



An  
Coimisiún  
Pleanála

## Inspector's Report ACP-323853-25

<b>Development</b>	Cebridge Hazelhatch Mobility Corridor, Compulsory Purchase Order No CE61772
<b>Location</b>	The corridor commences at a new junction on the R403 Clane Road and connects with the Hazelhatch and Celbridge train station.
<b>Planning Authority</b>	Kildare County Council
<b>Applicant</b>	Kildare County Council
<b>Type of Application</b>	Applications pursuant to Section 76 of, and the Third Schedule to, the Housing Act, 1966, as extended by Section 10 of the Local Government (No. 2) Act, 1960 (as substituted by section 86 of the Housing Act, 1966) and the Planning and Development Act, 2000, as amended.
<b>Objector</b>	H2 Properties Unlimited,
<b>Date of Site Inspection</b>	16 <sup>th</sup> March 2026
<b>Inspector</b>	Donogh O'Donoghue

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## 1.0 Introduction

### 1.1. Overview

- 1.1.1. Kildare County Council have made an application pursuant to Section 76 of, and the Third Schedule to, the Housing Act, 1966 as extended by Section 10 of the Local Government (No. 2) Act, 1960 (as substituted by section 86 of the Housing Act, 1966) and the Planning and Development Act, 2000, as amended, for confirmation of a Compulsory Purchase Order authorising compulsory acquisition of lands and entitled Kildare County Council (Celbridge Hazelhatch Mobility Corridor) Compulsory Purchase Order 2025.
- 1.1.2. The proposed scheme is approximately 2km long, beginning at a proposed junction with the Clane Road and routing in a south easterly direction through predominantly greenfield lands until it joins the existing R405 Hazelhatch Road, before terminating at the existing Loughlinstown Road Roundabout near Hazelhatch and Celbridge Train Station.
- 1.1.3. A corresponding planning application for the proposed scheme is being progressed in parallel under ACP-323851-25.
- 1.1.4. One submission was received. No Oral Hearing was held to consider the objection as per the Commissions Direction CD-022173-26 dated 13th May 2026.

### 1.2. Purpose of CPO

- 1.2.1. The purpose of the CPO is to facilitate the undertaking of the development referred to as the Celbridge Hazelhatch Mobility Corridor. The proposed development is approximately 2km long, beginning at a proposed junction with the Clane Road and routing in a south easterly direction through predominantly greenfield lands until it joins the existing R405 Hazelhatch Road, before terminating at the existing Loughlinstown Road Roundabout near Hazelhatch and Celbridge Train Station. The route includes dedicated cycle and pedestrian infrastructure on the entire length of the route.
- 1.2.2. The route also includes proposed junctions with Newtown Road, Simmonstown Manor Road and R405 Hazelhatch Road. A new bridge crossing over the River Liffey is also proposed, located approximately 200m south of the beginning of the route at Clane

Road. The proposed bridge is a single span structure and no works will be required within the river channel.

- 1.2.3. As outlined by the applicant the overall need for the proposed scheme is to respond to current deficiencies in the transport system. Central to the justification for the proposed CHMC is Celbridge is served by commuter rail at Hazelhatch and Celbridge Train Station approximately 3km to the south of the town centre. The current rail service provides a connection to Dublin City Centre with capacity of circa 5,000 passengers per hour per direction and this will significantly increase following the delivery of DART+ South West. Current poor access to Hazelhatch and Celbridge Train Station and the lack of high-quality cycling/pedestrian facilities along the existing route hinders the attractiveness of train services for commuters, particularly for residents living north of the river.
- 1.2.4. The proposed second River Liffey Crossing and a direct link road to the Train Station will improve the transport network capacity for all pedestrians, cyclists and vehicular traffic, will encourage a modal shift to more sustainable modes and enhance the urban realm in the town centre.
- 1.2.5. Kildare County Council sent 32 notices to Landowners and Lessee Occupiers along the proposed route. Landowners include CIE, Minister For Finance, St John of God Trust, the Scout Association of Ireland Trust and private landowners. It is proposed to permanently extinguish 3 no. public rights of ways, 1 no. private right of way and temporarily extinguish 1 no. public right of way. Some landowners are joint owners of a singular parcel of land, some are singular owners of multiple parcels of lands, and some are joint/multiple owners of multiple parcels. All owners and associated parcels to be acquired are detailed in the document titled 'Celbridge Hazelhatch Mobility Corridor, Compulsory Purchase Order 2025.'

### 1.3. **Accompanying Documents**

- 1.3.1. The application was accompanied by the following:
  - Compulsory Purchase Order and Schedule thereto, dated 31st October 2025.
  - Application cover letter.
  - CPO Engineer's Report

- Section 177AE and CPO Planning Report
- CPO Maps.
- Newspaper notices, published in the Liffey Champion dated the 8th November 2025.
- Copy of site notices erected and details of specific locations erected along the route.
- Copy of notice sent to landowners.
- Copy of registered postal receipt for service of each CPO notice

#### 1.4. **Format of CPO and Schedule**

- 1.4.1. The CPO states that the lands are required for the purposes of facilitating public transport, and together with all ancillary and consequential works associated therewith.
- The lands described in Part I of the Schedule is land being permanently acquired,
  - Lands described in Part II of the Schedule is land being temporarily acquired,
  - Lands described in Part III describe public rights of way to be extinguished,
  - Land described in Part IV describe private rights of way to be extinguished.
- 1.4.2. Temporary land takes are required to facilitate construction of the proposed scheme and will be returned to the landowner on completion of the scheme.
- 1.4.3. Part I of the Schedule hereto and coloured light grey on the said deposited map is land being permanently acquired other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense.
- 1.4.4. The land described in Part II of the Schedule hereto and coloured dark grey on the said deposited map is land being temporarily acquired other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense.

- 1.4.5. The Schedule and all relevant Parts as aforementioned assigns an identification number to each plot of land and describes the quantity, type, townland, owner or reputed owner, lessee or reputed lessee and occupier of each plot, as relevant.
- 1.4.6. The Commission should note that no house is proposed to be acquired as part of the proposed scheme.

## **2.0 Site Location and Description**

- 2.1. The project is situated in the southwest of Celbridge, Co Kildare. Celbridge is located on the River Liffey in north Kildare. The northern and southern sections of the town are divided by the River Liffey and connected by an existing narrow two-lane stone masonry bridge dating from between 1780 and 1820 and listed as a Protected Structure (B11-103, NIAH 11805054).
- 2.2. Celbridge is served by commuter rail at Hazelhatch and Celbridge Train Station approximately 3km to the south of the town centre. The current rail service provides a connection to Dublin City Centre with capacity of circa 5,000 passengers per hour per direction and this is to significantly increase with the delivery of DART+ South West. The applicant sets out that current poor access to Hazelhatch and Celbridge Train Station and the lack of high-quality cycling/pedestrian facilities along the existing route appear to hinder the attractiveness of train services for commuters, particularly for residents living north of the river.
- 2.3. The proposed development is approximately 2km long, beginning at a proposed junction with Clane Road and routing in a south easterly direction through predominantly greenfield lands until it joins the existing R405 Hazelhatch Road, before terminating at the existing Loughlinstown Road Roundabout near Hazelhatch and Celbridge Train Station. The route includes proposed junctions with Newtown Road, Simmonstown Manor Road and R405 Hazelhatch Road. A new bridge crossing over the River Liffey is also proposed, located approximately 200m south of the beginning of the route at Clane Road. The route includes dedicated cycle and pedestrian infrastructure on the entire length of the route.
- 2.4. The construction phase for the proposed scheme is anticipated to take approximately 24 months to complete.

### **3.0 Planning History**

- 3.1. A detailed planning history is provided in Table 4.1 of the Planning Report submitted by the applicant. This is noted.
- 3.2. Following a review of Kildare County Councils planning portal I note that there is a current planning application (Plan ref 26/60521) by H2 Properties Unlimited at their petrol filling station and convenience shop on the Clane road for the construction of a single storey extension to the existing convenience shop, reallocation of existing car wash and all associated works. This application was submitted to Kildare County Council on the 18<sup>th</sup> May 2026 and has a decision date of the 12<sup>th</sup> July 2026.
- 3.3. Below is another permitted development which is of relevance to this scheme:
  - ABP 316119-23 – Railway Order granted by An Bord Pleanála in October 2024 for the DART+ South West project which consists of the electrification of the existing Cork Mainline from Hazelhatch & Celbridge Station to Heuston Station, and to Glasnevin Junction via the Phoenix Park Tunnel Branch Line. The project extent ties into the existing track at Glasnevin Junction and interfaces with the DART+ West Project (permitted under ABP 314232-22) with the latter continuing to the Dublin Docklands area (Spencer Dock and Grand Canal Dock).

### **4.0 Overview of Submission**

- 4.1. One third party submission from H2 Properties Unlimited was received in relation to the CPO of lands and is summarised hereunder. They own a petrol forecourt/convenience shop and have concerns in relation to the harmful impacts the proposal may have on the continued operation and viability of their business. They request meaningful consultation with affected landowners as part of the determination of the application, including if it sees fit, an oral hearing.
- 4.2. All such matters have been examined in detail within the planning application report ref: ACP 323851-25 and I refer the Commission to this report. I will examine the relevant concerns raised in relation to the assessment of the CPO in terms of community need, suitability of lands, compliance with the development plan, use of alternatives and proportionality and necessity of level of acquisition proposed.

4.3. The Commission should note that Kildare County Council responded to the issues raised in the submission received and their response will be examined in the context of the submission within the assessment section of this report hereunder.

## 5.0 Policy Context

5.1. **The Paris Agreement** - The Paris Agreement central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. Additionally, the agreement aims to strengthen the ability of countries to deal with the impacts of climate change.

### 5.2. European

5.2.1. **European Union – TEN-T Core and Comprehensive Network** - The TEN-T network is a Trans-European Network that connects the continent between east and west, north and south. The policy is to “close the gaps” between member states’ transport networks by removing bottlenecks and building missing links etc. It seeks to upgrade infrastructure and streamline cross-border transport operations for passengers and business throughout the EU. It is also an objective to improve connections between different modes of transport and to contribute to the EU’s climate change objectives.

### 5.3. National

5.3.1. **National Planning Framework – First Revision, April 2025** - This Plan sets out a high-level strategic plan for shaping future growth and development to 2040. It seeks to develop a region-focused strategy to manage growth and environmentally focused planning at a local level. It is a framework to guide public and private investment, to create and promote opportunities and to protect and enhance the Irish environment. The NPF creates a shared set of goals for every community across the country which are expressed as 10 no. National Strategic Outcomes (NSO). The proposal directly supports a number of these outcomes including NSO 1: Compact Growth, NSO 2: Enhanced Regional Accessibility, NSO 4: Sustainable Mobility and NSO 8: Transition to a Carbon Neutral and Climate Resilient Society.

- 5.3.2. **National Development Plan** - This Plan underpins the National Planning Framework - First Revision, April 2025. It contains several priorities which include investment in transport and regional growth potential. The proposed development will enhance the connectivity to the Hazelhatch and Cellbridge train station which is part of the proposed DART+ South West project.
- 5.3.3. **National Investment Framework for Transport in Ireland 2021** – This is the Department of Transport’s high-level strategic framework for future investment in the land transport network. One of the key challenges identified within this document relates to transport and the ability to maintain existing transport infrastructure whilst ensuring resilience of the most strategically important parts of the network. Population projections are expected to increase into the future and a consistent issue identified within the Greater Dublin Area is congestion. Given space constraints, urban congestion will primarily have to be addressed by encouraging modal shift to sustainable modes. The framework priorities identify the types of transport interventions that will be given precedence under the framework. These include decarbonisation, protection and renewal of public realm, modal shift to sustainable forms of travel as well as modal hierarchy. The proposed scheme is in accordance with these priorities.
- 5.3.4. **Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020** - This is a government document that was prepared in the context of unsustainable transport and travel trends in Ireland. The overall vision set out in this policy document is to achieve a sustainable transport system in Ireland by 2020. To achieve this the government set out 5 key goals:
- (i) to reduce overall travel demand,
  - (ii) to maximise the efficiency of the transport network,
  - (iii) to reduce reliance on fossil fuels,
  - (iv) to reduce transport emissions, and
  - (v) to improve accessibility to transport. To achieve these goals and to ensure that we have sustainable travel and transport by 2020, the Government sets targets, which include the following:

- 500,000 more people will take alternative means to commute to work to the extent that the total share of car commuting will drop from 65% to 45%
- Alternatives such as walking, cycling and public transport will be supported and provided to the extent that these will rise to 55% of total commuter journeys to work.

5.3.5. **National Sustainable Mobility Policy, 2022** - The purpose of this document is to set out a strategic framework to 2030 for active travel and public transport to support Ireland’s overall requirement to achieve a 51% reduction in carbon emissions by the end of this decade. A key objective of the document is to improve mobility safety and to take a whole of journey approach to mobility, promoting inclusive access for all.

5.3.6. **Climate Action Plan 2024 (“CAP24”) and 2025 (“CAP25”)** - The Climate Action Plan 2025 builds upon the Climate Action Plan 2024 (CAP 24) by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with CAP 24. References to CAP 25 in this report therefore also includes recognition of CAP 24.

As part of its functions, the Commission must, in so far as practicable, perform its functions in a manner that is consistent with the most recently approved climate action plan, most recently approved national long term climate action strategy, national adaptation framework, sectoral plans, furtherance of national climate objective and the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State [section 15(1) of the Climate Action and Low Carbon Development Act 2015 (as amended)]. The Climate Action Plan is prepared in accordance with the Climate Action and Low Carbon Development (Amendment) Act 2021. Under the Plan, targets include for a 20% reduction in total vehicle kilometres and significant increases to sustainable transport trips.

5.3.7. **National Biodiversity Action Plan 2023-2030** - The National Biodiversity Action Plan (NBAP) sets the national biodiversity agenda and aims to deliver transformative changes required to the ways in which we value and protect nature. The Wildlife (Amendment) Act 2023 introduced a new public sector duty on biodiversity. The legislation provides that every public body, as listed in the Act, is obliged to have regard to the objectives and targets in the NBAP.

5.3.8. **Water Action Plan 2024** - The Water Action Plan flows from the EU Water Framework Directive 2000/60/EC and its aim is to ensure that Ireland's natural waters are sustainably managed and that freshwater resources are protected to maintain and improve Ireland's water environment.

#### 5.4. **Regional**

##### 5.4.1. **Regional Spatial and Economic Strategy for the Eastern and Midlands Region**

- The Strategy sets out 16 Regional Strategic Outcomes (RSOs), which are aligned with international, EU and national policy and which in turn set the framework for city and county development plans.

- RSO 6 of the RSES seeks to promote the best use of transport infrastructure and achieve better integration between land use and transportation planning.
- Section 5.6 sets out key transport infrastructure investments in the metropolitan area which include the DART Expansion Programme and the provision of electrified services on the Celbridge-Hazelhatch line.
- The Regional Planning Objectives (RPOs) include RPO 5.3 - Future development in the Dublin Metropolitan Area shall be planned and designed in a manner that facilitates sustainable travel patterns, with a particular focus on increasing the share of active modes (walking and cycling) and public transport use and creating a safe attractive street environment for pedestrians and cyclists.

5.4.2. **Transport Strategy for the Greater Dublin Area, 2022-2042** – This strategy provides a framework for the planning and delivery of transport infrastructure and services in the GDA until 2042. It prioritises active and public transport but does recognise the need for enhanced road infrastructure in certain circumstances such as public transport provision and traffic management or demand management measures.

5.4.3. **Greater Dublin Area Cycle Network Plan 2022** - As part of the Transport Strategy for the GDA, a Cycle Network Plan (CNP) was prepared. Celbridge is included in the Cycle Network Plan which sets out a vision for the development of the cycle network in the town over the coming years.

## 5.5. **Local Planning Policy**

### 5.5.1. **Introduction**

This application is prepared in the context of the proposed site being governed and regulated by the policies of the Kildare County Development Plan 2023 -2029 and the Celbridge Local Area Plan 2017-2023.

However, I note that the Celbridge LAP 2017-2023 was not replaced or extended and has subsequently expired. I refer the Commission to the section below on the 'Status of the Celbridge Local Area Plan.' Therefore, the Kildare County Development Plan 2023 – 2029 is the current statutory plan for County Kildare, including Celbridge. The Kildare County Development Plan 2023 – 2029 does not include a zoning map for Celbridge.

### 5.5.2. **Kildare County Development Plan 2023-2029** - Key strategic objectives in the plan include:

- 5.5.2.1. Chapter 2 – 'Core Strategy & Settlement Strategy' indicates that Celbridge is a 'Self-Sustaining Growth Town' located on a Multi-Modal Transport Corridor as per Map Ref: V1-2.1.
- 5.5.2.2. Self-Sustaining Towns are described as having 'High levels of population growth and a weak employment base'
- 5.5.2.3. Objective CS 09 states, it is an objective of the Council to 'Review and prepare on an ongoing basis a portfolio of Local Area Plans (LAPs) for the mandatory LAP settlements (and environs, where appropriate) of Naas, Maynooth, Newbridge, Leixlip, Kildare, Athy, Celbridge, Kilcock, Monasterevin, Sallins, Clane and Kilcullen in accordance with the objectives of the County Development Plan and all relevant Section 28 Ministerial Guidelines.'
- 5.5.2.4. Chapter 5 Sustainable Mobility and Transport details a number of road/ sustainable transport schemes, the following is relevant to the proposed development - a second River Crossing is proposed from the R403 Clane Road to Hazelhatch Train Station.
- 5.5.2.5. Objective TM O66 states that it is an objective of KCC to: "Secure the implementation of the Priority Road and Bridge Projects and the Regional Roads Identified for Improvement (Table 5.4 and 5.5, refer) and maintain corridors free from development

to facilitate future roads, cycle facilities and other transport infrastructure improvement identified within this Plan and Local Area Plans.”

Table 5.4 – Priority Roads and Bridge Projects in the development plan identifies ‘(G) A second river crossing in Celbridge,’ from the ‘R403 Clane Road to the Hazelhatch Train Station.’

- 5.5.2.6. In addition, there are various policies & objectives in Chapter 5 Sustainable Mobility and Transport that deal with accessibility, movement, roads, and prioritising walking, cycling and public transport (TM P1, TM P2, TM P3, TM P4, TM P8, TM P9).
- 5.5.2.7. Infrastructure and Environmental Services - various policies & objectives in chapter 6 deal with flood risk management the following is relevant to the proposed development.
- 5.5.2.8. Objective IN O33 states that it is an objective of KCC to manage flood risk in the county in accordance with the sequential approach and requirements of the Planning System and Flood Risk Management Guidelines for Planning Authorities, DECLG and OPW (2009) and circular PL02/2014 (August 2014), when preparing plans, programmes, and assessing development proposals. To require, for lands identified in the Strategic Flood Risk Assessment, a site-specific Flood Risk Assessment to an appropriate level of detail, addressing all potential sources of flood risk, demonstrating compliance with the Guidelines or any updated version of these guidelines, paying particular attention to avoidance of known flood risk, residual flood risks and any proposed site-specific flood management measures.
- 5.5.2.9. Objective IN O36 states that it is an objective of KCC to require that development along urban watercourses comply with the Inland Fisheries Ireland Guidance: Planning for Watercourses in the Urban Environment (2020), including the maintenance of a minimum riparian zone of 35 metres for river channels greater than 10 meters in width, and 20 meters for river channels less than 10 metres in width. Development within this zone will only be considered for water compatible developments as defined in the OPW Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).
- 5.5.2.10. Biodiversity and Green Infrastructure : various policies & objectives deal with the conservation, protection & enhancement of the natural environment, including

European & Nationally designated sites (BI P2, BI O9, BI O10, BI O14, BI O26, BI O27, BI O28, BI O29, BI O30, BI O32).

5.5.3. **Kildare Local Authority Climate Action Plan 2024-2029** - The Kildare Local Authority Climate Action Plan (LACAP) 2024-2029 aims to transition the county to a sustainable, low-carbon, and climate-resilient economy by 2050, aligning with national targets to reduce greenhouse gas emissions by 51% by 2030. The plan embraces the principle and need to enable citizens to move away from private car journeys to more sustainable transport modes to help achieve the national targets for transport emissions.

5.5.4. **Celbridge Local Area Plan 2017-2023 (expired)**

5.5.4.1. The LAP includes the following strategic aim:

- To enhance the existing transport network by increasing permeability and connectivity for pedestrians, cyclists and vehicles, in order to enable access to key land uses such as community facilities, public transport nodes and the town centre, as well as the crossing of the River Liffey.

5.5.4.2. The LAP Land Use Zoning Map identifies 2 potential 'River Crossing Corridors (subject to environmental assessment).' The most southern corridor represents the crossing as part of the current proposal.

5.5.4.3. The LAP includes a Transport and Movement Map (Map 8.1) which again shows the 2 potential 'River Crossing Corridors' as well as a "New Roads Objective" extending in a south easterly direction to the LAP boundary. The western section of the proposed development will follow this indicative route.

5.5.4.4. These indicative routes convey the LAP's strategic goals of developing both a new river crossing and mobility corridor to unlock lands identified as the Simmonstown Key Development Area (KDA) and improving access to the south-eastern areas of Celbridge/Hazelhatch and Celbridge Train Station. In Section 12 of the LAP a design brief for the Simmonstown KDA is sets out and details broad parameters for the future development of this area. The vision for the area is a residential area including a primary school that consolidates the southern environs of Celbridge, establishes an attractive edge to the town and provides for improved access to the Hazelhatch Road and train station.

5.5.4.5. Section 8.3 (Road and Street Network) of the LAP sets out that ‘Road infrastructure is being progressively improved throughout the town, but the bridge remains as a major cause of congestion to traffic flow in the town. Congestion is a significant problem in the town centre and one of the key priorities of this Plan is the provision for enhanced crossings of the River Liffey. The transportation objectives provide for the upgrade of the existing bridge for pedestrians and the possible construction of two new bridges in order to satisfy the need for a new river crossing. This would significantly relieve congestion issues, create improved connectivity within the urban environment and provide resilience for the town from a movement perspective.’

5.5.4.6. Section 8: Movement & Transport of the LAP details a number of specific objectives of the council in relation to walking, cycling and public transport. They include:

- Objective MTO1.7 - To promote enhanced permeability for pedestrians and cyclists within the urban environment in order to improve access to local shops, schools, public transport services and other amenities,
- Objective MTO2.1 - To create an interlinked public transport network that maximises the efficiency of existing services, reduces overall journey times and facilitates easy exchanges between modes and/or routes,
- Objective MTO3.5 - To secure the provision of the strategic road objectives identified on Map 8.1, which provides access to new communities and Key Development Areas within the town,
- MTO3.12: To facilitate the construction of a new vehicular river crossing between the Clane Road and Newtown Road within either of the two protected corridors, as indicated on Map 8.1, subject to environmental assessment.

5.5.4.7. Section 9: Infrastructure of the LAP sets out that the LAP avoids development in areas at risk of flooding and has substituted vulnerable land uses with a less vulnerable use where this is not possible in zoning lands in the Plan.

Map 9.1 in the LAP provides the Strategic Flood Risk Assessment map for the LAP.

A number of specific objectives in relation to flooding include:

- INFO3.1 To manage flood risk in Celbridge in accordance with the requirements of the Planning System and Flood Risk Management Guidelines for Planning Authorities, DECLG and OPW (2009) and Circular PL02/2014 (August 2014).

- INFO3.2 To ensure development proposals within the areas outlined on the Flood Risk Map are the subject of Site-Specific Flood Risk Assessment, appropriate to the nature and scale of the development being proposed.
- INFO3.3 To support and co-operate with the OPW in delivering flood alleviation work under the Eastern CFRAM Programme.

#### 5.5.5. Status of Celbridge Local Area Plan 2017-2023

5.5.5.1. A review of the Kildare County Council website (12/05/2026) with respect to Current Local Area Plans sets out that ‘Kildare County Council will have regard to the following adopted Local Area Plans until such time as they are reviewed, or another plan made’. The Celbridge Local Area Plan 2017-2023 is included in the list of Adopted Current Plans. While the council website makes reference to Local Area Plans, the reference on the Council’s website does not have any statutory basis nor does it extend the lifetime of the LAP in accordance with the provisions of the Planning and Development Act 2000, as amended.

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

#### Local Area Plans

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

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

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

### Application and Content of Local Area Plans

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

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

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

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

- The Celbridge Local Area Plan was adopted at a special meeting of Celbridge – Leixlip Municipal District on 17th of August 2017 and in accordance with the provisions of Section 20 of the Planning and Development Act 2000 as amended came into effect six weeks after the adoption on 28th September 2017. The Celbridge Local Area Plan 2017-2023 has not been ‘reviewed or another’ LAP made, and the LAP has not been extended under the provisions of the Planning Act 2000 (as amended). Therefore, the LAP expired on 27th September 2023.

### 5.6. **Legislative Context**

5.6.1. Section 213 of the Planning and Development Act 2000, as amended, sets out the legal status of the compulsory purchase process in relation to Local Authorities, as follows:

(1) The power conferred on a local authority under any enactment to acquire land shall be construed in accordance with this section.

(2) (a) A local authority may, for the purposes of performing any of its functions (whether conferred by or under this Act, or any other enactment passed before or after the passing of this Act), including giving effect to or facilitating the implementation of its development plan or its housing strategy under section 94, do all or any of the following:

(i) acquire land, permanently or temporarily, by agreement or compulsorily,

(ii) acquire, permanently or temporarily, by agreement or compulsorily, any easement, way-leave, water-right or other right over or in respect of any land or water or any substratum of land,

(iii) restrict or otherwise interfere with, permanently or temporarily, by agreement or compulsorily, any easement, way-leave, water-right or other right over or in respect of any land or water or any substratum of land, and the performance of all or any of the functions referred to in subparagraphs (i), (ii) and (iii) are referred to in this Act as an “acquisition of land”.

(b) A reference in paragraph (a) to acquisition by agreement shall include acquisition by way of purchase, lease, exchange or otherwise.

(c) The functions conferred on a local authority by paragraph (a) may be performed in relation to— (i) land, or (ii) any easement, way-leave, water-right or other right to which that paragraph applies, whether situated or exercisable, as the case may be, inside or outside the functional area of the local authority concerned.

(3) (a) The acquisition may be effected by agreement or compulsorily in respect of land not immediately required for a particular purpose if, in the opinion of the local authority, the land will be required by the authority for that purpose in the future.

(b) The acquisition may be effected by agreement in respect of any land which, in the opinion of the local authority, it will require in the future for the purposes of any of its functions notwithstanding that the authority has not determined the manner in which or the purpose for which it will use the land.

(c) Paragraphs (a) and (b) shall apply and have effect in relation to any power to acquire land conferred on a local authority by virtue of this Act or any other enactment whether enacted before or after this Act.

(4) A local authority may be authorised by compulsory purchase order to acquire land for any of the purposes referred to in subsection (2) of this section and section 10 (as amended by section 86 of the Housing Act, 1966) of the Local Government (No. 2) Act, 1960, shall be construed so as to apply

accordingly and the reference to “purposes” in section 10(1)(a) of that Act shall be construed as including purposes referred to in subsection (2) of this section.

## **6.0 Assessment**

### **6.1. Overview**

6.1.1. For the Commission to confirm the subject CPO, it must be satisfied that Kildare County Council has demonstrated that the CPO “is clearly justified by the common good.” This requires the following minimum criteria to be satisfied:

- There is a community need that is to be met by the acquisition of the site in question,
- The particular site is suitable to meet that community need,
- Any alternative methods of meeting the community needs have been considered but are not demonstrably preferable,
- The works to be carried out should accord with or at least not be in material contravention of the provisions of the statutory development plan, and
- The extent of land-take should have due regard to the issue of proportionality.

6.1.2. I will therefore address each of the five criteria outlined above in turn below, together with the issue of proportionality and other issues arising from the submission.

### **6.2. Community Need**

6.2.1. The proposed development has been designed to improve multi-modal transport integration by reducing car journey times between Celbridge town centre and Hazelhatch and Celbridge Train Station. It encourages a transport modal shift by providing a high-quality pedestrian and cycle link to the train station as well as reducing social exclusion by enhancing accessibility to rail services for non-car-owners.

6.2.2. Sustainable transport infrastructure is known to assist in creating more sustainable communities and healthier places to live and work while also stimulating economic development and contributing to enhanced health and well-being when delivered effectively.

- 6.2.3. Celbridge is served by commuter rail at Hazelhatch and Celbridge Train Station approximately 3km to the south of the town centre. The current rail service provides a connection to Dublin City Centre with capacity of circa 5,000 passengers per hour per direction and this is to significantly increase with the delivery of DART+ South West (Railway order granted under ABP 316119-23).
- 6.2.4. The northern and southern sections of Celbridge town are divided by the River Liffey and connected by an existing narrow two-lane stone masonry bridge dating from between 1780 and 1820 and listed as a Protected Structure (B11-103, NIAH 11805054). With over 70% of the population of Celbridge living north of the river, this single crossing constrains the movement of people within the town. The current poor access to Hazelhatch and Celbridge Train Station and the lack of high-quality cycling/pedestrian facilities along the existing route hinders the attractiveness of train services for commuters, particularly for residents living north of the river.
- 6.2.5. The proposed 2km route includes dedicated cycle and pedestrian infrastructure on the entire length of the route. The proposed road cross-section for the project's mainline is a single carriageway with 3.5m wide lanes in each direction. 2.0m wide one-way cycle tracks and 2.0m wide footpaths are proposed on both sides of the road. This improvement to pedestrian and cycle infrastructure will greatly improve the current offer to pedestrians and cyclists and by doing so will significantly increase their modal share.
- 6.2.6. The proposed scheme which will tie into the DART+ South-West rail service at Hazelhatch and Celbridge train station will therefore make a significant contribution to carbon reduction, the easing of congestion within the town centre and the creation of more sustainable travel patterns for the growing population.
- 6.2.7. As noted above, the overriding motivation for the project is to enhance multi-modal transport integration and deliver high-quality cycling/pedestrian connectivity to the Hazelhatch and Celbridge train station.
- 6.2.8. The current Kildare County Development Plan 2023-2029 provides specific support for the proposed development under Objective TMO66 which seeks to secure the implementation of the Priority Road and Bridge Projects listed in Table 5.4. This table identifies the need for a second river crossing in Celbridge from the R403 Clane Road to the Hazelhatch Train Station.

- 6.2.9. The applicant indicates that a number of previous transportation studies were undertaken for Celbridge and each of these studies had highlighted the need for a second vehicular river crossing in the town to adequately address the current traffic situation and improve the circulation of the road network. The single vehicular bridge crossing in Celbridge is deemed inadequate for a town of its size.
- 6.2.10. Therefore, the project addresses the need to improve the transport network in Celbridge. The provision of a second river crossing will facilitate future reduction in traffic congestion and improve the road safety performance of Celbridge.
- 6.2.11. Overall, the proposed second River Liffey Crossing and link road to the Train Station will improve the transport network capacity for all pedestrians, cyclists and vehicular traffic, will encourage a modal shift to more sustainable modes and enhance the urban realm in the town centre.
- 6.2.12. In overall conclusion, there is a clear community need and justification for the proposed scheme which has been clearly demonstrated from a population growth and congestion perspective and in the interests of land use and transport planning integration.

### **6.3. Suitability of Lands**

- 6.3.1. At the outset, the Commission will note that Kildare County Council are seeking to both permanently and temporarily acquire lands.
- 6.3.2. The lands that are the subject of this CPO are currently used for a number of uses including agriculture, open space and lands and structures in the ownership of St. John of Gods.
- 6.3.3. The Commission should note that the scheme for the most part will comprise greenfield lands. As detail above in Section 5.5.5 the Celbridge LAP 2017-2023 expired on 27th September 2023. Therefore, the Kildare County Development Plan 2023 – 2029 is the current statutory plan for County Kildare, including Celbridge. The Kildare County Development Plan 2023 – 2029 does not include a zoning map for Celbridge.
- 6.3.4. In the expired Celbridge Local Area Plan 2017-2023 where there were zoning objectives, they comprised the following:

- C – New Residential
- E – Community and Educational
- F2 – Strategic Open Space

- 6.3.5. The LAP also included strategic goals of developing both a new river crossing and mobility corridor to unlock lands identified as the Simmonstown Key Development Area (KDA) and improving access to the south-eastern areas of Celbridge/Hazelhatch and Celbridge Train Station.
- 6.3.6. The LAP Land Use Zoning Map identified 2 potential ‘River Crossing Corridors (subject to environmental assessment).’ The most southern corridor represents the crossing as part of the current proposal.
- 6.3.7. The LAP also included a Transport and Movement Map (Map 8.1) which again showed the 2 potential ‘River Crossing Corridors’ as well as a “New Roads Objective” extending in a south easterly direction to the LAP boundary. The western section of the proposed development will follow this indicative route.
- 6.3.8. Having regard to the provisions of the Kildare County Development Plan and specifically Objective TMO66 and Table 5.4 which identifies ‘(G) A second river crossing in Celbridge,’ from the ‘R403 Clane Road to the Hazelhatch Train Station’ as a priority road and bridge project I am satisfied that the proposal reflects the overarching objectives in the Development Plan.
- 6.3.9. The deposit map booklet identifies all lands that are being acquired on both a permanent and temporary basis and identifies lands on which public and private rights of ways will be altered or interfered with.
- 6.3.10. In total 32 no. land plots are identified to be permanently acquired, and 12 no. land plots are identified to be temporarily acquired. Approximately 15 no. landowners are impacted by the required land acquisition.
- 6.3.11. Overall given the current use of lands I am satisfied that the lands to be acquired are suitable for such use.

#### **6.4. Compliance with Development Plan**

- 6.4.1. The project is specifically identified within the Kildare County Development Plan 2023-2029 and supported by Kildare County Council under Objective TMO66 and Table 5.4 which identifies '(G) A second river crossing in Celbridge,' from the 'R403 Clane Road to the Hazelhatch Train Station' as a priority road and bridge project.
- 6.4.2. As set out above in Section 6.3 the Celbridge Local Area Plan 2017 - 2023 (expired) included strategic goals of developing both a new river crossing and mobility corridor to unlock lands identified as the Simmonstown Key Development Area (KDA) and improve access to the south-eastern areas of Celbridge/Hazelhatch and Celbridge Train Station.
- 6.4.3. Overall, I am satisfied that the proposal is justified and in accordance with the overriding policy position set out within the Kildare County Development Plan 2023-2029 and other national and regional policy documents as set out within the policy section of this report above.

#### **6.5. Use of Alternative Methods**

- 6.5.1. The consideration of Alternatives is documented within Section 3.2 of the Engineers Report. It sets out that the options selection involved consideration and assessment of various alternatives/options to identify an emerging preferred option and ultimately selection of a preferred option to progress to subsequent preliminary design and planning phase.
- 6.5.2. In the alternatives considered, a total of ten do-something route options were considered, along with do nothing, do-minimum and traffic management alternatives. All options were assessed under the criteria of engineering, economy and environment. It was determined that a 'do something option' was required for the project as the congestion and a lack of circulation in the road network as a result of the single bridge crossing severely restricted the options available for alternative solutions.
- 6.5.3. Figure 3-3 in the CPO Engineer's Report details the various options routes examined.

- 6.5.4. The applicant details that five out of the total of ten route corridor options were shortlisted at Stage 1 Preliminary Option Assessment and were brought forward to Stage 2 assessment. These were Options A, A1, B, C and E.
- 6.5.5. The route corridors were presented to the public during a Non-Statutory Public Consultation period (PC 1) which ran from the 12th of February to 11th March 2021. These options were assessed in Stage 2 under the criteria of Economy, Safety, Environment, Accessibility & Social Inclusion, Integration, and Physical Activity.
- 6.5.6. Following the Appraisal process of all the shortlisted options, an Emerging Preferred Option was identified (Option C). This was presented to the public during the second non-statutory public consultation period which ran from 28<sup>th</sup> March until 6th May 2022 (PC 2).
- 6.5.7. The applicant sets out that taking into consideration the feedback received from the members of the public, the presented Route Corridor Option C was subsequently adjusted on the northern end of the route between the service station and the garden centre adjacent to Celbridge Abbey. The adjustment allowed for a greater separation between the proposed road and the existing residential dwellings of the Abbeyfarm housing estate.
- 6.5.8. Overall, having regard to the information provided by Kildare County Council in relation to the alternatives considered I am satisfied that a significant number of options have been considered in detail and that the process undertaken by the applicant has been a robust assessment of alternative options having regard to environmental considerations and the stated project objectives, which are considered to be reasonable. I agree that the route chosen is the one which best meet these objectives. I also accept that the consideration of options within the selected route corridor and the strategy for key infrastructure provisions was a rigorous process, which had regard to environmental considerations and to the project objectives. I therefore generally concur with the reasons for choosing the preferred alternative as presented in the CPO Engineer's Report and the Environmental Report submitted with the planning application ACP 323851-25.

**6.6. Proportionality and Necessity of Level of Acquisition Proposed in relation to the submission received.**

- 6.6.1. One third party submission from H2 Properties Unlimited has been received in relation to the CPO of lands which I will address hereunder.
- 6.6.2. I note from the outset the third-party highlights that they have no objection to the scheme as a whole and are supportive of any scheme that promotes more sustainable forms of transport and improves infrastructure within the town.
- 6.6.3. However, they set out that they are directly impacted with their entrance being relocated and they outline concerns that the proposed development in its current design has the potential to negatively impact on the safe operation of the petrol filling station.
- 6.6.4. I do note that that the proposed development will result in changes to the existing traffic movements into and within the applicant's site. The service stations existing exit will be retained while a replacement entrance will be provided from the proposed scheme. Also, there will be a permanent and temporary reduction in their lands due to the proposed Clane Road junction.
- 6.6.5. I also note that Chapter 12 (Material Assets) in the Environmental Report submitted as part of ACP 323851-25 assess the significance of the impact pre mitigation as very significant. However following mitigation which include replacement entrance, retention of existing exit and reinstatement of boundaries on a like for like basis the residual impact on the Service Station is reduced to slight to moderate.
- 6.6.6. The construction phase mitigation measures outline that access will be maintained to all affected property as much as possible and traffic management measures will be put in place during construction where temporary or minor diversions are required. The operational phase mitigation includes that where part of the curtilage of a property is to be permanently acquired, Kildare County Council will hold discussions with the property owner and generally agree to replace boundaries on a like-for-like basis.
- 6.6.7. In response to the third-party objection the applicant sets out that the proposed new access will be an improvement over the existing access and has been subject to swept path analysis for fuel delivery tankers. The results of this analysis indicate that the

proposed access arrangements will allow the fuel delivery tankers to service the site without the need for excessive manoeuvring.

- 6.6.8. The response goes on to state that KCC will continue to engage and coordinate with the third party in relation to the proposed construction activities and impacts shown to arise as a result of the proposed development can be the subject of a claim for compensation as part of the statutory compensation process. They also set out that a topographical survey has been completed which included the grounds of the service station and that additional detailed surveys requested in the submission are not considered necessary to inform the preliminary design but may be carried out during the detailed design phase of the project as part of engagement with the landowner.
- 6.6.9. Overall, I am satisfied with the applicant's response and that the revised layout will not negatively impact on the safe operation of the petrol filling station.
- 6.6.10. I also note that H2 Properties Unlimited have recently submitted a planning application (Plan ref 26/60521) to Kildare County Council for a 85sqm extension to the existing convenience shop and relocation of the existing car wash. This application has a decision date of the 12<sup>th</sup> July 2026. The applicants cover letter attached to the application sets out that the proposed development is being carried out to provide improved staff facilities and improved access to the first floor living accommodation. There is no planned increase in the retail area. The existing car parking will remain unchanged and no changes are proposed to existing access arrangements. Having viewed the proposed layout I am satisfied that the proposed works outlined in plan ref 26/60521 will not impact the proposed scheme.
- 6.6.11. Overall, having regard to the issues raised within the submission received and the response received from Kildare County Council I am satisfied that the proposed extent of land acquisition is reasonable and proportional to the stated purpose of the proposed scheme.

## **7.0 Conclusion**

- 7.1. I have examined the issues raised within the submission received and the response received from Kildare County Council. I am satisfied that the proposed extent of land acquisition is reasonable and proportional to the stated purpose of the proposed scheme. I am satisfied that the process and procedures undertaken by Kildare County

Council have been fair and reasonable, that the Council has demonstrated the need for the lands and that all the lands being acquired are both necessary and suitable to facilitate the provision of the Celbridge to Hazelhatch Mobility Corridor.

- 7.2. In considering whether the CPO will have an excessive or disproportionate effect on the objector I acknowledge the objector's concerns in respect to the impact that the scheme will have upon their lands and business during construction and at the operational stage.
- 7.3. In undertaking an exercise to weigh these concerns against the advancement of the common good that would be served by the scheme, I note there will undoubtedly be inconvenience with the implementation of the Celbridge to Hazelhatch Mobility Link Corridor and, I acknowledge the objector's concerns in respect to the significant impact on his established business.
- 7.4. I consider that the matters raised within the objection could be addressed in the compensation package. Matters relating to compensation are not within the remit of the Commission. This is not to discount the legitimate concerns and potential negative impacts on the property owner.
- 7.5. On balance, I am of the view that the effects of the proposed CPO on the objectors' rights are proportional to the objective given the connectivity improvements, improvements of pedestrian and cyclist safety and is a proportionate way of giving effect to the common good.
- 7.6. I am satisfied that the process and procedures undertaken by Kildare County Council seeking confirmation of the CPO have been fair and reasonable, that Kildare County Council seeking confirmation of the CPO has demonstrated the need for the lands and that all the lands being acquired are both necessary and suitable to facilitate the provision of the Celbridge to Hazelhatch Mobility Corridor.
- 7.7. Having regard to the constitutional and Convention protection afforded to property rights, I consider that the permanent and temporary acquisition of land as set out in the compulsory purchase order and on the deposited maps as indicated, pursues and is rationally connected to, a legitimate objective in the public interest, namely the development of the Celbridge to Hazelhatch Mobility Corridor.

- 7.8. I am also satisfied that the acquiring authority has demonstrated that the means chosen to achieve that objective impair the property rights of affected landowners as little as possible. In this respect, I have considered alternative means of achieving the objective referred to in submission to the Commission and am satisfied that the acquiring authority has established that none of the alternatives are such as to render the means chosen and the CPO made by the acquiring authority unreasonable or disproportionate.
- 7.9. The effects of the CPO on the property rights of affected landowners are proportionate to the objective being pursued. I am further satisfied that the proposed permanent and temporary acquisition of land as set out in the compulsory purchase order and on the deposited maps and other rights as indicated would be consistent with the policies and objectives of the Kildare County Development Plan 2023-2029 in which supporting the delivery of the proposed Celbridge to Hazelhatch Mobility Corridor (Table 5.4, Item G) is an objective of the plan.
- 7.10. Accordingly, I am satisfied that that the confirmation of the CPO is clearly justified by the exigencies of the common good.

## **8.0 Recommendation**

- 8.1. I recommend that the Commission confirm the Compulsory Purchase Order submitted to the Commission on the 10th of November 2025, based on the reasons and considerations set out below.

## **9.0 Reasons and Considerations**

- 9.1. Having considered the objection made to the compulsory purchase order, the report of the Inspector who considered the objection, the purpose of the compulsory purchase order to facilitate the delivery of the Celbridge Hazelhatch Mobility Corridor, and also having regard to:
- a. the constitutional and convention protection afforded to property rights,
  - b. the limited provision in the existing road network for cyclists and pedestrians wishing to travel between the town centre and the rail station,

- c. the strategic nature of the scheme which includes high-quality cycling and pedestrian facilities in the context of reducing carbon emission and climate change.
- d. the community need, and public interest served and overall benefits, including benefits to a range of road users to be achieved from use of the acquired lands, and
- e. the proportionate design response to the identified need,
- f. the suitability of the lands and the necessity of their acquisition to facilitate the provision of the Celbridge Hazelhatch Mobility Corridor.
- g. the policies and objectives of the Kildare County Development Plan 2023- 2029.
- h. the submission made to the Commission.
- i. the report and recommendation of the Inspector for applications ref. ACP 323851-25 and ACP 323853-25

it is considered that the acquisition of these lands on a permanent and temporary basis, restriction, acquisition and interference of rights of way, by Kildare County Council, as set out in the compulsory purchase order and on the deposited maps, is necessary for the purpose stated, which is a legitimate objective being pursued in the public interest, and that the CPO and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.

In reaching this conclusion, the Commission agrees with and adopts the analysis contained in the report of the person who conducted the assessment of the objection and agrees to confirm the Compulsory Order.

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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Donogh O' Donoghue  
Planning Inspector

27<sup>th</sup> May 2026

## Appendix 1 – Summary of Third-Party Objection

### 1. H2 Properties Unlimited

- The submission sets out that they have a material interest in this application as lands in their ownership are included within the application boundary. It is also proposed, as part of the scheme, that some of the lands within their ownership will be subject to both temporary and permanent CPO.
- They would like to highlight that they have no objection to the scheme as a whole and are supportive of any scheme that promotes more sustainable forms of transport and improves infrastructure within the town.
- However, they cannot accept the proposal in its current design owing to the potential for significant harmful impacts it may have on the continued day to day operation and the viability of their existing business. They expressed their concerns regarding the proposal during the limited engagement with Kildare County Council prior to the application.
- The submission sets the following concerns:
  - Their site comprises a petrol station forecourt, convenience shop, 2 No. apartments, service area, carwash and ancillary facilities located on the Clane Road Celbridge. Their site is accessed via an existing right of way leading from the Clane Road to their site. It is proposed that the existing right of way will be extinguished as part of the proposal and a new entrance will be provided to the south of the existing access point. This will result in changes to the existing traffic movements into and within the applicant's site.
  - The commercial nature of the site is long established, and it has been used as a service station for an extended period of time. Their site has been subject to a number of planning applications, the most recent under planning ref 18/731 for the retention of an existing exit only arrangement.
  - It is considered that the application does not take full account of the effects of the proposed development on lands which lie outside of the development boundary, but which are materially affected by the development.

- The proposed development has the potential to affect their compliance with existing planning permissions, and it is not clear if the granting of permission and carrying out of the proposed works will require them to make applications to regularise the revised layout of the traffic movements within the site.
- The operation of petrol stations is licensed under the Dangerous Substances (Flammable Liquids and Fuels Retail Stores) Regulations, 2019 and the changes to the traffic layout in their petrol station, would constitute “ Major Works” as defined by the regulations, requiring them to make a new application for an amended licence no later than 60 days prior to the commencement of the works. This application will be required to be accompanied by a risk assessment detailing how any new or modified hazards will be mitigated. The granting of an amended licence will be at the discretion of the licensing authority.
- The submission goes onto state that it is not evident, from the application documents presented, if any assessment of the risks associated with the proposed changes to the traffic arrangements within the petrol filling station have been carried out. They request that the proposed changes to the traffic arrangements within the petrol filling station as a result of the proposed development be fully assessed by a competent authority and the impacts on the safe operation of the site are fully considered including the risk of injury and risk to the environment. The following further investigation are recommended:
  - A detailed survey of the existing structures, fuel storage & dispensing infrastructure and drainage systems should be carried out.
  - A swept path analysis should be carried out for vehicles accessing and egressing the dispensing locations, car parking and carwash.
  - A swept path analysis should be carried out for a fuel delivery tanker carrying out fuel deliveries to the property.
- No information has been provided in relation to the methodology for carrying out the proposed works in the vicinity of the petrol station. Should it be the case that the works cannot be carried out without a

temporary closure of the site this would need to be included in the application and associated compulsory purchase order.

- The submission concludes that the proposed development in its current design iteration has potential to negatively impact on the safe operation of the petrol filling station and the continued viability of the long-established business. It is not clear from the application documentation presented if the proposed development can be carried out in a safe manner and it is considered that the granting of a permission where such uncertainties exist would not constitute proper planning.
- They request that the Commission engage in meaningful consultation with affected landowners as part of the determination of this application, including if it sees fit, an oral hearing.