

An
Coimisiún
Pleanála

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

Inspector's Report ABP-313825-22

Strategic Housing Development

7 year permission for 344 no. residential units (130 no. houses, 214 no. apartments), creche and associated site works

Location

Lands at Dublin Road and the Shinkeen Road, within the townlands of Donaghcumper and Ballyoulster, Celbridge, Co. Kildare (www.ballyoulstershd.ie)

Planning Authority

Kildare County Council

Applicant

Kieran Curtin, Receiver over certain assets of Maplewood Developments Unlimited Company

Prescribed Bodies

Uisce Eireann (formally Irish Water)

Observer(s)

1. Catherine Fermoyle Perry
2. Catherine Murphy
3. David Quinn
4. Elaine Breslin
5. Graham Kavanagh
6. Jason Clarke
7. Jelene Vilminska
8. Lisa Bergin
9. Maebh Ryan
10. Martinas Brennan
11. Mary Kinsella
12. Michael Collins
13. Michael Kellymor
14. Nuala Killeen
15. Olivia Giles Mulvey
16. Paul Reilly
17. Peter King
18. Ray Di Mascio

Inspector

Daire McDevitt

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1.0 Introduction

- 1.1. This Addendum Report (AR) should be read in conjunction with the Inspector's Report (IR) on file dated 28th May 2025 prepared in respect of strategic housing development (SHD) application ABP-313825-22. This SHD application was submitted to the Board (now Commission) under section 4(1) of the Planning & Development (Housing) and Residential Tenancies Act, 2016 (as amended).
- 1.2. Pursuant to Commission Direction CD-0200914-25, a limited agenda oral hearing was held¹ as provided for under section 18 of the Planning & Development (Housing) and Residential Tenancies Act, 2016. The matters addressed at the limited agenda oral hearing were:
 1. Clarity as to the current zoning status of the subject site.
 2. The relevant provisions of the Kildare County Development Plan 2023-2029, with particular regards to the 'Core Strategy & Settlement Strategy' and Table 2.8 which indicates a Housing Target for 2023-2029 of 914 units for Celbridge and a residential zoned land requirement of 30 hectares.
 3. The relevant provisions of the National Planning Framework, First Revision April 2025, with particular regard to National Policy Objective 11 which 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 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.'*

¹ Remotely, on 16th October 2025.

2.0 Relevant Planning Policies relating to the Limited Agenda Oral Hearing

2.1 Celbridge Local Area Plan 2017-2023 (expired)

Under the expired LAP the subject site was zoned C – *New Residential* with the objective: ‘To provide for new residential development’ and E - *Community and Education* with the objective; ‘To provide for education, recreation, community and health’.

Chapter 4, Compliance with Core Strategy

Location of Development	Quantum of Land for Housing (HA)	Estimated Residential Capacity*	Estimated Density
KDA 1 St. Raphael’s Town Centre Extension	9	100-150	Mixed Use Site
KDA2 Ballyoulster New Residential Area	29.5	885	30
KDA 3 Oldtown New Residential Area	13.7	411	30
KDA 4 Crodaun New Residential Area	19.9	600	30
KDA 5 Simmonstown New Residential Area	35	1050	30
Other Sites	14.1	423	Infill
Total	121.2	3519	

Table 4.1 Estimated Residential Capacity

Key Development Area 2 related to the subject site – Section 12.2.2 KDA 2 – BALLYOULSTER includes -

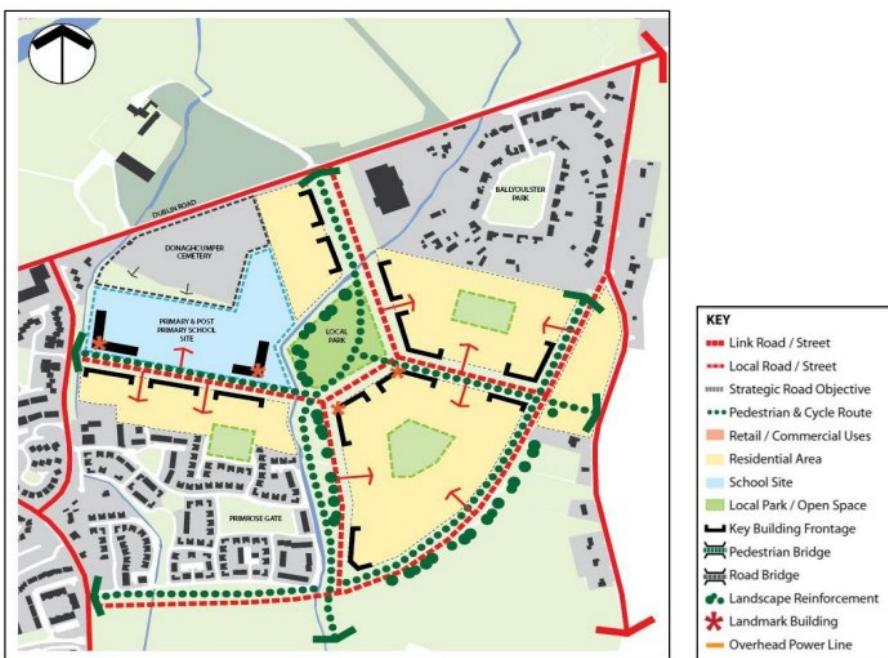


Figure 12.1 Design Concept for KDA 2 Ballyoulster

Vision

To provide for the development of a new residential neighbourhood, including primary and post primary schools and a local park that integrates with its surroundings whilst having its own unique character and a strong sense of place.

Connectivity/ Movement

Vehicular access to this KDA should be provided from the Dublin Road, Shinkeen Road and the Loughlinstown Road and should provide for continuous routes through the KDA that connect to surrounding areas. Provision should be made for a road connection from the Loughlinstown Road to the R405/Hazelhatch Road, south of the Willows housing estate, in the longer term. A permeable network of pedestrian and cycle friendly streets and spaces that incorporate existing site features such as the Shinkeen stream and existing mature trees will be required.

Built Form

The development of this KDA should reflect the established pattern of development in the area. Site layouts should seek to fully integrate the identified primary and post primary school sites. School buildings should be designed to front onto new streets and spaces so that they contribute to the streetscape and the character of this KDA. A mix of housing types that range from two to three storeys in height is encouraged. Landmark / feature buildings should be provided along prominent

routes and at key junctions in order to provide for legibility and variety in the urban environment and to reinforce the proposed hierarchy of streets and spaces. This site will accommodate medium to low-density residential development in the order of 30 units per hectare.

Landscape and Spaces

The Shinkeen Stream should be incorporated into new developments as a landscape feature that includes a continuous pedestrian and cycle link along its bank. This green link should include natural landscaping that will enhance the ecological value of the stream. New residential areas should be structured around a variety of open spaces that provide for both active and passive recreation. Landscape proposals should provide for the retention of existing mature trees and the planting of new trees along the Ballyoulster/Loughlinstown townland boundary.

Chapter 13, section 13.5. Phasing, Section 12.5.1 Key Development Areas (KDAs)

KDA 2 – Ballyoulster		
Type of Infrastructure	Description	Phasing
Town Centre pedestrian / cycle link	New pedestrian and cycle link from Celbridge Main Street to Dublin Road including pedestrian and cycle bridge crossing of the River Liffey or improved pedestrian and cycle facilities on the existing Liffey Bridge.	To be completed prior to the occupation of dwelling units 351 in this KDA.
Childcare	Compliance with objective CPFO 1 of the Kildare County Development Plan 2017 – 2023.	Pro-rata provision for dwellings 1-100 to be completed prior to the commencement of dwelling no. 101 in this KDA. Pro-rata provision for remainder to be completed prior to the completion of development in this KDA.
Open Space (Amenity and Recreation)	Local Park to include play areas, footpaths, green links and landscaping.	To be completed prior to the occupation of dwelling units 351 in this KDA.

Status of Celbridge Local Area Plan 2017-2023

- The Celbridge Local Area Plan 2017-2023 clearly states in section 1.1 that '*the period of this plan shall be taken as being six years from the date of its adoption or until it is reviewed or another plan made, unless it is extended under section 19 (d) of the Planning and Development Act 2000 as amended.*' (section 19(d) being the applicable section at the time of making the LAP).
- Planning and Development Act 2000 (as amended), Chapter II *Local Area Plans* sets out the following:

Local Area Plans

Section 18(4) of the Planning Act 2000, as amended states that:

(a) *A local area plan prepared under this section shall indicate the period for which the plan is to remain in force.*

(b) *A local area plan may remain in force in accordance with paragraph (a) notwithstanding the variation of a development plan or the making of a new development plan affecting the area to which the local area plan relates except that, where any provision of a local area plan conflicts with the provisions of the development plan as varied or the new development plan, the provision of the local area plan shall cease to have any effect.*

Application and Content of Local Area Plans

Section 19 (1) (c) of the Planning Act 2000, as amended states:

Section 20 (3)(a) shall be complied with—

(i) in the case of the first local area plan, not later than 2 years after the making of a development plan under this Part, and

(ii) notwithstanding section 18 (5), at least every 6 years after the making of the previous local area plan.

2.2 Kildare County Development Plan 2023 - 2029

The Kildare County Development Plan 2023 – 2029 was adopted on the 9th of December 2022 and came into effect on the 28th of January 2023 and is the current statutory plan for County Kildare, including Celbridge.

The Kildare County Development Plan 2023 – 2029 does not include a zoning map for Celbridge.

The Dublin Metropolitan Area Strategic Plan forms part of the settlement strategy for Kildare with four settlements being within the area- Maynooth, Leixlip, Celbridge and Kilcock. These all contain large scale residential and economic development areas that can deliver significant development in a sustainable manner within the metropolitan area.

Celbridge is also one of the 'Self Sustaining Towns'. Self-Sustaining Towns are towns which have a high level of population growth and a weak employment base. The objective is to strengthen their overall economic offering, through biotechnology, knowledge based digital enterprises, logistics, tourism etc.

Policy UD A3 sets the objective to prepare town renewal masterplans for 19 no. settlements in Kildare, one being Celbridge. The Town Renewal Masterplan for Celbridge will sit underneath the LAP on the planning hierarchy and in delivering the KCDP.

Celbridge-Leixlip is one of five Municipal Districts in County Kildare. The population of County Kildare, 2022 figures, is given as 246,977 people and is expected to be 266,500 by 2031. The population of Celbridge is given as 20,288 people as indicated on Figure 1.1.

Chapter 2 – ‘Core Strategy & Settlement Strategy’ indicates that Celbridge is a ‘Self-Sustaining Growth Town’ and is located on a Multi-Modal Transport Corridor and is located within the Metropolitan Area as per Map Ref: V1-2.1.

Self-Sustaining Towns are described as having ‘High levels of population growth and a weak employment base’. According to Table 2.3 ‘Housing Target for County Kildare’, there is demand for 18,425 homes over the period of 2020 – 2031 and Table 2.4 – ‘Methodology used to determine housing targets to the end of the Plan period’, indicates a demand for 9,144 units over the period of this development plan.

CS O1 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 O4 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 O5 **Promote compact growth** and the renewal of towns and villages through the development of underutilised town centres and brownfield sites, and where appropriate, pursue through active land management measures a co-ordinated planned approach to developing appropriately zoned lands at key locations, including regeneration areas, vacant sites and under-utilised areas in cooperation with state agencies, while also maintaining a ‘live’ baseline dataset to monitor the delivery of population growth on existing zoned and serviced lands to achieve the sustainable compact growth targets of **30% of all new housing within the existing urban footprint of settlements**.

CS O7 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.

Objective CS 09 states, it is an objective of the Council 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 Naas, Maynooth, Newbridge, Leixlip, Kildare, Athy, Celbridge, Kilcock, Monasterevin, Sallins, Clane and Kilcullen in accordance with the objectives of the County Development Plan and all relevant Section 28 Ministerial Guidelines'.¹⁴

¹⁴Where 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.

Chapter 3 – ‘Housing’ provides appropriate densities in Table 3.1. Town Centre & Brownfield Sites have a Site Specific density, developments on Public Transport Corridors would be 50 units per hectare and Outer Suburban/ Greenfield sites would be 30 to 50 units per hectare. The section ‘Development at the Edge of Larger Towns’ refers to Circular Letter NRUP 02/2021 and for a town the size of Celbridge, regard to be had to the character of the area and ‘the full range of outer suburban density, from a baseline figure of 30 dwellings per hectare (net) may be considered, with densities below that figure permissible to facilitate a choice of housing types provided that, within a neighbourhood or district as a whole, average densities achieve the minimum recommended standards of the Guidelines’.

A number of objectives are provided and the following are considered to be relevant to this development:

HO 015: ‘a) Require that new residential developments provide for a wide variety of housing types, sizes and tenures.

b) Specify target housing mixes, as appropriate, for certain sites and settlements as part of the Local Area Plan process.

c) Require the submission of a ‘Statement of Housing Mix’ with all applications for 10 or more residential units.

d) Require that all new residential developments in excess of 5 residential units provide for a minimum of 20% universally designed units in accordance with the requirements of ‘Building for Everyone: A Universal Design Approach’ published by the National Disability Centre for Excellence in Universal Design. Further detail in

respect of unit mix is set out in Chapter 15: Development Management Standards'.

HO 016: 'Promote the provision of high-quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood. Apartment development must be designed in accordance with the provisions of Sections 15.2, 15.3 and 15.4 (Chapter 15), where relevant, to ensure a high standard of amenity for future residents.'

Kildare County Development Plan 2023-2029 has been subject to a number of variations.

Variation No 1: Kilcullen Settlement Plan. Adopted 31st March 2025 with immediate effect.

Variation No. 2 Newbridge Settlement Plan. Published 17th September 2025. On display until 16th October 2025.

Variation No.3 To give effect to the Ministerial Guidelines published in accordance with Section 28 of the P&D Act 2000 (as amended).

The relevant guidelines are:

1. NPF Implementation: Housing Growth Requirements Guidelines for Planning Authorities (2025), which were published to give effect to the National Planning Framework First Revision (2025).
 - Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).

The Variation includes 'Settlement and Site Capacity Audit. A supporting document of Proposed Variation No. 3 of the Kildare County Development Plan 2023-2029 (as varied)' published on the 29th of October 2025. On display until 27th November 2025.

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² This Variation as outlined was on public display 29th October to 27th November 2025. KCC outlined at the OH that it is envisaged that the Variation would go before the Council in January. Like any variation of a CDP there is potential for material alterations and further display period as such the Variation on display is not necessarily the one which may ultimately be adopted by Kildare County Council public representatives.

While not adopted, in the interest of completeness I have set out proposed amendments that are of relevance to Celbridge and in particular the Ballyoulster lands.

Variation No. 3:

Proposed Variation No. 3 of the Kildare County Development Plan 2023-2029 (as varied) comprises of amendments to Chapters 1, 2, 3 and 15 of the Written Statement (Volume 1) of the Plan, to include the following overarching policy amendments to the Plan:

- Updated Chapter 1 (Introduction & Strategic Context) and Chapter 2 (Core Strategy & Settlement Strategy) to include an increased housing growth requirement for the remaining 3 years of the Plan to align with the NPF Implementation: Housing Growth Requirements - Guidelines for Planning Authorities (2025).
- Updated Chapter 2 (Core Strategy & Settlement Strategy) and Chapter 3 (Housing) to include revised density ranges and criteria for new residential developments, as required by the Sustainable Residential Development and Compact Settlements - Guidelines for Planning Authorities (2024).
- Updated Chapter 15 (Development Management Standards) to include new standards for residential developments to align with the Sustainable Residential Development and Compact Settlements - Guidelines for Planning Authorities (2024).

Implications for Celbridge:

Amendment No. 12

Proposed to include as part of section 2.11 Preferred Development Strategy:

The delivery mechanisms by which additional housing growth will be facilitated area as follows:

...3. The identification of strategic sites in Athy and Celbridge for future housing delivery to be integrated into new settlement plans in 2026/2027, the zoning for which will be determined during the plan making process having regard to strategic flood risk assessment and other environmental assessments.

Amendment No. 13

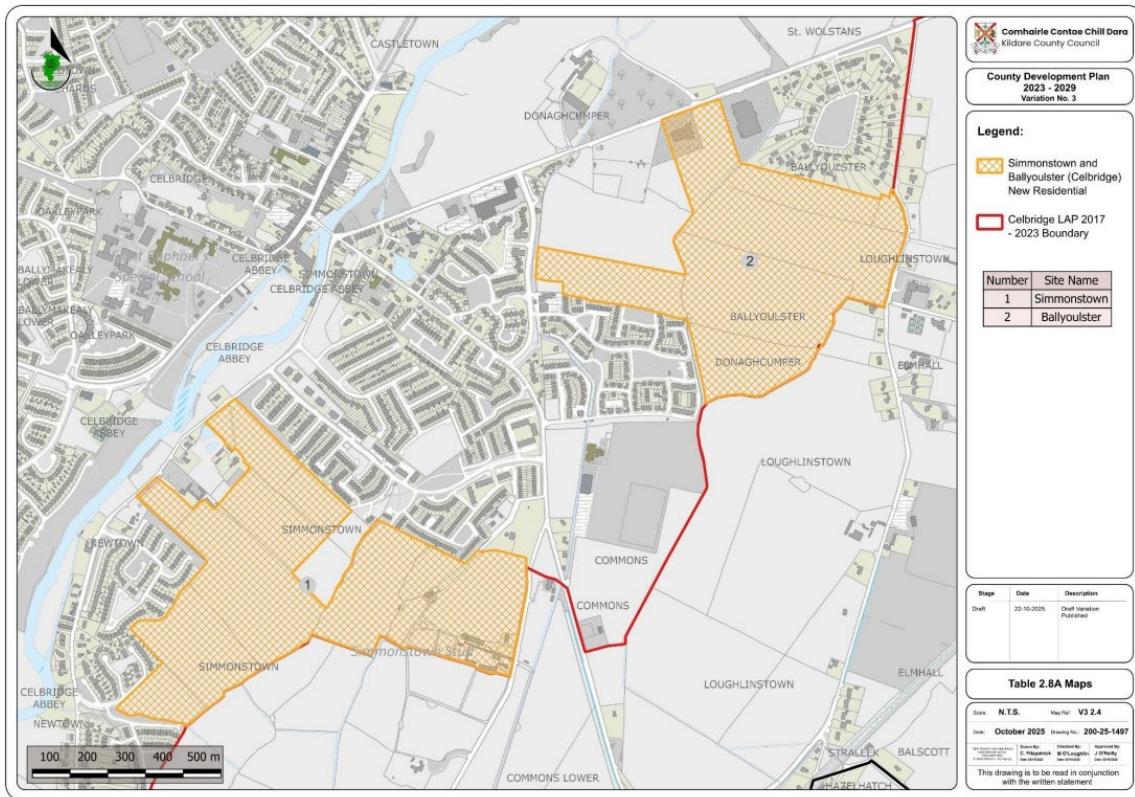
Settlement Type	Settlement Name	Census 2022 Population	Settlement percentage per total County Population	Housing & Population Tager %	Population Target 2023 to 2028 (end of Q4) (persons)	Housing Target 2023 to 2028 (end of Q4) (units) in accordance with HSTGs	Residential Zoned Land Requirement (ha)	Residential density Range (DPH) – compact Settlement Guidelines (2024)
Self Sustaining Town	Celbridge	20,601	8.31%	10.00%	2515	914	30	35-150

Amendment No. 14 – Include New Table 2.8A and Table 2.8B and Maps V1 – 2-3 to V1 2-9.

Table 2.8A - Core Strategy Supplementary Table for revised National Housing Growth Requirements (2025) [to be read in conjunction with Table 2.8 and Table 2.8B]

Settlement Type	Settlement name	Location/Site Name	Within Built Up Area (BUA)	Zoning Status	Tier 1/2	Approx. Gross Residential Area in hectares	Potential Additional Dwellings	Approx. Net Dwelling Density pr Hectare	Delivery Mechanism
Self Sustaining Town	Celbridge Map V3-2.4	Simonstown and Ballyoulster	No	'New Residential' in Celbridge LAP 2017-2023	Tier 2 ^{*15}	73ha approx.. – to be confirmed at Settlement Plan level	2000	37	Objective CS O30

*15 Refer to the Settlement and Site Capacity Audit prepared as a supporting document to proposed Variation No. 3 of the Kildare County Development Plan 2023-2029 (as varied)



Amendment No. 15:

Insert...

Where planning applications are received for housing development on appropriately zoned lands and where the development would result in an exceedance of core strategy allocation for that settlement, the planning authority may consider granting permission for such developments having regard to the provisions of section 86(7) of the Planning and Development Act 2024³ and where commensurate social infrastructure is delivered as part of the development scheme in accordance with objectives SC O15, SC O16 and SCO17 of this Plan .

Amendment No. 16 – Amend existing Core Strategy objectives and provide new Core Strategy objective to reflect National Planning Framework – First Revision (2025), Section 28 Guidelines and supporting objectives for sustainable placemaking/community building.

³ 86(7) (vii) where applicable, to the policies and objectives of the Government, any State authority, the Minister, the planning authority concerned or a public body whose policies have, or may have, a bearing on the proper planning and sustainable development of cities, towns or other areas (whether urban or rural).

These include:

CS O27 Work in close partnership with the Department of Education to support the timely planning and delivery of new schools across the count, so that educational infrastructure meets the needs of a growing population and contributes to the long term social and economic well being of the community. It is a priority that the triple school campus at Ballyoulster, Celbridge is delivered during the life of this Plan.

CS O30 Ensure that the new Settlement Plans for Celbridge and Athy integrate the sites identified in Table 2.8A into the development strategy for the town to facilitate the delivery of housing i.e.

- (i) Lands zoned 'Strategic Reserve' in the Athy Local Area Plan 2021-2027 at Chanterlands as identified in Map V3 and
- (ii) Lands zoned in the Celbridge Local Area Plan 2017-2023 as 'New Residential' at Simmonstown and **Ballyoulster** as identified in Map V3 – 2.4.

The full extent of residential land to be zoned will be subject to appropriate flood risk assessment at Settlement Plan stage.

Revision to densities is also set out in proposed Table 3.1 Appropriate density ranges as per the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024). This identifies Celbridge as 'Metropolitan Towns and Villages (>1,500 population) and distinguishes between 'Central and Urban Neighbourhoods' with density generally applied of 50-150dph and 'Suburban/Urban Extension with density generally applied of 30-50dph.

Amendments also included to update a number of standards to align with the CSG 2024 (separation distance, overshadowing, design statements, housing options, OS, House Design (floor areas and OS requirements), refuse storage, SuDS and OS, POS/Private OS, cycle parking, car parking.

Settlement and Site Capacity Audit (supporting document of proposed variation No. 3 of Kildare County Development Plan 2023-2029 (as varied) (24th October 2025:

The purpose of this report is to tier such lands in accordance with the National Planning Framework (2025) and the Development Plans – Guidelines for Planning Authorities (2022). The strategic sites subject of this Settlement and Site Capacity Audit are identified in Appendix B.

Simmonstown & Ballyoulster in Celbridge are identified as Tier 2

Tier 2 – Serviceable Zoned Land – comprising lands that are not currently sufficiently serviced to support new development but have the potential to become fully serviced within the life of the Plan.

Table 2.1 -Serviced status of housing land identified in Tables 2.8A and 2.8B of Variation No. 3

Settlement	Land Use Plan	Site Name	Zoning in relevant Land Use Plan	SCA/SPIA Status	Tiered Servicing Status
Short to Medium Term Development Sites					
Celbridge	Celbridge Local Area Plan 2017-2023	Simmonstown Key Development Area	New Residential	None	To be determined
		Ballyoulster Key Development Area	New Residential	None	To be determined

There are 5 no. short-term housing growth sites that have a 'to be determined' or 'no development' status:

The residential lands of the **Ballyoulster** and Simmonstown Key Development Areas were assigned a 'to be determined' status', as these lands were not subject to the tiered approach to infrastructural assessment in the Celbridge LAP. The Celbridge LAP was prepared prior to the adoption of the NPF and as such, did not tier lands in its assessment of infrastructural requirements.

An updated infrastructural assessment and tiering of the lands has been carried out and the updated infrastructural assessment noted in the Maps contained in Appendix B.

Score:

- High (300-400) – Tier 1

- Medium (151-299) Tier 2
- Low (0-150) No Development

Table 4.1 Audit Results for 5 no. medium housing growth sites

SITE ASSESSMENT RESULTS		
	Celbridge	
Criteria	Simmonstown	Ballyoulster
Surface Water	90	70
Movement and Transport	35	50
Water Supply	65	65
Wastewater	60	65
Total Score	250	243
Tier	Tier 2	Tier 2

- The Simmonstown and **Ballyoulster** lands in Celbridge benefit from the availability of existing natural surface water drainage channels.
- Any drainage works within the development site will generally be developer-led, providing for areas of Natural Based Solutions (NBS) to surface water management.
- Both pluvial and groundwater flood risks to individual sites were considered under the surface water drainage assessment criteria, through a review of CFRAM and PFRA flood maps.

The Celbridge LAP provides the following in relation to the development of **Ballyoulster** site:

Full development is dependent on the provision of improved pedestrian and cycling infrastructure on the existing bridge over the River Liffey and the potential incorporation of a road connecting Loughlinstown Road to the R405 Regional Road. It is noted that the Existing Celbridge Bridge Improvement Scheme / Active Travel Bridge was approved in September 2022, with tender documents to be complete in 2025. The cost for this infrastructure is 'medium', with approximately €4,500,000 being allocated under the Kildare County Council Capital Programme 2025-2027. Further local works that may

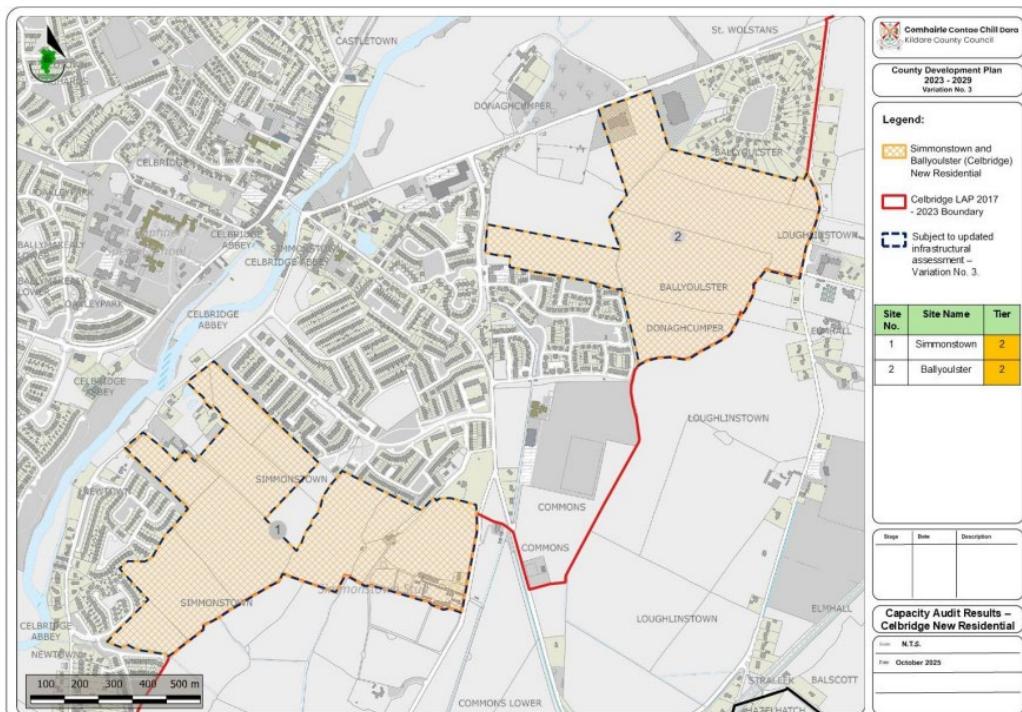
be required include improvements to footpaths along the Dublin Road; improvements to footpath, lighting and cycle infrastructure along the Loughlinstown Road and improvements along the Hazelhatch Road between the railway station and the town. The local improvement works, together with the provision of a road to connect the Loughlinstown Road to the R405 Regional Road will primarily be developer driven.

Watermains located immediately adjacent to the sites in Celbridge.

There is sufficient capacity in the Leixlip WWTP to serve Simmonstown and **Ballyoulster**, the shared nature of the treatment plant with several other settlements requires ongoing monitoring in terms of capacity.

The Wastewater Treatment Capacity Register does not take local drainage network capacity into account. In this regard, UÉ has confirmed the following in relation to each of the sites examined:

Ballyoulster: The distance to the nearest sewer is less than 200m. A new UE gravity sewer to Primrose Hill in Celbridge has been sized for this area under the ongoing works of the Celbridge Sewer Network Improvement Project. A developer provided pumping station may be required to pump to the gravity sewer.



Summary of Implications of proposed variation for Celbridge

- Lands Identified in Celbridge for future housing delivery to be integrated into new settlement plans in 2026/2027, the zoning for which will be determined during the plan making process having regard to strategic flood risk assessment and other environmental assessments.
- Table 2.8A - Core Strategy Supplementary Table for revised National Housing Growth Requirements (2025) [to be read in conjunction with Table 2.8 and Table 2.8B] notes that the lands at Ballyoulster are not within the Built Up Area (BUA) of Celbridge, are identified as Tier 2 and Objective CS O30 applies.

CS O30 Ensure that the new Settlement Plans for Celbridge and Athy integrate the sites identified in Table 2.8A into the development strategy for the town to facilitate the delivery of housing i.e.

(ii) Lands zoned in the Celbridge Local Area Plan 2017-2023 as 'New Residential' at Simonstown and **Ballyoulster** as identified in Map V3 – 2.4.

The full extent of residential land to be zoned will be subject to appropriate flood risk assessment at Settlement Plan stage.

An updated infrastructural assessment dated 24th October 2025 was prepared for Celbridge. This has assigned the lands at Ballyoulster Tier 2.

Table 2.1 -Serviced status of housing land identified in Tables 2.8A and 2.8B of Variation No. 3

Settlement	Land Use Plan	Site Name	Zoning in relevant Land Use Plan	SCA/SPIA Status	Tiered Servicing Status
Short to Medium Term Development Sites					
Celbridge	Celbridge Local Area Plan 2017-2023	Ballyoulster Key Development Area	New Residential	None	To be determined

Summary of OPR Submission Variation No.3 (dated 27 November 2025):

The OPR made a submission which highlighted the following in relation to Celbridge and in particular the lands at Ballyoulster.

- The Office notes table 2.4B of the proposed Variation which sets out a housing growth requirement of 12,398 units to the end of the plan period, including 50% additional provision. This is consistent with the Housing Growth Guidelines and is welcomed by the Office.
- The proposed Variation introduces supplementary core strategy tables (tables 2.8A and 2.8B) which identifies a total of 7,826 units for short, medium, and long-term delivery. However, it would appear that lands at Celbridge (Simmonstown and **Ballyoulster**) and Leixlip (Confey) have been double-counted and should not form part of the proposed additional capacity figure, and this should be reviewed or clarified.
- Office has practical concerns regarding the deliverability of certain lands due to significant transport and access infrastructural constraints in Celbridge (Simmonstown and **Ballyoulster**), as identified in the Settlement and Site Capacity Audit submitted with the proposed Variation. Similarly, in Leixlip/Confey the Confey lands are identified as long-term strategic and sustainable sites subject to a future designation of an Urban Development Zone (objective CS O32). These circumstances mean that it is unlikely that these lands will come forward within the current plan period. Consequently, there appears to be limited capacity for additional residential development in these settlements in the short-term.
- the Office recommends that the Planning Authority consider options to bridge this delivery gap until these constrained lands become available. This may include zoning additional residential lands that are not so infrastructurally constrained, or specifying opportunities for parts of these landbanks to be brought forward earlier.
- The following recommendations that affect the subject site are noted:

Recommendation 1 – Implementation of Housing Growth Requirements

Having regard to the need to development plans to be updated to reflect the new requirements of the National Planning Framework First Revision (2025)(NPF) in respect of housing and in particular to:

- NOP 42 of the NPF to target the delivery of housing to accommodate approximately 50,000 additional homes per annum to 2042;
- NPO 43 of the NPF to prioritise the provision of new homes at locations that can support sustainable development, and
- The NPF Implementation: Housing Growth Requirements (2025)(Housing Growth Guidelines), including policy and objective 3 to incorporate the objectives of the Housing Growth Guidelines within development plans.

The Planning Authority is recommended to:

- (i) Revise tables 2.8A and 2.8B to omit or clarify the inclusion of lands at Celbridge Simmonstown and Ballyouslter) and Leixlip (Confey) in the calculation of residential zoned lands;
- (ii) Taking account of the likelihood that the lands identified for residential development in Celbridge and Leixlip/Confey will not come forward for development for the remaining period of the Kildare County Development Plan 2023-2029, consider zoning additional residential lands that are not so constrained, or specifying opportunities for parts of these landbanks to be brought forward earlier.
- (iii) Revise objective CS O29 to release Phase 2 Residential lands in all settlements viable for development; and
- (iv) Revised objective CS O30 and CS O31 to include a timeframe for the timely review of settlement plans for Athy, Monasterevin, Kilcock and Sallins to ensure residential delivery within the remaining development plan period.

2.3 National Planning Framework (2025)

The National Planning Framework 2025 sets out that the ‘major policy emphasis on renewing and developing existing settlements established under the NPF 2018 will be continued, rather than allowing the continual expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages.’

Of relevance to the Limited Agenda Oral Hearing is:

- **National Policy Objective 11:** 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 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.

In the interest of completeness this section should be reading conjunction with section 6 of the original IR dated 28th May 2025.

3.0 Oral Hearing

3.1 Introduction

This section summarises the online Limited Agenda Oral Hearing that took place on Thursday 16th October 2025. A complete recording of the oral hearing is available for the Coimisiún's consideration and is attached to the file. It commenced at 10.01am and concluded at 11.47am. The following parties were represented at the hearing:

Applicant – Kate Kerrigan and Elahe Saki (John Spain Associates) and Brendan Slattery (McCann Fitzgerald). Also in attendance as the new owners of the site were representatives from the LDA (Dermot Clancy, Darragh Burke, Colm Harte, Emer O'Callaghan and Christine O'Sullivan)

Kildare County Council – Martin Ryan (Senior Executive Planner).

Third Party Observers – Marina Brennan, Elaine Breslin, Catherine Fermoyle Perry, Paul Reilly, Ray Di Mascio and Brian Bergin.

A submission was received by the Commission from the applicant and Kildare County Council in advance of the hearing and circulated to all parties.

3.1 Inspector's Opening Statement

I made an opening statement setting out relevant procedural aspects of the hearing, including the rationale for the holding of the hearing.

3.2 Submission to the Hearing on Behalf of the Applicant

Brendan Slattery led the submission on behalf of the applicants in terms of specific item no. 1 and status of the zoning as raised in the limited agenda and Kate Kerrigan took the lead in giving an overview of the proposed development and remaining Agenda items. Submission included a Legal Opinion from McCann Fitzgerald LLP.

3.2.1 Agenda Item No. 1:

It is considered that the Celbridge LAP 2017-2023, including the zoning, remains in force until such time as the LAP is reviewed or another plan is made (irrespective of the period of 2017- 2023 referred to within the LAP). In particular, Section 1.2 of the LAP states that: “The period of this plan shall be taken as being six years from the date of its adoption or until it is reviewed or another plan made, unless it is extended under Section 19(1)(d) of the Planning and Development Act 2000 as amended.”

The Kildare County Development Plan 2023-2029 (CDP) was adopted on the 9th of December 2022 and came into effect on the 28th of January 2023. Section 2.7.1 of the CDP prescribes zoning objectives only for small towns and villages and provides that individual LAPs will be prepared for higher-order settlements such as Celbridge. Policy Objective CS 09 confirms that it is an objective of the Council 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 Naas, Maynooth, Newbridge, Leixlip, Kildare, Athy, Celbridge, Kilcock, Monasterevin, Sallins, Clane and Kilcullen in accordance with the objectives of the County Development Plan and all relevant Section 28 Ministerial Guidelines.”

Therefore, given that the Celbridge LAP has not been reviewed, another plan has not been made, and the LAP was not extended, it is considered that the LAP continues to take effect, alongside the CDP. A legal opinion has been obtained to confirm that the Celbridge LAP, and the zoning prescribed therein, continues to take effect under the Kildare County Development Plan 2023– 2029. The legal opinion, provided by Brendan Slattery, McCan FitzGerald LLP, is included in the written submission to the LA OH and reiterated in person by Brendan Slattery on the day.

3.2.2 Agenda Item No. 2

It was highlighted that Celbridge is identified as a ‘Self Sustaining Town’ located within the MASP of which Section 2.11 sets out the preferred development strategy, which includes achieving critical mass in the MASP area which includes Celbridge.

Table 2.8 of the Kildare CDP sets out the Core Strategy table and includes a Housing Target for Celbridge of 914 units over the six year plan cycle with a corresponding land requirement of 30 hectares.

It is submitted that the proposed development (344 no. units) to be constructed over a five year period accords with the settlement strategy and population projections for Celbridge set out in the CDP. Figures based on a review of extant permissions for housing schemes from Q1 2023 to end of Q1 2025 along with the delivery of residential unit in Celbridge were presented.

It is submitted that this would leave a remaining balance of 504 units to be delivered in Celbridge against the Core Strategy figure of 914 within the lifetime of the Plan.

The LAP identified 121.2ha of land with a residential or mixed-use zoning with an estimate of c. 3,519 residential units. 5no. KDAs are identified in the LAP, including the current site (KDA 2) a greenfield site on the edge of the existing built up area of the town.

It is submitted that of the 2 remaining KDA in Celbridge, KDA 2 at Ballyoulster is not subject to infrastructure requirements restricting its delivery, unlike KDA 5 (Simmonstown).

It is submitted that the subject lands are fully serviced, unconstrained by infrastructural dependencies and therefore capable of contributing to Core Strategy delivery in the short to medium term.

3.2.3 Agenda Item No. 3:

It is considered that the proposed development accords with the relevant provisions of the National Planning Framework, First Revision April 2025, with particular regard to National Policy Objective 11.

It is set out that it is clear the need to plan for increased growth in accordance with the NPF First Revision and NPO11 provides for flexibility to projected targets for future growth.

It is submitted that the subject proposals will contribute to achieving the remaining balance of approximately 504 units to be delivered in Celbridge against the CDP Core Strategy target of 914 units within the lifetime of the Plan, and that the proposed development will provide an acceptable quantum of residential development, which will be served by an appropriate level of physical and social / community infrastructure, having regard to the receiving capacity of the environment.

The subject lands, located in Celbridge, a designated 'Self-Sustaining Town' situated within the Dublin Metropolitan Area Strategic Plan (MASP) are sequentially positioned at the edge of the established Urban Built-up Area of Celbridge.

It is also submitted that the Ballyoulster lands represent a natural and logical extension of the town. Situated contiguous to the built-up area of Celbridge, they constitute an opportunity for planned, compact and sustainable growth on appropriately zoned lands with strong physical and social infrastructure, thereby directly advancing NPO 7 of the Revised NPF.

The applicant is of the view that the subject lands are exceptionally well placed to support compact growth by providing new homes close to employment and services, thereby reducing unsustainable commuting patterns (NPO 20 and NPO 37).

It is submitted that the subject lands are demonstrably consistent with NPO 11 of the Revised NPF and will provide for an acceptable quantum of residential development at this location, served by an appropriate level of physical and social / community infrastructure. The proposed development would not be at risk of flooding or increasing the risk of flooding on other lands, would be capable of being adequately served by wastewater, surface water and water supply infrastructure in a manner which would not adversely impact on water quality or regime.

The proposals provide for an acceptable form of residential amenity for future occupants, would not seriously injure the visual amenity of the area of representing an appropriate and sustainable location for residential development. In line with the Tiered Approach to Zoning set out in the Revised NPF, the lands fall within the category of zoned land that is serviced and available for development, as distinct from lands that require significant further investment in infrastructure before development can be realised.

It is submitted that the subject lands are sequentially located, zoned and serviced; proximate to employment, services and high-quality public transport; and supported by sufficient social and community infrastructure, with provision also made for a new childcare facility to serve both the existing and emerging community. The future development of these lands has been identified as a priority for Kildare County Council, underscoring their central role in meeting Celbridge's Core Strategy requirements within the lifetime of the current CDP.

3.2.4 Summary of Legal Opinion from McCann Fitzgerald LLP:

It is submitted that LAP, adopted on 17 August 2017, states: “The period of this plan shall be taken as being six years from the date of its adoption or until it is reviewed or another plan made, unless it is extended under section 19(1)(d) of the Planning and Development Act 2000 as amended” (§1.2). The six-year period was not extended under section 19(1)(d). Counsel for Keldrum argued that zoning need not necessarily be prescribed in any formal or particular way, such as by way of zoning maps, but rather the correct approach is to examine the county development plan to glean if there's any statement or policy which expresses an intention for land to be used a certain way or for particular purposes. Humphreys J. acknowledged that even if a local area plan were to expire before a county development plan took effect, the latter might revive the former, and the zoning therein.

From July 2017 to December 2021, zoning is uniquely relevant to the choice of planning application process. The “fast track” planning process that allowed certain applications for strategic housing development (“SHD”) to be made direct to the Board under the Planning and Development (Housing) and Residential Tenancies Act 2016 (the “SHD Act”), as here, was limited to development “on land zoned for residential use or for a mixture of residential and other uses”

It is immediately clear that the zoning of land was relevant to whether residential development satisfied the definition of SHD, and that it was relevant in different ways for different types of residential development, or use.

For houses, the land had to be “zoned for residential use or for a mixture of residential and other uses”. The lands in Celbridge must be interpreted to satisfy this requirement, today.

Under the CDP, Celbridge is a “Self-Sustaining Town”, with a housing population target of 10%, a population growth target of 2,515 by 2028, a housing growth target of 914, and a residential zoned land requirement of 30 ha (per Table 2.8).

It is submitted that It would be impossible for the Council to secure the CDP’s housing strategy without facilitating/allowing residential development in Celbridge. Indeed, the Council relied on zoned land in the LAP to satisfy its obligations under section 94(1)(a) of the 2000 Act, to provide for the housing of the existing and future

population of the area in the manner set out in the strategy, and, section 95(1)(a) of the 2000 Act, to ensure that a scarcity of land for residential use does not occur at any time during the period of the CDP.

Certainly, there is no sensible reading of the CDP that could suggest it prohibits residential development in Celbridge, or which makes it difficult, or impossible.

The CDP notes that individual LAPs will be prepared for higher order settlements such as Celbridge (§2.7.1). Policy Objective CS 09 of the CDP provides it is an objective 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 Naas, Maynooth, Newbridge, Leixlip, Kildare, Athy, Celbridge, Kilcock, Monasterevin, Sallins, Clane and Kilcullen in accordance with the objectives of the County Development Plan and all relevant Section 28 Ministerial Guidelines.” It is clear that this does not prevent the Commission from granting permission *before* any new LAP is made.

The CDP sets Humphreys J. recently explained in *Byrne v Fingal County Council* [2025] IEHC 204 that the absence of a local area plan, or otherwise, should not result in a suspension of decision-making, nor that permissions must be refused out that its preferred development strategy is to achieve critical mass in the Metropolitan Area Strategic Plan area, which includes Celbridge (§2.11).

the High Court has previously criticised the Commission for choosing to wait for policy from local or central government: *Element Power Limited v. An Bord Pleanála* [2017] IEHC 550; and, more recently, *Shannon LNG Limited v. An Bord Pleanála* [2024] IEHC 555

For completeness, the Development Plan Guidelines (June 2022) are helpful insofar as they recognise the urgency of the housing crisis, and the pressing need for zoned land. The guidelines make clear (at paragraph 4.4.1) that land that is serviced and

can be developed for housing within the life of a development plan should not be subject to de-zoning.

Therefore it is their opinion that the Commission remains free to decide to grant permission for residential development of the Lands. There is no doubt that there are substantial features of the CDP to which the Commission must give heavy weight that favour the grant of permission

3.3 Submission to the Hearing by Kildare County Council

Martin Ryan on behalf of Kildare County Council confirmed they would agree with the applicant that the development would constitute compact growth and reiterated the comments already made in writing by the Senior Planner.

Kildare County Council is of the view that the Celbridge Local area Plan has not been extended, reviewed or revoked, and therefore is considered, in conjunction with the Kildare County Development Plan (as varied) to be the appropriate planning policy framework for the consideration of development proposals in accordance with section 34 of the Planning and Development Act 2000 (as amended).

The PA indicated that it is intended that a new plan for Celbridge may be prepared in 2026 but offered no definitive timeline. The PA is of the opinion that the Celbridge LAP is still in place and the site is zoned residential.

Table 2.8 of the Development Plan set out a housing allocation of 914 units for the settlement of Celbridge for the 6 year period of the Plan. To date from Q1 2023 to end of Q1 2025 the number of units delivered is 162. The number of units granted combined for 2023 and 2024 is 430 units. This indicates that there is remaining capacity of 484 units in the settlement of Celbridge.

The provisions of NPO 11 are noted as they relate to the settlement of Celbridge. Future development of the lands at Ballyoulster remain a priority for KCC as the lands:

- Represent appropriate consolidation of the existing built up area of Celbridge – a self-sustaining town within the Metropolitan Area.
- Will facilitate the delivery of a triple school campus to address capacity deficits in Celbridge.

- Are not at risk of flooding.
- Have access to significant employment areas at Grangecastle and Weston.
- Have capacity for water and wastewater subject to local network upgrades.
- Is an Area proximate to high capacity public transport routes (Bus Connects Branch Route Celbridge to Ringsend and Celbridge- Hazelhatch train station).

The PA highlighted at the oral hearing that a Variation (still being drafted at the time of the LA OH) to address NPF Implementation: Housing Growth Requirements Guidelines for Planning Authorities (2025)., and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) was being prepared. This is expected to be published and go on display at the end of October. The Variation will include, amongst other matters, amendment to the Core Strategy, supplementary Tables and identification of strategic sites in Celbridge. It is expected that the Variation would go before Elected Members in January 2026.

3.4 Submissions to the Hearing by Observers

None of the third-party observers who attended the hearing submitted a written submission prior to the hearing. A number made submissions on the day.

- 3.4.1. **Catherine Fermoy Perry** - Main concern was the site was proposed for local education campus and queried if the school would get priority over housing. Raised concerns of number of children requiring school places from 344 houses.
- 3.4.2 **Paul Reilly** - Main concern related to item no. 2 and discrepancies in the number of units accounted for as presented by the applicant, the Development Plan Table 2.2 figures and capacity of Celbridge to comply with Core Strategy as number of units granted have already exceeded to allocation for Celbridge in the current CDP.
- 3.4.3 **Ray Di Mascio** - Main concern related to item no. 3 and capacity of the receiving environment to accommodate the proposed development including roads, paths, cycle tracks, services, ESB etc. Of the view that there is not the environmental capacity to absorb new units.
- 3.4.4 **Elaine Breslin** – noted Mr Di Mascio's submission, main concern related to item no. 3 and capacity of the receiving environment to accommodate the proposed development. - roads, school, etc.

Full details are contained in the audio recording of the hearing and in KCC and the applicant's written submissions, which are on file.

3.6 Questioning

3.6.1 Questions from Inspector to Parties

I asked both the applicant and the PA - Is there a statutory zoning currently in place for the lands at Donaghcumper and Ballyoulster in Celbridge?

Both the applicant (via Brendan Slattery & Kate Kerrigan) and Kildare County Council stated yes, the site is zoned.

I asked the PA to clarify item no. 2 as it related to the zoned residential lands in Celbridge and Housing Targets. Table 2.8 in the CDP indicates a Housing Target 2023 to 2028 (end of Q4) (units) in accordance with HSTGs of 914 units for Celbridge. Table 2.8 also established a residential zoned land requirement of c. 30ha. for the town of Celbridge to accommodate this housing target of 914 units. This is significantly less than that 121.2ha. zoned as part of the expired Celbridge LAP 2017-2023 as set out in Table 4.1 *Estimated Residential Capacity*, 29.5ha. of which relates to the KDA2 lands alone. It would appear that the expired Celbridge LAP 2017-2023 provides for a significant amount of excess zoning at c. 90ha over and above the requirement identified in the Core Strategy for the County Development Plan 2023-2029. Will the variation the PA mentioned that is due to go on display clarify the figures/map and address the discrepancies?

The PA referred to a Variation that would be going on display at the end of October that would clarify matters and outline the order of priority, but as still being drafted cannot say for sure what will say. The PA also referred to the CE report published in September that identified the lands at Simmonstown and Ballyoulster to meet NPF requirements.

I asked the PA if an application was before them now, which figures take precedence (LAP or Core Strategy and CDP)?

The PA responded, the CDP takes precedence.

I had no further questions.

3.6.2 Questions from Kildare County Council to Parties

No questions were asked.

3.6.3 Questions from Applicant to Parties

No questions were asked.

3.6.4 Questions from Third party Observers to Parties

Paul Reilly (Observer) presented figures to the applicant and KCC regarding permitted development and capacity to accommodate additional units and sought clarify on what figures are based on and was of the view that Celbridge had already exceeded its allocation.

Mr Reilly referred to the figure in Core Strategy Table 2.2 of 914 units. The applicant and PA gave figures of 410 units at this moment in time. Mr Reilly outlined that he reaches a figure of 937 based on the 410 and development at Crodaun (467 units) and Celbridge Lodge (60 units). Mr Reilly queried if the number of units allocated in the current CDP for Celbridge has already been exceeded as his figures appear to illustrate. Requested that the applicant and Kildare County Council clarify how they derived their figures and remaining capacity in Celbridge.

The applicant (via Mr Slattery) highlighted that only decisions granted during the current Plan consume that target Core Strategy. Cordaun was granted before the current CDP was adopted (albeit not commenced until recently due to JR proceeding) and the units at Celbridge Lodge were refused permission by ACP.

KCC responded that they have no further comments. Units 2023-2024 equate to 430 units and therefore remaining capacity in Celbridge is 484 units.

Martina Brennan (Observer) asked if the creche and school would be delivered before the housing.

The applicant responded that crèche is included in the proposed development and required to be provided as phase 1.

The applicant responded that the Department is responsible for the school delivery, it is outside the scope of the site but it is their understanding that this is a pre-planning consultation stage.

Any questions outside the scope of the LA OH were not considered.

3.7 Closing Submissions

The applicant reiterated issues raised and highlight that these are the only lands available in Celbridge to meet housing supply.

Neither Kildare County Council nor Third Party Observers made Closing submissions.

3.8 Inspector's Closing Comments

I made a brief closing statement and then closed the limited agenda oral hearing.

4.0 Assessment

- 4.1 This Addendum Report should be read in conjunction with the IR on file dated 28th May 2025.
- 4.2 The reason the Commission directed that a limited agenda oral hearing be held was because the Celbridge Local Area Plan 2017- 2023 under which the application site was mainly zoned C – *New Residential* with the objective: ‘To provide for new residential development’ and E *Community and Education* with the objective; ‘To provide for education, recreation, community and health’ has expired. The Commission was precluded from seeking further information and circulating the response to all parties so it took the decision in the interest of natural justice to have a limited agenda oral hearing, as provided for under section 18 of the Planning & Development (Housing) and Residential Tenancies Act, 2016, as it is the only mechanism by which these issues could have been addressed in a public forum.
- 4.3 Having regard to the contents the IR and the information presented at the limited agenda oral hearing, I am satisfied that the only outstanding matters to be addressed are the three matters for which the limited agenda oral hearing was held. These are individually considered in this section.

Clarity as to the current zoning status of the subject site.

- 4.4 The first issue on the agenda of the Oral Hearing was to clarify the status of zoning of the site. The applicants' submission highlights how they are of the view that the Celbridge LAP 2017-2023, including the zoning, remains in force until such time as the LAP is reviewed or another plan is made (irrespective of the period of 2017- 2023 referred to within the LAP). In particular, Section 1.2 of the LAP states that: “The period of this plan shall be taken as being six years from the date of its adoption or until it is

reviewed or another plan made, unless it is extended under Section 19(1)(d) of the Planning and Development Act 2000 as amended.”

4.5 The Kildare County Development Plan 2023-2029 (CDP) was adopted on the 9th of December 2022 and came into effect on the 28th of January 2023. Section 2.7.1 of the CDP prescribes zoning objectives only for small towns and villages and provides that individual LAPs will be prepared for higher-order settlements such as Celbridge.

4.6 The applicant submits that given that the Celbridge LAP has not been reviewed, another plan has not been made, and the LAP was not extended, it is considered that the LAP continues to take effect, alongside the CDP. The Legal Opinion prepared by McCann Fitzgerald LLP noted that based on recent judicial observations, as no judgement made in Keldrum & Cairn relating with Wicklow LRDs, the only sensible conclusion is that the LAP, and the zoning prescribed therein, continues to take effect under the CDP. And therefore the Commission remains entitled to lawfully grant permission in respect of the pending application. I refer the Commission to section 3.2.4 of this report where the Legal Opinion is summarised in more detail. It is submitted that the LAP, adopted on 17 August 2017, states: “The period of this plan shall be taken as being six years from the date of its adoption or until it is reviewed or another plan made, unless it is extended under section 19(1)(d) of the Planning and Development Act 2000 as amended” (§1.2) and that the six-year period was not extended under section 19(1)(d) as such the LAP remains in place. It was also highlighted in the submitted Opinion that the period from July 2017 to December 2021, zoning is uniquely relevant to the choice of planning application process. The “fast track” planning process that allowed certain applications for strategic housing development (“SHD”) to be made direct to the Board (as it was at the time) under the Planning and Development (Housing) and Residential Tenancies Act 2016 (the “SHD Act”) was limited to development “on land *zoned for* residential use or for a mixture of residential and other uses” It is, therefore submitted that it is immediately clear that the zoning of land was relevant to whether residential development satisfied the definition of SHD, and that it was relevant in different ways for different types of residential development, or use. For houses, the land had to be “zoned for residential use or for a mixture of residential and other uses”. Following on from this the applicant’s legal opinion if that the lands in Celbridge must be interpreted to satisfy this requirement, today.

4.7 Kildare County Council are of the view that the site is still zoned as per the zonings under the LAP. In my view, the Local Area Plan has expired and it has not been extended.

4.8 There is a statement under Section 2.7.1 of the current CDP that prescribes zoning objectives only for small towns and villages and provides that individual LAPs will be prepared for higher-order settlements such as Celbridge. I note Policy Objective CS 09 which sets out the intention 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 Naas, Maynooth, Newbridge, Leixlip, Kildare, Athy, **Celbridge**, Kilcock, Monasterevin, Sallins, Clane and Kilcullen in accordance with the objectives of the County Development Plan and all relevant Section 28 Ministerial Guidelines.” At the time of writing there is no LAP for Celbridge in place nor is there one currently being prepared. I highlight to the Commission that Kildare CC in their submission to the Oral Hearing outlined that it is their intention to prepare a plan for Celbridge in 2026 but there is no definitive timeline for same. I also wish to highlight Variation No. 3 of the Kildare CDP 2023-2029 which went on display on the 29th October 2025, this highlights *“The identification of strategic sites in Athy and Celbridge for future housing delivery to be integrated into new settlement plans in 2026/2027, the zoning for which will be determined during the plan making process having regard to strategic flood risk assessment and other environmental assessments”*.

4.9 Having examined the Kildare County Development Plan 2023-2029 and legal submissions made by the applicant I consider the Celbridge LAP 2017-2023 to be expired. The CDP as outlined above includes statements relating to the intention to review and prepare on an ongoing basis a portfolio of Local Area Plans (LAPs) for the mandatory LAP settlements. As outlined in section 2, there are other variations that have been adopted or at draft stage with Variation no. 1 providing for adoption and integration of the Kilcullen Settlement Plan into the County Development Plan and Variation 2 proposing to adopt and integrate the Newbridge Settlement Plan respectively into the County Development Plan (just off public display). It is clear based on the variations adopted or in draft form none relate to the Celbridge Local Area Plan with a new Settlement Plan intended not yet at draft stage.

4.10 At the centre of the LA OH was the question, whether the zonings on site are still in place despite expiration of the Celbridge Local Area Plan and whether the proposal can be considered on the basis of the County Development Plan in place. As outlined above I am of the view that the Celbridge LAP has expired. I note that notwithstanding the expiry of the Local Area Plan I am satisfied that there are clear policies and objectives within the Kildare County Development Plan 2023-2029 that refer to development in the settlement of Celbridge that could be relied on to assess proposals for development, in particular I refer to Chapter 2 and the Core Strategy.

4.11 However, the current proposal before the Commission is for a Strategic Housing Development (SHD) application. Under the Planning and Development (Housing) and Residential Tenancies Act 2016, Strategic Housing Development under Section 3(a) is defined as:

Section 3 of the Planning and Development (Housing) and Residential Tenancies Act of 2016 set out the definition of SHD as,

- (a) the development of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses,*
- (b) the development of student accommodation units which, when combined, contain 200 or more bed spaces, on land the zoning of which facilitates the provision of student accommodation or a mixture of student accommodation and other uses thereon,*
- (c) development that includes developments of the type referred to in paragraph (a) and of the type referred to in paragraph (b), or containing a mix of houses and student accommodation or*
- (d) the alteration of an existing planning permission granted under section 34 (other than under subsection (3A)) where the proposed alteration relates to development specified in paragraph (a), (b), or (c).*

4.12 The wording of the SHD legislation is prescriptive in that it must be on land that is specifically zoned for residential use. It is considered that no statutory zoning currently applies to the subject site. This matter was highlighted by the previous Inspector in their report dated 28th May 2025 and it was noted at the time that the Kildare County Development Plan, whilst providing for housing targets and the inclusion of Celbridge in the Core Strategy, it is explicitly clear under Objective CS 09 that the Council will review and prepare LAPs for the mandatory settlements including Celbridge. This

objective and statutory requirement has not been fulfilled. It may have been the intent of the Council that the land use zoning under the LAP remained in place until such time as the LAP was reviewed, however, in my opinion, there is ambiguity regarding the zoning status of the lands.

The relevant provisions of the Kildare County Development Plan 2023-2029, with particular regards to the ‘Core Strategy & Settlement Strategy’ and Table 2.8 which indicates a Housing Target for 2023-2029 of 914 units for Celbridge and a residential zoned land requirement of 30 hectares.

4.13 As set out above notwithstanding the expiry of the Celbridge Local Area Plan there are policies and objectives within the Kildare County Development Plan 2023-2029 that refer to development in the settlement of Celbridge. I refer the Commission to the detailed assessment carried out under section 10 of the IR dated 28th May 2025 which has assessed the overall development and compliance with the Kildare County Development Plan and other relevant policies and standards set out at Regional and National level.

4.14 Agenda item no. 2 sought clarity with particular regard to the ‘Core Strategy & Settlement Strategy’ and Table 2.8 which indicates a Housing Target for 2023-2029 of 914 units for Celbridge and a residential zoned land requirement of 30 hectares and my assessment here will focus on this.

4.15 The proposal entails the provision 344 residential units (130 no. houses, 214 apartments and a creche) on a greenfield site located on the northeastern periphery of Celbridge within the 60kmph speed zone. The site and the lands to the immediate southeast and north are in agricultural use, to the south/southwest is residential and to the northeast is the Rye River Brewing Company beyond which there is a cluster of detached houses and semi-detached cottages.

4.16 The primary purpose of the Core Strategy is to provide an ‘evidence-based rationale for the quantum of land proposed to be zoned specifically for housing, population and employment or mixed-use to accommodate and align with projected demand.’ The Core Strategy identifies Celbridge as a Self -Sustaining Town under the Kildare Settlement Hierarchy (Table 2.7).

4.17 Core Strategy Table 2.8 indicates a Housing Target 2023 to 2028 (end of Q4) (units) in accordance with HSTGs of 914 units for Celbridge. Within the Core Strategy regard has been had to extant planning permissions and the zoned land provisions at the time of preparation which included the subject site as part of the Celbridge LAP and at the time of the adoption of KCDP in 2023 an allocation of 914 units was afforded to Celbridge. Table 2.8 also established a residential zoned land requirement of c. 30ha. for the town of Celbridge to accommodate this housing target of 914 units. Which is significantly less than that 121.2ha. zoned as part of the expired Celbridge LAP 2017-2023 as set out in Table 4.1 *Estimated Residential Capacity*, 29.5ha. of which relates to KDA2 alone. It would appear that the expired Celbridge LAP 2017-2023 provides for a significant amount of excess zoning at c. 90ha over and above the requirement identified in the Core Strategy for the County Development Plan 2023-2029 Core Strategy. I raised this matter with the planning authority at the oral hearing and was informed of the proposed variation to the CDP, which was still being drafted at the time of the oral hearing, would clarify matters regarding the lands at Ballyoulster and set out an order of priority for development of lands in the county to meeting housing delivery targets.

4.18 Observers raised concerns that the housing targets set out in the current CDP and indeed the previous CDP were exceeded. At the time the SHD application was lodged in 2022 a Material Contravention Statement was included that referenced the Housing Allocation for Celbridge under the 2017 CDP. These figures are superseded by the housing targets set out in the current CDP and which are now the subject of proposed amendments under Variation No. 3.

4.19 As highlighted in section 10.2 of the IR dated 28th May 2025, it is clear from the Core Strategy of the current CDP that there are significant areas of undeveloped land banks that were zoned as part of the Celbridge LAP 2017-2023 that have not yet been developed. Furthermore, it would appear that the Celbridge LAP 2017-2023 includes a significant amount of surplus zoned land. I note that the original Inspector in her report dated 28th May 2025 concluded that "*it is clear that the Settlement Strategy and the Core Strategy of the CDP support the hierarchy of attractive, compact and consolidated settlements. Having regard to the greenfield nature of the site located on the periphery of the built up area of Celbridge and the proposed reduction in residential zoned land requirement identified in Table 2.8 Core Strategy Table*", I concur that the

proposed development would not be consistent with the sustainable and compact growth of Celbridge and that there has been no change in circumstances or information presented at the limited agenda oral hearing that changes this position taken in May 2025.

4.20 In the absence of the adoption of a LAP for Celbridge in line with the core strategy figures identified in the Kildare County Development Plan 2023-2029, I concur with the original Inspector that any expansion of development on a greenfield site may prejudice the settlement strategy, the achievement of compact growth and the appropriate sequential approach figures as identified in the core strategy of the CDP. In addition, the applicant is seeking a 7-year planning permission which is likely to cover the duration of two Country Development Plans if the Commission is of a mind to grant permission and would therefore be contrary to objective CS O1 and CS 04.

4.21 The extent of lands required for residential development including greenfield in Celbridge has been quantified in the current CDP at 30ha. which is significantly lower than the lands identified in the expired Celbridge LAP 2017-2023. As such, the only conclusion I can reach is that planning permission should be refused having regard to the objectives within the KCDP 2023-2029 as regards compact growth, and the prioritising of brownfield and infill sites (CS 05).

4.22 For completeness I draw the Commission's attention to proposed Variation No. 3 of the CDP which proposes to amend among other items the Core Strategy and Core Strategy Tables.

Settlement Type	Settlement Name	Census 2022 Population	Settlement percentage per total County Population	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)	Residential density Range (DPH) – compact Settlement Guidelines (2024)
Self Sustaining Town	Celbridge	20,601	8.31%	10.00%	2515	914	30	35-150

4.23 The variation also specifically refers to the site which forms the basis of this application before the Commission, again I wish to reiterate that this is a proposed Variation and

not adopted. This proposed Variation makes notable references to appropriateness of the development of sites of this nature in context of Development Plan policy. The proposed Variation does not identify the Ballyousler lands as priority lands, they are located outside the built up area of Celbridge (BUA) and are identified as Tier 2 lands.

Table 2.8A - Core Strategy Supplementary Table for revised National Housing Growth Requirements (2025) [to be read in conjunction with Table 2.8 and Table 2.8B]

Settlement Type	Settlement name	Location/Site Name	Within Built Up Area (BUA)	Zoning Status	Tier 1/2	Approx. Gross Residential Area in hectares	Potential Additional Dwellings	Approx. Net Dwelling Density pr Hectare	Delivery Mechanism
Self Sustaining Town	Celbridge Map V3-2.4	Simonstown and Ballyoulster	No	'New Residential' in Celbridge LAP 2017-2023	Tier 2* ¹⁵	73ha approx.. – to be confirmed at Settlement Plan level	2000	37	Objective CS O30

*15 Refer to the Settlement and Site Capacity Audit prepared as a supporting document to proposed Variation No. 3 of the Kildare County Development Plan 2023-2029 (as varied)

4.24 I also wish to bring to the Commission's attention the OPR Submission on the proposed Variation dated 27/11/2025 which refers to the lands at Ballyoulster and raises concerns relating to the lands at Celbridge and double counting in the figures and b) concerns regarding deliverability of lands due to significant transport and access infrastructural constraints and conclude that it is unlikely that these lands will come forward within the current plan period. The OPR submission includes a recommendation to revise Table 2.8A and 2.8B to omit or clarify the inclusion of the subject lands in the calculation of capacity of residential zoned lands, consider alternative lands in Celbridge due to the likelihood of the subject lands not coming forward for development within the remaining life of the Plan. Having regard to the foregoing it would appear from the variation that the subject lands therefore may have considerable infrastructural constraints which further indicates that there development at this juncture may be premature.

4.25 Furthermore, a Settlement Capacity Audit for Celbridge is required to inform the zoning in line with the Core Strategy of the CDP (Objective CS O7) and in accordance with Section 4.5.2 Settlement Strategy of the Development Plans – Guidelines for Planning

Authorities which states that a ‘*comprehensive capacity audit of the land and sites with potential for development at a settlement level, is a prerequisite to inform the drafting of the settlement strategy. The planning authority should analyse the capacity of each settlement to accommodate new development in terms of suitable lands and infrastructure within the plan period.*’ Included with Variation No. 3 is the accompanying document “Settlement and Site Capacity Audit (supporting document of proposed variation No. 3 of Kildare County Development Plan 2023-2029 (as varied) (24th October 2025)” which is useful. Under proposed Variation No. 3 the residential lands of the Ballyoulster Key Development Area were assigned a ‘to be determined’ status’, as these lands were not subject to the tiered approach to infrastructural assessment in the Celbridge LAP. The Celbridge LAP was prepared prior to the adoption of the NPF and as such, did not tier lands in its assessment of infrastructural requirements. An updated infrastructural assessment and tiering of the lands have been carried out and the lands at Ballyoulster are assigned Tier 2 status⁴.

4.26 As set out in IR dated 28th May 2025 there are substantive concerns regarding the proposed development and compliance with the CDP, in particular the Core Strategy and no new information has been presented at the oral hearing to change this position in my opinion.

4.27 Having regard to the above, I consider that the proposed development will have adverse consequences for the proper planning and sustainable development of the area. The Commission cannot be satisfied that the development of 344 no. units on a greenfield site of 13.4ha. (which would account for 44.6% of the 30ha. designation as per the Core Strategy) would not prejudice the future settlement strategy for Celbridge as identified in the core strategy of the Kildare County Development Plan 2023-2029 and would not be contrary to objective CS O1, CS O4 and CS O5 which clearly articulate compliance with the Core Strategy and Settlement Hierarchy of the KCDP and the principles of compact growth including the delivery of population growth on ‘existing underutilised town centres and brownfield sites, and where appropriate, pursue through active land management measures a co-ordinated planned approach to developing appropriately zoned lands at key locations, zoned and serviced lands to achieve the sustainable compact growth targets of 30% of all new housing within the

⁴ Tier 2 – Serviceable Zoned Land – comprising lands that are not currently sufficiently serviced to support new development but have the potential to become fully serviced within the life of the Plan.

existing urban footprint of settlements'. As such, planning permission should be refused for this reason.

The relevant provisions of the National Planning Framework, First Revision April 2025, with particular regard to National Policy Objective 11 which 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 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.'

- 4.28 In relation agenda item no. 3, the relevant provisions of the National Planning Framework, First Revision April 2025, with particular regard to National Policy Objective 11 which 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 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.'*
- 4.29 As already set out, since the Oral Hearing was held on the 16th October 2025, KCC on the 29th October 2025 published Variation No.3 To give effect to the Ministerial Guidelines published in accordance with Section 28 of the P&D Act 2000 (as amended). The relevant Ministerial Guidelines being in this instance the NPF Implementation: Housing Growth Requirements Guidelines for Planning Authorities (2025), which were published to give effect to the National Planning Framework First Revision (2025) and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).
- 4.30 A key priority of the NPF is compact growth, which in accordance with proper planning and sustainable development, is provided through the sequential approach to development which is based on settlements expanding outwards from the centre through the development of physically adjoining lands to integrate successfully with the existing settlement. Core Strategies as referenced above are key in directing

growth in a county based on the status of a settlement and the capacity of physical and social infrastructure and the environment to accommodate growth.

4.31 As noted above, proposed Variation No. 3 included a “Settlement and Site Capacity Audit (supporting document of proposed variation No. 3 of Kildare County Development Plan 2023-2029 (as varied) (24th October 2025” under which the lands at Ballyouslter have been assigned Tier 2 status. I also wish to highlight the OPR submission received by KCC on the 27 November 2025 on proposed Variation No. 3 which set out concerns relating significant transport and access infrastructural constraints.

4.32 I am not satisfied that it has been clearly demonstrated that the proposal is consistent with the planned growth for Celbridge and is premature pending an appropriate planning framework in place. I consider, having regard to the principles of compact growth, sequential development and phasing in accordance with the proper planning and sustainable development of an area, and considering the location of the proposed development on a greenfield site on the edge of the town of Celbridge with access constraints and the limited capacity of the receiving environment to accommodate the proposed development (344 residential units and crèche) it would constitute an unsuitable premature form of development and therefore contrary to proper planning and the sustainable development of the area.

Other Matters

4.33 Regarding third-party observers who made submission to the hearing raising concerns that are outside the scope of the limited agenda oral hearing in the context of the proposed development. I would refer to the IR report dated the 28th May 2025 which addresses original submissions and concerns raised.

Conclusion

4.34 It is clear that the development of the site before the Commission would not be wholly consistent with the policies and objectives of the Kildare County Development Plan 2023-2029 and the National Planning Framework, First Revision April 2025. This Addendum report should be read in conjunction with original IR report dated the 28th May 2025 which includes a detailed assessment of all aspects the proposed development.

5.0 Recommendation

I recommend that permission be REFUSED for the proposed development, for the reasons and considerations set out below

6.0 Recommended Draft Commission 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 17th of June 2022 by John Spain Associates, on behalf of Kieran Curtin, Receiver over certain assets of Maplewood Developments Unlimited Company (in liquidation and in receivership)

Proposed Development: The application seeks a seven-year permission for a development at a site located at Dublin Road and the Shinkeen Road, within the townlands of Donaghcumper and Ballyoulster, Celbridge, Co. Kildare. The application comprises:

- 344 no. residential units (comprising 54 no. 1 beds, 30 no. 2 beds, 210 no. 3 beds and 50 no. 4 beds), a 2 no. storey childcare facility with a GFA of c. 369 sq.m, public and communal open space, landscaping, car and cycle parking spaces, provision of an access road from Dublin Road and Shinkeen Road, associated vehicular accesses, internal roads, pedestrian and cycle paths, bin storage, cycle storage, pumping station and all associated site and infrastructural works.
- The residential component of the development consists of 214 no. apartments / duplex units, and 130 no. houses of to be provided as follows:
 - 4 no. 3 bed two storey detached houses;
 - 28 no. 3 bed two storey semi-detached houses;
 - 48 no. 3 bed two storey terraced houses;
 - 50 no. 4 bed three storey semi-detached houses;
 - 214 no. duplex apartments / apartments (54 no. 1 beds, 30 no. 2 beds, and 130 no. 3 beds) in a series of 15 no. duplex apartment / apartment blocks of 3 no. storeys in height, and all duplex apartments / apartments are provided with a terrace / balcony or private garden;
- The development includes a total of 585 no. car parking spaces, 4 no. loading bays

and a total of 770 no. cycle spaces. The proposal includes hard and soft landscaping, lighting, boundary treatments, the provision of public and communal open space, including 3 no. Local Parks, children's play areas, and an ancillary play area for the childcare facility.

- The proposed development includes road upgrades, alterations and improvements to the Dublin Road / R403 and the Shinkeen Road, including the provision of new vehicular accesses and signalised junctions, pedestrian crossing points, and associated works to facilitate the same. The proposal includes internal roads, including 3 no. bridge crossings, cycle paths, footpaths, with proposed infrastructure and access points provided up to the application site boundary to facilitate potential future connections to adjoining lands. The development includes foul and surface water drainage, pumping station, 3 no. ESB Substations, services and all associated and ancillary site works and development.

Decision: Refuse permission for the above proposed development based on the reasons and considerations set out below.

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

Reasons and Considerations

1. Having regard to the Core Strategy provisions of the Kildare County Development Plan 2023-2029, in particular, the provisions of Table 2.8-*Core Strategy Table* which identifies the extent of lands required for residential development including greenfield in Celbridge at 30ha. which is significantly lower than the lands identified in the expired Celbridge Local Area Plan 2017-2023 at 121.2ha., the Commission cannot be satisfied that the development of 344 no. units on a greenfield site of 13.4ha. (which would account for 44.6% of the 30ha. designation as per the Core Strategy) would not prejudice the future settlement strategy for Celbridge as identified in the core strategy of the Kildare County Development Plan 2023-2029 and would not be contrary to objective CS O1, CS O4 and CS O5 which clearly articulate compliance with the Core Strategy and Settlement Hierarchy of the Kildare County Development

Plan 2023-2029 and the principles of compact growth including the delivery of population growth on existing ‘underutilised town centres and brownfield sites, and where appropriate, pursue through active land management measures a co-ordinated planned approach to developing appropriately zoned lands at key locations to achieve the sustainable compact growth targets of 30% of all new housing within the existing urban footprint of settlements.’ The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

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.

Dáire McDevitt

Inspectorate

2nd December 2025