



An  
Coimisiún  
Pleanála

## Inspector's Addendum Report 321623A-25

<b>Development</b>	Construction of 91 houses and a creche, together with all associated site works.
<b>Location</b>	Tomard, Athy, Co. Kildare.
<b>Planning Authority</b>	Kildare County Council
<b>Planning Authority Reg. Ref.</b>	24112
<b>Applicant(s)</b>	Bettystown Developments Limited.
<b>Type of Application</b>	Planning Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Whitecastle Lawns Residents Association. Cois Bhearú – Cluain Bhearú Residents Association.
<b>Observer(s)</b>	Cois Bhearú – Cluain Bhearú Residents Association.
<b>Date of Site Inspection</b>	7 <sup>th</sup> of April 2025
<b>Inspector</b>	Elaine Sullivan

## 1.0 Introduction

- 1.1. This report is an addendum to my original report dated the 22<sup>nd</sup> day of April 2025. Both reports relate to a third-party appeal against a notification of decision to grant planning permission issued by Kildare County Council for the construction of 91 houses, (14 no. 4-beds, 65 no. 3-beds and 12 no. 2-beds) and a creche of c. 387sqm. The proposal was amended through further information whereby the red line boundary was altered which changed the original unit mix from 76 no. houses, (10 no. 4-bedroom, 54 no. 3-bedroom and 12 no. 2-bedroom).
- 1.2. There is a concurrent appeal on the adjoining site to the south for 38 residential units, comprising 6 no. 1-bedroom houses, 31 no. 3-bedroom houses, 1 no. 2-bed maisonette (**ABP-321624-25, PA Ref. 24/111**).
- 1.3. At a meeting held on the 6<sup>th</sup> of May 2025 the Commission decided to defer consideration of the case and to request an addendum report. The Commission noted that Section 15.5.2 of the Kildare County Development Plan 2023-2029 states that the council seeks to facilitate the provision of high-quality childcare facilities in appropriate locations in accordance with the provisions of the DoEHLG '*Childcare Facilities Guidelines for Planning Authorities*' (2001). Tables 15.4 and 15.8 of the Development Plan set out the minimum carparking standards for a creche facility. The Commission considered that the cycle and car parking arrangement for the creche is unclear as the 6 parallel parking spaces are described in drawings as a set-down area, public parking space and parking for the creche. It is also unclear as to how the 4 parking spaces on the opposite side of Road 1 and the disabled space indicated outside House 1 will function and be maintained.
- 1.4. The Commission requested that the applicant submit revised details/drawings of the,
  - i. Proposed cycle parking, car parking, set-down/drop-off and operation of junction of Road 1 and Cluain Bearu;
  - ii. Details of the signage and management of the set-down and car parking spaces and;
  - iii. Details of the parking provision for House 1.

## 2.0 Information Submitted

- 2.1. The response received from the applicant includes a cover letter and three drawings,
- Drawing P0003 -Proposed Site Plan – Davey Smith Architects,
  - Drawing No. 23-109-P101 Creche Traffic Routing - Waterman Moylan Consulting Engineers, and,
  - Drawing N. 23-109-P195 – Proposed Road Markings & Signage – Waterman Moylan Consulting Engineers.
- 2.2. Drawing No. 23-109-P101 – ‘Creche Traffic Routing’ shows 10 no. cycle spaces (5 no. racks) in place to on the public footpath to the north of the creche and adjacent to Corrain Bearu. The applicant states that the creche was designed to cater for 44 no. children and 9 no. staff which would require a minimum of 6 bicycle spaces as per the Kildare CDP, (1 space per 5 staff and 1 space per 10 children). Therefore, the proposed provision exceeds the minimum requirement.
- 2.3. Regarding the provision of car parking, the applicant states that 6 no. parallel car parking spaces are provided to the west of the creche, (also shown on Drawing No. 23-109-P101, ‘Creche Traffic Routing’). Three of the spaces will be used for staff car parking and three would be used as drop-off spaces. The applicant notes that the Kildare County Development Plan (KCDP) would allow for a maximum of 15 car spaces for the creche, however, Section 15.7.8 of the KCDP states that *‘the maximum provision should not be used as a target’* and that *‘lower rates of parking and car-free developments should be considered in the first instance’*.
- 2.4. The applicant states that the 3-no. set-down spaces could facilitate 30 drop-offs in a half an hour based on an allowance of 3 minutes per single drop-off. However, it is expected that most trips to and from the creche will be by foot, given the location of the creche in a housing estate. The spaces will be managed by allowing a maximum stay of 5 minutes with clamping in operation for those who do not abide by the rules. Suitable advisory signage will be installed at the spaces. The applicant also states that the creche staff will monitor the spaces to ensure that they are used for drop-off only and that people living in the overall development will be made aware that illegal parking in the spaces will not be tolerated. It is also anticipated that creche staff will manage the actual drop off time and process of children entering the building and

ensure that the car-parking spaces are not used for alternative or long-stay parking. Signage associated with the use of the spaces may also be considered and adequately positioned adjacent to the spaces or marked on the ground to illustrate usage. A 'Management Note' may also be issued to parents to ensure efficient use of set-down spaces and drop-off procedure. A sample note was included in the applicant's response.

- 2.5. Operation of the junction is shown on Drawing No. 23-109-P195 – 'Proposed Road Markings & Signage'. The junction would be a standard priority-controlled junction which is controlled with 'Stop' markings and signage. The first three car parking spaces when entering the site are staff car parking spaces and will have limited movements. The next three car parking spaces are set-down spaces which are located c. 30m into the site and will meet the 23m forward visibility requirement for a 30kmph zone.
- 2.6. Regarding House No. 1 on the western side of the junction, the applicant states that 2 no. car parking spaces will be provided within the curtilage of the house and will be accessed from Corrain Bearu. Adequate sightlines are provided to the east and west. This proposed car parking arrangement is consistent with that proposed for House No's 13-20 to the east of the junction and facing onto Corrain Bearu.

### **3.0 Third Party Observations**

- 3.1. The applicant's response was circulated to the parties, and a response was received from Miriam McAllinney on behalf of Cois Bhearu-Cluain Bhearu Residents Association. The third-party submission reiterated previous concerns regarding traffic management and road safety arising from the location of the creche and the location and inadequacy of the parking provision. The observers contend that the proximity of the creche to the junction and the location of the set-down car spaces on the public road will pose a risk to visitors to the creche will pose a safety risk.
- 3.2. Additional comments include the following,
- 3.3. Cycle parking –

- The cycle racks indicated for use by the creche should be in the grounds of the creche for security and are not adequately overlooked or supervised in their current location.
- There are currently no cycle lanes in Athy, and the cycling environment is unsafe and unwelcoming. The proposed provision does little to encourage cycling to the creche.

#### 3.4. Car-parking –

- Three set-down spaces for drop off is not enough and will result in overspill car parking in the estate and surrounding area.
- Creche management will have no control over the use of the parking bays as they are outside the grounds of the creche and part of the public roadway.
- The low-level of parking has not taken into account the legal requirements of the creche providing ECCE to its users as required by the Department of Education.
- The drop off time of 3-minutes is an under-estimation. Whilst some children using the creche will be from the local area, the likelihood of parents making linked trips to the creche and the nearby schools cannot be discounted and is likely to occur.
- The location of the spaces at a junction compromises child safety and mitigates against efficient traffic management. The *'Creche Traffic Routing'* drawing submitted by the applicant requires enforcement, which will not be available.
- The proposed 'Creche Drop-off Area Management Guidelines' are unenforceable, impractical and not fit for purpose. Creche staff will not be able to assist with drop-off from the public road.
- It is unclear if the designated disabled parking space is for the use of the creche or for general use. This should be clarified as the location of the disabled space is impractical if it is for the use of the creche.

- It is unclear if the 4-car bay opposite Unit No. 4 is for the use of the creche. The provision of car spaces on the opposite side of the road could result in a hazard in the absence of a pedestrian crossing to the creche.
- An unofficial canvas of 6 existing creche facilities in Athy concluded that the level of car-parking provided was insufficient to cater for the creche based on the experience of the businesses currently operating.

## 4.0 Assessment

- 4.1. I have reviewed the information submitted by the applicant in response to the request of the Commission and I am satisfied that all issues have been addressed in the information submitted and that any ambiguity in previous drawings has been clarified. However, the layout of the western side of the junction in the engineering drawings, (Drawing No's. 23-109-P195 – 'Proposed Road Markings & Signage' and Drawing No. 23-109-P101, 'Creche Traffic Routing'), is different to that shown on the architectural drawing, (P10003 – Proposed Site Plan), and does not show the 4-no. end-on parking spaces opposite House No. 4, or the accessible parking space opposite House No. 1. No reason is given as to why the layouts are different and why the car spaces on the western side of Road 1 are not shown. Should the Commission be minded to grant permission for the development, I recommend that a condition is attached to require the layout in the architectural drawings to be implemented with all design details of the parking layout along the internal road to be agreed with the PA prior to the commencement of development.

### Cycle Spaces -

- 4.2. The provision of 10 no. cycle spaces to the front of the creche is excess of the 6 no. spaces required by the Development Plan (Table 15.4) and is sufficient to service visitors to the creche. Third party submissions believed the location of the cycle spaces was unsuitable and would lead to security and safety concerns. I note that Drawing P0017 – Creche Plans, which was submitted to the PA on the 13<sup>th</sup> of November 2024 as further information shows a staff bicycle store within the boundary of the creche. This arrangement would be in accordance with Section 15.7.2 of the KCDP which states that, *'Where the provision of cycle parking facilities is intended for use by the staff of a particular development, stands should be*

*covered, well lit and located within the curtilage of developments to ensure security and supervision*'. The staff bicycle store is not shown on Drawing P0003 -Proposed Site Plan, which was submitted to the Commission on the 10<sup>th</sup> of June 2025. Section 15.7.2 of the KCDP also states that, *'Cycle stands for use by visitors should be located to maximise convenience to the entrance of buildings, and positioned so as to ensure safety, security and supervision'*. I am satisfied that the 5 no. bicycle stands are positioned close to the entrance of the building and are suitable for use as visitor spaces and are in accordance with the guidance set out in the Development Plan. I also recommend that, if planning permission is granted, a condition is attached to ensure that a covered and secure facility for staff bicycles is provided within the curtilage of the creche as shown on Drawing P0017 – Creche Plans, which was submitted as further information.

#### Car Parking –

- 4.3. As noted in my original report, the car parking provision of 6 spaces for the creche is less than the maximum of 15 spaces allowable under the Development Plan. However, I consider this to be acceptable as the parking standards in the KCDP are maximum standards and the Development Plan also seeks to promote low levels of car parking in accessible areas. As the development is in an urban area, within a new residential development and adjacent to established residential development, I consider the location to be appropriate for the provision of lower levels of parking. Although third parties refer to the Department of Education's requirements regarding creche curriculum, the KCDP is the relevant statutory document to determine the provision of parking spaces for the specified use.
- 4.4. Third party concerns are primarily focused on the potential for additional traffic and disturbance during the drop-off and collection times for the creche. I accept that the creche will lead to additional traffic in the area, however, drop-off and collection times will be staggered in the mornings and evenings which will spread the additional car movements. I agree with third parties that it may be unreasonable to expect creche staff to manage the drop-off spaces and I consider the proposals for adequate signage and enforcement to be sufficient for management purposes. As noted in my previous report, I consider the layout of the parallel spaces to be a standard parking arrangement that is provided in many situations and which is acceptable.

- 4.5. Third parties queried whether the accessible car space on the western side of the junction and the 4 no. spaces opposite House No. 4 were also for the use of the creche. This was not clarified by the applicant. However, their response clearly states that 6 no. spaces are for the use of the creche. Therefore, an assumption is made that the 4-no. end-on spaces are 'visitor' spaces for incidental use. However, as noted above, the engineering drawings do not have these spaces on the layout and as such their function should be clarified in the detailed design. Although the location of the accessible space on the western side of the road appears to be on the wrong side of the road, it would be positioned near the creche whilst also allowing sufficient views forward for north-bound traffic. If the accessible space was moved to the other side of the road, it would be close to the junction which could cause conflict with right-turning vehicles. Due to space restrictions, it could also result in the loss of a car space on the eastern side of the road if it was to be moved. I note that the PA had no objection to the location of the accessible space in their decision. Furthermore, Condition No. 29 of my original report requires the developer to conduct a Stage 3 Road Safety Audit prior to the occupancy of the development with all recommendations in the audit incorporated into the remedial works. I consider this condition to be appropriate to assess the safety of the proposed junction, signage and parking arrangements.
- 4.6. The parking provision for House No. 1 is clarified and shown on Drawing P0003 – 'Proposed Site Plan'. It is similar to the layout shown to the other houses in the estate and to the remainder of the proposed houses facing onto Corrain Bearu and is acceptable.

## 5.0 Recommendation

- 5.1. The outcome of my original assessment has not changed. I recommend that planning permission is granted subject to the following additional condition.
- a. Car parking and bicycle parking provision for the creche and the public parking along Road 1 shall be provided in accordance with the layout, finishes and quantity of spaces indicated on Drawing P0003 – Proposed Site Plan submitted to the Commission on the 10<sup>th</sup> day of June 2025.



- b. Bicycle parking for creche staff members shall be provided in accordance with Drawing P0017 – Creche Plans, which was submitted to the planning authority on the 13<sup>th</sup> day of November 2024 as further information.
- c. The dimensions of the car parking spaces, the management of the set-down spaces, including signage and road markings, and the details of the bicycle parking spaces shall be subject to the written agreement of the planning authority prior to the commencement of development.
- d. The parking provision for House No.1 shall be provided in accordance with the layout shown on Drawing P0003 – Proposed Site Plan submitted to the Commission on the 10<sup>th</sup> day of June 2025.

**Reason:** To ensure that there is adequate car parking and bicycle parking spaces to serve the development, and to provide parking facilities for all likely users of the development in order to avoid on-street parking and congestion.

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.

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Elaine Sullivan  
Planning Inspector

12<sup>th</sup> August 2025