



An  
Coimisiún  
Pleanála

# Inspector's Addendum Report

## ABP-322479-25

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<b>Development</b>	Large scale residential development consisting of 329 residential units and all ancillary site development works.
<b>Location</b>	Blessington Demesne, Newpaddocks and Santryhill, Blessington, Co. Wicklow
<b>Planning Authority</b>	Wicklow County Council
<b>Planning Authority Reg. Ref.</b>	23689
<b>Applicant(s)</b>	Cairn Homes Properties Limited
<b>Type of Application</b>	Large-Scale Residential Development
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Parties vs. Grant
<b>Appellant(s)</b>	<ol style="list-style-type: none"><li>1. Ballymore Eustace Trout &amp; Salmon Anglers Association</li><li>2. Ballymore Eustace Community Development Association</li></ol>
<b>Observer(s)</b>	Frank Smyth
<b>Date of Site Inspection</b>	18 <sup>th</sup> June 2024
<b>Inspector</b>	Stephen Ward

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## 1.0 Introduction

- 1.1. This report is an addendum report to the Inspector's report in respect of ABP-319657-24 (dated 2<sup>nd</sup> of July 2024) and should be read in conjunction with same. Although this report and associated submissions refer to actions/correspondence of the Commission at a time when it was formerly known as 'the Board', I will refer in all cases to 'the Commission' in the interests of clarity.
- 1.2. On the 11<sup>th</sup> of September 2024 the Commission issued a split decision in the case of ABP-319657-24. The decision was to grant permission for the 10.65 hectare Town Park and the extension of the Blessington Inner Relief Road and associated development, but to refuse permission for 329 no. residential units and associated development.
- 1.3. The refusal part of the Commission's decision in ABP-319657-24 was subject to Judicial Review. By order of the High Court (perfected on the 6th May, 2025), the refusal part of the decision was quashed and remitted back to the Commission to the point after the Inspector's Report had been prepared.
- 1.4. The new number assigned to this part of the decision is ABP-322479-25 and should be viewed in conjunction with the grant part in ABP-319657-24, which remains to this extent valid. **Therefore, this report relates solely to the 329 no. residential units and associated development and shall not relate to the 10.65 hectare Town Park or the extension of the Blessington Inner Relief Road and associated development.**
- 1.5. Following the High Court Order, the Commission issued a further information request to the applicant under Article 73A(1)(a) of the Planning and Development Regulations 2001 (as amended) as follows:
  1. A copy of the High Court Order is attached to this letter for your information. Having regard to the High Court Order in this case, the quashing of the previous Commission decision and the passage of time, the Commission considers that it is appropriate in the interests of justice to now require you to make your submissions/observations on the planning application the subject of this appeal.

2. Your submissions on the documents available from Wicklow County Council regarding the proposed Blessington Local Area Plan 2025 and Variation No. 3 to the Wicklow County Development Plan 2022-2028. The draft LAP and Variation No. 3 are available on the website of Wicklow County Council.

1.6. Under section 131 of the Planning and Development Act 2000, as amended, the applicant's response to the above request was also circulated to the appellants, the observer, and the planning authority for submissions/observations, as follows:

- Any further general submissions/observations you may have on the planning application the subject of this Large-Scale Residential Development appeal.
- Any submissions/observations you may have on the attached submission received from MacCabe Durney Barnes on behalf of Cairn Homes Properties Limited on 19<sup>th</sup> June 2025 in response to article 73A(1)(a) notice, issued by the Commission on 29<sup>th</sup> May 2025 (copy of article 73A(1)(a) notice attached).

1.7. This report considers the submissions made on foot of the article 73A(1)(a) notice. It also considers the updated legislative and policy context, in particular Variation No. 3 of the Wicklow County Development Plan 2022-2028 and the Blessington Local Area Plan 2025-2031.

## 2.0 Planning History

In addition to those applications referenced in the report for ABP-319657-24, the Commission should note the following:

**P.A. Reg. Ref. 2560548** – Current application with Wicklow County Council for large-scale residential development (site c. 9.98 ha). The application provides for amendments to the decision of An Coimisiún Pleanála (Ref .319657-24 and Wicklow County Council Ref. 23/689) which permitted a Town Park of 10.65 ha. and c.700m of the Blessington Inner Relief Road (BIRR). The proposed development provides for revisions to the previously proposed residential development comprising 329 units and will consist of:

- 325 residential units including:
  - 278 two storey houses (28 no. 2-bed, 218 no. 3-bed, 32 no. 4 bed.) comprising of semi-detached and terraced units.

- 47. No. apartments (22 no. 1 bed, 25 no. 2 bed) provided within 1 no. four-storey block.
- Car and bicycle parking spaces to include:
  - 534 no. car parking spaces for the houses, 53 no. spaces for the apartments.
  - 72 bicycle spaces for the apartments & 46 Visitor spaces across the scheme.
- 1.04 ha public open space including pocket parks and playgrounds;
- 1,290 sqm of communal open space
- Two new vehicular access off Oak Drive and one new vehicular access off the Blessington Inner Relief Road.
- Infrastructure works to serve the housing development to include the internal road network;
- ESB substations/switch rooms, lighting, site drainage works and all ancillary site services and development works above and below ground; and
- Temporary permission for up to 3 years is also sought for the erection of three marketing signs (4.55 m high and 13.73 sqm each) and a marketing suite.

## 3.0 Policy Context

### 3.1. National Context

3.1.1. This section considers any relevant updates to those already referenced in the Inspector's Report for ABP-319657-24.

3.1.2. The National Planning Framework (NPF), First Revision, April 2025 is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. Key elements of the NPF include commitments towards 'compact growth', 'sustainable mobility', 'sustainable management of environmental resources', 'transition to a carbon neutral and climate resilient society', and 'enhanced amenity and heritage'. It contains several relevant policy objectives that articulate the delivery of key elements, including:

- NPO 9 aims to deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints and ensure compact and sequential patterns of growth.
- NPO 11 outlines that planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.
- NPO 17: In each Regional Assembly area, settlements not identified in Policy 4 or 5 of this Framework, may be identified for significant (i.e. 30% or more above 2022 population levels) rates of population growth at regional and local planning stages, provided this is subject to:
  - Agreement (regional assembly, metropolitan area and/or local authority as appropriate);
  - Balance with strategies for other urban and rural areas (regional assembly, metropolitan area and/or local authority as appropriate), which means that the totality of planned population growth has to be in line with the overall growth target; and
  - A co-ordinated strategy that ensures alignment with the delivery of investment in infrastructure and the provision of employment, together with supporting amenities and services.
- NPO 37: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.
- NPO 43 is to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale.
- NPO 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill

development schemes, area or site-based regeneration, increased building height and more compact forms of development.

- NPO 77 - Enhance water quality and resource management by fully considering River Basin Management Plan objectives and integrating sustainable water management solutions.
- NPO 79 - Support the management of stormwater, rainwater and surface water flood and pollution risk through the use of nature-based solutions and sustainable drainage systems, including the retrofitting of existing environments to support nature based solutions.
- NPO 92: Ensure the alignment of planned growth with the efficient and sustainable use and development of water resources and water services infrastructure, in order to manage and conserve water resources in a manner that supports a healthy society, economic development requirements and a cleaner environment.

3.1.3. The Climate Action Plan 2025 builds upon and should be read in conjunction with the Climate Action Plan 2024. It refines and updates the measures and actions required to deliver carbon budgets and sectoral emissions ceilings and provides a roadmap for taking decisive action to halve Ireland's emissions by 2030 and achieve climate neutrality by no later than 2050. All new dwellings will be designed and constructed to Nearly Zero Energy Building (NZEB) standard by 2025, and Zero Emission Building standard by 2030. In relation to transport, key targets include a 20% reduction in total vehicle kilometres travelled, a 50% reduction in fossil fuel usage, and significant increases to sustainable transport trips and modal share. The Commission is required to perform its functions in a manner consistent with the Climate & Low Carbon Development Act.

3.1.4. The National Biodiversity Action Plan 2023-2030 includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Commission to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Commission. The impact of development on biodiversity, including species and habitats, can be assessed at a European,

National and Local Level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, EIA Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable. Biodiversity is addressed in sections 9.7 and 10 of the Inspector's Report for ABP-319657-24.

- 3.1.5. The Design Standards for Apartments, Guidelines for Planning Authorities (2025) were issued on 8<sup>th</sup> of July 2025. However, these Guidelines do not apply to the subject appeal. They only apply to any application for planning permission and to any subsequent appeal or direct application to An Coimisun Pleanála submitted after the issuing of the Guidelines, i.e. from 9th July 2025.<sup>1</sup>

### **3.2. Variation No. 3 to the Wicklow County Development Plan 2022-2028**

- 3.2.1. Variation No. 3 (Blessington Local Area Plan 2025) to the Wicklow County Development Plan 2022-2028 was made by Wicklow County Council on 16 June 2025, pursuant to Section 13 of the Planning and Development Act 2000 (as amended). The variation comprises integrating the land use zoning map and key development objectives from the Blessington Local Area Plan 2025, which was prepared separately but alongside the proposed Variation, as well as other changes consequent into the County Development Plan.
- 3.2.2. This variation followed Variation No. 2 (Wicklow Town – Rathnew LAP) which was made and came into effect on 12<sup>th</sup> of May 2025. As well as integrating the land use zoning map and other key maps from the Wicklow Town-Rathnew Local Area Plan 2025 into the CDP, Variation No. 2 included other consequent changes to the CDP in relation to *inter alia* Chapters 1, 3, & 17, and Volume 2, Part 5. However, any changes relevant to Blessington have been replicated in Variation No. 3 and are considered in the following paragraphs.
- 3.2.3. The relevant provisions contained in and/or associated with associated with Variation No. 3 are summarised under the headings below.

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<sup>1</sup> As per Department of Housing, Local Government and Heritage Circular Letter: NSP 04/2025

### 3.2.4. Chapter 1 – Introduction and Strategic Context

Volume 2 contains the land use zoning and key development objectives maps for the Local Area Plan settlements, including Blessington. The written statement is published in a separate Local Area Plan.

Separate Local Area Plans are in place for towns (including Blessington) which will be reviewed during the lifetime of this plan. These Local Area Plans are reviewed and made under Sections 18, 19 and 20 of the Planning and Development Act, and are subsidiary plans to the County Development Plan. The CDP does provide the key parameters for these Local Area Plans such as the future population and housing targets and sets out the broad strategy for the future economic and social development of these towns. To ensure that the zoning and key development objectives of these LAPs clearly form part of this County Development Plan, the land use zoning and key development objectives maps are adopted by way of variation into the County Development Plan during the making of each LAP.

### 3.2.5. Chapter 3 - Core Strategy

New Local Area Plans will be made for the following settlements in the period 2022-2025 in the following order of priority:

1. Wicklow Town – Rathnew
2. Blessington
3. Greystones - Delgany – Kilcoole
4. Arklow and Environs
5. Bray Municipal District (including Enniskerry and Kilmacanogue)

Upon adoption of this County Development Plan in 2022, the amount of zoned land in pre-existing LAPs exceeded the amount of land needed to meet the Core Strategy 2031 housing targets for each of the towns set out in this County Development Plan (as detailed in Table A of the Core Strategy).

In the preparation of the updated LAPs during the lifetime of this County Development Plan, development and growth objectives, including the amount of zoned housing land and phasing / prioritising objectives, shall take into account the zoning principles set out hereunder as well as the guidance set out in 'Development

Plans – Guidance for Planning Authorities’ (DoHLGH 2022) and any further Government or Ministerial policies / guidance in place at the time of the adoption of the LAP.

In particular, residential development objectives including land zoning provisions will be made on the basis of providing enough housing land to meet the prevailing Core Strategy population and housing targets set out in the County Development Plan at the time of adoption of the LAP, with flexibility in the zoning provisions to ensure that (a) the targets can be achieved in the event that unforeseen impediments to the development of certain lands arise and (b) the LAPs do not have to be formally amended to reflect any changes in the Core Strategy or population / housing targets that may arise during the lifetime of the County Development Plan due to changes to the National Planning Framework, Regional Spatial and Economic Strategy or planning legislation.

#### 3.2.6. Chapter 17 – Natural Heritage & Biodiversity

Map 17.09 ‘Wicklow Landscape category map’ is amended to reflect the revised LAP boundary.

#### 3.2.7. Volume 2, Part 5

This part of the County Development Plan provides the local planning policies and objectives for the Level 1, 2 and 3 settlements in the County which are being adopted into the County Development Plan via the variation process during the lifetime of the plan.

The Blessington Local Area Plan 2025 was adopted on 16 June 2025 with Variation No. 3 to the County Development Plan running alongside the LAP making process. Variation No. 3 incorporated the maps of the Blessington LAP into the County Development Plan.

### 3.3. **Blessington Local Area Plan 2025**

- 3.3.1. Chapter 2 ‘County Development Plan Strategy for Blessington’ and section ‘A2.4’ outline ‘Population and Housing Objectives’ associated with the CDP Housing Target of 519 housing units from 2016-2031. The relevant objectives can be summarised as follows:

- To adhere to the objectives of the CDP in regard to population and housing and ensure that the provisions of the plan creates a flexible land use framework that allows for housing targets to be fulfilled.
- A minimum of 30% of the targeted housing growth shall be directed into the existing built up area of the settlement, on lands zoned 'town centre', 'existing residential' and 'mixed use'. In cognisance that the potential of such regeneration / infill / brownfield sites is difficult to predict, there shall be no quantitative restriction inferred from this plan or the associated tables on the number of units that may be delivered within the built up envelope of the town.
- In order to ensure however that overall housing and population targets can be delivered, land may be zoned for new residential development outside of the existing built up envelope, subject to the amount of zoned land not exceeding 70% of the total housing target for that settlement.
- To require that new residential development represents an efficient use of land and achieves the highest density possible, subject to the reasonable protection of existing residential amenities and the established character of existing settlements.

3.3.2. Section 'A2.6' outlines 'Community Infrastructure & Open Space Objectives', the main provisions of which can be summarised as follows:

- Facilitate the development of a range of high quality community and recreational facilities that meet the needs of the local population, and in particular to require that new community and recreational facilities are developed in tandem with new housing, through the implementation of the objectives of Chapter 7 of Volume 1 of the County Development Plan.
- To manage the pace of new housing developments commensurate with existing / planned community facilities.
- To support the creation of functional and healthy public spaces and pedestrian routes within the settlement and to other nearby settlements.

3.3.3. Section 'B2 Housing Development' outlines that central areas may not be sufficient in size and scope to accommodate all of the required long term future housing growth, therefore new 'greenfield' housing development shall also be considered.

'Edge of centre' locations will be considered the priority location for such new greenfield residential development and will generally be zoned as 'New Residential - Priority 1' (zoned RN1). In order to be cognisant of extant permissions and/or the key role that some sites will play in the delivery of essential infrastructure, it may be necessary for some 'out-of-centre' sites to remain as Priority 1. New residential areas may be subject to 'Specific Local Objectives' (SLO) designation - the purpose of the SLO is to guide developers as to the land use / infrastructure / phasing requirements for the lands.

- 3.3.4. The application of density ranges will be considered in line with the objectives of the County Development Plan, this Local Area Plan and relevant Planning Guidelines.
- 3.3.5. Having regard to the Core Strategy and population / housing targets provided therein for Blessington, there is capacity within the lands zoned TC, RE (all located in the serviced, built up envelope) and lands zoned RN1 (greenfield residential lands either within the built envelope or with extant planning permission) to meet current targets.
- 3.3.6. Section 'B.6 Heritage, Biodiversity and Green Infrastructure' outlines that lands identified as OS2 'Natural Areas' shall be reserved in as natural a condition as possible with appropriate undeveloped buffer zones. Any development on such lands shall protect natural habitats, water courses, mature trees and hedgerows as identified in the GI Audit; road / cycleway / footpath crossings over / through OS2 lands shall be minimised to that absolutely necessary for access; any such crossing of OS2 lands shall be carried out in a manner that maintains ecological connectivity and maintains a natural character.
- 3.3.7. Relevant Objectives include the following:

**BLESS38** - To promote and support the development of enhanced or new greenways and amenity walks at the following locations and require development in the vicinity of same to enhance existing routes and / or provide new links:

- Poulaphouca Reservoir (Blessington Greenway/future tourism projects in the Lakeside area)
- Glen Ding Forest
- Wooded areas at Doran's Pit
- Blessington Demesne (Town Park).

The enhancement of existing, and development of new, recreational facilities along the lakeshore area, such as walking routes, car parking areas, signage, changing / toilet facilities and water based clubs/facilities, will be considered subject to compliance with the provisions of the EU Habitats Directive and other planning considerations.

**BLESS42** - Where relevant, applications for development must demonstrate that the proposal for development would not, individually or cumulatively, affect a water body's ability to meet its objectives under the Water Framework Directive.

3.3.8. Section 'B.7 Infrastructure' includes the following relevant objectives:

**BLESS46** supports the implementation of the recommendations of the Transport Assessment with regard to the delivery of safe active travel routes along the existing road network and along new off-road routes.

**BLESS54** - To protect both ground and surface water sources, to avoid water quality deterioration and reduce the level of treatment required in the production of drinking water, in accordance with Drinking Water and Water Framework Directives. New developments which could pose an unacceptable risk to drinking water sources will not be permitted.

**BLESS55** - To support and facilitate the improvement of the quality of surface water runoff that directly (or indirectly) will reach Poulaphouca Reservoir. This shall be applied to both new/expanded developments and to any planned improvements to existing urban spaces. In this regard, developments shall be designed in accordance with the guidance document "Implementation of Urban Nature-based Solutions: Guidance Document for Planners, Developers and Developer Agents" LAWPRO 2024.

3.3.9. The LAP also includes a range of land use zoning and key development objectives maps which have been incorporated into the CDP.

The zoning objectives (Map 1) for the site<sup>2</sup> can be summarised as follows:

- The site forms part of the Specific Local Objective site SLO2.

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<sup>2</sup> i.e., limited only to the residential element which this case is considering.

- The majority of the residential element is zoned 'RN1 - New Residential - Priority 1', with the objective 'To provide for new residential development and supporting facilities during the lifetime of the plan'.
- A small linear portion following the treeline/stream around the northern/eastern periphery is zoned 'OS2 – Natural Areas', with the objective 'To protect and enhance existing open, undeveloped lands'.

Map No. 3 'Key Green Infrastructure' identifies a range of relevant 'Local Biodiversity Areas' and 'Green Corridors', including:

6 – The stream and woodland to the north and east of the proposed residential area.

Maps 4 (A-D) illustrate current and future flood risks, including Flood Zones A and B along the stream to the north and east of the proposed residential area.

Map 6A 'Active Travel Strategy' includes a range of 'Indicative Pedestrian/Cyclist Routes' within and around the application site.

3.3.10. Section 'B.8 Zoning' sets out Specific Local Objectives (SLOs) to provide further guidance and detail on the development objectives for relevant lands. The proposed residential development site forms 'parcel A' of SLO 2. Any development proposals for this SLO shall comply with the County Development Plan, the Local Area Plan, and a range of stated requirements. The relevant requirements can be summarised as follows:

- No dwelling units that may be permitted on foot of the RN1 (Parcel A) zoning may be occupied until the new town park, which shall include a dog park, located on lands zoned OS1, is completed in full.
- The development of structures along all existing and proposed arterial and link roads should provide a strong sense of enclosure as per Section 4.2.1 of the Design Manual for Urban Roads and Streets, subject to the adequate protection of visual/landscape amenity from Blessington Main Street/Blessington Inner Relief Road to Glen Ding Forest.
- The development of appropriate buffer zones/mitigating measures which shall have regard to the setting and curtilage of structures and sites of heritage value, and habitats of biodiversity value including area identified as LBAs.

- Any new residential development proposals for the RN1 (Parcel A) lands shall be accompanied by proposals for the concurrent development of northern sections of the BIRR. No dwelling units that may be permitted on foot of the RN1 (Parcel A) zoning may be occupied until the northern section of the BIRR is completed in full and is available for public use.
- The following pedestrian/cyclist links shall be provided, alongside general good permeability via pedestrian/cyclist linkages through and between the SLO lands and surrounding areas:
  - from Blessington Inner Relief Road along the southern boundary of the SLO towards Glen Ding Forest (under construction), refer to Map No. 6 Active Travel.
  - from the town park northwards towards the SLO boundary, joining with links within SLO3, refer to Map No. 6 Active Travel. This link should cross watercourses in line with CPO 17.26 of the Wicklow County Development Plan 2022-2028. Elements of this link are under construction.
  - along the boundary of OS2 lands around the Deerpark watercourse, as relevant, as per objective BLESS46.

#### 4.0 **Response to Request for Further Information**

4.1. The relevant aspects of the applicant's response can be summarised under the following headings.

##### 4.2. Blessington Local Area Plan 2025

- The site is zoned 'RN1: New Residential Priority 1' and is included as 'Parcel A' in SLO 2.
- Consistent with the application and WCC's decision to grant permission, the development of Parcel A is linked to the implementation of the BIRR and Town Park.
- The explanatory text in relation to the phasing of residential zonings are referenced (i.e. the central/serviced lands zoned TC, RE; the Priority 1 lands zoned RN1; and the Priority 2 lands zoned RN2).

- Overall, it is submitted that the LAP provides a supportive planning policy and zoning framework for the subject site to allow a grant of permission.
- The OPR had no objection to the zoning of the subject lands at draft plan stage.
- The zoning of additional lands in SLO2 (Parcel B) at the Material Amendments stage were also supported by the OPR because of the sequential approach and the phasing of development in conjunction with the delivery of community and physical infrastructure.

#### 4.3. Variation No. 3 of the WCDP 2022-2028

- As well as Variation No. 2, this Variation is important as it addresses (deletes) problematic policy text that referred to the quantum of '*zoned land in pre-existing LAPs exceeded the amount of land needed to meet the Core Strategy 2031*'.
- The submission emphasises the text as previously outlined in the last paragraph of s. 3.2.5 of this report.
- Variation No. 2 (*sic*) of the CDP has introduced all new text in a new part of the CDP in Volume 2. It outlines that 'Local Area Plans Written Statements and Maps' have been framed in accordance with the development horizon set out in 2022, and residential development objectives (including zoning) have been made to meet CDP Core Strategy targets with flexibility in zoning provisions to ensure that (a) targets can be achieved in the event that unforeseen impediments to the development of certain lands arise and (b) the LAPs do not have to be formally amended to reflect any changes in Core Strategy targets that may arise.

#### 4.4. Core Strategy

- The CDP's strategic approach of placing LAPs outside the CDP has failed, as reflected in the Council's and the Commission's failure to approve SHD and LRD permissions.
- LAPs and zoning frameworks for all of the Level 1, 2, and 3 main settlements expired, accounting for 82% of the housing unit target for the county.
- CDP Variation Nos. 2 and 3 sought to address this error stating that '*As part of the LAP adoption process, the land use zoning and key development objectives*

*maps for the LAP settlements / areas are integrated into Volume 2 of this County Development Plan by way of variation’.*

- Reason No. 2 of the Commission’s remitted decision cited Section 3.5 of the CDP and a surplus of zoned land to be addressed in the next LAP. Variation Nos. 2 & 3 of the CDP has now deleted this text from Section 3.5.
- It is clear that WCC has come to the realisation that policy was not conducive to implementing its CDP and was perhaps inadvertently resulting in refusals by the Commission for large scale housing developments.
- The new policy’s reference to prevailing population dynamics is sensible on face value. The ‘development horizon set out in the 2022 County Development Plan’ was based on 2016 Census data and cannot be held as a reasonable restraint on housing supply a decade later.

#### 4.5. National Planning Framework (NPF) First Revision

- One of the key factors cited in the CDP Variation that justifies greater flexibility in zoning is changes to the NPF. It is a material consideration, and the new LAP policy incorporated into the CDP specifically makes reference to NPF changes.
- The submission refers to Section 2.4 of the revised NPF regarding ‘Projections’ and concludes that:
  - The NPF provides a clear direction that Planning Authorities must have regard to significant higher population needs, and that ACP and WCC must have regard to such policy in the assessment process.
  - There is no question that LAPs now must reflect **changes in the Core Strategy or population / housing targets**. There is no question that this “**may arise**”; it is in fact national policy that has arisen.

#### 4.6. Development Plan Guidelines 2022

- The submission highlights Section 4.4.1 of the Guidelines regarding cases of a surplus of well-located zoned and fully serviced land. It recommends best practice in the form of a phased approach and highlights the need for sufficient flexibility to avoid delays on one or more sites preventing other suitable sites from coming forward within the life of a development plan.

#### 4.7. Material Contravention

- Although WCC decided to grant permission in material contravention of Objectives CPO 4.1, 4.2, 4.5, 4.7 and 6.19 of the WCDP 2022-2028, it is submitted that following the adoption of the Blessington LAP 2025; Variations 2 & 3 of the CDP; and the NPF Revision; the proposed development is no longer in material contravention of the WCDP 2022-2028.

- The applicant's response to the relevant CDP objectives is summarised below:

*CPO 4.1 - To implement the County Wicklow Core Strategy and Settlement Strategy, having regard to the availability of services and infrastructure and in particular, to direct growth into key towns, self-sustaining towns and small towns.*

Response – Blessington is a 'Self-Sustaining Growth Town' and the LAP 2025 confirms the zoning designation of the site 'RN1: New residential Priority 1' and is consistent with the Settlement Strategy.

*CPO 4.2 - To secure compact growth through the delivery of at least 30% of all new homes within the built-up footprint of existing settlements by prioritising development on infill, brownfield and regeneration sites and redeveloping underutilised land in preference to greenfield sites.*

Response - The LAP 2025 supports this objective, as well as the need to develop other lands to meet housing targets. The submission refers to 'Section A2.1'<sup>3</sup> of the LAP. It concludes that the zoning of the site 'RN1: New residential Priority 1' is consistent with the Core Strategy's recognition of the need to deliver a percentage of development outside the built-up area.

*CPO 4.5 - To ensure that all settlements, as far as is practicable, develop in a self sufficient manner with population growth occurring in tandem with physical and social infrastructure and economic development. Development should support a compact urban form and the integration of land use and transport.*

Response – The development provides a new Town Park and the northern arm of the Inner Relief Road, which are significant investments in community and physical infrastructure.

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<sup>3</sup> Appears to be an error. Should refer to A2.4 (See section 3.3.1 of this report for details).

*CPO 4.7 - To implement the Core Strategy and Settlement Strategy, to monitor development and the delivery of services on an ongoing basis and to review population targets where service delivery is impeded.*

Response - The LAP 2025 confirms the zoning designation of the site 'RN1: New residential Priority 1' and is consistent with the Settlement Strategy.

*CPO 6.19 - The development of zoned land should generally be phased in accordance with the sequential approach as set out in this chapter. The Council reserves the right to refuse permission for any development that is not consistent with these principles.*

Response - The LAP 2025 confirms the zoning designation of the site 'RN1: New residential Priority 1', which clearly does not restrict planning applications being brought forward for sites closer to the Main Street.

Regarding compact growth, sequential development and phasing principles, the development is consistent with Sections 3.4 and 6.3.4 of the CDP as it is: the closest landbank to Main Street; immediately adjacent to the existing built fabric and community facilities; and is zoned as 'RN1: New residential Priority 1'.

- The applicant's submission also refers to the discussion of Material Contravention in the Inspector's Report for ABP-319657-24. It refers to sections 8.4.22 and 8.4.24 of same and concludes that the two key elements identified in the conclusion have now been addressed as follows:
  - The NPF review has been completed and includes objectives to plan for greater population growth.
  - The LAP has been adopted having regard to the NPF Revision. It includes specific policy measures that support a more flexible approach in zoning to facilitate population growth, and this approach has been supported by the OPR.

#### 4.8. Applicant's Conclusion

- Having regard to the foregoing changes in the policy context since September 2024, the Commission is invited to amend its decision and grant permission for the proposed LRD in its entirety.

- The applicant supports the delivery of the Town Park and the Inner Relief Road in association with the roll-out of residential development. To ensure that new homes can be released in a traditional phased approach, the Commission is invited to attach a condition to ensure the phased delivery of infrastructure with stages of development, by agreement with the Council prior to commencement of development.

## 5.0 Further Submissions

5.1. The Commission has received two further responses, one from Ballymore Eustace Trout and Anglers' Association (appellant) and one from Frank Smyth (observer). This submissions outline some of the same concerns that were raised in the appeal and observations under ABP-319657-24. They are not repeated here as they have already been considered in the Inspector's Report for ABP-319657-24. The other relevant contents of these submissions are summarised below.

### 5.2. **Ballymore Eustace Trout and Anglers' Association (appellant)**

#### Water Supply

The submission refers to text of the LAP (Section A3.2) which details the existing water supply and indications from Uisce Eireann (UE) that there is capacity for the plan period based on CDP population targets. Concerns are raised on the basis that Ballymore Eustace Water Treatment Plant (WTP) is non-compliant with three different planning conditions as follows:

- Kildare County Council (KCC) Planning Ref. 86/1310 was granted for 'Retention of existing 1600mm diameter raw water intake to Water Treatment Works'. Condition No. 2 of the permission limits the abstraction levels from the River Liffey to 70 million gallons per day. In the absence of alternative supply (via the River Shannon) the Liffey is overexploited via noncompliance with planning conditions. The needs of other users should not be set aside to accommodate the proposed development and the submission questions whether the Commission would be complicit with noncompliance by UE by granting permission.
- KCC Ref. 00/2270 and ABP. Ref. PL09.124046 granted 'Extension of Liffey Works Ballymore Eustace'. Again, Condition no. 4 limited abstraction levels to

70MGD. In July 2020 KCC informed DCC/UE that they were noncompliant with the abstraction licence limit of 318mld (70MGD) and no further monitoring reports have been made available.

- DCC's permission (KCC Ref. No. 08520, ABP Ref No. PL.09.229575) for construction of Sludge Treatment Plant etc. at the WTP included Condition No. 8 regarding requirements for monitoring of discharges to the River Liffey. DCC/UE is noncompliant primarily because the daily maximum spillway discharge on which the emission limit values were based is seriously underestimated and has not responded to KCC's requests for measures to rectify the situation.

### Wastewater

The submission refers to text of the LAP (Section B.7 Infrastructure) which outlines that recent upgrades to the Blessington WWTP provide sufficient capacity for the growth envisioned in the CDP Core Strategy. Concerns are raised for the following reasons:

- The submission outlines the planning permission/discharge licence history of the WWTP, which was previously outlined in the appeal submission.
- The submission refers to correspondence with the EPA (20<sup>th</sup> November 2018) which discusses flow data from the ESB for Poulaphoca Dam and Golden Falls. It contends that it demonstrates that there is no flow past the WWTP discharge location for 97% of the time and questions how the Golden Falls Lake/Reservoir can be considered a suitable discharge for a 9,000 PE WWTP.
- The submission outlines various extracts from EPA correspondence to Irish Water/UE requesting further information relating to the Blessington WWTP discharge into Golden Falls Lake/Reservoir Discharge Licence WWDL D0063-02 review. The submission contends that while there is no reply to date to the latest correspondence, UE is trying '*to conjure up smoke and mirrors to conceal the truth that there is not "a constant minimum flow of 1.5m<sup>3</sup>/s at all times" past the Blessington WWTP discharge point*'.

### National Planning Framework First Revision

- The provision of new homes in Blessington is not sustainable development due to the lack of proper water and waste infrastructure.

- If the NPF revision is a material consideration, the Commission has no option but to refuse permission as the appropriate infrastructure is not in place and '*In order to protect the quality of the water in the River Liffey in the interest of public health and recreational amenity, including angling*'. Turning a blind eye to noncompliance with planning conditions and WWDL emission limit values is not an option for ACP.

### 5.3. Frank Smyth (observer)

The submission includes a copy of his previous observation on the appeal, which has been considered in the Inspector's Report for ABP-319657-24.

An additional letter generally reiterates concerns previously raised, i.e. the substandard capacity and design of the IRR and the proposal 'to turn it into the N81', as opposed to the NRA (sic) plans to provide an N81 by-pass. These matters were considered in the Inspector's Report for ABP-319657-24. The Commission should note that the proposed IRR extension has been permitted under ABP-319657-24 and does not form part of the current case.

The submission also raises the following points:

- Some changes have taken place regarding change of ownership/planning, i.e., Glenveagh site opposite Sorrel Wood (Planning Ref. 20/184).
- A new Creche facility has been built to the rear of Sorrel Wood and is currently for sale. This will add more pedestrian and vehicular traffic.

## 6.0 Assessment

6.1. Having examined the submissions received and the relevant changes to local/regional/national policies and guidance since the completion of the Inspector's Report for ABP-319657-24, I consider that the main issues to be considered in this case are as follows:

- Core Strategy & Population / Housing Targets
- Zoning
- Phasing
- Water Services and Water Quality

- Density, Design & Layout.

## 6.2. Core Strategy & Population / Housing Targets

6.2.1. I refer the Commission to section 8.4 of the Inspector's Report for ABP-319657-24. In summary, this section outlined concerns which resulted in a recommended refusal based on:

- Exceedance of the housing targets for Blessington as per the CDP Core Strategy (393 units by 2028, 519 units by 2031), which were determined in accordance with the population projections set out in the National Planning Framework (NPF).
- Material contravention of CDP Objectives CPO 4.1, CPO 4.2, CPO 4.7, and CPO 6.19, which seek to implement the Core Strategy and the Settlement Strategy in accordance with the principles of compact, sequential, and sustainable development.
- Prematurity pending the finalisation of the National Planning Framework revision; the translation of any revised population and housing targets at regional and county level; and the subsequent preparation of a Local Area Plan for Blessington.

6.2.2. However, I would acknowledge that there have been significant changes to the national and local policy context in the intervening period.

6.2.3. At national level the NPF Revision has now been completed. It acknowledges the need to plan for increased population growth compared to the original NPF, including a population of almost 3 million in the Eastern and Midland Region (compared to 2.85 million in the original NPF). Section 2.3 'Projections' addresses the approach in setting overall targets for future growth, stating that it is a pattern of development that is being targeted, rather than precise numbers.

6.2.4. This is supported by National Policy Objective 11. This outlines that while planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan, the consideration of individual development proposals on zoned and serviced development land shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment. I consider that this objective clearly allows for

the granting of permission even if the potential capacity of a development would lead to the exceedance of planned growth targets at settlement level.

- 6.2.5. The flexibility in this approach has also been reflected in Variation Nos. 2 & 3 of the WCDP. They amend the Core Strategy of the CDP to provide flexibility in the zoning provisions to ensure that (a) the targets can be achieved in the event that unforeseen impediments to the development of certain lands arise and (b) the LAPs do not have to be formally amended to reflect any changes in the Core Strategy or population / housing targets that may arise during the lifetime of the County Development Plan due to changes to the National Planning Framework, Regional Spatial and Economic Strategy or planning legislation. These provisions are also generally reflected in Volume 2 of the CDP regarding 'Local Area Plans Written Statements and Maps'. Furthermore, Variation Nos. 2 & 3 have deleted the Core Strategy (section 3.5) reference to the majority of current LAPs having '*a surplus of zoned land having regard to the revised 2031 targets set out in the NPF Roadmap and the RSES for the EMRA*'.
- 6.2.6. Section 8.3 of the Inspector's Report for ABP-319657-24 also concluded that the Blessington LAP 2013-2019 had expired and that its objectives (including zoning) no longer remained in force. However, this has been addressed through the subsequent adoption of the Blessington LAP 2025.
- 6.2.7. Section A2.4 of the LAP 2025 outlines 'Population and Housing Objectives' which aim to adhere to the objectives of the CDP in regard to population and housing, while also ensuring that the provisions of the plan create a flexible land use framework that allows for housing targets to be fulfilled.
- 6.2.8. And with relevance to the principles of compact growth, sequential development and phasing, section 'B.2' of the LAP 2025 acknowledges that central areas may not be sufficient in size and scope to accommodate all of the required long term future housing growth, therefore new 'greenfield' housing development shall also be considered. 'Edge of centre' locations will be considered the priority location for such new greenfield residential development and will generally be zoned as 'New Residential - Priority 1' (zoned RN1), which includes the appeal site.

## Conclusion

- 6.2.9. Having regard to the foregoing, I consider that there have been significant changes to the national and local planning policy context. In particular, these changes have provided greater flexibility on the matters of zoned land / permitted units and their ability to exceed projected population/housing targets. This has been implemented in a plan-led approach through the NPF Revision and Variation Nos. 2 and 3 of the CDP, and ultimately through the zoning of the site for residential use in the LAP 2025.
- 6.2.10. Furthermore, I consider that the LAP 2025 has implemented the principles of compact growth, sequential development, and phasing (as per sections 3.5 & 6.3.2 of the CDP) by considering the capacity and suitability of 'central', 'edge of centre', and 'out of centre' housing sites. The appeal site has been zoned as 'New Residential - Priority 1'. Accordingly, I consider that its development would be consistent with Objective CPO 6.19 of the CDP which states that the development of zoned land should generally be phased in accordance with the sequential approach.
- 6.2.11. Therefore, notwithstanding the recommendation in the Inspector's Report for ABP-319657-24, I am now satisfied that the proposed development is acceptable in accordance with the WCDP Core Strategy; that it would not materially contravene CDP Objectives CPO 4.1, CPO 4.2, CPO 4.7, or CPO 6.19; and that it would not be premature given the finalisation of the NPF revision, the making of Variations 2 & 3 to the CDP, and the adoption of the Blessington LAP 2025.

## **6.3. Zoning**

- 6.3.1. I refer the Commission to section 8.3 of the Inspector's Report for ABP-319657-24. In summary, this section outlined an opinion that the Blessington LAP 2013-2019 has expired and that all its objectives (including zoning) no longer remained in force.
- 6.3.2. Further to this, I would acknowledge that the WCDP 2022-2028 (as originally adopted in 2022 (prior to Variation Nos. 2 & 3)) appeared to consider the Blessington Local Area Plan 2013-2019 to be still 'current'. Section 3.5 stated that the remainder of settlements (i.e. excluding the 13 settlement plans in the CDP but including settlements such as Blessington) have '*their own stand-alone 'Local Area Plans', which will be reviewed after the adoption of this County Development Plan*'. Section

3.5 also referred to the Core Strategy Tables and a surplus of zoned lands in 'current LAPs' (including Blessington). Therefore, it may have been the intent of the Council that the zoning provisions of the Blessington Local Area Plan 2013-2019 remained until such time as the LAP was reviewed (irrespective of the stated lifetime within the LAP). However, I consider that all of the above has now been addressed and superseded by the making of Variation Nos. 2 & 3 to the CDP and by the adoption of the Blessington LAP 2025.

6.3.3. In accordance with the Blessington LAP 2025, the majority of the site is now zoned 'RN1 - New Residential - Priority 1', with the objective '*To provide for new residential development and supporting facilities during the lifetime of the plan*'. It is proposed to provide a range of houses, apartments and supporting facilities such as roads, open space, parking etc within the 'RN1' zone and I am satisfied that this would be consistent with the objective for the zone. And as previously outlined, I consider the development of these 'Priority 1' lands would be acceptable in accordance with Objective CPO 6.19 of the CDP which states that the development of zoned land should generally be phased in accordance with the sequential approach.

6.3.4. Apart from the main 'RN1' zone, a linear portion of the site following the stream (25m either side) around the northern/eastern periphery is zoned 'OS2 – Natural Areas', with the objective '*To protect and enhance existing open, undeveloped lands*'. Section B.8 of the LAP provides further description of this zone, stating that it is '*To protect, enhance and manage existing open, undeveloped lands that comprise flood plains, buffer zones along watercourses and rivers, steep banks, green breaks between built up areas, green corridors and areas of natural biodiversity.*' It also states that '*Uses appropriate for natural areas (OS2) zoned land are uses that protect and enhance the function of these areas as flood plains, buffer zones along watercourses and rivers, green breaks between built up areas, green corridors and areas of natural biodiversity. The development of these lands for recreational uses may only be considered where such use is shown to not undermine the purpose of this zoning*'.

6.3.5. In addition to these zoning provisions, I note that Map No. 3 'Key Green Infrastructure' identifies a range of 'Local Biodiversity Areas' and 'Green Corridors', including the stream and woodland corridor to the north and east of the proposed

residential area. And Section 'B.6 Heritage, Biodiversity and Green Infrastructure' outlines that:

*'The lands identified as OS2 'Natural Areas' shall be reserved in as natural a condition as possible with appropriate undeveloped buffer zones. Any development on such lands shall protect natural habitats, water courses, mature trees and hedgerows as identified in the GI Audit; road / cycleway / footpath crossings over / through OS2 lands shall be minimised to that absolutely necessary for access; any such crossing of OS2 lands shall be carried out in a manner that maintains ecological connectivity and maintains a natural character.'*

- 6.3.6. Having reviewed the proposed layout, I am satisfied that only minimal development is proposed within the OS2 zone. At the northern end of the site, the northeast site boundary is setback from the stream and only a small portion of the site is within the OS2 zone. No development is proposed at this location, and it is proposed to provide native woodland shrub planting as part of the landscaping masterplan.
- 6.3.7. At the eastern end of the site, I acknowledge that the eastern site boundary extends to the existing stream. Again however, development within the OS2 zone along the western side of the stream would be minimised. It is proposed to provide woodland planting to screen an existing pylon, which would improve the amenities of the area. An ecological corridor will also be retained along this section, including sections of native riparian planting to enhance existing habitat; existing native hedgerow along boundary to be retained and enhanced; and bird and bat boxes, nursing logs and bee and bug hotels. I am satisfied that these proposals would suitably protect and enhance this natural open space (OS2) zone.
- 6.3.8. I acknowledge that a minimal extent of development is proposed along the outer (western) margin of this OS2 corridor. This development mainly comprises walkways, seating areas, and natural play spaces which form part of a linear recreational facility running along the green corridor. I am satisfied that these recreational facilities would not undermine the purpose of the OS2 zoning, which would be acceptable as outlined in section 6.3.4 of this report.
- 6.3.9. In the southeastern corner of the site, I consider that similarly acceptable recreational facilities are proposed on the eastern side of the stream. I also acknowledge that the proposed access road and parking spaces serving the duplex

units would encroach on the OS2 zone. However, while I acknowledge that such uses are not listed as being 'appropriate' in section B.8 of the LAP, I also note that they are not specifically excluded. The LAP lists only '*typical appropriate uses*', which I do not consider to be exhaustive, and it is stated that the planning authority '*shall determine each proposal on its merits*'. Therefore, having regard to the minor extent of the proposed access/parking works when considered in the context of the overall extent of the OS2 zone and the associated 'green corridor', together with the proposals to maintain a significant setback and continuous green corridor along the eastern side of the stream, I am satisfied that the impact of the development would be 'neutral' to the zoning objective. Such 'neutral' development can be accepted as per section B.8 of the LAP, and, accordingly, I do not consider that the proposed development would materially contravene the OS2 zoning objective.

- 6.3.10. In addition to the above, I refer the commission to sections 9.7 (Biodiversity) and 9.9 (Water) of the Environmental Impact Assessment section of the Inspector's Report for ABP-319657-24. As outlined therein, I am satisfied that there would be no unacceptable biodiversity or water impacts associated with the proposed development, including any potential impacts on the OS2 zone along the subject woodland/stream corridor.

### Conclusion

- 6.3.11. Having regard to the foregoing, I consider that the proposed development would be consistent with the 'RN1' and 'OS2' zoning objectives for the site. I have acknowledged that a minor portion of the proposed access road and parking spaces at the southeastern corner of the site would be within the 'OS2' zone, but I do not consider that this would materially contravene the zoning objective.
- 6.3.12. In the event that the Commission considers that this would amount to a material contravention, I would highlight the legislative preconditions for an LRD application, insofar as it must be on land the zoning of which facilitates its use for the purposes proposed in the application<sup>4</sup>.

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<sup>4</sup> See Section 32A of the Planning and Development Act, 2000, as amended

## 6.4. Phasing

- 6.4.1. I note that the applicant's submission invites the Commission to attach a condition to ensure the phased delivery of infrastructure with stages of development, by agreement with the Council prior to commencement of development.
- 6.4.2. However, I would highlight that the LAP includes specific phasing provisions for the development of 'Parcel A' (subject site) of the wider SLO2 area, as follows:
- No dwelling units may be occupied until the new town park, which shall include a dog park, located on lands zoned OS1, is completed in full.
  - New residential development proposals shall be accompanied by proposals for the concurrent development of northern sections of the BIRR. No dwelling units may be occupied until the northern section of the BIRR is completed in full and is available for public use.
- 6.4.3. As previously outlined in this report, the Commission should note that planning permission is already in place for the new town park and the northern section of the Blessington Inner Relief Road (BIRR) on foot of ABP-319657-24. The applicant's further information response included a 'Phasing Diagram' drawing which shows that the new town park and BIRR would be completed in Phase 1 along with 107 no. residential units in the southern part of the site. The remaining houses would be completed in Phases 2-5. The 'Planning Report & Statement of Consistency' (section 2.3) also confirms that the new town park and BIRR would be completed within 1 year of commencement.
- 6.4.4. Accordingly, I am satisfied that the proposed phasing is consistent with the LAP requirements. In the event of a grant of permission, a suitable condition should be attached in respect of these phasing requirements.

## 6.5. Water Services and Water Quality

- 6.5.1. I note that the submission from Ballymore Eustace Trout & Salmon Anglers Association (BETSAA) raises concerns about non-compliance with abstraction and treatment conditions attached to the Ballymore Eustace Water Treatment Plant planning permissions, as well as concerns about the suitability of the Blessington

Wastewater Treatment Plant discharge location and non-compliance with associated planning/discharge licence conditions.

- 6.5.2. However, I refer the Commission to sections 8.2 and 9.9 of the Inspector's Report for ABP-319657-24. Similar issues have been raised in the latest BETSAA submission, and I would again conclude that consideration should be limited to the capacity of water services infrastructure to accommodate the proposed development and the potential for any associated environmental effects. No unacceptable impacts were identified in Section 9.9 (Water) of the Environmental Impact Assessment carried out in the previous report, and I am satisfied that this is still the case.
- 6.5.3. I note that the LAP has introduced an objective (BLESS55) which aims to support and facilitate the improvement of the quality of surface water runoff that directly (or indirectly) will reach Poulaphouca Reservoir. In this regard, it states that developments shall be designed in accordance with the guidance document "Implementation of Urban Nature-based Solutions: Guidance Document for Planners, Developers and Developer Agents" LAWPRO 2024.
- 6.5.4. This guidance document clearly post-dates the making of the application (5<sup>th</sup> September 2023). However, it is noted that the Surface Water Drainage Strategy<sup>5</sup> outlines that the existing stream will provide suitable surface water discharge points and runoff will be limited to greenfield rates in accordance with the Greater Dublin Strategic Drainage Study (GDSDS). It is confirmed that the development will comply with the policies and guidelines and the requirements of Wicklow County Council, and that nature-based solutions (NbSs) will include swales, rain gardens, tree pits, pedestrian/green links, and overground detention/infiltration basins. I consider that these NbSs can be used in conjunction with other SuDS solutions (e.g. permeable paving, attenuation tanks, etc.) to comply with LAP Objective BLESS55. In the event of a grant of permission, a condition should be attached to agree the precise drainage details (including compliance with BLESS55) with the planning authority, as is standard practice of the Commission.

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<sup>5</sup> See Section 3 of Infrastructure Design Report (Residential)

6.5.5. I would also refer the Commission to the Water Framework Directive Screening in section 7 of this report, which concludes that the proposed development would not jeopardise any water body in reaching its WFD objectives.

## 6.6. **Density, Design & Layout**

6.6.1. I note that the planning authority has deemed the proposed development to be acceptable in respect of density, design, and layout, and no significant issues have been raised in this regard in the context of the appeal. However, in light of the adoption of the new Blessington LAP 2025 and for the information of the Commission, I propose to consider these matters under the headings below.

### Density

6.6.2. It is proposed to construct 329 residential units within a stated net site area of 8.61 ha, which results in a net density of c. 38 uph.

6.6.3. The LAP outlines that density ranges will be considered in line with the objectives of the CDP, the LAP and relevant Planning Guidelines, and should be based on the consideration of centrality and accessibility to services and public transport; and considerations of character, amenity and the natural environment. In turn, the WCDP (CPO 6.13) requires that new residential development achieves the minimum densities as set out in Table 6.1, subject to further assessment and consideration of national guidance. Table 6.1 outlines density standards as per the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), which are now superseded by the Compact Settlement Guidelines (2024). Nonetheless, it outlines that minimum densities shall apply to Blessington including a minimum of 35-50 uph in 'Outer Suburban / Greenfield Sites', with which the proposed development would comply.

6.6.4. In terms of national planning guidance, I acknowledge that the Apartments Guidelines and the Building Height Guidelines outline guidance in relation to density. However, the more recent Compact Settlement Guidelines (2024) set out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements. It is intended that the Guidelines should be read in conjunction with other guidelines (including the Building Height Guidelines and the Apartments

Guidelines) where there is overlapping policy and guidance. Where there are differences between these Guidelines and Section 28 Guidelines issued prior to these guidelines, it is intended that the policies and objectives and specific planning policy requirements of these Guidelines will take precedence. Accordingly, I propose to apply the Compact Settlement Guidelines as the prevailing national guidance in density.

- 6.6.5. Policy and Objective 3.1 of the Guidelines is that the recommended residential density ranges are applied within statutory development plans and in the consideration of individual applications, and that these density ranges are refined further at a local level using the criteria set out in Section 3.4 where appropriate.
- 6.6.6. According to Census 2022, Blessington has a population of 5,611 and Table 3.5 of the Guidelines outlines density ranges for such Key Towns / Large Towns. It is a policy and objective of these Guidelines that residential densities in the range 30 dph to 50 dph (net) shall generally be applied at suburban and urban extension locations of Key Towns and Large Towns, and that densities of up to 80 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations (as defined in Table 3.8). The proposed density of 38 dph would be within the recommended range of 30-80 dph.
- 6.6.7. In addition to the density ranges outlined in section 3.3 of the Guidelines, section 3.4 recommends that the ranges should be refined having regard to: (Step 1) Proximity and Accessibility to Services and Public Transport; and (Step 2) Considerations of Character, Amenity and the Natural Environment.
- 6.6.8. Regarding 'Step 1', the Guidelines outline that planning authorities should encourage densities at or above the mid-density range at the most central and accessible locations in each area, densities closer to the mid-range at intermediate locations and densities below the mid-density range at peripheral locations.
- 6.6.9. Further guidance on 'Accessibility' is outlined in Table 3.8 of the Guidelines. In this regard, I note that bus services in Blessington are mainly made up of a regular national bus service and a local/rural commuter bus service, as opposed to 'urban bus services' referred to in Table 3.8. Even so, there are no services running within 500 metres of the site and any services within 1km are not high frequency (i.e. 10 minute peak hour frequency). Accordingly, I consider that the site should be

classified as 'Peripheral' in accordance with Table 3.8 of the Guidelines, and I am satisfied that the proposed density of 38 dph is acceptable at the lower end of the recommended range (i.e. 30-80 dph).

6.6.10. Regarding the 'Step 2' considerations, I would state the following:

(a) Local Character

This is a largely undeveloped area which does not have strong or sensitive built environment characteristics. The recently constructed Sorrel Wood development to the south of the site best reflects the emerging character of the area and I am satisfied that the proposed development would be consistent with same.

(b) Historic Environments (built and landscape heritage)

I refer the Commission to sections 9.11 and 9.12 of the Inspector's Report for ABP-319657-24. Subject to the proposed mitigation measures and the conditions of any permission, I am satisfied that there would be no unacceptable impacts on historic environments.

(c) The Environment and Protected Habitats and Species

I refer the Commission to sections 9.7 and 10 of the Inspector's Report for ABP-319657-24. Subject to the proposed mitigation measures<sup>6</sup> and the conditions of any permission, I am satisfied that there would be no unacceptable impacts on the environment and protected habitats and species.

(d) Residential Amenities

The only residential properties in close proximity to the development are the recently constructed Sorrel Wood properties to the south of the site. A significant separation distance of >40 metres will ensure that there are no privacy impacts on the existing properties. This separation distance, together with the location of the proposed development to the north of existing properties, will ensure that there will be no significant daylight or sunlight impacts. And having regard to the limited height and scale of the proposed development, I am satisfied that there will be no other significant microclimate impacts.

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<sup>6</sup> Mitigation measures have not been considered in AA Screening

(e) Water Supply and Wastewater Networks

As per Section 6.5 of this report, I am satisfied that the water supply and wastewater networks (including treatment works) can service the proposed development.

- 6.6.11. Having regard to the foregoing provisions of the Compact Settlement Guidelines, I am satisfied that the proposed density is acceptable in this case. Furthermore, I consider that the Guidelines are consistent with and supported by the WCDP 2022-2028 and the Blessington Local Area Plan 2025.

Design & Layout

- 6.6.12. The Blessington LAP 2025 (section B.2) outlines that residential development strategies, objectives and standards set out in the WCDP will apply directly, including 'Quality of Design in New Housing Developments'. In this regard, section 6.3.7 of the CDP refers to *inter alia* relevant national Guidelines such as the Urban Design Manual accompanying Guidelines for Sustainable Residential Development in Urban Areas (2009) (see also CPO 6.6 & 6.7). These 2009 Guidelines and the accompanying Urban Design Manual have since been replaced by the Compact Settlement Guidelines and, therefore, I consider that the provisions of same should be applied.
- 6.6.13. Section 4.4 and Appendix D of the Compact Settlements Guidelines outline 'Key Indicators of Quality Design and Placemaking' to be applied in accordance with Policy and Objective 4.2. The 'Key Indicators' are considered under the following headings.

(a) Sustainable and Efficient Movement

With regard to the key principles cited in the Guidelines, I would state the following:

- The proposed layout includes a comprehensive street network and links through open spaces. This includes a quality range of pedestrian and cycle facilities which optimise sustainable transport modes and is easy to navigate. In particular, the layout provides a pedestrian/cyclist route through the site (from Oak Drive north towards SLO3 site) in accordance with the LAP Map No. 6A 'Active Travel Strategy' and the stated requirements for SLO2. In the event of a grant of permission, a condition should be attached regarding the full extension of the route northwards to the site boundary with SLO3. The

proposed development also provides improved pedestrian/cycle routes along the OS2 zone (Deerpark stream corridor) in accordance with the LAP requirements for SLO2 and Objective BLESS46.

- The proposed development is part of an overall project which includes the delivery of the northern section of the Blessington Inner Relief Road, which would make a significant contribution to improving connections in the wider urban street and transport networks. It would also improve connections between the town centre and existing/planned facilities to the northwest and southwest of the site (i.e. the existing school, GAA club, and care centre, and the proposed new town park).
- As outlined in section 8.6 of the Inspector's Report for ABP-319657-24, I am satisfied that the proposed access/junction and internal residential layout arrangements are suitably designed to prioritise active travel and create street networks that feel safe and comfortable for pedestrians and cyclists. The applicant's further information response included a range of proposals for the internal road network including homezone/shared areas, raised tables, crossings, and landscaped 'build outs' to prevent excessive road length/speed. I am satisfied that the proposed development implements the principles, approaches and standards set out in DMURS, as is required by Policy & Objective 4.1 of the Compact Settlement Guidelines.
- It is proposed to provide a total of 594 no. on-site car parking spaces, including 518 for the houses, 22 for the duplexes and 54 for the apartment units. This would be consistent with SPPR 3(iii) of the Guidelines which outlines that a maximum rate of 2 space per dwelling shall apply to such 'peripheral' locations.

The WCDP (CPO 12.56) refers to the car parking standards in Appendix 1 Table 2.3. In locations such as this where public transport and parking enforcement are not available, the standards shall be taken as 'minimum'. According to Table 2.3, the development would require a minimum of 517.6 spaces for the houses, 19.2 spaces for the duplexes, and 56.4 spaces for the apartments. I note that there is a shortfall in relation to the proposed apartment spaces (54). I do not consider that this minor shortfall amounts to a material contravention of the CDP, but if the Commission disagrees, I

consider that it would be justified based on compliance with SPPR 3(iii) of the Compact Settlement Guidelines. In any case, I consider that a condition can be attached to require 57 no. spaces to serve the apartments.

(b) Mix & Distribution of Uses

The proposed development includes only residential uses and ancillary uses/services. However, I consider that this is consistent with the zoning for the site. I would also refer the Commission to section 8.5 of the Inspector's Report for ABP-319657-24, which outlines that the development will be supported by a suitable range of other services and facilities. The development includes a mix of 22 no. 1-bed units, 59 no. 2-bed units, 230 no. 3-bed units, and 18 no. 4-bed units, and I am satisfied that this will contribute to a diverse mix of housing and variety to meet housing needs. The proportion of 1-bed units would not exceed 50% of the apartment units or the overall development, which would comply with SPPR 1 of the Apartments Guidelines. I note that the WCDP (CPO 6.27) requires an appropriate mix of unit types and sizes but does not specify any particular requirements.

(c) Green & Blue Infrastructure (GBI)

I refer the Commission to sections 6.3 and 6.5 of this report, as well as sections 8.2, 9.7, 9.9, 9.11, and 10 of the Inspector's Report for ABP-319657-24. Having regard to the conclusions therein, I am satisfied that the proposed development will appropriately protect and enhance GBI, including natural features, biodiversity and landscapes. Details of the proposed pedestrian bridge over the Deerpark Stream were submitted as further information (see CEMP) and I am satisfied that the crossing design would suitably protect the watercourse in accordance with Inland Fisheries Ireland guidance as required under section 17.26 of the CDP and the LAP requirements for the SLO2 site.

(d) Public Open Space

This application should be viewed in conjunction with the town park permitted under ABP-319657-24. As outlined in the Inspector's Report for ABP-319657-24, I consider that the permitted town park would make a significant and valuable contribution to the recreational/leisure amenities in the town, as well as to the wider hierarchy / network of public open spaces serving the needs of the local population. In addition to this, the proposed residential element includes 1.041ha public open space, which

amounts to 10.2% of the gross residential site area (10.21ha) or 12% of the net area (8.61ha). This would exceed the minimum recommendation (10%) as per Policy and Objective 5.1 of the Compact Settlement Guidelines.

Appendix 1 of the WCDP outlines that public open space will normally be required at a rate of 15% of the site area. And while the public open space within the residential element would not meet this requirement, I consider that it must be viewed in conjunction with the permitted town park which would significantly exceed public open space requirements. Accordingly, I am satisfied that the proposals are consistent with the WCDP. Furthermore, I am satisfied that the public open space has been suitably designed to cater for a range of users and functions. If the Commission feels that there is a material contravention of the WCDP in respect of the 15% requirement, I consider that this would be justified through compliance with Policy and Objective 5.1 of the Compact Settlement Guidelines.

(e) Responsive Built Form.

The proposed development supports the formation of a legible and coherent urban structure with landmark buildings and features at key nodes and focal points, particularly along Oak Drive and the proposed BIRR. In compliance with the LAP requirements for SLO2, I am satisfied that this provides a strong sense of enclosure in accordance with Section 4.2.1 of DMURS. As previously outlined, the proposal would respond positively to the emerging character of the area defined by Sorrel Wood, and the height and scale of the proposed apartment / duplex blocks would form a strong identity at the BIRR roundabout. The proposed development would strengthen the overall urban structure and facilitate linkages; would provide well-defined edges to the public realm; would good modern architecture and urban design that is innovative and varied; and would include high quality materials and finishes.

- 6.6.14. Having regard to the foregoing, I am satisfied that the proposal would positively address the key indicators of quality urban design and placemaking in accordance with Policy and Objective 4.2 of the Compact Settlement Guidelines.

Other Residential Standards

- 6.6.15. In addition to the foregoing, other relevant residential standards are considered as follows:

*Apartment / Duplex Sizes & Dimensions* - The WCDP outlines that apartment developments shall comply with the Apartments Guidelines. Consistent with the applicant's Housing Quality Assessment (HQA), I am satisfied that all units exceed the minimum area as per SPPR 3 of the Guidelines and that more than 50% of the units exceed the minimum area by more than 10%. Similarly, I am satisfied that proposals comply with the requirements for room dimensions/areas, ceiling heights, storage, and private amenity space (Appendix 1 & SPPR 5 of the Guidelines).

*House Sizes & Dimensions* - The WCDP 2022-2028 (CPO 6.13) outlines that house sizes/dimensions shall comply with 'Quality Housing for Sustainable Communities' (2007). Consistent with the applicant's HQA, I am satisfied that all units satisfactorily address the gross areas as well as the requirements for room/storage areas.

*Dual Aspect* – All proposed houses and duplex units would be dual aspect. More than 50% of the proposed apartments would be dual/triple aspect, which is in accordance with SPPR 4 of the Apartments Guidelines.

*Lift/Stair Cores* – In compliance with SPPR 6 of the Apartments Guidelines, I note that the proposed development would not exceed a maximum of 12 apartments per floor per core.

*Communal Amenity Space* – The application includes an area of 1,290m<sup>2</sup> serving the apartment block and an area of 224m<sup>2</sup> serving the duplex block. These proposals significantly exceed the area requirements as per the Apartments Guidelines (Appendix 1) and section 8.6 of the WCDP, and I am also satisfied that the spaces are suitably located and designed.

*Rear Gardens* – The WCDP 2022-2028 states that houses (1-2 bed) shall generally be provided with 50m<sup>2</sup> and 3+ beds with 60-75m<sup>2</sup>. In all cases the proposed garden sizes exceed these minimum standards. This would also comply with the Compact Settlement Guidelines (SPPR 2) which outlines lower minimum requirements (2-bed 30 sq.m., 3-bed 40 sq.m, 4-bed + 50 sq.m)

*Separation Distances* – Section 3.1.3 of the WCDP outlines that a separation of 22m will normally be required above ground level between opposing windows serving private living areas, but that this shall be applied flexibly given that the careful positioning and detailed design of opposing windows can prevent invasion of privacy. Notwithstanding the potential for flexibility in this regard, as well as the potential for

shorter separation distances as per SPPR 1 of the Compact Settlement Guidelines, the proposed development provides a separation distance of at least 22 metres.

*Daylight & Sunlight* – Section 3.2.7 of the WCDP states that layouts shall ensure adequate sunlight and daylight, in accordance with “Site layout planning for daylight and sunlight: a guide to best practice”, (BRE 1991). Consistent with the Compact Settlement Guidelines (s. 5.3.7) and having regard to low-rise nature of the proposed development and the good separation distances between existing and proposed buildings, I am satisfied that undue impact would not arise and that further detailed technical assessment is not required.

*Bicycle Parking* – Section 2.1.8 (Appendix 1) of the WCDP outlines that residential developments without private gardens shall comply with the standards outlined in Table 2.4 (1 space per bedroom + 1 visitor space per 5 units). According to these standards, the proposed apartments would require 72 no. long-stay spaces and 9 no. visitor spaces, while the duplex units would require 30 no. long-stay spaces and 2 no. visitor spaces. According to the applicant’s TTA and the architectural drawings submitted, it is proposed to provide long-stay spaces in accordance with the above requirements and to provide a total of 65 no. visitor spaces. I am satisfied that this would address WCDP requirements and SPPR 4 of the Compact Settlement Guidelines.

### Conclusion

- 6.6.16. Having regard to the foregoing, I am satisfied that the proposed development would provide a suitable density of development at this location, and that the proposed development would provide a suitable design and layout to protect the amenities of the area and provide a suitable standard of residential development for the prospective occupants.

## **7.0 Water Framework Directive Screening**

- 7.1. The impact of the proposed development in terms of the WFD is set out in Appendix 1 of this report. The site is largely undeveloped and slopes downward from northwest to southeast. There are steeper downward slopes towards the Deerpark Stream along the northeastern and eastern perimeter of the site.

- 7.2. The Deerpark Stream is part of the Liffey\_040 EPA waterbody which flows into the Poulaphuca Reservoir at a point c. 2.6km southwest of the site. The Poulaphuca Reservoir then flows into the Liffey\_040 and Golden Falls Reservoir. The majority of the site is underlain by the Blessington Gravels groundwater body. A small section to the southeast corner is underlain by the GWDTE-Red Bog of Kildare (SAC000397) groundwater body.
- 7.3. The application is supported by a Site-Specific Flood Risk Assessment. As outlined in section 9.9 of the Inspector's Report for ABP-319657-24, I consider that there is no unacceptable flood risk associated with the proposed development. The local watercourses are linked to the Poulaphuca Reservoir SPA. As outlined in section 10 of the Inspector's Report for ABP-319657-24, I consider that the proposed development would not have a likely significant effect on this or any European Sites, either alone or in combination with other plans or projects.
- 7.4. As outlined in Appendix 1, the WFD status of all relevant waterbodies is 'good' apart from Golden Falls which is 'moderate'. The WFD objectives are not 'at risk' apart from Golden Falls and the 'GWDTE-Red Bog of Kildare' groundwater body. The identified pressure on 'GWDTE-Red Bog of Kildare' relates to 'Mines & Quarries' which does not apply to this case.
- 7.5. In Appendix 1, I have outlined a range of potential pathways with the relevant waterbodies and potential impacts at construction and operational stages. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project and associated mitigation measures, I am satisfied that it can be eliminated from further assessment because there is no residual risk to any surface and/or groundwater water bodies, either qualitatively or quantitatively.
- 7.6. The reasons for this conclusion are as follows:
- The nature and scale of the proposed works;
  - The distance between the proposed development and relevant bodies, and/or the limited hydrological connectivity;

- The mitigation measures included as part of the application to address surface water, wastewater, water supply, ecology, and construction activity.

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

## 8.0 **Appropriate Assessment Screening**

I refer the Commission to Section 10 and Appendix 1 of the Inspector's Report for ABP-319657-24. Together with the details outlined in this report, I am satisfied that the conclusions remain valid. I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (Stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.

## 9.0 **Environmental Impact Assessment**

I refer the Commission to Section 9 of the Inspector's Report for ABP-319657-24. Together with the details outlined in this report, I am satisfied that the 'reasoned conclusion' remains valid. Subject to the proposed mitigation measures and conditions of permission, I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative effects on the environment.

## 10.0 Conditions of the WCC Decision

The conditions included in the planning authority's decision are considered in the following table.

No.	Summary of Condition(s)	Comment
1	Documents and drawings	Standard condition to apply.
2	First occupation of <u>any</u> residential unit to be by individual purchasers or those eligible for social / affordable / cost rental housing.	The Guidelines on the 'Regulation of Commercial Institutional Investment in Housing' are intended to ensure that own-door housing units and duplex units are not bulk-purchased for market rental purposes, and the Commission must have regard to these Section 28 Guidelines. However, while the Guidelines do not include recommendations for such restrictions on apartments units, I do not consider that it is specifically prohibited. And having regard to the established policy basis for same as per CPO 6.2 of the WCDP, I consider that any grant of permission should include a condition in accordance with the WCC decision.
3	EIAR & NIS Mitigation measures.	EIAR measures to apply. AA has been 'screened out' and therefore the assessment does not rely on the NIS measures. The NIS measures are satisfactorily covered in other documents (EIAR, CEMP, etc.)
4	Management Company for Apartments & duplexes	Standard condition to apply.
5	Development shall not commence until conditions agreed.	To be stated in individual conditions where relevant.
6	Development Contribution (Section	Standard condition shall apply.

	48(1))	
7	Cash security / bond	Standard condition to apply.
8, 14	Inner Relief Road	Not applicable to this case.
9 - 10	Phasing	Generally agreed. However, part (c) requires the creche permitted under 22/1191 (now complete) to be 'operational' prior to the occupation of any dwellings. I consider this to be out of the applicant's control and should be omitted.
11 - 12	Construction Management / Ecologist	Standard condition to apply. Project ecologist is included in EIAR mitigation measures.
13	Part V agreement	Standard condition to apply.
15 - 19	Agreement of internal road design, parking, pedestrian bridge.	Agreed. Similar conditions shall apply.
20	Stage 3 Road Safety Audit	Standard condition to apply.
21	Public lighting	Standard condition to apply.
22	Water services to be agreed with UE	Standard condition to apply.
23	Surface water drainage	Standard condition to apply, as well as compliance with LAWPRO guidance of 2024 (see section 6.5 of this report)
24	Service cables	Standard condition to apply.

25	Archaeology	Standard condition to apply.
26	Landscaping scheme to be agreed.	Standard condition to apply.
27-28	Boundary treatments and rear gardens	Proposals acceptable and will be confirmed by condition no. 1.
29	Town Park management and maintenance	Not relevant to this case.
30	Requirements for the design and dedication of open space	The open space design will be suitably covered by the landscaping details. The use of the open space can be conditioned, and a dedication is not considered necessary. The Management Company will suitably address the communal open space area.
31	Naming & Numbering	Standard condition to apply.
32	External Finishes	Standard condition to apply.
33	As-constructed drawings	This can be adequately addressed through standard 'taking-in-charge' procedures.
34	Marketing suite and signs (3 years only)	Agreed

## 11.0 Recommendation

I refer to the previous Inspector's Report for ABP-319657-24 and recommendation to refuse the residential element of the development (dated 2<sup>nd</sup> July 2024). Having regard to the changes to the policy context in the intervening period, and the additional submissions received, I recommend that permission be GRANTED for the

proposed residential development, subject to conditions, and for the reasons and considerations set out in the following Draft Order.

## 12.0 Recommended Draft Commission Order

### **Planning and Development Acts 2000 to 2022**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 23/689**

**Appeals** by Ballymore Eustace Trout and Anglers Association of Broadleas, Ballymore Eustace, Co. Kildare, and by Stephen Deegan for and on behalf of Ballymore Eustace Community Development Association, of 2338 St Brigids Park, Ballymore Eustace, Co. Kildare, against the decision made on the 12<sup>th</sup> day of April 2024, by Wicklow County Council to grant permission for the proposed development

**Proposed Development:** The development will consist of:

- 329 residential units including: 270 two storey houses (28 no. 2-bed, 218 no. 3-bed, 24 no. 4 bed.) comprising of semi-detached and terraced units; 47 no. apartments (22 no. 1 bed, 25 no. 2 bed) provided within 1 no. four-storey block; 12 no. duplex units within 1 no. three-storey blocks (6 no. 2 bed and 6 no. 3 bed units).
- Car and bicycle parking spaces to include: 518 no. car parking spaces for the houses, 54 no. spaces for the apartments and 22 no. spaces for the duplex units; 167 bicycle spaces for the duplex units and for the apartments.
- 1.041 ha public open space including pocket parks and playgrounds;
- 1,514 sqm of communal open space (1,290 sqm at apartments, 224 sqm at duplex units);
- Two new vehicular access off Oak Drive and one new vehicular access off the Blessington Inner Relief Road;
- Infrastructure works to serve the housing development to include the internal road network;

- ESB substations/switchrooms, lighting, site drainage works and all ancillary site services and development works above and below ground;
- Temporary permission for up to 3 years is also sought for the erection of three marketing signs (4.55 m high and 13.73 sqm each) and a marketing suite.

## **Decision**

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

## **Reasons and Considerations**

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

- (a) The need to plan for increased growth in accordance with the National Planning Framework, First Revision, April 2025, and the flexibility that applies to projected targets for future growth, including National Policy Objective 11.
- (b) The flexibility that applies to the Core Strategy housing targets set out in the Wicklow County Development Plan 2022-2028, and the zoning of the site as 'New Residential - Priority 1' in accordance with the Blessington Local Area Plan 2025.
- (c) The nature, scale and design of the proposed development, which is in accordance with the policies and objectives of the Wicklow County Development Plan 2022-2028 and the Blessington Local Area Plan 2025;
- (d) The pattern of existing and permitted development and the availability of adequate social and physical infrastructure in the area;
- (e) The provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in July 2023;
- (f) The provisions of Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January 2024;

- (g) The provisions of Delivering Homes, Sustaining Communities (2007) and the accompanying Best Practice Guidelines - Quality Housing for Sustainable Communities, issued by the Department of the Environment, Heritage and Local Government in 2007;
- (h) The provisions of the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of Environment, Community and Local Government in 2019;
- (i) The provisions of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031;
- (j) The Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices), issued by the Office of Public Works and Department of Environment, Heritage and Local Government, 2009;
- (k) The Childcare Facilities Guidelines for Planning Authorities, issued by the Government of Ireland, 2001;
- (l) The Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities, July 2023;
- (m) The submissions and observations received;
- (n) The reports from the Planning Authority; and
- (o) The reports of the Planning Inspector.

## **Climate Action**

The Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, (consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State).

## **Appropriate Assessment Screening**

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature, scale, and location of the proposed development adjoining the serviced urban area, the nature of the receiving environment, the distances to the nearest European sites and the hydrological pathway considerations, the Appropriate Assessment documentation submitted with the application, the incorporation within the proposal of best-practice standard measures which have not been designed or intended to avoid or reduce any harmful effects of the project on a European Site, the submissions and observations on file, the reports of the planning authority, and the Planning Inspector's reports. In completing the screening exercise, the Commission agreed with and adopted the reports of the Planning Inspector that, by itself or in combination with other development, plans and projects in the vicinity (including the Town Park and Inner Relief Road permitted under ABP-319657-24), the proposed development would not be likely to have a significant effect on any European Site in view of the Conservation Objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

## **Environmental Impact Assessment**

The Commission completed an environmental impact assessment of the proposed development, taking into account:

- (a) The nature, scale, location, and extent of the proposed development (including the cumulative impact of the Town Park and Inner Relief Road permitted under ABP-319657-24);
- (b) The Environmental Impact Assessment Report and associated documentation submitted with the application and the appeal response;
- (c) The content of the appeals, the reports of the planning authority, and the submissions received from third parties and prescribed bodies; and
- (d) The reports of the Planning Inspector.

### **Reasoned Conclusions on the Significant Effects:**

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Commission is satisfied that the information contained in the Environmental Impact Assessment Report complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU.

The Commission agreed with the summary and examination, set out in the Inspector's reports, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the planning application. The Commission is satisfied that the Inspector's reports set out how these were addressed in the assessment and recommendation, including environmental conditions, and these are incorporated into the Commission's decision.

The Commission considered and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated, as follows:

- Population and Human Health: Construction related disturbance including noise, dust, dirt, and traffic, which would be mitigated by construction management measures including the agreement of a Construction Environmental Management Plan, a Construction Traffic Management Plan, and a Resource and Waste Management Plan.
- Population and Human Health: Positive cumulative socioeconomic effects through the availability of improved transport facilities and public open space associated with the development permitted under ABP-319657-24.
- Biodiversity: Disruption to birds and bats due to the construction works, lighting, dust, and the loss of vegetation. This will be mitigated by the employment of good practice construction measures to reduce disruption, including pre-construction surveys and monitoring by the project ecologist, and by the design of the proposed scheme (including lighting and landscaping) which will retain and protect important habitats, and features.

- Biodiversity: Impacts on water quality and the aquatic environment as a result of silt laden and contaminated runoff, which will be mitigated by standard good practice construction stage measures and the operational surface water drainage system.
- Land, Soil, & Geology: The loss of land and soil of high importance due to the potential for granular aggregates, which would be mitigated by the delivery of improved facilities and amenities in accordance with the proper planning and sustainable development of the area.
- Water: Construction stage impacts on groundwater and surface water quality, including associated downstream impacts on drinking water and biodiversity, which will be mitigated by standard good practice construction stage measures including a Construction Environmental Management Plan.
- Water: Operational stage surface water discharges to groundwater and the adjoining Deerpark Stream, including associated downstream impacts on drinking water and biodiversity, which will be mitigated by the implementation of suitably designed Sustainable Urban Drainage System (SuDS) measures.
- Landscape: Changes to the localised landscape character associated with the development of this greenfield site, which will be mitigated by the design and layout of the proposed development, including the retention of existing vegetation and the provision of additional landscaping and open spaces.
- Cultural Heritage: Disturbance of recorded and unrecorded archaeological features as a result of construction stage excavation and groundworks, which will be mitigated by a range of measures including the retention/protection of important features, further archaeological testing and monitoring, and the recording of archaeological remains.
- Cultural Heritage: Positive cumulative impacts associated with the Town Park permitted under ABP-319657-24, which protects, enhances, and promotes the cultural heritage value of the historic landscape, including the Downshire House site and its associated features.

The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the proposed mitigation measures as set out in the Environmental Impact Assessment Report, and subject to compliance with the conditions set out herein, the effects on the environment of the proposed development by itself and cumulatively with other development in the vicinity would be acceptable. In doing so, the Commission adopted the report and conclusions of the reporting inspector.

### **Conclusions on Proper Planning and Sustainable Development:**

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the Wicklow County Development Plan 2022-2028 and Blessington Local Area Plan 2025, would provide of an acceptable quantum of residential development at this location which would be served by an appropriate level of physical and social / community infrastructure, would provide an acceptable form of residential amenity for future occupants, would not seriously injure the visual amenities of the area or the amenities of property in the vicinity, would be acceptable in terms of urban design, height and scale of development, would be acceptable in terms of traffic safety and convenience, would not be at risk of flooding or increasing the risk of flooding to 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, and would not seriously detract from the ecological or archaeological value of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 19th day of December 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed

with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. This permission relates only to the Large-Scale Residential Development comprising, *inter alia*, 329 no. residential units and associated development. For the avoidance of any doubt, it does not relate to the proposed 10.65 Hectare Town Park or the extension of the Blessington Inner Relief Road (previous permission ABP-319657-24 refers).

**Reason:** In the interest of clarity.

3. The mitigation measures relevant to the development hereby permitted (i.e. as per Condition No. 2 (above)), as contained in the submitted Environmental Impact Assessment Report (EIAR), shall be implemented.

**Reason:** To protect the environment.

4. The proposed development shall be amended as follows:
  - (a) A pedestrian/cycle route shall extend in a northeast direction from the eastern side of the proposed pedestrian bridge to facilitate a link at the site boundary (i.e. the boundary to the rear of the duplex block).
  - (b) A total of 57 no. car-parking spaces shall be provided to serve the proposed apartment block.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of transport convenience and permeability.

5. (a) No dwelling units shall be occupied until the new town park (previous permission ABP-319657-24 refers), which shall include a dog park, is completed in full.  
(b) No dwelling units shall be occupied until the northern section of the Blessington Inner Relief Road (previous permission ABP-319657-24 refers) is completed in full and is available for public use.  
(c) In addition to (a) and (b) above, the development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development.  
(d) Work on any subsequent phases shall not commence until such time as the written agreement of the planning authority is given to commence the next phase.

**Reason:** To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

6. Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of the requirements of the ecological mitigation measures contained within the Environmental Impact Assessment Report. Such lighting shall be provided prior to the making available for occupation of any residential unit.

**Reason:** In the interest of amenity and public safety.

7. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services and shall be designed in accordance with the guidance document "Implementation of Urban Nature-based Solutions: Guidance Document for Planners, Developers and Developer Agents" (LAWPRO 2024). Prior to the commencement of development, the developer shall submit to the

Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

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

8. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

9. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

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

10. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate details for the following: collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction relating to working hours, noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.

**Reason:** In the interest of residential amenities, public health and safety, and environmental protection.

11. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

**Reason:** In the interest of sustainable transport and safety

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

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

13. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.
- (b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

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

14. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site in accordance with the Environmental Impact Assessment Report mitigation measures. In this regard, the developer shall:

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
- (b) employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Coimisiún Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

15. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

16. The areas of public open space shown on the lodged plans shall be reserved for such use. These areas shall be levelled, soiled, seeded, and landscaped in accordance with the landscaping details and drawings submitted with the application, as amended by the further plans and particulars received by the planning authority on the 19th day of December 2023. This work shall be completed before any of the dwellings are made available for occupation, unless otherwise agreed in writing with the planning authority, and shall be maintained as public open space by the developer until taken in charge by the local authority.

**Reason:** In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.

17. Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

**Reason:** In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

18. (a) The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths, and kerbs, shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).
- (b) All proposed parallel parking spaces shall be accessible.
- (c) Electric Vehicle charging facilities shall be in accordance with the requirements of the planning authority.
- (d) The final details of the size, structure, and materials/finishes of the proposed pedestrian bridge shall be in accordance with the requirements of the planning authority.

Proposals in respect of the above shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of amenity, accessibility, and of traffic and pedestrian safety.

19. A Road Safety Audit shall be carried out at Stage 2 for the detailed design stage and at Stage 3 for the post construction stage. All audits shall be carried out at the Developers expense in accordance with the Design Manual for Urban Roads & Streets (DMURS) guidance and TII (Transport Infrastructure Ireland) standards. The independent audit team(s) shall be approved in writing by the relevant planning authority and all measures recommended by the Auditor shall be undertaken unless the relevant planning authority approves a departure in writing. The Stage 2 Audit reports shall be submitted for the written agreement of the relevant planning authority prior to the commencement of development.

**Reason:** In the interest of traffic safety and the proper planning and sustainable development of the area.

20. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenity.

21. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

22. (a) The three marketing signs and marketing suite shall be removed not later than 3 years from the date of erection and the sites of the structures shall be reinstated unless planning permission has been granted for their retention for a further period prior to that date.  
(b) A written and photographic record of the erection of the structures shall be submitted to the planning authority within one month of their erection.

**Reason:** In the interest of visual amenity and orderly development.

23. (a) Prior to the commencement of any residential unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each residential unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all residential units permitted, to first occupation by individual purchasers i.e. those not being a

corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

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

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

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

24. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has

been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

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

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

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

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

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

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

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

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Stephen Ward  
Senior Planning Inspector

14<sup>th</sup> of August 2025

## Appendix 1

### Water Framework Directive Screening Determination

<b>WFD IMPACT ASSESSMENT STAGE 1: SCREENING</b>			
<b>Step 1: Nature of the Project, the Site and Locality</b>			
<b>An Bord Pleanála ref. no.</b>	322479-25	<b>Townland, address</b>	Site (c. 25.14 ha) on lands within townlands of Blessington Demesne, Newpaddocks and Santryhill, Blessington, Co. Wicklow
<b>Description of project</b>		Large scale residential development consisting of 329 residential units and all ancillary site development works.	
<b>Brief site description, relevant to WFD Screening,</b>		<p>The residential element of the site has a gross area of 10.21ha and is located to the northwest of Blessington. The site is generally undeveloped and slopes downward from northwest to southeast. There are steeper downward slopes towards the Deerpark Stream along the northeastern and eastern perimeter of the site.</p> <p>The Deerpark Stream is part of the Liffey_040 EPA waterbody which flows into the Poulaphuca Reservoir at a point c. 2.6km southwest of the site. The Poulaphuca Reservoir then flows into Golden Falls Reservoir and the Liffey_040.</p> <p>The majority of the site is underlain by the Blessington Gravels groundwater body. A small section to the southeast corner is underlain by the GWDTE-Red Bog of Kildare (SAC000397) groundwater body.</p>	

<p><b>Proposed surface water details</b></p>	<p>Surface water will be limited to greenfield runoff rates in accordance with the Greater Dublin Strategic Drainage Study (GSDSDS). Following surface water collection, it is proposed to discharge to the Deerpark Stream (Liffey_040) via attenuation tanks, flow control device, and separator arrangements.</p>
<p><b>Proposed water supply source &amp; available capacity</b></p>	<p>It is proposed to connect to the existing 150mm diameter watermain to the south of the subject site on the link road extension. Water supply is provided to Blessington primarily by the Poulaphouca Reservoir via the Ballymore Eustace Water Treatment Plant.</p> <p>A review of the Uisce Eireann Capacity Register (Published December 2024) on 7/8/2025 indicated that potential capacity is available to Blessington subject to 'Level of service' (LoS) improvement to meet 2033 population targets.</p>
<p><b>Proposed wastewater treatment system &amp; available capacity, other issues</b></p>	<p>Wastewater will connect to the existing 225/300mm foul sewer to the west of the site and will be routed to Blessington Wastewater Treatment Plant, which ultimately discharges to the Liffey_040 between the Poluaphuca and Golden Falls reservoirs.</p> <p>A review of the Uisce Eireann Capacity Register (Published December 2024) on 7/8/2025 indicated that capacity is available at the Blessington WWTP.</p>
<p><b>Others?</b></p>	<p>The application is supported by a Site-Specific Flood Risk Assessment. As outlined in section 9.9 of the Inspector's Report for ABP-319657-24, I consider that there is no unacceptable flood risk associated with the proposed development.</p> <p>The local watercourses are linked to the Poulaphouca Reservoir SPA. As outlined in section 10 of the Inspector's Report for ABP-319657-24, I consider that the proposed development would not have a likely significant effect on this or any European Sites, either alone or in combination with other plans or projects.</p>

<b>Step 2: Identification of relevant water bodies and Step 3: S-P-R connection</b>						
<b>Identified water body</b>	<b>Distance to (m)</b>	<b>Water body name(s) (code)</b>	<b>WFD Status</b>	<b>Risk of not achieving WFD Objective e.g.at risk, review, not at risk</b>	<b>Identified pressures on that water body</b>	<b>Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)</b>
River	Runs through the southeast corner of site	Liffey_040 (IE_EA_09L010400)	Good	Not At Risk	None Identified	Yes – Runs through site and surface water will be discharged to this watercourse. Wastewater also discharges further downstream.
Lake	C. 900m southeast pf site	Pollaphuca (IE_EA_09_71)	Good	Not at Risk	None identified	Yes – Surface water outfall via the Liffey_040 and source of water supply.
Lake	C. 8km southwest of site	Golden Falls (IE_EA_09_53)	Moderate	At Risk	Urban Wastewater, Hydromorpology	Yes – Wastewater discharge via Liffey_040
Groundwater	Underlying	Blessington Gravels (IE_EA_G_047)	Good	Not at Risk	None identified	Yes - Via the overlying soil & watercourse (Liffey_040)
Groundwater	Underlying	GWDTE-Red Bog of Kildare (SAC000397) (IE_EA_G_085)	Good	At Risk	Mines & Quarries	Yes – Via the overlying soil & watercourse (Liffey_040)

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

**CONSTRUCTION PHASE**

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no)  Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Liffey_040 (IE_EA_09L 010400)  Pollaphuca (IE_EA_09_71)  Golden Falls (IE_EA_09_53)	Liffey_040 runs through the application site and further downstream to Pollaphuca and Golden Falls.	Siltation, pH (Concrete), hydrocarbon spillages. See section 9.9. of Inspector's Report for ABP-319657-24 for further details.	See section 9.9. of Inspector's Report for ABP-319657-24 for further details.	No. As outlined in section 9.9 of Inspector's Report for ABP-319657-24, I am satisfied that the proposed measures will prevent any unacceptable impacts on water quality or water regime.	Screened out.
2.	Ground	Blessington Gravels (IE_EA_G_047)  GWDTE-Red Bog of Kildare (SAC00039)	Via the overlying soil and Liffey_040.	Siltation, pH (Concrete), hydrocarbon spillages. See section 9.9. of Inspector's Report for ABP-319657-24 for further details.	See section 9.9. of Inspector's Report for ABP-319657-24 for further details.	No. As outlined in section 9.9 of Inspector's Report for ABP-319657-24, I am satisfied that the proposed measures will	Screened out.

		7) (IE_EA_G_085)				prevent any unacceptable impacts on water quality or water regime.	
<b>OPERATIONAL PHASE</b>							
1.	Surface	Liffey_040 (IE_EA_09L010400)  Pollaphuca (IE_EA_09_71)  Golden Falls (IE_EA_09_53)	Surface water will be discharged to Liffey_040 and further downstream to Pollaphuca and Golden Falls.  Wastewater discharges to Liffey_040 and downstream to Golden Falls.  Water supply will be sourced from Pollaphuca, which flows downstream to Liffey and Golden Falls.	Hydrocarbon spillage / pollution associated with surface water.  Pollution associated with wastewater discharge.  Water regime impacts.  See section 9.9. of Inspector's Report for ABP-	SUDs features and storm water management.  Compliance with Uisce Eireann (UE) wastewater requirements. Discharge licence conditions.  Compliance with (UE) requirements. Abstraction approval conditions.  See section 9.9. of Inspector's Report for	No. As outlined in section 9.9 of Inspector's Report for ABP-319657-24, I am satisfied that the proposed measures will prevent any unacceptable impacts on water quality or water regime.	Screened out.

				319657-24 for further details.	ABP-319657-24 for further details.		
2.	Ground	Blessington Gravels (IE_EA_G_047)  GWDTE-Red Bog of Kildare (SAC000397) (IE_EA_G_085)	Via the overlying soil and Liffey_040.	Hydrocarbon spillage / pollution.  See section 9.9. of Inspector's Report for ABP-319657-24 for further details.	SUDs features, storm water management.  See section 9.9. of Inspector's Report for ABP-319657-24 for further details.	No. As outlined in section 9.9 of Inspector's Report for ABP-319657-24, I am satisfied that the proposed measures will prevent any unacceptable impacts on water quality or water regime.	Screened out
<b>DECOMMISSIONING PHASE</b>							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A