



An  
Bord  
Pleanála

## Inspector's Report ABP-315870-23

---

<b>Development</b>	Demolition of existing structures and construction of mixed use development to include residential and commercial elements.
<b>Location</b>	Osberstown, Sallins, Naas, Co. Kildare.
<b>Planning Authority</b>	Kildare County Council.
<b>Planning Authority Reg. Ref.</b>	22/827.
<b>Applicant</b>	Pronev Irishland Limited.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refusal of Planning Permission.
<b>Type of Appeal</b>	First Party v Refusal of Planning Permission.
<b>Appellant</b>	Pronev Irishland Limited.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	24/08/2023.
<b>Inspector</b>	Enda Duignan

## **Contents**

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision .....	5
4.0 Relevant Planning History .....	7
5.0 Policy and Context.....	8
6.0 The Appeal .....	14
7.0 Assessment.....	20
8.0 Recommendation.....	29
9.0 Reasons and Considerations.....	29
Appendix 1 – Form 1: EIA Pre-Screening & Form 2: EIA Preliminary Screening	

## **1.0 Site Location and Description**

- 1.1.** The address of the appeal site is Osberstown, Sallins, Naas, Co. Kildare. The site has a stated area of c. 0.43ha and is located on the eastern site of the R407 and immediately south of Sallins & Naas Train Station. The site has an irregular shape and is accessed from an existing vehicular entrance of the R407. A connecting driveway runs along the south-eastern site boundary, leading to a single storey dwelling which occupies the southern portion of the site. A single storey commercial building is located to the north of the dwelling and both buildings appeared to be unoccupied when inspecting the appeal site. There is a large area of hardstanding to the rear of the commercial property and there are a number of trees centrally located within the site and along the north-eastern and north-western site boundaries. In terms of topography, the site is relatively flat. I note that the R407 to the west of the site slopes upwards in a northerly direction, whereby it crosses the existing train line.
- 1.2.** In terms of the site surrounds, there is a pedestrian connection located to the north of the existing entrance which runs along the north-western site boundary and connects to the train station lands. I note that the train station, ticket office and water tower are all designated Protected Structures (Sallins Railway Station, RPS ref. B19- 35, Sallins Railway Station ticket office, RPS ref. B19-34 and Water Tower, RPS ref. B19-36) under the current County Development Plan. To the south-east of the appeal site is a mixed-use development, comprising a number of individual blocks with a maximum height of 4 no. storeys. Car parking associated with this development is located adjacent to the south-eastern boundary of the site. Access to this development is provided via an entrance from the 'Waterways' to the south, which in turn connects to the R407 to the south-east. This signalised junction is located c. 100m to the south of the appeal site. To the west of the site, on the opposite side of the R407 is an entrance to a terrace of double storey dwellings at Osberstown View. There are 2 no. additional entrances located to the south serving an existing single storey dwelling.

## **2.0 Proposed Development**

- 2.1.** The proposed development seeks planning consent for the demolition of the existing structures on site and the construction of a mixed-use development, comprising a retail

unit and a total 24 no. apartments. The extent of demolition works comprise an existing single-storey dwelling (119sq.m.) and a single storey commercial building (158sq.m.).

- 2.2.** The mixed use development has a combined floor area of 1,873sq.m. and includes 3 no. three storey buildings which form an inverted ‘U’ shape and are arranged around a centrally located open space area. Across the 3 no. blocks, it is proposed to provide 12 no. 2-bed duplex units (ranging in size from 75sq.m. to 76sq.m.), 4no. 1-bed apartments (53sq.m.) and 8 no. 2-bed apartments (73sq.m.). A retail unit measuring c. 51sq.m. is provided within the ground floor level of Block B. A break down of the apartments is provided in the table below.

**Table 2.1**

Block A	2 no. 2 bed duplex apartments & 3 no. 2 bed apartments
Block B	GF Retail Unit, 6 no. 2 bed duplex apartments & 4 no. 2 bed apartments
Block C	4 no. 2 bed duplex apartments & 4 no. 1 bed apartments

- 2.3.** In terms of design, each block has a contemporary architectural expression with a gable fronted pitch roof form. The buildings have a maximum height of c.12.5m and materials and finishes comprise a combination of a brick and dark and light coloured render for the principal elevations.
- 2.4.** A communal bike store (80sq.m.) is located within the ground floor level of Block A with a communal bin store (38sq.m.) provided in the ground floor level of Block B. Access to the site is via the existing entrance off the R407 to the south-west. It is proposed to reconfigure the entrance A c. 6m wide internal road will serve the development leading to perpendicular car parking along the south-eastern boundary and to the south-west of Blocks A & B. A total of 30 no. car parking spaces and 45 no. bicycle parking spaces are proposed across the site.
- 2.5.** In terms of open space, each dwelling is served by private open space either in the form of a ground floor garden/courtyard, upper floor terrace or recessed balcony.

Communal open space is provided in the form of a centrally located landscaped garden measuring c. 0.07ha. An additional pocket garden, measuring c. 0.03ha is located in the north-eastern corner of the site.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

Kildare County Council refused planning permission for the proposed development for the following 1 no reason.

- Having regard to the location of the proposed vehicular entrance on the R407 Regional Road, to the adjacent existing junctions and bus stop, it is considered to be deficient in allowing for the increase in free vehicular movements to and from the development. The proposed access therefore represents a hazard to traffic and vulnerable road user safety due to the potential of vehicular obstruction and conflict on the public road, cycle track and footpath network. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

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

##### **3.2.1. Planning Report**

3.2.1.1. The Kildare County Council Planning Reports form the basis for the decision. The First Planning Report notes the 'K2' zoning that applies to the lands and considers overall that the proposed development is in accordance with the applicable zoning objective and the demolition of the existing structures on site to facilitate the development are welcomed. However, further information was requested with respect to the following matters:

1. Revisions to the design of the development given its potential impact on the existing Protected Structures to the north of the appeal site.
2. A revised Site Layout Plan which provided for the closure of the existing entrance on the R407 and the provision of a new entrance via the Waterways Development to the south of the site. Additional information with respect to swept path diagrams, sight lines, details of car parking spaces including EV

charging spaces.

3. Details regarding pedestrian connections and landscaping.
4. The requirement for the submission of a revised Noise Impact Assessment.
5. The submission of a draft Construction Management Plan.
6. The submission of a Site Specific Flood Risk Assessment.
7. A demonstration of appropriate access for Fire Service vehicles.

3.2.1.2. As part of the additional information response, the Applicant submitted modified plans and updated reports to address the issues raised. In terms of the scheme's design, the Applicant modified the roof profile of the blocks and their overall height was reduced to address the concerns of the Planning Authority's Conservation Officer. In terms of site access, a rationale was put forward for retaining the access to the site from the R407. Whilst the Planning Authority was satisfied with the revisions to the design of the scheme, concerns remained regarding the access arrangement and the proposed development was deemed to constitute a traffic hazard. Permission was subsequently refused for 1 no. reason.

### 3.2.2. Other Technical Reports

Environment: No objection to the proposed development subject to compliance with conditions.

Conservation Officer: Initial report on file raising concerns with respect to the scale and height of the development and its potential impact on the existing Protected Structures to the north. Further information also requested with respect to boundary treatments. Second report on file stating no objection subject to compliance with conditions.

Transportation: Initial report recommending additional information with respect to site access as discussed in Section 3.2.1. Second report on file recommending a refusal of permission regarding site access. Second refusal reason also recommended regarding the shortfall in car parking spaces.

Naas MD Engineer: Initial report recommending additional information with respect to site access as discussed in Section 3.2.1. Second report on file recommending a refusal of permission regarding site access.

Water Services: Report on file stating no objection to the proposed development subject to compliance with conditions.

Chief Fire Officer: Initial report recommending additional information with respect site access for fire service vehicles. Second report on file stating no objection subject to compliance with conditions.

### 3.2.3. Prescribed Bodies

Irish Water: No objection subject to compliance with conditions.

EHO: No objection to the proposed development subject to compliance with conditions.

Iarnrod Eireann: Report on file stating no objection subject to compliance with conditions and recommendations. The Planning Authority requested a revised Noise Impact Assessment to address commentary provided within the report of Iarnrod Eireann.

### 3.2.4. Third Party Observations

None.

## **4.0 Relevant Planning History**

### **4.1. The Subject Site.**

None.

### **4.2. Site Surrounds.**

- 4.2.1. The Planning Authority have set out in their report, details of the planning history of the lands to the north (Sallins & Naas Train Station) and south (Waterways Development) of the site. No applications listed are considered to be directly relevant to the consideration of this appeal determination.

## **5.0 Policy and Context**

### **5.1. Kildare County Development Plan, 2023-2029**

- 5.1.1. The Kildare County Development Plan, 2023-2029 (CDP) came into effect on 28<sup>th</sup> January 2023, and after the decision of the Planning Authority to refuse planning permission. Naas is listed as one of five Municipal Districts in County Kildare and Sallins is listed as a Town in the Settlement Hierarchy. 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 Sallins is given as 5,849 people as indicated on Figure 2.8 – Core Strategy Table.
- 5.1.2. It is set out under Objective CS 09 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’
- 5.1.3. I note that Chapter 3 of the Plan sets out the County’s policies for ‘Housing’. Notably, Section 3.9 (Regeneration, Compact Growth and Densification) of the Plan provides the following policies and objectives of relevance.
- HO P6: Promote and support residential consolidation and sustainable intensification and regeneration through the consideration of applications for infill development, backland development, re-use/adaptation of existing housing stock and the use of upper floors, subject to the provision of good quality accommodation.
  - HO O7: Promote, where appropriate and sensitive to the characteristics of the receiving environment, increased residential density as part of the Council’s development management function and in accordance with the Sustainable



Residential Development in Urban Areas – Guidelines for Planning Authorities and the accompanying Urban Design Manual, DEHLG, May 2009.

- HO O8: Support new housing provision over the Plan period to deliver compact and sustainable growth in the towns and villages in the County, and supporting urban renewal, infill and brownfield site development and regeneration, to strengthen the roles and viability of the towns and villages, including the requirement that at least 30% of all new homes in settlements be delivered within the existing built- up footprint.

5.1.4. Chapter 5 (Sustainable Mobility & Transport) of the Plan includes the following policies and objectives that are relevant to the consideration of the proposed development:

- TM P9: Effectively manage and minimise the impacts of traffic in urban areas and prioritise the movement of pedestrians, cyclists and public transport particularly at key junctions, while maximising the efficient use of existing resources.
- TM O31: Ensure the delivery of robust and efficient cycle and walking infrastructure in Naas by enhancing permeability and improving linkages between Naas Town Centre, surrounding residential and employment areas, Sallins Railway Station and the Northwest Quadrant.
- TM A16: Progress the delivery of key measures outlined in the Naas / Sallins Transport Strategy 2020 on a phased basis as funding is secured.
- TM O45: Work with statutory agencies and stakeholders to promote and facilitate the development of a public transport hub in Naas and Sallins which will connect road, rail and public bus transport, including Park and Ride and interchange facilities.
- TM O50: Facilitate and support the extension of the DART+ line to Kilcock, the extension of the DART+ Southwest line to Naas/Sallins (and promote a future extension to Newbridge and Kildare Town in the next DART + programme / GDA Transport Strategy Review) and the extension of the LUAS network, in co-operation with Irish Rail, the Department of Transport and the National Transport Authority.

5.1.5. Chapter 6 (Infrastructure & Environmental Services) of the Plan deals with Surface Water/Drainage and highlights the importance of compliance with best practice guidance and the use of Sustainable Urban Drainage Systems (SuDS). Relevant policies, objectives, and actions can be summarised as follows:

- IN O21: Facilitate the development of nature-based SuDS.
- IN O22: Require SuDS and other nature-based surface water drainage as an integral part of all new development proposals.
- IN O23: Reduce storm water run-off and ensure that it is disposed of on-site or attenuated and treated prior to discharge with consideration for ground infiltration, storage, and slow-down.
- IN O24: Only consider underground retention solutions when all other options have been exhausted. Underground tanks and storage systems will not be accepted under public open space, as part of a SuDS solution.
- IN O26: Ensure as far as practical that the design of SuDS enhances the quality of open spaces. SuDS do not form part of the public open space provision, except where it contributes in a significant and positive way to the design and quality of open space. In instances where the Council determines that SuDS make a significant and positive contribution to open space, a maximum of 10% of open space provision shall be taken up by SuDS. The Council will consider the provision of SuDS on existing open space, where appropriate. The 'Sustainable Urban Drainage Systems Guidance Document' prepared as an action of this plan shall supersede this standard.

5.1.6. Section 6.7 of the Plan deals with Flood Risk Management and highlights the need to consider/manage risk as part of the planning process.

5.1.7. Noting the location of the appeal site relative to existing Protected Structures, there is an aim under Chapter 11 (Built and Cultural Heritage) 'To protect, conserve and sensitively manage the built and cultural heritage of County Kildare and to encourage sensitive sustainable development so as to ensure its survival and maintenance for future generations. It is an objective under AH O32 to 'Ensure that new development will not adversely impact on the setting of a protected structure or obscure established

views of its principal elevations’.

5.1.8. Chapter 14 of the current CDP sets out policy with respect to Urban Design, Placemaking and Regeneration.

5.1.9. Chapter 15 of the current CDP sets out Development Management Standards. These policies and objectives, where relevant, will be discussed in further detail within the assessment of the appeal in Section 7 of this report.

## **5.2. Sallins Local Area Plan (LAP), 2016-2022**

5.2.1. The site is within an area zoned ‘K – Commercial/Residential’, the objective of which is ‘To protect and improve existing commercial and residential uses and provide for additional compatible uses’. There is a specific objective (K2) that applies to the appeal site which is detailed as follows:

- ‘The development of these lands shall generally accord with Design Brief for ‘Lands South of Railway’ as set out under Section 11.

5.2.2. Section 4 (Regeneration of lands north and south of railway station) notes that while the railway has played a key part in the development of Sallins from a historic perspective, much of the lands immediately adjoining the station have remained undeveloped and underutilised. Consequently, there has been a fragmentation of the urban environment with vacant/underutilised sites around the station, disconnecting the town with the rail station. There is an opportunity to redefine the lands in the vicinity and create public spaces around this transport hub (including the attractive station building). In order to realise this vision, a design brief is incorporated in the LAP to assist key stakeholders.

- PS 1: To encourage increased permeability through larger land parcels and to link them to existing routes and civic spaces within and around the town.
- PS 2: To retain, where appropriate, mature landscaping including hedgerows and trees which contribute to the character of the town.

5.2.3. Section 11.4 (Lands South of Railway Appraisal) highlights that this area (K2)

incorporates the old railway building, Sallins tool hire and a residential unit. The Waterways, a mixed use development is located to the south while the remaining lands further east are used as a park and ride. Section 11.4 of the LAP sets out the vision for this land bank with respect to Built Form, Connectivity/Movement & Landscape/Urban Space.

- 5.2.4. There is also an objective (PCO 2) within Section 12 (Movement & Transport) of the LAP 'To ensure that all developments, regardless of land ownership, integrate with adjoining developments in terms of movement (pedestrian, cyclist and vehicular).'

### **5.3. Section 28 Ministerial Guidelines.**

- 5.3.1. Having considered the nature of the proposal, the receiving environment, and the documentation on file, I am of the opinion that the directly relevant Section 28 Ministerial Guidelines are:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).
- Design Manual for Urban Roads and Streets (DMURS) (2019).
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009).
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020, updated in 2022) (the 'Apartment Guidelines')
- Urban Development and Building Height, Guidelines for Planning Authorities (2018) (the 'Building Height Guidelines')
- Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme
- Regulation of Commercial Institutional Investment in Housing – Guidelines for Planning Authorities (May 2021).

Other relevant national guidelines include:

- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, (Department of Housing, Local

Government and Heritage) (August 2018).

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2009).

#### **5.4. Climate Action Plan (CAP) 2024**

#### **5.5. Project Ireland 2040 National Planning Framework (NPF)**

5.5.1. The NPF is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. A key element of the NPF is a commitment towards 'compact growth', which focuses on a more efficient use of land and resources through reusing previously developed or under-utilised land and buildings. It contains several policy objectives that articulate the delivery of compact urban growth as follows:

- NPO 3 (b) aims to deliver at least 50% of all new homes targeted for the five cities within their existing built-up footprints.
- NPO 4 promotes attractive, well-designed liveable communities.
- NPO 6 aims to regenerate cities with increased housing and employment.
- NPO 11 outlines a presumption in favour of development in existing settlements, subject to appropriate planning standards.
- NPO 13 promotes a shift towards performance criteria in terms of standards for building height and car parking.
- NPO 27 seeks to integrate alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility.
- NPO 33 prioritises new homes that support sustainable development at an appropriate scale relative to location.
- NPO 35 seeks to increase densities through a range of measures including site-based regeneration and increased building heights.

#### **5.6. 'Housing for All - a New Housing Plan for Ireland (September 2021)'**

5.6.1. is the government's housing plan to 2030. It is a multi-annual, multi-billion-euro plan which aims to improve Ireland's housing system and deliver more homes of all types

for people with different housing needs. The overall objective is that every citizen in the State should have access to good quality homes:

- To purchase or rent at an affordable price
- Built to a high standard in the right place
- Offering a high quality of life.

## **5.7. Regional Spatial and Economic Strategy for the Eastern and Midland Region (RSES).**

5.7.1. The primary statutory objective of the RSES is to support implementation of Project Ireland 2040 and the economic and climate policies of the Government by providing a long-term strategic planning and economic framework for the Region. A key National Strategic Outcome (NSO 1) in the NPF and Regional Strategic Outcome (RSO 2) in the RSES is the need to achieve ambitious targets for compact growth in our urban areas.

## **5.8. Natural Heritage Designations**

5.8.1. The nearest designated site is Ballynafagh Lake SAC (Site Code: 001387) which is located c. 8.3km to the north-west of the site. The proposed Natural Heritage Area (pNHA): Grand Canal, is also located c. 300m to the north of the site.

## **5.9. EIA Screening**

5.9.1. See completed Form 2 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations, I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

## **6.0 The Appeal**

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

A First Party appeal has been prepared and submitted on behalf of the Applicant. The appeal statement provides a description of the site and surrounds and an overview of the proposed development.

6.1.1. The grounds of appeal are summarised as follows:

*Vehicular Movements & Existing Entrance*

- 6.1.2. The submission notes that the volumes of traffic from the existing use and proposed development were calculated using the TRICS Database rather than complete a once-off traffic survey at the appeal site, which may or may not be representative of everyday flows. The submission notes that the TRICS database provides data from a number of hardware/tool hire stores and residential developments both in the UK and Ireland, over different days of the week and months of the year and the flows derived from the database are thus more robust and reliable than those from a 'once-off' survey. Upon review of the TRICS database, it is argued that the proposed development will result in a decrease in vehicular movements as it was found that the existing site, which contains a hardware/tool hire shop generates a two-way traffic flow of 162 no. vehicles per day if the shop was reopened. The submission refers to the response to the decision prepared by Barrett Mahony engineers (BMCE) which is included within Appendix B of the appeal.
- 6.1.3. It is contended that the proposed development will generate a traffic flow of 58 no. vehicles per day, a significant reduction, with these figures being based on the application as originally submitted (i.e. 30 no. car parking spaces). The submission notes that the number of car parking spaces was reduced to 18 no. spaces at further information stage. Given the expected decrease in traffic flows on the original proposal, it is contended that the flows would be reduced even further following the removal of parking spaces at the FI stage.
- 6.1.4. As part of the appeal, the Applicant has submitted a peer-review (MPA Consulting Engineers) of the Traffic & Mobility Report prepared by BMCE who found that the results were accurate and even conservative in their findings. In the BMCE report, details are provided on the likely level of trips generated by this site when it was in use as Sallins Hire & Hardware, which operated until 2 / 3 years ago when the site was sold. It is contended that this use could be reactivated, and the site returned to

commercial use. If that was to be the case, then it is clear that the site has the potential to generate up to 162 no. two way vehicles trips per day or 18 two way vehicle trips in the AM peak and 20 in the PM Peak. It is stated that the peer review by MPA Consulting engineers found that the traffic flows could arguably be even lower.

6.1.5. The submission notes another factor to consider is the type of traffic using the entrance in the event of a residential scheme being constructed. Under its most recent use as Hardware/ Tool Hire business, the site would have been frequented by medium sized goods vehicles, light goods vehicles with trailers and heavy goods vehicles. If the existing use was continued, then these vehicles would be using the entrance daily. In comparison, it is argued that a residential development with a small retail unit would comprise mostly cars and vans making deliveries.

6.1.6. The appeal submission wishes to refute the Planning Authority's reason for refusal on the basis that the entrance is not 'proposed', as it is existing and has been in use for decades. It is submitted that the proposed development will not increase free vehicular movements to and from the development and will in fact result in a decrease in free vehicular movements to and from the development. The Planning Authority's concerns regarding the development are therefore unfounded.

6.1.7. The submission notes that it is proposed to make minor improvements at the entrance which includes:

- Reconfiguring the entrance to improve the junction arrangement.
- Removal of the existing boundary walls to improve interface between the subject site and public street.
- Provision of new stop line at the site entrance.
- Provision of tactile paving at pedestrian crossing

The submission refers to the submitted Traffic Assessment and Mobility Report which found that the proposed development would have an imperceptible impact on the local road network, generating a maximum peak hour flow of 1 vehicle every 10 minutes. In addition, the impact of the traffic flows from the proposed development on the R407 and surrounding road network would be minimal with a reduction in the AM and PM



hourly flows and a significant reduction in the 2-way traffic flows at the site from 162 no. to 58 no. vehicles. The submission also raises concerns with the Planning Authority's suggestion that the existing and only entrance to the site is not fit for purpose and should be closed. It is argued that this would obstruct the Applicant's legal right of way to access and use their own lands and it reiterated that access through 3rd party lands is not an option.

#### *Frequency of Buses Using Bus Stop*

- 6.1.8. The submission refers to the reason for refusal where it states that the entrance's location adjacent to a bus stop and the beginning of a bicycle lane would be deficient in allowing for the increase in free vehicular movements and would result in a hazard to traffic and vulnerable road users. It is noted that the bus stop adjacent to the subject site forms part of Route 139 (Naas to Blanchardstown) and Route 846 (Naas to Clane). The bus stop is served by two low-frequency routes, and it is argued that it is disingenuous to claim that the entrance to the site would impact or be impacted by buses using the bus stop. The application demonstrates that clear sightlines can be achieved at the entrance. In the event a bus has stopped to collect/ drop off passengers, the sightline is obstructed and a driver egressing the site is expected to stop. As with any instance where a vehicle is blocking the sightline of another vehicle, the driver will wait until the bus has departed. It is stated that this is no different to any other similar junction in the town and examples of present cases have been outlined in Section 6.3 of appeal. The appellant notes that if the Planning Authority's concerns were valid, then development sites in cities like Dublin and Cork would be extremely limited given the vast number of bus stops in those cities.

#### *Assessment Against DMURS*

- 6.1.9. It is highlighted within the appeal that Kildare County Council chose the location for the bus stop, knowing that an existing entrance to a dwelling and commercial premises was located next to the chosen location. It is argued that the R407 can no longer be seen as a regional road and should be viewed as an urban street as it effectively forms the main street of Sallins and is the main route connecting the town for all road users including pedestrians and cyclists as evident by the cycle lanes and footpaths. It is

stated that the bus stop, footpath, cycle lane and road layout have all been designed in accordance with DMURS including a 50 km/hr speed limit along this stretch of road. The submission refers to the Sallins LAP, which also acknowledges that DMURS is the appropriate design guide for the future development of the town and that the development of the Sallin's bypass will result in the removal of through traffic from the town and create opportunities to make the town a safer and more attractive place in which to walk and cycle. It is argued that this all points to the fact the R407 at the site must be considered an urban street and it should no longer be treated as a busy and congested Regional road where traffic capacity is to be preserved.

6.1.10. The submission contends that the R407 should be conserved a link street and due to its location in the centre and it should have a speed limit of 30-50 km/hr where it prioritises pedestrians. It is noted that the BMCE assessments to date have all focused on a 50km/h design speed which are considered in their view to provide a conservative and robust assessment of the design standards, as reduced standards for 30km/h could also be applied in line with DMURS. In addition, it is stated that the entrance to the site achieves the required sightlines, thus reducing the opportunity for traffic collisions of vehicles using this entrance. A yellow box has been placed at the entrance preventing vehicles from stopping and blocking access to the site. The adequate sightlines together with the DMURS-compliant road layout, and low-speed zone reduce the possibility of traffic collisions at this location, as is the intention of DMURS. The proposed development is using an existing entrance and it is contended that the proposal will not lead to an increase in traffic or hazards for other road users.

6.1.11. The submission refers to another 2 no. bus stops located further north along the R407 that have been placed by the Planning Authority in a similar position adjacent to an existing entrance to a car park and a residential area. In both instances, bus stops are located adjacent to junctions and cycle lanes and given the design of these bus stops, it would be grossly unfair to refuse permission for the subject site.

#### *Sterilisation of Lands*

6.1.12. The appellant contends that the Planning Authority's decision to refuse permission on

what is essentially a 'landlocked' site will have detrimental consequences for its future development and use. It is argued that the decision could effectively sterilize the land, resulting in the creation of a ransom strip and this would be in contravention of the proper and sustainable planning of the area. The submission notes that the site is surrounded by 3rd party lands and access can only be provided by the existing entrance onto the R407. Given the site's proximity to the train station, bus stop, cycle lane, and nearby facilities and amenities, it is a strategic location for residential development hence why the land is zoned K - Commercial and Residential in the Kildare County Development Plan 2023-2029.

- 6.1.13. The submission notes that the refusal also contradicts the design brief for the site and surrounding lands as per Chapter 11.4 of the Sallins LAP which seeks to develop an urban area south of the train station. Furthermore, it is highlighted that the request to traverse third party lands to access the subject site is not feasible nor possible and an agreement with the adjoining landowner cannot be achieved. Notwithstanding this, the existing lands already have an existing access and the established commercial use on the site would be a greater intensification of the use of the entrance than the development proposed. The submission contends that it is unreasonable to request the Applicant to provide an alternative entrance via third party lands, essentially creating a ransom strip or in this instance sterilising the subject lands noting an agreement cannot be made, when it has been demonstrated throughout the planning application that the existing entrance accords with DMURS requirements and is in accordance with the proper planning and sustainable development of the area.

*Planning Policy Context*

- 6.1.14. The appeal submission also sets out in detail how the proposed scheme complies with the various policy provisions at local through to national level that are deemed to be relevant to the consideration of the proposed development. This includes the Sallins LAP, the current Kildare County Development Plan, the NPF, the Building Height Guidelines and the Apartment Guidelines.
- 6.1.15. Included as appendices to the appeal is a response to the decision by BMCE

(Appendix B) and a Peer review of the Traffic and Transport Assessment prepared by MPA Consulting Engineers (Appendix C).

## **6.2. Planning Authority Response**

- 6.2.1. The Planning Authority indicate in their response that whilst the principle of a mixed-use development at this location is considered acceptable; the proposed access onto the regional road is not. It is stated that the preferred access is through the existing adjacent Waterways development which is already served by a signalled junction (south of the site).

## **6.3. Observations**

- 6.3.1. None.

## **6.4. Further Responses**

- 6.4.1. None.

## **7.0 Assessment**

Having examined the application details and all other documentation on file, including the reports of the Local Authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Vehicular Access
- Layout & Public Realm
- Design, Built Heritage & Residential Amenity
- Appropriate Assessment

### **7.1. Vehicular Access**

- 7.1.1. Permission is sought by the Applicant for the construction of a mixed-use development on the appeal site comprising a total of 24 no. apartments and a ground floor retail unit. Following revisions to the scheme at further information stage, the proposed development was ultimately rejected by the Planning Authority for a singular reason for refusal. It was considered that the vehicular entrance to the site on the R407

Regional Road was deficient in allowing for the increase in free vehicular movements associated with the development, noting its location relative to existing junctions and a bus stop. In this regard, the proposed access was considered to represent a hazard to traffic and vulnerable road users due to the potential of vehicular obstruction and conflict on the public road, cycle track and footpath network.

7.1.2. As detailed in Section 3 of this report, the Planning Authority raised this concern during the application stage and the Applicant was requested by way of further information to submit a revised layout which provided for the closure of the existing entrance on the R407 so that access to the site could be provided via the Waterways Development to the south. The Applicant was therefore advised to liaise with the adjoining landowner regarding the facilitation of this access. In response to the Planning Authority's request, it was indicated in a submission by the Applicant's consulting engineer that following careful consideration, the application was progressed based on the use of the existing site entrance and a justification for same was set out. It was also noted that there are other significant constraints preventing access to the appeal site from the south. It was highlighted that an existing private development (i.e. Waterways) adjoins the site's entire southern boundary and to achieve an access at this location would involve the purchase of existing car-park spaces in addition to agreeing a right-of-way across private property.

7.1.3. As detailed in the Applicant's grounds for appeal, it is contended that the proposed development, upon which is reliant on an existing access (i.e. which the Applicant claims is not a proposed access as purported by the Applicant), will generate a traffic flow of 58 no. vehicles per day, a significant reduction on the existing use. Using the TRICS database, the Applicant argues that the proposed development will result in a decrease in vehicular movements as it was found that the existing site, which contains a hardware/tool hire shop generates a two-way traffic flow of 162 no. vehicles per day if the shop was reopened. In support of the appeal, the Applicant has submitted a response to the Planning Authority's decision (Appendix B) from their consulting engineer. In addition, the Applicant has enclosed a peer review of the Traffic Assessment and Mobility Report which accompanied the application (Appendix C).

Within the documentation, details are provided on the likely level of trips generated by this site with it being in use as a hardware/tool hire shop (based on a store with a floor area equivalent to the subject building). It is contended that this use could be reactivated, and the site returned to commercial use. If that was to be the case, the site has the potential to generate up to 162 no. two way vehicles trips per day. It is stated that the peer review (Appendix C) found that the traffic flows associated with the proposed use could arguably be even lower. In summary, it is contended by the Applicant that the proposed development will not result in an intensification of the existing access and a refusal of permission is therefore unwarranted given the proposal will have a reduced impact.

7.1.4. Although it is fully accepted that the Applicant is seeking to utilise the existing site entrance, one cannot ignore the fact that the site has been unoccupied for a number of years. Although it is not confirmed when the use ceased, it would appear from reviewing Google street view imagery that there was a cessation of the use between the years of 2017-2018. The proposed development will therefore clearly result in an intensification in use of the existing entrance based on the current arrangement. Given the documentation submitted by the Applicant, I acknowledge that it could be feasible to operate a business of a similar nature at this location, which in principle may generate additional traffic movements when compared to the subject proposal. However, in my view, this by itself is not justification to support a sub-optimal vehicular entrance which has the potential to generate a traffic hazard.

7.1.5. In terms of the configuration of the existing road layout, I note that there is an existing vehicular entrance serving the Osberstown View development (c. 8 no. houses) located directly opposite the appeal site on the western side of the R407. Two (2) no. additional entrances are located further to the south of this entrance which serve an existing detached dwelling. There is an existing bus stop located immediately to the north of the appeal site entrance and further to the north is a pedestrian connection which runs along the north-western site boundary, providing a link to the train station. A demarcated cycle lane has been installed to the immediate south of the entrance, where cyclist will travel from the train station and town in a southerly direction towards

Naas. An additional cycle lane is provided on the western side of the R407, opposite the appeal site. In addition, the bridge over the railway line is located to the north of the site along the R407 and the carriageway slopes up relatively steeply from the entrance to the site. Notwithstanding the former use on the use, I would share the Planning Authority's concerns regarding the intensification of this entrance given the concentration of activity at this particular location and the potential for a conflict between motorists, cyclists and pedestrians.

7.1.6. I again note that there are two distinct elements of the Planning Authority's reason for refusal. Firstly, that the entrance to the site is deficient in allowing for the increase in free vehicular movements to and from the development. Secondly, it was considered that the entrance at this location would represent a hazard to traffic and vulnerable road users due to the potential of vehicular obstruction and conflict on the public road, cycle track and footpath network. The Applicant has outlined that the site is landlocked and its only means of access is via the existing entrance on the R407. It is contended that the decision will essentially sterilise the site as there are no alternative means of access, thereby resulting in the creation of a ransom strip. The Applicant is proposing works to improve the entrance and it is outlined within their appeal that the development is fully compliant with the requirements of DMURS, with adequate sightlines being provided from the entrance in each direction. This, in part is achieved through the removal of a section of the site's north-western boundary wall. In terms of the location of the entrance relative to the existing bus stop, the appeal submission and its supporting Appendix sets out that the bus stop is served by two low-frequency routes (Route 139 (Naas to Blanchardstown) and Route 846 (Naas to Clane)), and it is argued that it is disingenuous by the Planning Authority to claim that the entrance to the site would impact or be impacted by buses using the bus stop. The appeal submission notes that where a vehicle is blocking the sightline of another vehicle, the driver will wait until the bus has departed.

7.1.7. Although the stop is currently served by two low frequency bus routes, I note that there are policies and objectives set out within the current Plan that seek to enhance both public transport and pedestrian and cyclist infrastructure within the town and wider

surrounds. Objective TM O31 of the Plan seeks to 'Ensure the delivery of robust and efficient cycle and walking infrastructure in Naas by enhancing permeability and improving linkages between Naas Town Centre, surrounding residential and employment areas, Sallins Railway Station and the Northwest Quadrant. It is also an objective of the Planning Authority (TM O45) to 'work with statutory agencies and stakeholders to promote and facilitate the development of a public transport hub in Naas and Sallins which will connect road, rail and public bus transport, including Park and Ride and interchange facilities. Furthermore, I am conscious of the Plan's objective (TM O50) that seeks to facilitate and support the extension of the DART+ Southwest line to Naas/Sallins and the aim to progress the delivery of key measures outlined in the Naas / Sallins Transport Strategy 2020 (TM A16). Having reviewed the published Transport Strategy, it is evident that a number of bus routes have been selected for inclusion in the Naas/Sallins Transport Strategy as immediate short term measures to increase public transport coverage and improve accessibility to Sallins train station (Option 1: Central Spine and Option 3: Eastern Spine). Both of which are directly applicable to the subject site given the alignment of the routes. Given the continued expansion of Naas and Sallins and the Planning Authority's proposals to enhance active travel measures and public transport connectivity, it is likely that there will be a significant increase in the frequency of bus services at this location in the future.

- 7.1.8. As indicated earlier in this report, it was the Planning Authority's view that access to the site should be provided via the south given these lands are currently served by a signalised junction (i.e. c. 100m to the south). From my observations on site, it is evident that this would be the optimal solution given the constraints associated with the existing entrance. I fully accept that there are significant challenges in securing consent for access through third party lands, particularly mid application. However, in my view, it has not been adequately demonstrated on the basis of the information submitted at application and appeal stage that the Applicant has engaged sufficiently with the adjoining landowners on this particular issue. Whilst I acknowledge the correspondence on file regarding the failure to secure easement rights and the potential requirement for multiple legal agreements relating to the purchase car



parking spaces to facilitate the access, I am not satisfied that every avenue has been exhausted in this instance or whether there is alternative access to the south-east that could be explored with the Planning Authority. In the eventuality that an agreement cannot be achieved, then I accept that it is incumbent on the Planning Authority to actively engage with the Applicant on this matter given the development potential of the lands and the policy support for a development of this nature at this location.

- 7.1.9. Therefore, having regard to the configuration of the modified site entrance, its location adjacent to existing public transport and cycle infrastructure and opposite existing residential entrances, I would share the concerns of the Planning Authority regarding the intensification of the entrance. It is considered therefore, that the proposed development would represent a hazard to traffic and vulnerable road users as a result of the potential for vehicular obstruction and conflict between motorists, cyclists and pedestrians. In my view, the development as currently proposed would fail to comply with Policy TM P9 of the current Plan which seeks to 'Effectively manage and minimise the impacts of traffic in urban areas and prioritise the movement of pedestrians, cyclists and public transport particularly at key junctions, while maximising the efficient use of existing resources'. In this regard, it is considered that the development as currently proposed is contrary to the proper planning and sustainable development of the area and should therefore be refused planning permission.

## **7.2. Layout & Public Realm**

- 7.2.1. The proposed mixed use development comprises 3 no. blocks, arranged in an inverted 'U' shape around a central open space area with a southerly aspect. As discussed, access to the site is from the west, with an internal carriageway leading to a surface level car parking area along the south-eastern boundary and to the south-west of Blocks A & B. A ground floor retail unit has been provided within Block B and pedestrian connection has been identified to the immediate north-west of this block, with an indicative link provided to the train station. Overall, the Planning Authority was generally satisfied with the layout of the proposed development and a mixed use development of this nature was welcomed at this location. However, the Applicant was requested to indicate any proposed pedestrian access between the site and the

adjoining sites, in particular the train station as a footpath was noted running through the site and adjacent to the proposed retail unit. In their response, it was stated that the Applicant was actively seeking consent from CIE for a pedestrian link between the subject site and the train station to the north via a gate adjacent to the retail unit.

7.2.2. From reviewing the Planning Authority's assessment, it is evident that regard was given to the policy provisions of the Sallins LAP that relate to the site. In addition, the Applicant's Architectural Design Statement identifies the policies and objectives of the Plan that they deem relevant to the subject proposal. As noted, a 'specific objective' (K2) applies to the subject site, where there is an aim for the development of these lands to generally accord with Design Brief for 'Lands South of Railway' as set out under Section 11 of the LAP. The LAP notes that much of the lands immediately adjoining the station have remained undeveloped and underutilised. Consequently, there has been a fragmentation of the urban environment with vacant/underutilised sites around the station, disconnecting the town with the rail station. The LAP recognises that there is an opportunity to redefine the lands in the vicinity, and create public spaces around this transport hub. In order to realise this vision, a number of design briefs have been incorporated in the LAP to assist key stakeholders. The Design Brief for the 'Lands south of Railway' incorporates the old railway building, Sallins tool hire and a residential unit. The vision for this area is to redefine the urban setting of the old railway station and the brief highlights that there is an opportunity to enhance the setting by forming a landscaped plaza to the front (south) of the building and redevelop the tool hire site for mixed uses. It is unclear whether it is the intention of the policy for the entire lands to be fully integrated. However, I note that there are objectives within the Plan that seek to create links between the station, through the tool hire site to The Waterways commercial area and to create new street/links to facilitate additional permeability and pedestrian movement between key spaces. In its current form, the proposal fails to satisfy these objectives and there is a distinct lack of integration with the surrounding land uses. Whilst an indicative pedestrian connection to the north has been identified, it is evident from the Applicant's response that consent for this entrance has not been forthcoming to date. I note that the provision of an accessway to the site via the south would also enhance permeability

within the wider area and would assist in satisfying these overarching objectives.

- 7.2.3. With the current arrangement and layout of the blocks within the development, the duplex units within Block B (Ground & First Floor) are served by generously sized amenity areas in the form of rear gardens, with each private amenity area having a direct abuttal with the north-eastern site boundary. Whilst I am conscious that the Applicant has sought to address the Conservation Officer's concerns regarding the boundary treatment along this interface, (i.e. introduction of a combination of low walls and railings with a back planted hedge), the scheme in essence turns its back on the train station lands to the north. Based on the current layout and lack of confirmed permeability with the adjoining sites, the lands remain somewhat fragmented. Whilst I acknowledge that the enhancement of the lands around the train station are beyond the control of the Applicant, any revised proposal for the subject site should robustly demonstrate how the development satisfies the relevant objectives of the LAP and its accompanying design brief.

### **7.3. Design, Built Heritage & Residential Amenity**

- 7.3.1. The appeal site lies to the south of the train station, ticket office and water tower, which are all designated Protected Structures (Sallins Railway Station, RPS ref. B19- 35, Sallins Railway Station ticket office, RPS ref. B19-34 and Water Tower, RPS ref. B19-36) under the current County Development Plan. I note that the Planning Authority's Conservation Officer originally raised concerns regarding the scale and form of the proposed development and its relationship with the existing structures to the north. It was considered that the form of the blocks, which included vast spans of pitched roofs appeared to add unnecessary height to the proposal. In addition, concerns were raised regarding the positioning, layout and organisation of the buildings and the relationship which displayed little regard to the Protected Structures to the north. It was recommended that the proposed northern block should either directly relate to the railway buildings or the pocket park should be extended to set the buildings further away from the Protected Structures. In addition, the scale and form of this block should be carefully designed not to dominate the single storey / single storey with half dormer attic buildings. The Conservation Officer also provided guidance regarding the

boundary treatment along this interface and recommended the introduction of a high-quality, maintenance free design finish such as brick or stone and planting to soften the impact of the new wall.

7.3.2. In terms of design, each block within the scheme has a contemporary architectural expression with a gable fronted pitched roof form. A restricted palette of materials and finishes have been adopted comprising a combination of a brick at ground floor level with a dark and light coloured render for the principal elevations. As part of the Applicant's Further Information response, it was confirmed that the Applicant met with the Conservation Officer and revised proposals were submitted which provided for revisions to the height and design of the development and I note that the Planning Authority was generally satisfied with the response, subject to compliance with appropriate conditions. Having regard to the design, scale and height of the proposed blocks and the separation distances from the existing Protected Structures, I am generally satisfied that the proposed development is consistent with the pattern of development in the surrounds and is sympathetic to architectural character of the adjoining site and overall, the development is designed to a good standard. However, as noted in the Section 7.2, any future proposals for the subject lands should demonstrate how the proposal complies with the various objectives set out in the design brief as outlined the LAP.

7.3.3. In terms of the apartments within the development, I note that the duplex apartments have floor areas of c. 75sq.m. The 1 no. bedroom apartments have a floor area of c. 53sq.m. with each 2 no. bedroom apartment having floor areas of c. 73sq.m. Having examined the plans and particulars, it is evident that the apartments within the proposed development are in compliance with the relevant Specific Planning Policy Requirements (SPPRs) of the Apartment Guidelines in terms of housing mix (SPPR 1 & 2), minimum floor areas (SPPR 3), dual aspect (SPPR 4) and floor to ceiling heights (SPPR 5). In addition, it would appear the proposal exceed the minimum recommended standards with respect to internal storage and private amenity space. Overall, I am satisfied the apartments within the proposed development and their respective gardens/terraces & balconies will afford a good standard of amenity to its

future occupants and are therefore generally acceptable. However, I note that the ground floor gardens associated with the 1 no. bedroom apartments within Block B are overlooked by the terrace serving the duplex units on the upper floor levels. This aspect of the development should be reconsidered in any future proposal and consideration should be given to the incorporation of appropriate screening to preclude overlooking within the development. The proposed development seeks to provide communal/public open space in the form of a centrally located landscaped garden measuring c. 0.07ha. An additional pocket garden measuring c. 0.03ha is located in the north-eastern corner of the site. In total, this equates to c. 23% of the total site area and therefore exceeds the minimum standards as set out in Section 15.6.6 (Public Open Space for Residential Development) of the current Plan. The proposed open space provision is therefore considered to be acceptable in this regard.

#### **7.4. Appropriate Assessment**

- 7.4.1. The nearest designated site is the Ballynafagh Lake SAC (Site Code: 001387) which is located c. 8.3km to the north-west of the site. Taking into consideration the nature, extent and scope of the proposed development and to the nature of the receiving environment, an urban and serviced site, with no direct hydrological or ecological pathway to any European site, that no appropriate assessment issues arise in this instance and that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

#### **8.0 Recommendation**

I recommend that the planning application be refused for the following reasons and considerations.

#### **9.0 Reasons and Considerations**

1. Policy TM P9 of the Kildare County Development Plan, 2023-2029 seeks to 'Effectively manage and minimise the impacts of traffic in urban areas and prioritise the movement of pedestrians, cyclists and public transport particularly at key junctions, while maximising the efficient use of existing resources'.

Having regard to the configuration of the proposed modified site entrance, its location adjacent to existing public transport and cycle infrastructure and opposite existing residential entrances, it is considered that, notwithstanding the Applicant's assertions, the proposed development would result in an intensification of the existing entrance based on its current use, and would represent a hazard to traffic and vulnerable road users due to the potential for vehicular obstruction and conflict between motorists, cyclists and pedestrians. In addition, the Board is not satisfied that it has been adequately demonstrated on the basis of the information on file that access through Third Party lands cannot be achieved at this location. In this regard, the proposed development fails to comply with the relevant policy provisions of the current Plan and 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.

---

Enda Duignan  
Planning Inspector

30/04/2024

**Appendix 1 - Form 1  
EIA Pre-Screening  
[EIAR not submitted]**

<b>An Bord Pleanála Case Reference</b>	ABP-315870-23		
<b>Proposed Development Summary</b>	Demolition of existing structures and construction of mixed use development to include residential and commercial elements.		
<b>Development Address</b>	Osberstown, Sallins, Naas, Co. Kildare.		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (that is involving construction works, demolition, or interventions in the natural surroundings)	<b>Yes</b>	Yes	
	<b>No</b>	No further action required	
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>			EIA Mandatory EIAR required
<b>No</b>	X		Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
	<b>Threshold</b>	<b>Comment (if relevant)</b>	<b>Conclusion</b>
<b>No</b>			No EIAR or Preliminary Examination required

<b>Yes</b>	X	500 residential units	Class 10(b)(i)	Proceed to Q.4
------------	---	-----------------------	----------------	----------------

<b>4. Has Schedule 7A information been submitted?</b>		
<b>No</b>	X	<b>Preliminary Examination required</b>
<b>Yes</b>		<b>Screening Determination required</b>

**Inspector:** \_\_\_\_\_

**Date:** 30<sup>th</sup> April 2024



## Form 2

### EIA Preliminary Examination

<b>An Bord Pleanála Case Reference</b>	ABP-315870-23	
<b>Proposed Development Summary</b>	Demolition of existing structures and construction of mixed use development to include residential and commercial elements.	
<b>Development Address</b>	Osberstown, Sallins, Naas, Co. Kildare.	
<p><b>The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.</b></p>		
•	<b>Examination</b>	<b>Yes/No/ Uncertain</b>
<ul style="list-style-type: none"> <li>• <b>Nature of the Development</b></li> <li>• Is the nature of the proposed development exceptional in the context of the existing environment?</li> <li>• Will the development result in the production of any significant waste, emissions or pollutants?</li> </ul>	The proposed development is for a mixed-use development within the settlement boundary of Sallins which has a number of existing housing developments and is connected to public services.	No
<ul style="list-style-type: none"> <li>• <b>Size of the Development</b></li> <li>• Is the size of the proposed development exceptional in the context of the existing environment?</li> <li>• Are there significant cumulative considerations having regard to other existing and/or permitted projects?</li> </ul>		No

<ul style="list-style-type: none"> <li>• <b>Location of the Development</b></li> <li>• Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</li> <li>• Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</li> </ul>	<p>No designations apply to the subject site.</p> <p>The development would be connected to the public wastewater services.</p>	<p>No</p> <p>No</p>
<ul style="list-style-type: none"> <li>• <b>Conclusion</b></li> </ul>		
<ul style="list-style-type: none"> <li>• <b>There is no real likelihood of significant effects on the environment.</b></li> <li>• EIA not required.</li> </ul>		

**Inspector:** \_\_\_\_\_

**Date:** 30<sup>th</sup> April 2024

**DP/ADP:** \_\_\_\_\_

**Date:** \_\_\_\_\_

(only where Schedule 7A information or EIAR required)