b) the mitigation measures which are included as part of the current proposal, and
- (c) the conservation objectives for the European sites.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the

potential effects of the proposed development on the aforementioned European Sites, having regard to the site's conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of European Sites in view of the sites' conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

Environmental Impact Assessment (EIA):

The Board completed an environmental impact assessment of the proposed development, considering:

- (a) The nature, scale and extent of the proposed development.
 - (b) The environmental impact assessment report and associated documentation submitted in support of the planning application;
 - (c) The submissions from the Planning Authority, and the prescribed bodies in the course of the application;
- and
- (d) The Inspector's report.

The Board considered that the environmental impact assessment report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

The Board agreed with the examination, set out in the Inspector's report, of the information contained in the environmental impact assessment report and associated documentation submitted by the applicant and submissions made in the course of the planning application.

The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures set out in the environmental impact assessment report and

subject to compliance with the conditions set out below, the effects on the environment of the proposed development, by itself and in combination with other development in the vicinity, would be acceptable. In doing so, the Board adopted the report and conclusions of the Inspector.

Conclusions on Proper Planning and Sustainable Development:

The Board considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development, as well as in terms of traffic and pedestrian safety and convenience. The proposal would, subject to conditions, provide an acceptable form of residential amenity for future occupants.

Considering that the Newbridge Local Area Plan 2013 – 2019, extended to December 2021, has expired, the site does not currently have the benefit of a land use zoning but the development is considered acceptable in terms of the sequential and compact development of Newbridge. The Board considered that the proposed development is broadly compliant with the current Kildare County Development Plan, in particular Objective CS 01 which seeks to ensure the development of County Kildare, including Newbridge, in line with the Core Strategy as set out in Table 2.8 of the Kildare County Development Plan. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

18.0 Conditions

1. 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, or as otherwise stipulated by conditions hereunder, and the

development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The number of residential units permitted by this grant of permission is 569 no. residential units in the form of 325 houses, and 244 apartment units.

Reason: In the interests of clarity.

3. The mitigation and monitoring measures outlined in the plans and particulars, including the Environmental Impact Assessment Report and the Natura Impact Statement submitted with this application shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment and in the interest of public health.

4. (a) The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of any development.
(b) The first phase shall consist of not more than 169 dwelling units and shall include the construction and operation of the childcare facility, the provision of the neighbourhood centre together with all associated site development works including the full reconfiguration and signalisation of the existing roundabout on the Great Connell Road.
(c) The next 150 units shall commence only on signing of contract to build the NSOORR and agreement of date of commencement with Kildare County Council. First occupation of these units shall only be permitted on commencement of works on the bridge and link road.
(d) The remaining units shall only commence on completion and full operation of the road and River Liffey crossing.

The commencement dates shall not start until such time as the written agreement of the Planning Authority is given to proceed to the next phase.

Reason: To ensure the timely provision of services including the Newbridge South Outer Orbital Relief Road, for the benefit of the occupants of the proposed dwellings and the residents of Newbridge.

5. Provision to be made for the following connections to adjoining lands:
 - a) A pedestrian/ cycle link north of the cul-de-sac adjacent to Duplex Block Type 7.
 - b) A vehicular/ pedestrian/ cycle link north of the cul-de-sac between the proposed creche and Duplex Block Type 9.
 - c) A vehicular/ pedestrian link south of the road between proposed Unit 64 and 76.
 - d) A vehicular/ pedestrian/ cycle link south of the road between proposed Unit 102 and the Open Space 3.
 - e) A pedestrian/ cycle link to the lands to the south continuing the proposed route to the east of Terrace Type 14.

All roads and footpaths and cycleways shown to adjoining lands shall be constructed up to the boundaries to provide access to adjoining lands with no obstruction including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001, as amended. These areas shall be shown in a revised taking in charge drawing which shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of permeability and proper planning and sustainable development.

6. Details of the materials, colours, and textures of all the external finishes to the proposed building shall be as submitted with the application, unless otherwise

agreed in writing with, the Planning Authority prior to commencement of development. The proposed external treatment shall ensure a clearly defined distinction between character areas. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity.

7. Each apartment shall be used as a single dwelling unit only and shall not be subdivided in any manner or used as two or more separate habitable units.

Reason: In the interests of sustainable development and proper planning

8. Proposals for a development name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

9. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

Reason: In the interests of amenity and public safety.

10. 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.

Reason: In the interests of visual and residential amenity.

11. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in DMURS. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination. In particular:
- a) The roads and traffic arrangements serving the site (including signage) shall be in accordance with the detailed requirements of the Planning Authority for such works and shall be carried out at the developer's expense,
 - b) The roads layout shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths and corner radii,
 - c) Pedestrian crossing facilities shall be provided in suitable locations to be agreed with the Planning Authority,
 - d) Provision shall be made for future bus service provision to serve the development with the two bus laybys provided as indicated,
 - e) The materials used in any roads / footpaths provided by the developer shall comply with the detailed standards of the Planning Authority for such road works,
 - f) A detailed construction traffic management plan, including a mobility management plan, shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interests of traffic, cyclist, and pedestrian safety and to protect residential amenity

12. (a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. All car parking spaces shall be assigned permanently for the residential development and shall be reserved solely for that purpose. These residential spaces shall not be utilised for any other purpose, including for use in association with any other uses of the development hereby permitted, unless the subject of a separate grant of planning permission.
- (b) Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the Planning Authority.
- (c) A minimum of 6 car parking spaces shall be provided for car share club use. This shall provide for one space per character area and a minimum of two spaces to the serve the Neighbourhood Centre area.

Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units and the remaining development.

13. A minimum of 20% of all car parking spaces shall 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.

Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.

14. All roads, cycleways and footpaths shown to connect to adjoining lands shall be constructed up to the boundaries to provide access to adjoining lands with no

obstruction including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001 as amended. These areas shall be shown in a revised taking in charge drawing which shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development.

Reason: In the interest of permeability and proper planning and sustainable development.

15. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Local Authority for such works and services.

Reason: In the interest of public health and surface water management.

16. The developer shall enter into water and wastewater connection agreement(s) with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

17. The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

18. All rear gardens shall be bounded by brick/ concrete block walls, or concrete post and concrete panel fencing and which shall be a minimum of 1.8m in height except where they form a boundary with public open space or roads and the walls/ fences shall be 2m in height. Boundary treatment to be suitably capped.

Reason: In the interests of residential and visual amenity.

19. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company

(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

20. (a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the Planning Authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

(b) This plan shall provide for screened communal bin stores, the locations, and designs of which shall be included in the details to be submitted.

(c) This plan shall provide for screened bin stores, which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

21. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

22. 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:

- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- b) Location of areas for construction site offices and staff facilities;
- c) Details of site security fencing and hoardings;
- d) Details of on-site car parking facilities for site workers during the course of construction;
- e) 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;
- f) Measures to obviate queuing of construction traffic on the adjoining road network;

- g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- h) 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;
- i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j) 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;
- k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- m) 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.

Reason: In the interest of amenities, public health and safety.

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

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

24. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the Planning Authority in relation to the provision of housing in

accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the Planning Authority or any other prospective party to the agreement to An Bord Pleanála for determination.

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

25. (a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/ or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding

the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

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

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

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

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

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

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Paul O'Brien

Inspectorate

26th June 2025

Appendix 1: Screening for Appropriate Assessment

Description of the Project:

I have considered the proposed development consisting of the Demolition of existing structures, construction of 569 residential units in the form of 325 houses and 244 apartments, creche, neighbour centre and associated site works, in light of the requirements of S177U of the Planning and Development Act 2000 as amended. A Screening report has been submitted with the application on behalf of the applicant and the objective information presented in that report informs this screening determination. The applicant's report is dated April 2022.

The subject irregular shaped site with a stated area of 27.64 hectares, is located approximately 1km to the east of Newbridge town centre. The site is predominately in agricultural use consisting of large fields but there is also a commercial business in operation to the north east of the site to the west of the Great Connell Road. The site boundary consists of the Great Connell Road to the east, the River Liffey to the west/ south west and the Wellesley Manor residential development to the north. The lands are generally flat through they gently slope towards the river. Two drainage ditches cross the site. Large manufacturing plants are located to the east of the Great Connell Road.

The site is serviced by public water supply and foul drainage networks. Permission has been granted for the section of the Newbridge South Outer Orbital Relief Road (NSOORR) which will connect the Great Connell Road to the east and the R416 to the western side of the River Liffey. Construction has not commenced on this road to date.

The subject development is not within a European site and the proposed development is not connected or necessary for the conservation management of any Natura 2000 sites. Site surveys were undertaken in December 2020, May and September 2021 and in March 2022. The nearest European Sites are Pollardstown Fen SAC (Site Code 000396) and Moud's Bog Fen SAC (Site Code 002331). These are upstream of the subject site and there are no pathways between the subject lands and these designated sites. Surface water runoff and wastewater will ultimately discharge to the River Liffey and four hydrologically connected sites have

been identified. In addition considering the Poulaphouca Reservoir SPA, qualifying species could be impacted by disturbance to ex situ habitats.

Potential Impact Mechanisms from the Project

The following impacts could occur because of this development:

Construction Phase:

- Indirect hydrological pathway from the site to a designated site via the public surface water network. Surface water could contain silt, sediments or other pollutants. – Effect Mechanism A.
- Indirect hydrological pathway from the site to a designated site via the public foul drainage system – Effect Mechanism B.
- Disturbance to ex situ habitats.
- Potential for release of sediments and other pollutants to the air.
- Waste generated during the construction phase of the development.
- Potential for noise disturbance during this phase of the development.
- Potential for light pollution during the construction phase.

Operational Phase:

- Indirect hydrological pathway from the site to a designated site via the public surface water network. Surface water could contain silt, sediments or other pollutants – Effect Mechanism C.
- Indirect hydrological pathway from the site to a designated site via the public foul drainage system.
- Disturbance to ex situ habitats.
- Increased lighting at the site and in the vicinity emitted from the proposed development.
- Increased human presence and activity at the site and in the vicinity as a result of the proposed development.

Having regard to the above potential impacts, the following can be excluded at this stage.

- Foul drainage will be treated at the Upper Liffey Valley Sewerage Scheme WWTP, which is located 12km downstream of the subject site, at the operational phase of this development.
- Impact due to loss of habitat would not occur as although the site may provide for occasional foraging for SCI species, the lands provide for common habitats in the area with alternative sites available.
- Uncontrolled release of sediments etc to air would not impact on designated sites due to the separation distance.
- Waste Generation during the construction phase – This will be controlled by the Construction Management Plan and the Construction & Demolition Resource Waste Management Plan and by best practice. There is no direct link that would result in an impact on designated European sites.
- Increased noise, dust, and vibrations/ and from construction vehicles – Standard construction practices will reduce any such impacts and the distance from the subject site to designated European sites will ensure that there are no impacts.
- Increased lighting (construction and operational phases) would not impact on any of the designated sites due to distance and the location of the site within a heavily urbanised area with extensive light sources.
- Due to distance from designated sites, increased human presence (construction and operational phases) would not impact on these.

A total of three impacts have been identified that may affect the Conservation Objectives of designated sites – labelled as Effects A to C. These refer to impacts through surface water drainage (construction/ operational), and foul drainage.

Likely significant effects on European Sites –

The applicant’s report identifies a total of four relevant European Sites, two SPAs and two SACs as follows:

Name	Site Code	Distance from Site
South Dublin Bay SAC	(000210)	43.6km to the northeast

North Dublin Bay SAC	(000206)	45.4km to the northeast
South Dublin Bay and River Tolka SPA	(004024)	41.8km to the northeast
North Bull Island SPA	(004006)	43km to the northeast

The North West Irish Sea SPA (site code 004236), which is 42km from the subject site was not considered in the submitted AA Screening Report, as it was not designated a European Site until 2023. The applicant’s report considered designated areas that have a hydrological connection to the site, or in the case of Poulaphouca Reservoir SPA, the development could impact on ex-situ habitats. I consider this to be appropriate, and the assessment considers those sites in relevant proximity to the development site.

The following table identifies European Sites that may be at risk of impact due to the proposed development, full details of the qualifying features at risk are provided in the applicant’s report:

Table A1 – European Sites at Risk of Impact from the proposed development:

Effect Mechanism	Impact Pathway/ Zone of Influence	European Site	Qualifying Interest features at risk
<p>Effect A: Potential for impact to water quality and resource during the Construction Phase through surface water.</p> <p>Effect B: Potential for impact to water quality and resource during the Operation Phase through surface water.</p> <p>Effect C: Potential for impact to water quality and resource during the Operation Phase through foul drainage.</p>	<p>43.6km from the subject site – Indirect pathway through the public surface water drainage system during the construction/ operational phases and discharge through foul drainage during the operational phase.</p>	<p>South Dublin Bay SAC</p>	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Annual vegetation of drift lines [1210]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Embryonic shifting dunes [2110]</p>

<p>Effect A: Potential for impact to water quality and resource during the Construction Phase through surface water.</p> <p>Effect B: Potential for impact to water quality and resource during the Operation Phase through surface water.</p> <p>Effect C: Potential for impact to water quality and resource during the Operational Phase through foul drainage.</p>	<p>43km from the subject site – Indirect pathway through the public surface water drainage system during the construction/ operational phases and discharge through foul drainage during the operational phase.</p>	<p>North Dublin Bay SAC</p>	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Annual vegetation of drift lines [1210]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows [1330]</p> <p>Mediterranean salt meadows [1410]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p>Humid dune slacks [2190]</p> <p>Petalophyllum ralfsii (Petalwort) [1395]</p>
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<p>Effect A: Potential for impact to water quality and resource during the Construction Phase through surface water.</p> <p>Effect B: Potential for impact to water quality and resource during the Operation Phase through surface water.</p> <p>Effect C: Potential for impact to water quality and resource during the Operational Phase through foul drainage.</p>	<p>41.8km from the subject site – Indirect pathway through the public surface water drainage system during the construction/ operational phases and discharge through foul drainage during the operational phase.</p>	<p>South Dublin Bay and River Tolka SPA</p>	<p>Light-bellied Brent Goose [A046]</p> <p>Oystercatcher [A130]</p> <p>Ringed Plover [A137]</p> <p>Grey Plover [A141]</p> <p>Knot [A143]</p> <p>Sanderling [A144]</p> <p>Dunlin [A149]</p> <p>Bar-tailed Godwit [A157]</p> <p>Redshank [A162]</p> <p>Black-headed Gull [A179]</p> <p>Roseate Tern [A192]</p> <p>Common Tern [A193]</p> <p>Arctic Tern [A194]</p> <p>Wetland and Waterbirds [A999]</p>
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<p>Effect A: Potential for impact to water quality and resource during the Construction Phase through surface water.</p> <p>Effect B: Potential for impact to water quality and resource during the Operation Phase through surface water.</p> <p>Effect C: Potential for impact to water quality and resource during the Operational Phase through foul drainage.</p>	<p>14.6km from the subject site – Indirect pathway through the public surface water drainage system during the construction/ operational phases and discharge through foul drainage during the operational phase.</p>	<p>North Bull Island SPA</p>	<p>Light-bellied Brent Goose [A046]</p> <p>Shelduck [A048]</p> <p>Teal [A052]</p> <p>Pintail [A054]</p> <p>Shoveler [A056]</p> <p>Oystercatcher [A130]</p> <p>Golden Plover [A140]</p> <p>Grey Plover [A141]</p> <p>Knot [A143]</p> <p>Sanderling [A144]</p> <p>Dunlin [A149]</p> <p>Black-tailed Godwit [A156]</p> <p>Bar-tailed Godwit [A157]</p> <p>Curlew [A160]</p> <p>Redshank [A162]</p> <p>Turnstone [A169]</p> <p>Black-headed Gull [A179]</p> <p>Wetland and Waterbirds [A999]</p>
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All other European sites, including the North West Irish Sea SPA, can be excluded from further assessment due to distance, nature of development and lack of ecological connection between the designated site and the subject lands.

Likely significant effects on the European sites ‘alone’ –

This section of the assessment considers if there are significant effects alone and whether it is possible that the conservation objects might be undermined from the effects of only this project.

The following table provides the relevant information:

Table A2 – Could the project undermine the Conservation Objectives ‘alone’:

European Site and qualifying feature	Conservation Objective	Could the Conservation Objectives be undermined?		
		Effect A	Effect B	Effect C
South Dublin Bay SAC (000210)	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in South Dublin Bay SAC.	Y	Y	Y
Reason:	Effect A: Runoff from the site during construction could lead to water deterioration. Effect B: Runoff from the site at operation stage could lead to water deterioration. Effect C: Foul drainage during the operational phase could lead to water deterioration.			
North Dublin Bay SAC (000206)	To maintain the favourable conservation	Y	Y	Y

	condition of Mudflats and sandflats not covered by seawater at low tide in South Dublin Bay SAC, which is defined by a list of attributes and targets.			
Reason:	<p>Effect A: Runoff from the site during construction could lead to water deterioration.</p> <p>Effect B: Runoff from the site at operation stage could lead to water deterioration.</p> <p>Effect C: Foul drainage during the operational phase could lead to water deterioration.</p>			
South Dublin Bay and River Tolka Estuary SPA (004024)	Objective 1: To maintain the favourable conservation condition of the non-breeding waterbird Special Conservation Interest species listed for North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA.	Y	Y	Y
Reason:	<p>Effect A: Runoff from the site during construction could lead to water deterioration.</p> <p>Effect B: Runoff from the site at operation stage could lead to water deterioration.</p> <p>Effect C: Foul drainage during the operational phase could lead to water deterioration.</p>			
North Bull Island SPA (004006)	Objective: To maintain the favourable	Y	Y	Y

	conservation condition of the listed waterbirds.			
Reason:	<p>Effect A: Runoff from the site during construction could lead to water deterioration.</p> <p>Effect B: Runoff from the site at operation stage could lead to water deterioration.</p> <p>Effect C: Foul drainage during the operational phase could lead to water deterioration.</p>			

I conclude that the proposed development could have a likely significant effect 'alone' on QIs associated with the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and the North Bull Island SPA due to potential impact on water quality/ resource during the construction and operational phases of this development. An Appropriate Assessment is required on the basis of the effects of the project 'alone'. Further assessment in-combination with other plans and other projects is not required at this time.

Appendix 2: Stage 2 – Appropriate Assessment

The applicant has provided a Natura Impact Statement (NIS), dated April 2022, in accordance with the requirements of the Stage 2 Appropriate Assessment process. A detailed list of supporting documentation is provided in the submitted Natura Impact Statement.

I am satisfied that the submitted NIS is in accordance with current guidance/ legislation/ best practice and the information included within the report in relation to baseline conditions and potential impacts are clearly set out and supported with sound scientific information and knowledge. The NIS examines and assesses the potential adverse effects of the proposed development on the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and the North Bull Island SPA, where it has been established that there is a possibility for significant effects on the European sites, in the absence of mitigation as a result of hydrological impacts. As reported in the Appropriate Assessment Screening, all other European designated sites can be excluded from the need for further assessment.

Table 14 of the applicant’s NIS report provides details of the ‘Other developments near site and potential cumulative impacts’ and which refers to development in the adjoining area of the subject site and other relevant noticeable development/ policies that may have a potential in-combination effect. The applicant concludes for each that ‘No cumulative impacts are predicted to occur within the Natura 2000 sites as a result of these proposed and permitted projects.’

I have provided the following table to list the QIs that may be affected and also a summary of the applicant’s suggested mitigation measures, as per Section 6 of their submitted report:

Table B1: QIs and Mitigation Measures:

South Dublin Bay SAC (000210)

Qualifying Feature	Pathway	Effect	Mitigation Measures (summarised – fully detailed in Section 6 of applicant’s report.
Mudflats and Dunes	Hydrological through the surface water and foul drainage systems.	Potential for contaminants including dust, silt, soil, hydrocarbons and cement to enter the surface water drainage network and discharge through the River Liffey to Dublin Bay for both the Construction and Operational Phases of this development. Potential for contaminants to enter Dublin Bay through foul drainage during the operational phase of the development.	<p>Construction Phase:</p> <ul style="list-style-type: none"> • Excavation and stripping of topsoil to only take place as necessary. • Stockpile soils and materials in accordance with best practice. • Use of best practice in site upkeep. • Careful control of fuels/oils. Controlled use and storage of such on site. • Provide for a 10m buffer between existing drainage ditch to be retained and the construction area. • No works within the 80m riparian strip along the Liffey other than the provision of bound gravel bitmac paths. A minimum 10m buffer will be provided between the river bank and the

			<p>operational area when the paths are being laid.</p> <ul style="list-style-type: none"> • Control of concrete use on site. • No hosing into the surface water drainage channels of spills of concrete, cement, grout or other such materials. • A 5m buffer to be provided along the banks of the drains to the north of the site. • Provision of suitable stormwater attenuation system/ SuDS which will discharge to the drainage ditch to the north of the site.
North Dublin Bay SAC (000206)			
Mudflats and Dunes	Hydrological through the surface water and foul drainage systems.	Potential for contaminants including dust, silt, soil, hydrocarbons and cement to enter the surface water drainage network and discharge through the River Liffey to Dublin Bay for both the	<p>Construction Phase:</p> <ul style="list-style-type: none"> • Excavation and stripping of topsoil to only take place as necessary. • Stockpile soils and materials in accordance with best practice. • Use of best practice in site upkeep.

		<p>Construction and Operational Phases of this development.</p> <p>Potential for contaminants to enter Dublin Bay through foul drainage during the operational phase of the development.</p>	<ul style="list-style-type: none"> • Careful control of fuels/oils. Controlled use and storage of such on site. • Provide for a 10m buffer between existing drainage ditch to be retained and the construction area. • No works within the 80m riparian strip along the Liffey other than the provision of bound gravel bitmac paths. A minimum 10m buffer will be provided between the river bank and the operational area when the paths are being laid. • Control of concrete use on site. • No hosing into the surface water drainage channels of spills of concrete, cement, grout or other such materials. • A 5m buffer to be provided along the banks of the drains to the north of the site.
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			<ul style="list-style-type: none"> • Provision of suitable stormwater attenuation system/ SuDS which will discharge to the drainage ditch to the north of the site.
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South Dublin Bay and River Tolka Estuary SPA (004024)

Seabirds, wetland and waterbirds	Hydrological through the surface water and foul drainage systems.	<p>Potential for contaminants including dust, silt, soil, hydrocarbons and cement to enter the surface water drainage network and discharge through the River Liffey to Dublin Bay for both the Construction and Operational Phases of this development.</p> <p>Potential for contaminants to enter Dublin Bay through foul drainage during the operational phase of the development.</p>	<p>Construction Phase:</p> <ul style="list-style-type: none"> • Excavation and stripping of topsoil to only take place as necessary. • Stockpile soils and materials in accordance with best practice. • Use of best practice in site upkeep. • Careful control of fuels/ oils. Controlled use and storage of such on site. • Provide for a 10m buffer between existing drainage ditch to be retained and the construction area. • No works within the 80m riparian strip along the Liffey other than the provision of bound gravel bitmac paths. A minimum 10m buffer will
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			<p>be provided between the river bank and the operational area when the paths are being laid.</p> <ul style="list-style-type: none"> • Control of concrete use on site. • No hosing into the surface water drainage channels of spills of concrete, cement, grout or other such materials. • A 5m buffer to be provided along the banks of the drains to the north of the site. • Provision of suitable stormwater attenuation system/ SuDS which will discharge to the drainage ditch to the north of the site.
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North Bull Island SPA (004006)

Seabirds, wetland and waterbirds	Hydrological through the surface water and foul drainage systems.	Potential for contaminants including dust, silt, soil, hydrocarbons and cement to enter the surface water drainage network and discharge through the	<p>Construction Phase:</p> <ul style="list-style-type: none"> • Excavation and stripping of topsoil to only take place as necessary. • Stockpile soils and materials in accordance with best practice.
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		<p>River Liffey to Dublin Bay for both the Construction and Operational Phases of this development. Potential for contaminants to enter Dublin Bay through foul drainage during the operational phase of the development.</p>	<ul style="list-style-type: none"> • Use of best practice in site upkeep. • Careful control of fuels/ oils. Controlled use and storage of such on site. • Provide for a 10m buffer between existing drainage ditch to be retained and the construction area. • No works within the 80m riparian strip along the Liffey other than the provision of bound gravel bitmac paths. A minimum 10m buffer will be provided between the river bank and the operational area when the paths are being laid. • Control of concrete use on site. • No hosing into the surface water drainage channels of spills of concrete, cement, grout or other such materials. • A 5m buffer to be provided along the banks
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			<p>of the drains to the north of the site.</p> <ul style="list-style-type: none"> • Provision of suitable stormwater attenuation system/ SuDS which will discharge to the drainage ditch to the north of the site.
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There is no potential for significant effects on the Conservation Objective attributes and targets of the other qualifying features within the SAC and the SPA.

Potential impacts on the designated sites have been identified in the applicant's report. Where significant effects are identified, suitable mitigation measures and avoidance measures have been identified to overcome such issues. The NIS concludes:

'It has been objectively concluded following an examination, analysis and evaluation of the relevant information, including in particular the nature of the predicted effects from the proposed development and with the implementation of the mitigation measures proposed, that the construction and operation of the proposed development will not adversely affect (either directly or indirectly) the integrity of any European site, either alone or in combination with other plans or projects. There is no reasonable scientific doubt in relation to this conclusion. The competent authority will make the final determination in this regard.'

NIS Assessment:

I have relied on the following guidance: Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities, DoEHLG (2009); Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive

92/43/EC, EC (2002); Managing Natura 2000 sites, The provisions of Article 6 of the Habitats Directive 92/43/EEC, EC (2018).

The South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA are subject to appropriate assessment. A description of the sites and their Conservation Objectives and Qualifying Interests are set out in the submitted NIS and have already been outlined in this report as part of my assessment. I have also examined the Natura 2000 data forms as relevant and the Conservation Objectives supporting documents for these sites available through the NPWS website.

Aspects of the Development that could adversely affect the designated sites: The main aspects of the development that could impact the conservation objectives of the European sites are through habitat loss by deterioration of water quality by runoff from the site during the construction and operational phases of the development.

Mitigation: A range of mitigation measures are provided in the NIS, and these are noted. These refer to the construction and operational phases of the development as provided in the applicant's report.

Overall, I consider that the proposed mitigation measures are clearly described, and precise, and definitive conclusions can be reached in terms of avoidance of adverse effects on the integrity of designated European sites based on the outlined mitigation measures. I consider that the mitigation measures are necessary having regard to the proximity of the site to the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA. Overall, the measures proposed are effective, reflecting current best practice, and can be secured over the short and medium term and the method of implementation will be through a detailed management plan and appropriate monitoring through the construction and operational phases of the development.

In Combination Effects: No issues of concern are raised subject to the full implementation of mitigation measures outlined in the NIS.

Overall Appropriate Assessment Conclusion:

The proposed residential development on lands in Great Connell, Newbridge, Co. Kildare have been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended. Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of the site in light of its conservation objectives.

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 the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA subject to the implantation in full of appropriate mitigation measures.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and monitoring in relation to the Conservation Objectives of the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA.
- Detailed assessment of in combination effects with other plans and projects including historical projects, plans and current proposals.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA.

I have had full consideration of the information, assessment and conclusions contained within the NIS. I have also had full regard to National Guidance and the information available on the National Parks and Wildlife Service (NPWS) website in relation to the identified designated Natura 2000 sites. I consider it reasonable to

conclude that on the basis of the information submitted in the NIS report, including the recommended mitigation measures, and submitted in support of this application, that the proposed development, individually or in combination with other plans or projects would not be likely to adversely affect the integrity of the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA.

Appendix 3: WFD IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Bord Pleanála ref. no.	ABP-313306-22	Townland, address	Great Connell, Newbridge, Co. Kildare
Description of project		Demolition of existing structures on site, construction of 569 no. residential units (325 houses and 244 apartments), creche, and all associated site works. Application includes an EIAR and NIS.	
Brief site description, relevant to WFD Screening,		Site is mostly in agricultural use. Part of it runs along the side of the River Liffey which forms the western/ south western boundary of the site. Two houses and a number of agricultural/ commercial buildings are located to the north east of the site.	
Proposed surface water details		SuDS measures to be used in the engineering and landscaping design. Run-off through public surface water drainage system with outflow to the River Liffey. Drainage tanks are to be provided on site to store stormwater.	
Proposed water supply source & available capacity		Public Water Supply and which has an Orange – ‘Potential Capacity Available’ rating – LOS improvement required.	

Proposed wastewater treatment system & available capacity, other issues	Public foul drainage system – Osberstown WWTP, and which has a Green – Wastewater Capacity Available.
Others?	N/A

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
e.g. lake, river, transitional and coastal waters, groundwater body, artificial (e.g. canal) or heavily modified body.	Forms the western/ south western boundary of the site – immediately adjacent.	River Liffey (IE_EA_09L011000)	Good	Not at Risk	N/A	Surface water run-off
	0m	Curragh Gavels East (IE_EA_G_017)	Good	Not at Risk	N/A	Groundwater

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Site clearance & Construction	River Liffey (IE_EA_09L0 11000)	Indirect impact via Potential hydrological pathway	Water Pollution	Use of Standard Construction Practice and CEMP	No	Screen out at this stage.
2.	Site clearance & Construction	Curragh Gavels East (IE_EA_G_0 17)	Indirect impact via Potential hydrological pathway	Water Pollution	Use of Standard Construction Practice and CEMP	No	Screen out at this stage.
3.	Foul Drainage during construction	River Liffey (IE_EA_09L0 11000)	Indirect impact via Potential hydrological pathway	Water Pollution	Use of Standard	No	Screen out at this stage.

	phase of the development				Construction Practice and CEMP		
OPERATIONAL PHASE							
4.	Surface Water Run-off	River Liffey (IE_EA_09L0 11000)	Indirect impact via Potential hydrological pathway	Water Pollution	Several SuDS features incorporated into development	No	Screen out at this stage.
5.	Surface Water Run-off	Curragh Gavels East (IE_EA_G_0 17)	Indirect impact via Potential hydrological pathway	Water Pollution	Several SuDS features incorporated into development	No	Screen out at this stage.
DECOMMISSIONING PHASE							
6.	N/A	N/A	N/A	N/A	N/A	N/A	N/A