



An
Coimisiún
Pleanála

Inspector's Report

ACP-324107-26

Development	Large-scale Residential Development (LRD) application of 195 no. apartments across 3 no. blocks ranging in height from 2 to 7 storeys, a childcare facility and café/commercial unit on a site of 1.53 hectares.
Location	Parson Street, Maynooth, Co. Kildare
Website	www.parsonstreetlrd.ie
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	2560877
Applicant(s)	Glenveagh Homes Ltd.
Type of Application	Large-Scale Residential Development
Planning Authority Decision	Grant with Conditions
Type of Appeal	Third Party
Appellant(s)	Parson Lodge Residents Association
Observer(s)	None

Date of Site Inspection

10th April 2026

Inspector

Paul O'Brien

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1.0 Site Location and Description

- 1.1. The subject site with a stated net area of 1.53 hectares, comprises an almost triangular shaped site to the north of the Royal Canal, and to the south east of Parson Street to the south of Maynooth town centre. The subject lands are relatively flat, though at a lower level than the adjoining canal bank, are undeveloped and contain a mix of trees, shrubs and grasslands. The boundary along the canal consists of a timber post and rail fence.
- 1.2. Maynooth railway station is located to the east of the site on the opposite bank of the Royal Canal. Access is available to the station via a pedestrian bridge over the canal, which is located to the west of the 'Duke's Harbour' where the canal has a widened section forming a small harbour north of the station/ to the east of the subject site. Upgrade works to the northern canal towpath include the provision of a tarmac surface suitable for pedestrian/ cyclist use and public street lighting.
- 1.3. To the west of the site is Parson Lodge, a residential development of two storey detached houses on a short cul de sac with access onto Parson Street. To the north/ north west is the former Rectory, which is a protected structure, and to the north east of the proposed access is a terrace of two storey houses. To the north east there is a health centre and community unit.
- 1.4. Maynooth train station is served by trains to and from Dublin Connolly every 30 minutes off peak and approximately every 15 minutes in the peak. Some services continue westwards to Mullingar, Longford and Sligo. Services to the City Centre extend south to cross the City to Grand Canal Dock, Dun Laoghaire and Bray.
- 1.5. Bus services in the area were revised under Bus Connects Phases 2 and 5A. Routes C3 and C4 serve Maynooth with the nearest bus stops on the Straffan Road, approximately 245m to north east of the subject site. Combined services off peak provide five buses an hour between Maynooth and the City Centre. Route W4 provides an orbital route between Maynooth, Celbridge, Citywest and Tallaght every 30 minutes off peak. Bus services to Mullingar (115) and Ballina (22) also operate via the Straffan Road stops.

2.0 Proposed Development

- 2.1. The proposal, as per the submitted public notices, comprises the construction of 3 no. apartment blocks (Block A, B and C), ranging in height from 2 storeys up to 7 storeys. The development will provide 195 no. residential units in the form of one, two and three bedroom units. A café/ commercial unit is provided for and a creche is also proposed.
- 2.2. The following tables set out some key elements of the proposed development:

Table 1: Key Figures

Gross Site Area	1.53 hectares
Net Developable Area	1.45 hectares
No. of Houses	0
No. of Apartments	195
Total	195
Density –	134 units per hectare
Net Density -	137 units per hectare
Public Open Space Provision	2,444.5sq m – 16.86% of site area
Communal Open Space	1,380sq m – 9.5% of site area
Childcare Provision	176sq m
Café/ Retail Space	107sq m
Car Parking –	
Apartments/ Residents	83
EV Parking	4
Accessible Spaces	4
Total	91
Bicycle Parking –	
Residents	303
Visitor	106
Cargo Bike/ E-Bike	15
Creche	6 (3 Staff/ 3 Visitors)
Café/ Commercial Unit	4
Total	434

Motorcycle Parking	0
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Table 2: Unit Mix

	Bedrooms			
Block	1 Bed	2 Beds	3 Beds	Total
1	25	21		46
2	36	34		70
3	37	36	6	79
Total	98 – 50%	91 – 47%	6 – 3%	195 – 100%

	Dual Aspect	Oversized
Ground Floor	11	19
First Floor	19	24
Second Floor	18	22
Third Floor	17	22
Fourth Floor	16	21
Fifth Floor	13	18
Sixth Floor	5	8
Total	99 (51%)	134 (69%)

- 2.3. The total internal gross floor area is stated to be 16,296sq m.
- 2.4. The proposed vehicular access is from the north west of the site, from Parson Street. Pedestrian and cyclist access will also be provided from here. Pedestrian/ cyclist access is also provided to the Royal Canal to the east of the site, with provision also made to connect to Parson Lodge to the west.
- 2.5. Following the receipt of further information, some revisions were made to the above numbers, and I note the following as relevant:
- Unit Numbers:
 - One Bed – 97 (was 98)

- Two Bed – 91 (no change)
- Three Bed – 7 (was 6)
- Dual Aspect: Originally 99 units, increased to 101 units.
- Car Parking: 79 spaces, was 83.
- Bicycle Parking: Residents 313 was 303.

In addition, whilst the number of residential units remains at 195, the three blocks have been revised as follows:

Block	Original application	As per FI response
A	2 Storeys (western edge) to 5 Storeys (north eastern side)	No Change
B	6 Storeys (south western side) to 7 Storeys (eastern side)	6 Storeys for entire block
C	7 Storeys (western side) to 5 Storeys (north eastern side)	7 Storeys for entire block

3.0 Planning Authority Pre-Application Opinion

3.1. A Section 247 Pre-Planning meeting took place on the 9th of January 2025 between the applicant and Kildare County Council. Issues raised included the Maynooth Environs Joint Local Area Plan, the character/ history of the subject site, density, impact on architectural conservation, need for a bridge connection over the Royal Canal, need for connections to the greenway, mix of housing to include three bedroom units, need for a fire safety strategy, details to be provided on Part V housing. A number of transport issues were raised including suitable sightlines, footpaths, car parking details, need for loading bays, provision of a lighting report and to be aware of a previous requirement in relation to car parking numbers. Due to potential railway noise, there may be a need for an acoustic design statement. The Parks Department raised a number of issues in addition to standard Parks Department requirements including details on the SuDS design, provision of suitable

paths, concern about the amount of tree removal proposed here, and boundary details.

- 3.2. A Section 32/ LRD Opinion Meeting (PP Ref. No. LRD2025002) took place on the 1st of May 2025 between representatives of the applicant and Planning Authority, Kildare County Council.

The following issues were identified during the meeting:

- The proposal was for 195 residential units, mix of 98 no. 1-bedroom, 94 no. 2-bedroom and 3 no. 3-bedroom apartments across 3 blocks which range in height from 2 to 7-storeys on a 1.45-hectare site. The site to also include public open space, communal open space, a creche, a café/ commercial unit, car/ bicycle parking spaces.
- The development will provide for a gateway site between the railway station and Maynooth University, and a suitably high quality of design is required here.
- Requests that Block C be revised in terms of its bulk and overall design.
- Balconies to be integrated into the building and not just attached to the side.
- Due to the site location, it is important that good quality/ accessible links to the greenway be provided here.
- Request that a suitable Social Infrastructure Audit be provided; have full regard to the details provided in the Kildare County Development Plan under Section 15.5.2.
- A link to Parson Lodge is important in terms of pedestrian connections but this should not be used as a vehicular link.
- The transition of the blocks on the Parson Lodge side are welcomed but further refinements are requested, again with specific comment on Block C.
- Request that a cross section of the site be provided from the north towards the canal.
- Request that additional CGIs be provided, with particular reference to views from the south of the site.

- The Parks Department raised a number of issues including concern about the number of trees to be removed, need to strengthen the hedgerow along the canal, need for a Management and Maintenance Plan to be submitted with the application, areas to be taken in charge to demonstrate compliance with the Parks Department requirements and details on the proposed SuDS measures.
- The Roads Department note that Parson Lodge (to the west of the site) is not in charge and cannot form part of the development due to legal issues. Although a connection here may not be possible, permeability through here is encouraged. Details raised in relation to SuDS, bicycle parking, car parking provision, improved permeability is welcomed, modal shift and design of the internal road network to have regard to trees.
- The Housing Department would prefer ground floor units in terms of Part V housing and preferably those with own-door access. Need to distribute the units throughout the site. Other procedural matters were outlined.

The recommended opinion issued by Kildare County Council, dated 30th of May 2025, was that the development would not constitute a reasonable basis for making an application.

4.0 Planning Authority Decision

4.1. Decision

The Planning Authority decided to grant permission subject to a total of 56 conditions, following the receipt of a further information response (21 points of further information were sought from the applicant).

The conditions attached to the grant of permission are generally standard, though the following are noted:

Condition 2. a) 'This permission authorises 195 no. residential units, a childcare facility and a café / commercial unit.'

e) 'The maximum number of children at any one time in the childcare facility shall be 48.'

Condition 17. 'Bat boxes, swift boxes, biodiverse roofs, SuDS bioretention features, and all native planting enhancements shall be installed exactly as specified, with final

locations approved by the project ecologist as per the specifications of the Biodiversity Enhancement Plan received by the Planning Authority on 21/11/2025.’

4.2. Planning Authority Reports

4.2.1. Planning Reports

The Planning report reflects the decision to grant permission subject to conditions, following the receipt of further information. The Planning Authority reported ‘The subject site has been designated a Settlement Consolidation Site under the MEJLAP¹, in addition, the precedent for the proposal has been set under Reg. Ref. 21/370² which was granted by ABP on 12th February 2024, and which has an expiry date of 11/02/2029. The essence of the proposal is largely the same as that granted by An Bord Pleanála under Reg. Ref. 21/370. The subject site is located within the town centre and within easy access of bus and rail services. The Planning Authority considers that the site is located at a suitable location which complies with objectives MATO 5.2 and MATO 5.3 of the MEJLAP and can accommodate a low car development.’

At the end of their conclusion they state: ‘It is the conclusion of the Planning Authority that the proposed development is generally acceptable and accords with the plans and policies within the Kildare County Development Plan 2023-2029 and the MEJLAP. It is recommended to grant permission, subject to conditions.’

4.2.2. Other Technical Reports

- Transport, Mobility and Open Spaces Department: Refusal recommended for the following reasons:

‘The proposed development and subsequent increased traffic congestion in a highly trafficked pedestrian and cycling area located in a heavily congested town centre with every junction already at peak capacity, in the absence of the Maynooth Outer Orbital Routes, will seriously increase the existing serious traffic congestion in Maynooth.

¹ MEJLAP – Maynooth and Environs Joint Local Area Plan 2025 - 2031

² ABP Ref. 313264-22

The proposed application would endanger public safety by reason of traffic hazard, reduced sightlines at proposed entrance to the development, lack of adequate and safe pedestrian and cycle facilities from the proposed development and obstruction of road users due to the movement of the extra traffic generated.'

The development would be contrary to 'Smarter Travel a Sustainable Transport Future – A New Transport Policy for Ireland 2009-2020', would be premature pending the completion of the Maynooth Outer Orbital Routes and improvements to Parson Street. In addition, inadequate provision is made for road widening and associated upgraded to Parson Street, no permission has been sought for the removal of pay parking on Parson Street, inadequate details submitted included cross sectional drawings, provision of EV charging spaces, provision of a car parking strategy, car parking spaces are undersized and lack of details on public transport capacity. Conditions (30 in total) are provided in the event that permission is to be granted for this development.

Details submitted in response to the further information request remain unacceptable – need for road improvements, car parking issues, EV charging parking is insufficient, and no revised Road Safety Audit has been provided, however conditions were listed/ detailed in the event that permission is to be granted or this development.

- Transport, Mobility and Open Spaces Department – Parks Section: Further information sought in relation to landscaping, tree planting, hedgerow details, material finishes, and details on bioretention tree pits.

Details submitted in response were considered to be acceptable subject to conditions.

- Environmental Health Officer: No objection subject to conditions in relation to noise control levels, air quality, ventilation, lighting, and control of refuse. Recommendations made in relation to childcare, food hygiene, and flood risk.
- Environment Section: No objection subject to conditions.
- Kildare Fire Service: No objection subject to condition that a Fire Safety Certificate be sought.

- Heritage, Biodiversity and Conservation Unit: Reviewed the AA and submitted NIS and reports that they are satisfied with the conclusion. Further information requested in relation to the submitted Ecological Impact Assessment (EclA), need for a Biodiversity Plan, details on the Planting Scheme and details on the Landscaping Plan.

Details submitted in response were considered to be acceptable subject to conditions.

- Heritage Officer: No objection subject to recommended conditions.
- Housing Section: No objection subject to recommended condition in relation to Part V.
- Water Services Department: No objection subject to recommended conditions in relation to surface water drainage, provision of suitable SuDS measures, and measures to be taken to ensure that offsite flooding is minimised.
- Building Control Section: No objection.
- Kildare County Childcare Committee (KCCC): No objection subject to conditions. Their report provides details on childcare demand in Maynooth and notes a demand for childcare in the area.

4.2.3. Prescribed Bodies

- Uisce Éireann: No objection subject to standard conditions. It was reported that the applicant has engaged with Uisce Éireann and a Confirmation of Feasibility was issued to the applicant, advising water & wastewater connections are feasible subject to upgrades.
- Commission for Railway Regulation: No objection to the proposed development, requesting that the development ensures the safe operation of the railway and that contact be made with Iarnród Éireann, the railway undertaker.
- Department of Housing, Local Government and Heritage, Development Applications Unit (DAU): Request that archaeological monitoring of the site be conditioned if permission is to be granted for this development.

- An Taisce: Note the extensive tree and vegetation cover on site and the removal of this should be mitigated where possible. The site is likely to be rich in biodiversity and the removal of vegetation/ trees would impact on this. Need for plant species for replacement landscaping to come from local nurseries where possible. The proximity of the development to the Royal Canal, a pNHA, is noted, and the potential impact of the development on this should be fully considered. The applicant's Ecological Impact Assessment (EclA) needs to consider a wide range of species with details provided in the An Taisce submission.
- Iarnród Éireann: No objection subject to conditions.
- Waterways Ireland: Recommended measures, including further consultation, to be taken due to proximity to the Royal Canal.

4.2.4. Third Party Observations

A total of 26 letters of observation were received to the original application as made to Kildare County Council. Councillors P. Melrose, T. Durkan, W. Durkan, D Phelan, R. Heather, A. Feeney, the Parson Lodge Residents Association – the appellants, as well as individual members of the public made submissions. Issues raised are similar to those in the grounds of appeal and in summary they include:

- Recognised need for housing and community facilities in the area.
- Welcome for the provision of childcare facilities as part of this development.
- Concern about the impact of the development on the character of the area including on the historic character of Maynooth, impact on protected views and the Maynooth Architectural Conservation Area (ACA) as well as a concern about impact on potential archaeology in the area.
- The scale, mass, density, height and nature of the development is out of character with the established form of development in the area.
- Request that overall height be reduced.
- The development does not provide accommodation suitable for student or older persons accommodation and the unit mix is not acceptable with insufficient numbers of three bedroom/ family sized units proposed.

- The development would give rise to a loss of trees and hedgerows which in turn would impact on local biodiversity.
- The proposed development would have a negative impact on neighbouring properties, specifically Parson Lodge estate, through overlooking leading to a loss of privacy, and overshadowing/ loss of daylight/ loss of sunlight.
- Concern about the use of Parson Lodge for through routes/ permeability between the site and Parson Street/ Maynooth town centre.
- Concern about the increase in traffic and shortfall in car parking provision on site.
- Concern that the proposed development may give rise to flood risk due to proximity to the Royal Canal and the Lyreen/ Joan Slade Rivers.

Further Information:

Following the receipt of the further information response, a further 6 submissions were received including from the Parson Lodge Residents Association – the appellants. Issues raised were similar to those made on the original application, but some additional issues were raised including:

- Design, scale, height, density and massing of the proposed development have not been improved sufficiently.
- Landscaping proposals have not been improved as requested.
- The revised proposal includes provision for emergency vehicle access through Parson Lodge. This is considered to be a material alteration, and a new application should be made. Strongly opposed to this element of the proposed development.
- Loss of privacy, daylight and sunlight due to the proximity of the development to existing houses in Parson Lodge.
- Concern about increased traffic congestion in the area.
- The proposed development would have a negative impact on existing residential amenity.

5.0 Planning History

ABP Ref. 313264-22/ PA Ref. 21370 refers to February 2024 decision to grant permission for an LRD application for the construction of 183 apartments, gym, café and creche; this development is located on the subject site. A Natura Impact Statement (NIS) was provided in support of the development. Condition No.2 revised the development such that the Second Floor of Block A was to be removed, and the overall number of units was reduced to 169.

6.0 Policy Context

6.1. National Policy

6.1.1. National Planning Framework First Revision – April 2025

Chapter 4 of the National Planning Framework (NPF) is entitled 'Making Stronger Urban Places' and it sets out to enhance the experience of people who live, work and visit the urban places of Ireland.

A number of key policy objectives are noted as follows:

- National Policy Objective 12 seeks to 'Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being'.
- National Planning Objective 22 provides that 'In urban areas, planning and related standards, including, in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth.'

Chapter 6 of the NPF is entitled 'People, Homes and Communities' and it sets out that place is intrinsic to achieving a good quality of life.

A number of key policy objectives are noted as follows:

- National Policy Objective 27 seeks to '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.’

- National Policy Objective 43 seeks to ‘Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.’
- National Policy Objective 45 seeks to ‘Increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building heights and more compact forms of development.’

6.1.2. **Section 28 Ministerial Guidelines**

The following is a list of Section 28 - Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Planning Design Standards for Apartments - Guidelines for Planning Authorities (DHLGH) 2025 – referred to as Apartment Guidelines 2025 in my report.
- Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (DoHLGH, 2024) – referred to as Compact Settlements Guidelines in my report.
- Urban Development and Building Heights - Guidelines for Planning Authorities – (DoHPLG, 2018) – referred to as Building Height Guidelines in my report.
- Quality Housing for Sustainable Communities (DoEHLG, 2007).
- The Planning System and Flood Risk Management including the associated Technical Appendices (DEHLG/ OPW, 2009).
- Childcare Facilities Guidelines for Planning Authorities (2001) – referred to as Childcare Guidelines in my report.

Other Relevant Policy Documents include:

- Climate Action Plan 2024 and Climate Action Plan 2025
- National Biodiversity Action Plan 2023 – 2030
- Delivering Homes, Building Communities 2025 – 2030
- Design Manual for Urban Roads and Streets (DMURS) - 2023 Update.

- Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020.
- Permeability Best Practice Guide – National Transport Authority.

6.2. Regional Policy

6.2.1. Regional Spatial and Economic Strategy (RSES) 2019 – 2031

The Eastern & Midland Regional Assembly 'Regional Spatial & Economic Strategy 2019-2031' provides for the development of nine counties including County Kildare and which seeks to support the implementation of the National Development Plan (NDP) over the stated period.

6.3. Local/ County Policy

6.3.1. Kildare County Development Plan 2023 – 2029 – as varied.

The Kildare County Development Plan 2023 - 2029 is the current statutory plan for County Kildare, including the subject site. To date there have been four variations made as follows:

Variation No.1 – Kilcullen Settlement Plan and Amendments to Volume 1 and 2 – adopted by Kildare County Council on the 31st of March 2025. Revised Objective CS 09 and I have provided this below.

Variation No.2 – Newbridge Settlement Plan – adopted by Kildare County Council on the 23rd of February 2026. Decision made by Kildare County Council before this was adopted but there are no implications for this development.

Variation No.3 – Align the County Development Plan with Ministerial Guidelines published in accordance with Section 28 of the Planning and Development Act 2000, as amended - adopted by Kildare County Council on the 27th of March 2026. Full details of this variation and implications are provided under Section 6.3.2 of my report.

Variation No.4 – Landscape Character Assessment - adopted by Kildare County Council on the 27th of March 2026. Full details of this variation are provided under Section 6.3.3 of my report.

The following Chapters/ Sections and Policy Objectives of the Kildare County Development Plan 2023 – 2029 as varied are noted as relevant to the subject development.

Chapter 2 provides the Core Strategy and Table 2.8 – ‘Core Strategy Table’ provides the following for Maynooth³:

Settlement Type ⁹	Settlement Name	Census 2016 Population	Settlements percentage per total County population	2021 Population Estimate (based on % growth from 2011-2016) ⁹	Housing & Population Target %	Population Target 2023 to 2028 (end of Q4) (persons)	Housing Target 2023 to 2028 (end of Q4) (units) in accordance with HSTGs	Residential Zoned Land Requirement (ha)	Target Residential Density (UPH)
County	Kildare	222,504		235387		260533	9144		
Key Town	Naas	21,393	9.60%	22632	14.9%	3747	1362	40	35-50
	Maynooth (MASP)	14,585	6.60%	15429	10.90%	2741	997 ₁₀		35-50

Footnote 10 states:

‘Additional population allocation for Maynooth of up to 10,000 persons from redistribution of NPF City and Suburbs allocation (EMRA, July 2020). The precise allocation that will be attributed to Maynooth however will be determined at LAP stage on foot of detailed assessments and audits of available social and physical infrastructure.’

Maynooth is designated as a Key Town as detailed in Section 2.14.2 of the Kildare County Development Plan as varied with a focus on employment, and especially on research and technology associated with the University here.

Objective CS 09 as varied states:

‘Ensure that up-to-date settlement plans (specific to be determined through the County Development Plan review/variation) are in place for those County Kildare settlements in the Settlement Hierarchy in accordance with the obligations of the planning legislation and in accordance with relevant Section 28 Ministerial Guidelines, regional planning objectives, and the County Development Plan’.

Objective CS 010 states:

³ See Section 6.3.2 of this report for updated figures under Variation No.3 of the Kildare County Development Plan.

‘Prepare a Joint Local Area Plan for Maynooth and Environs in conjunction with Meath County Council.’

Objective CS020 states:

‘Prepare a Local Transport Plan, Settlement Capacity Audit and Social Infrastructure Audit for each local area plan, in order to facilitate the integration of land use and transportation, to apply a tiered approach to zoning and to identify deficiencies in social infrastructure provision, all in order to provide a sustainable growth strategy for each town.’

Chapter 5 covers ‘Sustainable Mobility & Transport’.

Policy TM P1 states:

‘Promote sustainable development through facilitating movement to, from, through and within the County that is accessible to all and prioritises walking, cycling and public transport.’

The following objectives are noted:

TM 07: ‘Introduce measures to reduce traffic congestion in town centres such as pedestrianisation, pedestrian priority and/or improved pedestrian/cycling facilities, in particular increasing the number of safe crossings.’

TM 08: ‘Investigate the feasibility of locations for car-free residential, town centre and other developments, in appropriate locations near high quality, frequent public transport services, as part of the preparation of the suite of Local Area Plans.’

A number of Actions, TM A1 to TM A3 are provided and in particular TM A3, is relevant and which seeks to ‘Identify filtered permeability measures including, home zones and low-traffic neighbourhoods in all towns throughout the county in order to reduce greenhouse gas emissions and promote a more sustainable, connected way of life for the citizens of the county.’

TM 010 states ‘Facilitate and secure the delivery/implementation of the public transport projects that relate to County Kildare as identified within the Integrated Implementation Plan (2019-2024), (or any superseding document), including the DART+ programme (Including DART+ West and DART+ South West), BusConnects and the light rail investments. The DART+ projects present an opportunity to improve journey time, reliability, and train frequency.’

TM 020 ‘Ensure new development areas are fully permeable for walking and cycling at a minimum, public transport (where appropriate) and provide for filtered permeability for private vehicle access in accordance with the NTA Permeability Best Practice Guide in order to give a competitive advantage to active travel modes for local trip making.’

TM 032 seeks to ‘Ensure the provision of improved cycle and walking infrastructure linking Maynooth Town Centre, the Royal Canal Greenway, the train station, the proposed Maynooth Outer Orbital Route and to Kilcock, Celbridge and Leixlip.’

TM 067 ‘Support and facilitate in conjunction with Meath County Council, private developers and landowners, the construction of the Maynooth Outer Orbital Route.’

Table 5.4 provides ‘Priority Road and Bride Projects’ and the following are noted:

Nr.	Name	Route
A	Maynooth Eastern Ring Road (MERR)	R148 to R405 – Leixlip Road to Celbridge Road
B	Maynooth Outer Orbital Route (Northwest)	L1012 Moyglare Road and Dunboyne Road (Co. Meath) to be delivered by Meath County Council under Section 85 agreement.
C	Maynooth Outer Orbital Route (West/Southwest)	R148 to L1012 c. 3km – Kilcock Road to Moyglare Road and from the Kilcock Road south to Rathcoffey/Straffan Road.
I	Examine options for a Western Inner Relief Road in Maynooth.	From Kilcock Road to Rathcoffey/ Straffan road.

Chapter 6 covers ‘Infrastructure & Environmental Services’.

Chapter 10 covers ‘Community Infrastructure & Creative Places’.

Chapter 11 covers ‘Built & Cultural Heritage’. There is an Architectural Conservation Area (ACA) designation for the centre of Maynooth which includes part of the canal bank to the south/ east of the site and the Rectory site to the north west of the subject lands.

Chapter 12 covers ‘Biodiversity & Green Infrastructure’.

Chapter 13 covers ‘Landscape, Recreation & Amenity’.

Chapter 14 covers ‘Urban Design, Placemaking & Regeneration’. Section 14.8.2 refers to ‘A Contextual Approach to Building Height’ and states ‘there are some cases where it may be appropriate to integrate taller buildings into the urban environment in order to maximise the most efficient and sustainable use of land at strategic locations or to create a certain level of interest and variety in the urban form’ and then references a nine-storey student accommodation development in Maynooth as a landmark building to serve the university. The following table is relevant:

Location	Provision of Guidelines Applied
Town Centres and major towns as identified in the NPF and RSES	<p>In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, town centres and major towns as identified and promoted for strategic development in the National Planning Framework and Regional Spatial and Economic Strategies, increased building heights of 6+ storeys may be appropriate.</p> <p>This would include all town centres as well as appropriate locations within the Key Towns of Naas (east of town centre in the vicinity of Corban’s Lane/Friary Lane, except for sites in close proximity to St. David’s Castle) and Maynooth (immediately outside the historic core and on sites associated with Maynooth University and St. Patrick’s College, close to the canal and rail line).</p>

Section 14.8.3 refers to ‘Integrating Taller Buildings into the Urban Environment’ and of relevance is: ‘Increased building heights for developments will be required to be subject to site- specific and design quality appraisals which take into consideration the impact of taller developments on the existing urban fabric in order to ensure that such buildings integrate well with their surroundings. Accordingly, any new applications for development greater than 4 storeys shall address the development management criteria set out in paragraph 3.2 of the Urban Development and Building Heights Guidelines (2018) to enable the Planning Authority to assess the application comprehensively in relation to its local context.’

Section 14.8.5 refers to ‘Building Heights and Development Sequencing with an objective of the Council to:

UD 011: 'Comply with the provisions of the Guidelines for Planning Authorities on Urban Development and Building Heights (2018) by providing for the following.

(a) Support increased building height and densities in appropriate locations, as outlined in Table 14.4, subject to the avoidance of undue impacts on the existing residential or visual amenities.

(b) Utilising increased building heights to support mixed use development, including downsizing opportunities and residential units that facilitate an adaptable layout to suit long term changes in homeowner requirements.

(c) In mixed use schemes, development proposals shall include details of the sequencing of uses to enable the timely activation of supporting infrastructure and services. New development greater than 4 storeys will be required to address the development management criteria set out in section 3.2 of the Urban Development and Building Heights Guidelines (2018).'

Chapter 15 covers 'Development Management Standards'. General Standards are provided in Section 15.2, Residential Development is under Section 15.4, Childcare Facilities under Section 15.5.2, Open Space is under Section 15.6, Transport under Section 15.7, Surface Water under Section 15.8 and Built and Natural Heritage under Section 15.17.

I note Section 15.4.7 – Apartment Developments includes the statement 'Planning applications for apartments shall be assessed against the Sustainable Urban Housing: Design Standards for New Apartments (2020) or any subsequent guidelines and the Urban Development and Building Height Guidelines (2018).' The Apartment Guidelines, 2025 are the most recent issued under Section 28 and are the guidance that the applicant has sought to demonstrate compliance with in their application/ development.

Appendix 6 provides the Record of Protected Structures and RPS No. B05-56 (NIAH Ref. 11803099) refers to the Maynooth Rectory (former) on Parson Street. This adjoins the subject site to the west/ north west and does not form part of the proposed development.

6.3.2. **Variation No. 3 of the Kildare County Development Plan 2023 - 2029**

This was adopted by Kildare County Council on the 27th of April 2026, and this aligns the County Development Plan with Ministerial Guidelines published in accordance with Section 28 of the Planning and Development Act 2000, as amended. The relevant guidelines are:

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

In relation to Maynooth, the following are relevant:

- Table 2.8 is revised:

Settlement Type ^{8,10}	Settlement Name	Census 2016-2022 Population ¹²	Settlements percentage per total County population	2021 Population Estimate (based on % growth from 2011-2016) ⁹	Housing & Population Target %	Population Target 2023 to 2028 (end of Q4) (persons)	Housing Target 2023 to 2028 (end of Q4) (units) in accordance with HSTGs	Residential Zoned Land Requirement (ha)	Target Residential Density Range (LPH DPH) – Compact Settlement Guidelines (2024)
County	Kildare	222,604 247,774		235387		260533	9144		
Key Town	Naas	21,393 26,180	9.60% 10.57%	22632	14.9%	3747	1362	40	35-50 30-100
	Maynooth (MASP)	14,685 17,259	6.60% 6.97%	15429	10.90%	2741	997 ^{49,11}		35-50 35-150

Note 11 states: ‘During the Maynooth and Environs Joint Local Area Plan 2025-2031 plan making process, it was determined, on the basis of infrastructural assessments, that the appropriate allocation from the 10,000 additional persons for Maynooth (County Kildare only), and during the plan period, was 3,656 people (in addition to Core Strategy allocation).’

- Maynooth is designated as a Metropolitan Key Town and a Net Density Range of ‘50-150 dph shall generally be applied. Strategic and sustainable development locations²⁷ will be capable of defining densities or density ranges on a plan led basis.’

6.3.3. Variation No. 4 of the Kildare County Development Plan 2023 – 2029

This was also adopted on the 27th of April 2026 and this replaces the previous Landscape Character Assessment dated 2004 with a new Landscape Character Assessment dated 2025. This forms Appendix 13 of the Kildare County Development Plan as varied and is dated to 2025. There are no specific implications for the subject site.

6.4. Maynooth and Environs Joint Local Area Plan 2025 – 2031

6.4.1. The subject site is located within the ‘Maynooth JLAP Boundary’ and the site is zoned ‘A – Town Centre’. This has an objective ‘To protect, improve and provide for the future development of the town centre.’ Permitted uses include ‘Childcare facility’, ‘Community facilities and/ or sports buildings’, ‘Guest house / hotel / hostel’, ‘Offices’, ‘Place of worship’, ‘Residential unit(s)’, ‘Restaurant/café’, ‘Shop – Comparison’ and ‘Shop – Convenience’.

Map Ref. 7.1 provides ‘Movement and Active Travel – Permeability Measures’ and there is an indicative Link from the Royal Canal through the subject site to an existing/ proposed route.

Map Ref. 7.4 provides ‘Movement and Active Travel – Road Measures’ and Road Strategy Measure RD 7 refers to the provision of the ‘Southern Access to Leinster Street’ link, north of the subject site.

Map Ref. 8.1 provides ‘Built Heritage and Archaeology’ map and there is an ‘Architectural Conservation Area (ACA) – Important Views’ at the bridge over the Royal Canal between the station and the northern canal bank, south of the subject site. From the details provided the view here is facing north west towards St Patricks College, and Maynooth University.

6.4.2. The subject site is located within the ‘Maynooth Central Settlement Consolidation Site (SCS)’ with full details provided in Section 11.1 of the Maynooth EJLAP. ‘The Vision for Maynooth Central Settlement Consolidation Site (SCS) is to create a vibrant, mixed-use urban neighbourhood that consolidates the urban core and reinforces the 10 minute settlement principle within the town centre.’ Figure 11.2 provides an Urban Design Framework for this site with indicative blocks similar to the subject site and connections to adjoining lands including to Parson Lodge to the west. The following is stated in Section 11.1.3 ‘Whilst residential densities and building heights should be appropriate to its town centre location (as per the relevant

Section 28 guidelines), consideration should also be given to its proximity to the historic urban core, and the fine urban grain and intrinsic character of the surrounding Maynooth ACA.'

- 6.4.3. Figure 11.2 of the Maynooth EJLAP provides the 'Maynooth Central Settlement Consolidation Site Urban Design Framework' with an indicative layout of block, road access and open space.

6.5. Natural Heritage Designations

- The Royal Canal pNHA (Site Code 002103) adjoins the southern boundary of the site.
- The nearest European designated sites are the Rye Water Valley/ Carton SAC (Site Code 001398) which is located approximately 1.5km to the north east of the subject site and the South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) is located approximately 24.5km to the east of the subject site.

7.0 The Appeal

7.1. Grounds of Appeal

A third Party appeal from Parson Lodge Residents Association has been received in respect of Kildare County Council's recommended decision to grant permission.

The following issues, summarised and appropriately grouped under suitable themes, have been raised:

Excessive Height and Density:

- The density and height is excessive and is contrary to the Maynooth & Environs Joint Local Area Plan (JLAP) 2025 – 2031. The provision of seven storey units here would be contrary to the established character of the area which is mostly two storey units.
- Reference is made to the previous planning application on this site (ABP Ref. 313264-22) and which directed that the proposed Block A should not exceed four storeys in height.

- The bulk/ massing of the proposed blocks was raised as an issue of concern by the Planning Authority, and this was not adequately addressed by the applicant. Block C was reduced in height by 1.5m, but Block B was increased by 2.2m. This has provided two instead of one, seven storey blocks. The appellants are strongly opposed to this element of the proposed development.
- Concern about the failure for an appropriate transition and scale with the existing two-storey housing in Parson Lodge. The development is contrary to the Maynooth JLAP which seeks to provide for suitable transition between protected structures and new development. Suitable buffers between existing development and the proposed development are not provided.

Impact on Residential Amenity:

- The proposed units will give rise to overshadowing leading to a loss of light and the identified loss of sunlight in the applicant's report is not acceptable to residents fo Parson Lodge.
- The accuracy of the submitted assessment is queried in the appeal. A solution would be the reduction in height of Block A to four storeys as well as a significant reduction in height of Block B to between five/ six storeys. The layout should also be revised to reduce potential overlooking and to provide for a suitable buffer between existing and proposed housing. Where trees are to be replaced, this should be done with a tree of a similar maturity.
- Proposed balconies serving the apartment units will give rise to overlooking and note the comments made by the Planning Authority about the design of these. The issues raised were not adequately addressed by the applicant.
- The proposed development includes a permeability route and an emergency vehicle route through Parson Lodge. The appeal requests that National Policy in relation to permeability be followed and this has not been demonstrated. There is a need for local consultation for the development of such routes through existing residential areas. Parson Lodge is not suitable as an access for emergency vehicles. There is an adequate access along the Royal Canal towpath in terms of good quality permeability.

- Concern is expressed about the safety/ security of residents in Parson Lodge due to the proposed development. A suitable boundary is required here.

Impact on the character of the area:

- The proposed development will have a negative impact on protected views as well as the Maynooth skyline.
- The proposed development does not demonstrate compliance with the Maynooth JLAP which seeks to develop a mixed use scheme in the area between Maynooth University and the station. The proposed development is purely residential in nature.
- The Maynooth JLAP requires protection of the Maynooth Architectural Conservation Area (ACA) and the setting of the Rectory, which is a protected structure. The proposed development does not demonstrate this it is also considered that the scheme would have an adverse effect on views from Mullen Bridge and the Royal Canal.
- The Maynooth JLAP requires protection of the Royal Canal pNHA including biodiversity, ecology and trees as well as providing for biodiversity enhancement as well as suitable nature-based SuDS/ site drainage. This has not been demonstrated in the application. Compensatory tree planting does not substitute for the loss of mature trees.

Nature of the Development:

- The proposed development has an emphasis on smaller sized apartments, primarily consisting of one and two bedroom units. There is a requirement for larger family sized units for Maynooth. No provision has been made for older people, right sizing or special needs orientated units.
- The proposed development does not adequately demonstrate that internal space standards, open space (private/ communal), storage and other standards are suitably designed for a wide range of households including older people and families.

Transport and Car Parking:

- The use of Parson Lodge for construction traffic is not supported in the appeal.

- Parson Lodge has suffered from parking issues as a set down/ pick up location for the nearby train station. The provision of a permeable route through Parson Lodge would have a negative impact on the existing area.
- Concern that the proposed development would give rise to traffic congestion on Parson Street. Traffic congestion already occurs here and in Maynooth town centre.
- The proposed parking provision is low at less than 0.5 spaces per unit (79 spaces for 195 units). Measures are required that would prevent overspill parking onto neighbouring streets. There is a need for a suitable parking management and mobility management plan.

Construction Phase Impacts:

- Health and safety concerns were raised primarily about the impact during the construction phase of the proposed development.
- No Construction Traffic Management Plan (CTMP) has been included with the application with it to be provided through Condition No. 32 of the grant of permission issued by Kildare County Council. Requests that no construction traffic be permitted through Parson Lodge.
- Concern expressed about element of the Construction Environmental Management Plan (CEMP) provided by the applicant. Requests that a suitable CEMP/ CTMP be provided.
- HGV traffic to/ from this development should be restricted to non-peak hours. The development may be premature pending the delivery of strategic transport infrastructure for Maynooth (not stated what this is).

Other Issues/ Requests:

- The blocks be reduced in height to be more sympathetic to their surroundings/ adjacent existing development.
- The development to incorporate a greater mix of commercial development.
- Proposed apartments to be more family friendly.
- An EIAR should have been provided with the application.

Request that either permission be refused for this development or else it should be substantially revised as set out in the appeal.

7.2. Applicant Response

John Spain Planning Consultants were engaged by the applicant to prepare a response to the appeal made by the Parson Lodge Residents Association, with the following background comments made:

- The response details the proposed development, site description, the site planning history and compliance with relevant policy as well as directly responding to the issues raised in the submitted appeal.
- Reference is made to PA Ref. 21370/ ABP Ref. 313264-22 and to the comments of the Inspector accepting a density of 137dph and heights of 7 storeys as appropriate for this site in this location in Maynooth.
- No concerns were raised in relation to overshadowing/ overbearing of adjoining properties.
- Construction traffic should not access Parsons Lodge.
- No significant negative impact on existing residential amenity, no concerns were raised in relation to impact on the Maynooth Architectural Conservation Area (ACA), access to be finalised by way of condition.
- No specific concerns about impact on traffic and recommended that pedestrian/ cycle access be permitted through Parson Lodge.

Documents provided in support of the development include an architectural response, engineering response, clarification of daylight/ sunlight assessment, landscaping details, transport details response and a submitted Natura Impact Statement (NIS).

The following comments are made to the points raised in the appeal, under the headings provided by the appellant:

Ground 1 – Proposed Site Development Plan

Building Heights: Full details are provided on the site zoning and status within the Maynooth EJLAP. Seven storey blocks have been accepted on this site, and the

proposed development is in accordance with this. The design demonstrates a variation in heights, and the use of three blocks will ensure that the design is not monotonous. The Planning Authority requested that the height and bulk of Block C be revised by way of a further information request. The applicant submitted revised plans/ details in response and also revised the elevational treatment of the proposed blocks. The apartments removed from Block C have been relocated to Block B and consequently the height of Block B has increased. The applicant considers this to be appropriate having regard to the location of Block B on site. The revisions to Block C are demonstrated in the revised photomontages, and the Planning Authority reported no issues of concern to the revised blocks.

Maynooth Central Settlement Consolidation Site (MCSCS): The applicant has addressed the raised concern in the appeal that the development fails to provide for a mix of uses in accordance with the MCSCS. The development provides for residential units in accordance with the MCSCS as well as improved linkages between the station and Maynooth University/ the town centre. The subject site, with an area of 1.45 hectares, only forms part of the larger MCSCS site, and which has an area of 4.7 hectares and there is development underway in the area including a student accommodation scheme on the corner of Leinster Street/ Main Street. The subject development will provide for access to Leinster Street which allows for the development of sites here and a potential mix of land uses.

Density: The appeal considers the development density of 137 dph to be excessive. The applicant refers to the Planning Authority report, and no issues of concern were raised in relation to density. The NPF supports higher density development in appropriate areas, particularly the Metropolitan area of Dublin which includes Maynooth. NPO10 seeks to deliver Transport Orientated Development (TOD) in suitable locations, and the site is located on lands zoned for Town Centre use with a density of 137 dph in accordance with the existing permission on these lands.

Proposed Unit Mix: The appeal raises concern about the number of smaller sized units on site with a need for more family sized units. The applicant refers to this development only forming a very small part of the overall zoned lands in Maynooth, and the needs of families will be met elsewhere in Maynooth through the development of three/ four bedroom houses. The applicant has provided a breakdown of the proposed unit mix; 50% are one bedroom units, 47% are two

bedroom units and the remaining 3% are three bedroom apartment units. 99/ 50.7% of the units are dual aspect which is double that of the 25% required under SPPR 3 of the apartment guidelines. Communal open space exceeds the minimum required for such a development. The applicant has provided a Statement of Housing Mix in the submitted Planning Report and Statement of Consistency in support of this development. The housing mix is considered to be in accordance with National Policy and will provide for a suitable housing mix in Maynooth exceeding minimum requirements set out in the Apartment Guidelines.

Protected Views and Site Boundary: The appeal refers to negative impacts on protected views/ the Maynooth skyline. The application includes a Landscape and Visual Impact Assessment which concludes 'the landscape and visual effects will be considered neutral to positive, moderate to significant and long term.' The proposed development will have a positive impact on Maynooth through the provision of a residential development on serviced lands within close proximity of the town centre. The applicant refers to the previous application/ the comments of the Inspector who did 'not consider Blocks A-D will have a negative impact on the character or setting of the ACA'. The applicant requests that it be agreed that the development would not have a negative impact on the Rectory, which is a protected structure, and the nature of development proposed is similar to that for which permission has been received, except for the omission of an ancillary office component.

Requirement for an EIA: The applicant has submitted an EIA Screening concluding that the development was sub-threshold and there was no requirement for an EIAR. The applicant also submitted a Natura Impact Statement, and which concluded that there were no significant impacts arising from the development on designated sites.

Ground 2 – Proposed New Apartment Development

Proximity: Concern was raised about the separation distance between the proposed development and existing houses in Parson Lodge. The applicant details how a 21m setback is provided with the boundary of the Rectory House and this allows for a buffer zone to ensure the protection of existing trees and wall here as well as ensuring that the Rectory continues to identify its own grounds, a situation that has not been the case in recent years. The separation from the development to the Rectory House is 57m and which is in accordance with PS2 and PS11 of the Kildare

County Development Plan, as varied. The previous, permitted, development was closer to this boundary.

Transition: The appeal raised concern about insufficient transition between the development and existing houses in Parson Lodge and the applicant identifies the proposed section of Block A, nearest to Parson Lodge, is two storeys in height with a parapet height of 7.7m. Similar design consideration is included for Block C adjacent to its northern boundary. The site will be suitably landscaped to ensure a good transition between the existing and proposed development.

Balconies and Overlooking: Concern about the integration of the balconies and the potential for overlooking of adjoining properties. The applicant reiterates their comments about the design of the block in relation to the existing houses. Suitable separation distances and design features will ensure that potential overlooking is addressed. The applicant notes that the appellants have misread the dimensions of the proposed development.

Visual Bulk and Massing: Concern about the proposed bulk of Block C, whilst noting the revisions made to this Block. The applicant details how the development was revised including the height/ massing and bulk. Block C was reduced in height and the number of units reduced and these were reallocated to Block B with an increase in height from 5 to 6 storeys to accommodate the additional units.

Daylight and Sunlight Assessment: Concerns were raised by the appellants and the details provided by Modelworks, in a separate report to the appeal statement, are made in response. The assessments were undertaken in accordance with BRE 2022 and concluded 'The Parson St proposal was assessed to only have a Negligible/ Minor Impact on the receiving environment'. The applicant sets out that the analysis was made on the basis of using the correct height and massing of the three blocks, including the full height of Block B and not based on a 4-storey assumed height. Clarification is provided on the assessment of sunlight hours and notes that the 21st of March reference made by the appellants is not relevant to all of the assessments undertaken. The applicant concludes that the assessments were appropriate for their intended purpose and the concerns raised by the appellant are overstated.

Ground 3 – Proposed Cycle/ Pedestrian Permeability

Emergency vehicle access through Parson Lodge: The appeal raised concern about pedestrian and emergency vehicles accessing Parson Lodge. The applicant, through details provided by DOB Engineers, considers the issues raised to be overstated and there is significant policy support for the provision of improved permeability in Maynooth. The applicant refers to Policy TM 020 of the Maynooth EJLAP which seeks to provide for suitable permeability for new developments and also references Objectives TM 021 and TM 041 with a similar emphasis on improved permeability. The applicant refers to the support for emergency vehicle access, as well as pedestrian access, in the Kildare County Council Planners report. The applicant reports that the provision of permeability would allow for improved access to Parson Lodge if Parson Street were flooded/ impassable with access possible through the proposed development and the canal tow path.

DMURS Policy: The appeal refers to the need for permeability through existing housing estates having to comply with National Guidelines. The applicant agrees with this and considers it to be compliant with DMURS and Part M of the Building Regulations. The need for improved permeability is set out in the Maynooth Central Urban Design Framework and the principle for the proposed route has been permitted under the permitted development under ABP Ref. 313264-22. The provision of the improved permeability will benefit the residents of Parson Lodge allowing for a more direct access to the station and the tow path.

Access, Defensible Space and Amenity & Security: The appeal raises concern about increased permeability and requests that 2 metre high railing/ hedgerow boundary be provided. The applicant considers this to be unwarranted and would be contrary to good urban design. Improved permeability provides for increased passive surveillance and reduces the potential for anti-social behaviour. The Inspector on the previous application on this site raised no issue of concern in relation to potential negative impact due to improved permeability.

Ground 4 – Health and Safety Concerns of Parson Lodge

Construction Traffic: Concern was raised about construction traffic using Parson Lodge to access the site. The applicant reports, through details provided by DOB Engineers, that the outline CEMP includes a framework for the Construction Traffic Management Plan (CTMP). This is to be prepared by the appointed contractor and

submitted for the written agreement of the Planning Authority prior to the commencement of development. An Outline CTMP was submitted with the application and did not include construction traffic accessing Parson Lodge. The applicant refers to the Inspector's report on the previous application on this site and who made it clear that would not be in support of such traffic passing through Parson Lodge and Condition No. 12 stated 'No construction traffic shall be permitted through Parsons Lodge', the applicant states that they have no objection to this requesting a similar condition to be attached in the event that permission is granted.

Pollution: The applicant notes comments made in the appeal about issues of pollution in relation to Outline CEMP, but these are considered to be taken out of context. The submitted details only provide a framework for the final CEMP which is to be agreed with the Planning Authority prior to the commencement of development on this site.

Ground 5 – Traffic Congestion on Parson Street

Alleged Congestion: The application is supported with a comprehensive Traffic and Traffic Assessment (TTA) and a Mobility Management Plan (MMP) and the local road network has been comprehensively assessed. The applicant refers to the Inspector's report on the previous application on this site, and no issues of concern were raised in relation to traffic or car parking.

Parking: Concern was raised in the appeal about the potential for displacement of cars into adjoining residential areas including Parson Lodge. The applicant has provided extensive details in relation to car parking on site. The site is located within a Settlement Consolidation Site, and which is served by bus/ train services. The Kildare County Council Planning report considers the site to be suitable for a reduced car parking provision.

Proposed entrance from Parson Street: The applicant proposed to provide an entrance similar to that approved under ABP Ref. 313264-22 and which did not include the removal of the boundary wall here. This was detailed in the further information response. Conditions No. 21 and 22 as provided by the Planning Authority appear to be at odds with Condition 3 of ABP Ref. 313264-22 and the applicant requests that if permission is granted they would welcome a similar condition to that issued under ABP Ref. 313264-22.

Conclusion: The applicant is satisfied that all matters raised in the appeal by the Parson Lodge Residents Association have been adequately addressed. The applicant notes the shortage of housing in the area and how the proposed development complies with the relevant local area plan as well as demonstrating compliance with national, regional and local planning policy. The site is located within a site in the centre of Maynooth, close to public transport and on lands suitably zoned for a development of this nature. The development is in accordance with the Maynooth EJLAP. The applicant requests that the decision of the Planning Authority to grant permission for this development be upheld.

As I have already reported, the above response was supported with documentation from JFA Architects in response to appeal Grounds 1 and 2, DOB Consulting Engineers addressed Ground 3 and 4, Model Works addressed issues in relation to Daylight and Sunlight Assessment, áit Urbanism & Landscape addressed issues under Ground 1 and Transport Insights addressed Ground 5. Altemar updated the Natura Impact Statement (NIS) to take account of revisions made in response to the further information request.

7.3. **Planning Authority Response**

Request that the Commission upheld the decision to grant permission and to refer to the Planning Report and other technical reports in relation to this development.

7.4. **Prescribed Bodies**

None received.

7.5. **Observations**

None received.

8.0 **Assessment**

8.1. The main issues that arise for consideration in relation to this appeal can be addressed under the following headings:

- Principle of Development
- Density of Development

- Impact on the Character of the Area – Height
- Impact on the Character of the Area – Views & Architectural Conservation Areas
- Impact on Existing Residential Amenity
- Residential Standards of Proposed Development
- Traffic and Access
- Infrastructure and Flood Risk
- Other Matters
- Appropriate Assessment (AA)
- Environmental Impact Assessment (EIA)

8.2. Principle of Development

- 8.2.1. **Context and Nature of Development:** The subject site is located to the south of Maynooth town centre and immediately adjoins Maynooth train station. As per the planning history, permission was granted under ABP Ref. 313264-22 for an application in February 2024 for the construction of 169 apartment units and a creche on this site. The lands were zoned A1 - Town Centre with an objective 'To provide for the development and improvement of appropriate town centre uses including retail, commercial, office, residential, amenity and civic use'.
- 8.2.2. In 2025 the Maynooth and Environs Joint Local Area Plan (MEJLAP) 2025 – 2031 came into force and the subject lands are zoned A – Town Centre with an objective 'To protect, improve and provide for the future development of the town centre'. The proposed development provides for a suitable development of these lands with apartment units, a café/ commercial unit and a creche forming part of the scheme, and which are listed as acceptable within the zoning matrix. I am satisfied that the proposed development is acceptable in terms of the A – Town Centre zoning objective.
- 8.2.3. The MEJLAP includes a number of areas with a vision for their development over the lifetime of the plan, and which will support the development/ consolidation of Maynooth town centre. The subject lands are located within the Maynooth Central Settlement Consolidation Site (SCS) and the vision 'is to create a vibrant, mixed-use urban neighbourhood that consolidates the urban core and reinforces the 10 minute

settlement principle within the town centre.’ Figure 11.2 provides a site design framework, and which locates the subject site is to the southern portion of these lands. It is stated ‘...the layout of buildings within the SCS not subject to extant planning permission are indicative in nature. However, the proposed southern access route is a requirement, as are the pedestrian and cyclist connections.’ Whilst there is some difference in the positioning and layout of the blocks, I am satisfied that the SCS allows for this and the proposed layout is acceptable.

8.2.4. I note that the Maynooth Central Settlement Consolidation Site framework includes an access route from Parson Street to a Leinster Street car park as indicated on Figure 11.2. This does not form part of the subject development; however, the proposed road access/ layout would not prevent the extension of this route to facilitate access to an improved car park on Leinster Street. The development would not impede such an access in accordance with Measure RD 7 of the Maynooth EJLAP.

8.2.5. I have no objection to the proposed scheme in terms of development on these suitably zoned lands for residential, childcare and commercial/ cafe uses and I also consider that the type of residential unit proposed is also appropriate in this location. Potential impact on the character, visual, and residential amenity of the area are considered in the following sections of my report.

8.3. **Density of Development**

8.3.1. **Appeal:** Density was raised as a general concern in the context of the number of units to be provided on this site.

8.3.2. **Planning Authority:** Kildare County Council have reported that the density, at 137 dwellings per hectare (dph), is acceptable in terms of Table 3.3 of the Compact Settlements Guidelines 2024. These guidelines locate this site in Maynooth within a Metropolitan town-centre location with a density range of 50 – 150 dph. The Planning Authority raised a concern about the scale/ massing and bulk of Block C and further information was sought. The applicant’s response to this request was to revise the heights of Block B and C such that Block B increased in height from 5 to 6 storeys, but Block C was reduced from 7 to 6 storeys. Revised elevational treatments were also proposed including revisions to balconies and use of white brick to reduce the visual impact. The Planning Authority welcomed the revisions to the Blocks and specifically referred to the alterations to Block C resulting in the

reduction in the bulk of this block, as well as welcoming the revisions to the elevational treatment/ material finishes.

- 8.3.3. **Assessment:** I note the issues raised in the appeal, and the Planning Authority report. National policy is to encourage the consolidation of urban areas, and in general this will mean that the density of development of such sites will increase where this is found to be appropriate. The Kildare County Development Plan as varied incorporates and expands on this national policy and seeks to increase the number of residential units in appropriate locations throughout the County area, and this is further promoted through the Maynooth EJLAP.
- 8.3.4. The net density at 137 units per hectare is in accordance with Table 3.3 – ‘Areas and Density Ranges – Metropolitan Towns and Villages’ as set out in the Compact Settlements Guidelines, which provides for a range of 50 dph to 150 dph for towns in excess of 1,500 population, which includes Maynooth and the subject site. Variation No.3 of the Kildare County Development Plan includes a revised Table 2.8, and which sets out a target density range of 35 – 150 dph. Table 5.5 – ‘Residential Density Ranges Applicable to Maynooth’ of the Maynooth EJLAP indicates a Density Range of 50 – 150 dph for ‘Centre and Urban Neighbourhood’ sites which include sites within the town centre and immediately adjacent and also lands around existing or planned high capacity public transport nodes/ interchanges. The site is within walking distance of the established town centre and is adjacent to Maynooth train station with primary access likely to be via the existing footbridge over the Royal Canal.
- 8.3.5. The issue of scale will be considered further in the next section of this report as in this case the issues of scale and height are directly related. I note the further information request as issued by Kildare County Council and the resulting alterations to the proposed development. The revised height of Blocks B and C are considered to be acceptable and appropriate in this location.
- 8.3.6. **Conclusion on Density of Development:** The proposed scheme demonstrates that an appropriate density of development, within the range set out in the Compact Settlements Guidelines, can be provided here on these lands located to the edge of Maynooth town centre. The density is also in accordance with Table 2.8 – Core Strategy Table of the Kildare County Development Plan, as varied, which sets a

density range of 35 – 150 dph for Maynooth. The area is served by a range of shops and community facilities that can be reached by walking/ cycling and there is good public transport adjoining the site at Maynooth station and also the bus stops on the Straffan Road. The development provides for apartment blocks of between two and six storeys and this is appropriate having regard to the size of the site and ensuring compliance with the density range for such a site. I therefore consider that the proposed density is acceptable in this location in Maynooth.

8.4. Impact on the Character of the Area - Height

8.4.1. **Appeal:** As I have reported, the scale of development in terms of height of the proposed blocks was raised in the submitted appeals. The area is characterised by two storey houses, and the provision of six storey apartment blocks would be out of character with the established form of development in the area. The excessive height would give rise to overlooking leading to a loss of privacy and also would give rise to overshadowing/ reduced daylight/ sunlight received by adjoining properties; the impact on residential amenity is considered later in this report.

8.4.2. **Planning Authority comment on height:** The issues of height/ scale were raised as a concern and as I have reported the revisions made to Blocks B and C in response to the further information request as issued by Kildare County Council has addressed these matters to the satisfaction of the Planning Authority.

8.4.3. **Assessment:** The grounds of appeal have only raised concern relating to design to the section along Parson Street to the north west of the site and Parson Lodge to the west, where the appellants' live. To the south is the Royal Canal and beyond that the railway line, to the east is the canal and the HSE facilities including a community facility/ clinic. Lands immediately to the north are undeveloped and are under grass similar to the subject site at present.

8.4.4. Section 3.2 – ‘Development Management Criteria’ of the ‘Urban Development and Building Heights – Guidelines for Planning Authorities’, December 2018, sets out a number of considerations for developments with increased heights and the Maynooth EJLAP recognises this in Section 3.3.3 – ‘Building Heights’ I note the following in the text of the plan, ‘Having regard to the requirements outlined, this Joint Plan does not propose to place any height limitations on new development in Maynooth. Also, in keeping with the provisions set out in SPPR 1, the respective

county development plans of Kildare County Council and Meath County Council have identified the following locations where taller buildings (in excess of six storeys) may be appropriate:

- Lands immediately outside the historic core and on sites associated with Maynooth University and St Patrick’s College, close to the canal and rail line
- Locations also may include areas served by high-frequency public transport services (Dart+ and BusConnects)’.

The subject site is outside of the historic core, is beside the Royal Canal and is adjacent to Maynooth station and within walking distance of the bus stops/ interchange on the Straffan Road. Table 3.9 of the Maynooth EJLAP provides an ‘Estimated Residential Capacity for Maynooth’ and includes the 169 units already permitted for Parson Street, on this site, with capacity for an additional 130 units on the remaining lands. The proposed development would provide for 195 units, and as the Maynooth EJLAP does not have a height restriction on blocks as per Section 3.3.3, I am satisfied that the provision of seven storeys is acceptable in this location.

8.4.5. Section 3.2 – ‘Development Management Criteria’ of the ‘Urban Development and Building Heights – Guidelines for Planning Authorities’, December 2018, sets out a number of considerations for developments with increased heights/ building with heights that are significantly taller than existing adjoining sites. As I have reported, the proposed blocks are taller than the existing houses in Parson Lodge which are two storey houses. The Maynooth EJLAP does not have a restriction on building heights as per Section 3.3.3 and as per Section 14.8 of the Kildare County Development Plan 2024 – 2029, as varied.

In the interest of convenience/ completeness, I have set these out in the following table:

Table A: Considerations for development with increased height

At the scale of the relevant city/ town	
Criteria	Response
The site is well served by public transport with high capacity, frequent service	The site is located to the south of Maynooth Town centre, and most journeys can be undertaken on foot or by bicycle.

<p>and good links to other modes of public transport.</p>	<p>To the south of the site is Maynooth station served by at least two trains an hour to and from Dublin City Centre. There is a train service to Sligo via Mullingar/ Longford and Carrick on Shannon every two hours.</p> <p>There is a bus interchange located to the east on the Straffan Road. This serves buses to and from Dublin City Centre but also the Orbital route W6 between Maynooth, Celbridge and Tallaght and also Bus Éireann routes 115 to Mullingar and 22 to Ballina.</p> <p>The site is therefore well served by a range of train and bus services.</p>
<p>Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key view.</p> <p>development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.</p>	<ul style="list-style-type: none"> • The site lies outside of the Maynooth Architectural Conservation Area (ACA) and is to the south of the Rectory, RPS No. B05-56 (NIAH Ref. 11803099) refers to this structure. • There is an ‘Architectural Conservation Area (ACA) – Important Views’ from the pedestrian view over the Royal Canal looking north west which will be directly impacted by the proposed development. • Photomontages have been prepared and submitted in support of this application, in addition to a comprehensive Architectural Design Statement. • The applicant has also provided a ‘Landscape and Visual Impact Assessment’ and which reports ‘With the exception of the screening of the view of the spire of St Patricks Cathedral from this location, it is considered that

	the proposed development will not impact on the integrity of the Maynooth Architectural Conservation area.'
On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.	<ul style="list-style-type: none"> • The proposed development is of a greenfield site located between the Royal Canal and Parson Street. • The proposed development would provide for a good use of this site and integration with the surrounding area. • The three blocks would address the Royal Canal and provide for improved passive surveillance of the canal bank/ towpath. • The proposed development faces Maynooth station and would provide a suitable urban frontage to the southern part of the town centre.
Scale of district/ neighbourhood/ street	
Criteria	Response
The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape.	<ul style="list-style-type: none"> • The subject site is located within an established urban area to the south of Maynooth town centre. • The site is undeveloped and adjoins established urban development.
The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials /	<ul style="list-style-type: none"> • The design provides for three separate blocks and a variety in the elevational direction in order to address the canal, open space, the pedestrian bridge and/ or address proposed open space within the subject site. A variety of

<p>building fabric well considered.</p>	<p>material finishes/ colours will be used in the elevational treatment.</p>
<p>The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009).</p>	<ul style="list-style-type: none"> • The design provides for frontages that appropriately address/ face adjoining lands including the canal. The site is set back some distance from the main access onto Parson Street and is unable to improve the street frontage here. • Open space is provided throughout the site and is designed to be accessible to the residents of the three blocks. The open space will increase the area of land in conjunction with the Royal Canal towpaths to form larger biodiversity areas. Similarly, the open space has been designed to provide a buffer and clearly defined space around the Rectory to the north west of the subject site. • The ‘Planning System and Flood Risk Management – Guidelines for Planning Authorities’ (2009) are complied with, and whilst elements of the site are within Flood Zone A and B, all buildings are in Zone C. Finished Floor Levels (FFLs) are proposed to be at least 300mm threshold over external hardstanding area to allow for risk of the canal overtopping.
<p>The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.</p>	<ul style="list-style-type: none"> • The development provides for a comprehensive redevelopment of this site for residential development, and at a density in accordance with local and national policy. • The proposed building heights are in accordance with the requirements of the Kildare County Development Plan 2024 – 2029 as varied

	<p>and the Maynooth and Environs Joint Local Area Plan (Maynooth EJLAP), which identify sites in Maynooth outside of the historic core and close to the canal/ rail line or lands in close proximity to key public transport nodes as open for consideration for ‘increased building heights of 6+ storeys’. The development is outside of the historic core, is within walking distance of the town centre and Maynooth station as well as a bus interchange on the Straffan Road.</p>
<p>The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.</p>	<ul style="list-style-type: none"> • The proposed development will provide for a mix of apartments in the form of one, two and three bedroom units. • The overall mix of unit types is considered to be acceptable and appropriate within Maynooth town centre where there is a clear identified demand for such dwelling types in this urban centre.
At the scale of the site/ building	
Criteria	Response
<p>The form, massing, and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.</p>	<ul style="list-style-type: none"> • The internal layout is generally acceptable. • The submitted Daylight/ Sunlight Assessment demonstrates that adequate daylight and sunlight will continue to be received at existing houses including in Parson Lodge to the west/ north west of Block A. • There is acceptable separation distances between the blocks, and between the proposed development and the existing houses in Parson Lodge.

	<ul style="list-style-type: none"> The development proposes a suitable separation distance between the blocks and the Rectory to the north west. This will result in an improved setting for this protected structure.
<p>Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.</p>	<ul style="list-style-type: none"> As above. The applicant has provided a detailed Daylight and Sunlight Analysis in support of this application and demonstrates that adequate daylight and sunlight will continue to be received at existing houses including in Parson Lodge to the west/ north west of Block A – See Section 8.6.1 for assessment of this.
<p>Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this has been clearly identified and a rationale for any alternative, compensatory design solutions has been set out, in respect of which the Commission has applied its discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives</p>	<ul style="list-style-type: none"> As above, no specific issues of concern were raised here.

<p>might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.</p>	
<p>Specific Assessment</p>	
<p>Criteria</p>	<p>Response</p>
<p>To support proposals at some or all of these scales, specific assessments may be required, and these may include: Specific impact assessment of the micro-climatic effects such as downdraft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.</p>	<ul style="list-style-type: none"> • The scale of development is not significantly large enough to warrant the preparation of a micro-climate assessment. • Daylight, Sunlight and Overshadowing analysis have been submitted and full details of the assessment of these is provided in this report. The submitted assessments demonstrate that adequate daylight and sunlight will continue to be received at existing houses including in Parson Lodge to the west/ north west of Block A.
<p>In development locations in proximity to sensitive bird and /or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision.</p>	<ul style="list-style-type: none"> • The submitted Ecological Impact Assessment (EclA) has provided a full assessment of the potential impact of the development on birds and bats. No bat roosting areas were recorded during the bat surveys and suitable mitigations measures are outlined in the EclA. • The lighting plan has been designed in accordance with the 'Bat Conservation Ireland guidelines; Bat Conservation Ireland (Bats and Lighting: Guidance Notes for Planners,

	Engineers, Architects and Developers, BCI, 2010)' and the 'Bat Conservation Trust (Guidance Note 08/18 Bats and Artificial Lighting in the UK (BCT, 2018).'
An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.	<ul style="list-style-type: none"> No impacts are foreseen in this regard.
An assessment that the proposal maintains safe air navigation.	<ul style="list-style-type: none"> No impacts are foreseen in this regard.
An urban design statement including, as appropriate, impact on the historic built environment.	<ul style="list-style-type: none"> An 'Architectural Design Statement' has been prepared and submitted in support of the development. This demonstrates how the proposed development will integrate into its surroundings.
Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.	<ul style="list-style-type: none"> SEA and EIA not required/ applicable due to the scale of the development. I have carried out an EIA Screening of the proposed development and is included in Appendix 1 and 2 of this report. An AA screening report was submitted with the application, and a Natura Impact Statement (NIS) has also been provided.

8.4.6. The above table demonstrates that the proposed development is generally compliant with Section 3.2 of the 'Urban Development and Building Height' guidelines. Several of the issues identified in the table are assessed in greater depth in the following sections of my report.

- 8.4.7. National and local policy seeks to provide for increased density, and where necessary heights, on sites where it can be demonstrated that such locations are suitable. The above table includes appropriate considerations for development with increased heights/ density. The appeals refer to concern that the proposed development results in the introduction of a seven-storey development into an area defined by mostly two storey houses. Whilst accepting that the development provides for buildings of increased heights, I consider it is acceptable having regard to national and local policy for increased densities on sites that are deemed acceptable for such height. The Kildare County Development Plan as varied and the Maynooth EJP have identified sites outside of the historic core/ adjacent to high frequency public transport as suitable for development in excess of six storeys and I consider that the subject site demonstrates such a suitability.
- 8.4.8. The proposed development demonstrates compliance with the Compact Settlements Guidelines 2024 and provides for a suitable density of development on lands adjacent to the long established urban centre of Maynooth and which is also adjacent to Maynooth station and its regular train service. The proposed development would result in the development of this underused site at an appropriate density to the available range/ type of services already in place here.
- 8.4.9. Unit Mix: The proposed development provides for a range of residential units in the form of one, two and three bedroom apartments in an area that is dominated by two-storey houses of three or four bedrooms. Reference is made in the appeal to a need for more family sized units. The proposed one- and two-bedroom units would allow for suitable sized units for those who wished to remain in the area but would prefer to live in a smaller unit, more suitable for their needs. The increase in density is facilitated through the use of taller units than is the case at present. Considering the separation distances between the proposed apartment blocks and existing houses, no issues of concern arise in relation to overbearing and direct impact on the existing houses.
- 8.4.10. **Conclusion on Section 8.4:** The proposed development is considered to be acceptable in terms of density which is achieved through an increase in height relative to the existing houses in the area. The proposed development includes a creche and combined with the good quality of open space provided, it would not be possible to provide all of this residential development at an acceptable density

without an increase in height. I consider that the proposed heights are acceptable in this location, and the applicant has demonstrated that the layout/ design of development allows for such an increase in height relative to existing development in the immediate area. The impact on residential amenity is considered further in following sections of this report.

8.5. **Impact on the Character of the Area – Views & Architectural Conservation Areas**

8.5.1. **Appeal:** Concern was expressed in the appeal about the impact of the development on the character of the area and on protected views. Also comment made about the impact of the development on the Maynooth Architectural Conservation Area.

8.5.2. **Planning Authority:** No issues of concern were raised about the impact of the development on the character of the area.

8.5.3. **Assessment: Architectural Conservation Area:** I have already reported on the issue of height and how the development is appropriate in this location. From the site visit it was evident that there has and continues to be significant development in the Maynooth area with taller/ higher density development in and adjoining the town centre area, demonstrating a continual change in building height and design, whilst ensuring full regard to impact on the Architectural Conservation Area (ACA).

8.5.4. The Maynooth ACA extends from the town centre to the former harbour area to the east of the site and part of the canal towpath to the south of the site. No part of the development extends onto the towpath and any works on this section would be subject to agreement with Waterways Ireland. The proposed development would result in the replacement of a vacant/ undeveloped site adjacent to the canal with a relatively high-density mixed-use development. I am satisfied that the increase in passive surveillance and activity would benefit this section of the ACA/ towpath. The development of the station/ rail service is expected to see an increase in passenger numbers and pedestrians here, and the provision of buildings would provide for a more attractive frontage along the canal. The quality of the building design and materials used, in addition to the proposed layout, would support the character of the ACA at this location, in addition to promoting good quality urban design.

8.5.5. The impact on Parson Street would be minimal as the only significant impact is the opening of an entrance onto this street, the proposed apartment blocks will not have

a significant impact on the visual character of this street. I am therefore satisfied that the impact on Parson Street would not be significant and would not have a negative impact on the ACA here.

8.5.6. Protected Views: The issue of impact on protected views was referenced in the appeal and specifically a view from the pedestrian bridge over the canal looking north-west towards the spire of St Patrick's College Chapel – View 8 of 'Table 8.3 List of Important Views Outlined in the Maynooth ACA Statement of Character'. It is clear from the submitted Photomontages, CGIs and the Landscape & Visual Impact Assessment that this view would be lost due to the proposed development. I consider it to be unrealistic to provide for a development here that ensures the retention of this view, whilst meeting planning criteria such as appropriate density and compact development. If the site is not developed, the existing trees will continue to grow and the view will change, though I accept that such a process would be over a more gradual period than that proposed.

8.5.7. The Maynooth EJLAP states 'The Statement of Character for Maynooth ACA outlines a number of important views/prospects which are deemed to be worthy of protection (see Figure 8.2). Such views should be taken into consideration when developing sites within the ACA.' The Statement of Character for Maynooth ACA also adds 'Based on the above assessment, the following views are of particular importance to the character of the ACA and merit special protection.' With particular reference to the church tower it states: 'The tower of the chapel of St Patrick's College is an important landmark and is visible from multiple locations within the town centre. The views of the tower from the access road to the railway station car park, from the railway footbridge on the Royal Canal, and looking west along Back Lane and Pound Lane (to the north of Main Street) are of particular importance.'

8.5.8. I also refer to Objective BHO 2.3 which states: 'Seek to protect and enhance all important views within Maynooth Architectural Conservation Area (ACA) as illustrated in Figure 8.2 by requiring a Visual Impact Assessment for developments which have the potential to impact on the character, value or sensitivity of the ACA. Where it is considered that a development may impact on a protected view, proposals must have regard to the significance of any such impact and incorporate appropriate mitigation measures.' There is a conflict within the objectives of the

plan, as the proposed development is not within the ACA but adjoins it, but does not adjoin the church tower which is the subject of this view.

- 8.5.9. I am satisfied that the development would not have a negative impact on the church, its tower, or the character of the ACA. Whilst the current view will be removed due to this development, I do not consider it would have a negative impact on the 'character, value or sensitivity of the ACA.' It is accepted that the church is a landmark from a number of locations and the only loss here is the view from certain points on the bridge. Ground level views from the canal towpath are limited, particularly to when trees are not in leaf. Access of the view of the church will change from the bridge to that from the apartments that face west/ north west. The status of the architectural importance of the church including its tower does not change and it remains a landmark within Maynooth town centre.
- 8.5.10. The applicant has through their photomontages, Architectural Design Statement and the supporting Landscape and Visual Impact Assessment, considered the impact of the development on the character of the area. The applicant's LVIA has considered this view with a 'Neutral' quality of impact, and a 'Moderate to Significant' significance of impact. The applicant reports that there will be no impact on the status of the ACA, and I agree with these findings.
- 8.5.11. The Maynooth EJLAP is clear that it seeks to protect the view but does not require the preservation of the view. I find the positioning of this view to be somewhat unusual in that the bridge here has been replaced over time, and it is possible that it will be replaced again in the future, especially considering it is not fully accessible at present. Whilst I appreciate the intention to protect this view, the objective is worded in such a way that the view could change, but with the protection of the ACA as the critical point. I am satisfied that the ACA will not be adversely impacted by this development or through the loss of this view and no issue of Material Contravention arises as the specific objective to protect the view is from the Maynooth EJLAP and there are no specific requirements in the Kildare County Development Plan as varied about this view.
- 8.5.12. **Conclusion on Section 8.5:** The proposed development is located adjacent to an Architectural Conservation Area and will see the development of a vacant site for a mixed-use scheme. I am satisfied that it will not give rise to a negative impact on the

ACA or have a negative impact on the character of the area. I am satisfied that the development promotes a high quality of urban design on this site between Maynooth town centre, the Royal Canal and Maynooth station.

8.6. **Impact on Existing Residential Amenity**

- 8.6.1. **Appeal:** Concern was expressed in the appeal about the impact of the proposed development in terms of overlooking leading to a loss of privacy and overshadowing leading to a loss of daylight/ sunlight. There was also concern about the use of existing residential streets as a route to serve the subject site.
- 8.6.2. **Planning Authority:** No issues of concern were raised by the Planning Authority, and no specific concerns were raised in relation to separation distances, overshadowing, loss of daylight or sunlight as referred to in the submitted appeals.
- 8.6.3. **Assessment:** I have assessed this development and the impact on existing residential amenity under a number of sub-headings in the following sections of my report.
- 8.6.4. **Existing Site:** The subject site is a greenfield site located to the south of Maynooth town centre and to the north of the Royal Canal/ railway line. Access to the site is from Parson Street and which is a long established street in Maynooth town centre. There are two storey houses to the north of the site along Parson Street, but these only adjoin the access to the site and are and are over 100m from the nearest of the proposed apartment blocks. This is a more than adequate distance to address any issues of concern regarding overlooking and overshadowing, as it is in excess of the 22m separation provided in the Kildare County Development under Section 15.2.2.
- 8.6.5. To the north west of the site is the former rectory and which is provided with a large area of private open space, and which again has good separation with the subject site. As outlined by the applicant, the separation provided here and the proposed landscaping will ensure that the setting of the Rectory is clearly defined, and which will ensure the protection of the character of this protected structure.
- 8.6.6. To the west of the site is Parson Lodge, a small residential development of two storey detached houses located on either side of a short cul-de-sac. As referenced in the appeals, the houses here are approximately 40 years old. The submitted appeals come from residents of Parson Lodge.

- 8.6.7. The proposed development is primarily 6 and 7 storeys in height with a tapering downwards of heights at the ends of Blocks A and C. I note the concerns regarding overlooking/ lack of separation distance, and this would primarily apply to the Block A, which is located to the western part of the site and adjacent to Parson Lodge. Block A is indicated to be 8.9m from its western boundary and approximately 20m from the rear of No. 7 Parson Lodge. This section of Block A is two storeys in height and the windows to the western elevation at first floor level serve a living/ dining space and provide access to a balcony and another window serves a bedroom. From the submitted plans the only potential for impact would be from Apartment A.01.10 as the other units are set back further from the adjoining house and their layout does not allow for overlooking.
- 8.6.8. The Kildare County Development Plan, as varied, under Section 15.2.2 – ‘Overlooking/ Separation Distances’ states ‘Traditionally a minimum distance of 22m is required between directly opposing first floor windows. However, in cases of innovative design, where overlooking into habitable rooms does not occur, this figure may be reduced, subject to the protection of adjoining residential amenities and privacy, the quality of design and adherence to the Sustainable Urban Housing: Design Standards for New Apartment Guidelines (2020) where applicable.’ The windows between this apartment and No.7 Parson Lodge do not directly overlook and therefore there is no loss of privacy due to the proximity of the block to existing housing. The balcony attached to the western side of Apartment A.01.10 is approximately 7m from the adjoining boundary. I am satisfied that this will not have a significant adverse impact on residential amenity, as there is no direct overlooking through the orientation of the proposed development relative to the existing house. The provision of a short section of screening, approximately 1m on the western side of the balcony would reduce the perception of overlooking and this could be included by way of condition. This would have no impact on the usability of the balcony space.
- 8.6.9. The proposed development includes the provision of green roofs on the apartment blocks and there is a section of this on the western section of Block A. There is no indication that this will be used as communal or public open space and from the submitted details its primary function is to form part of the SuDS design. I note that the green roof area is set back from the edge of the apartment block and even if

accessible, the level of potential overlooking would be less than from the windows in the western elevation of Apartment A.01.10.

- 8.6.10. I am therefore satisfied that the proposed development does not give rise to an unacceptable or significant level of overlooking, with particular reference to existing houses in Parson Lodge. The proposed Block A is approximately 20m from No. 7 Parson Lodge, but the submitted plans and details indicate that an adequate separation is provided and due to the fact that windows are not directly opposing, then a separation distance of 20m is acceptable.
- 8.6.11. I refer the Commission to the Compact Settlements Guidelines and SPPR 1 which states: 'It is a specific planning policy requirement of these Guidelines that statutory development plans shall not include an objective in respect of minimum separation distances that exceed 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level. When considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms¹⁶ at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained.' As reported earlier in my report, Variation 3 of the Kildare County Development Plan aligns the plan with Section 28 Guidelines including the Compact Settlements Guidelines, and this variation was adopted on the 27th of April 2026.
- 8.6.12. A number of documents have been included with this application that will ensure that the impact on residential amenity is reduced as much as is reasonable. These include the submission of an Infrastructure Design Report, an Outline Construction Environmental Management Plan (CEMP) and a Resource & Construction Waste Management Plan. The Outline CEMP includes a Construction Traffic Management Plan. As the applicant has made clear in their appeal response, final details will be agreed between the appointed site developer and the Planning Authority.
- 8.6.1. **Daylight and Sunlight:** The impact of the development on adjoining properties is considered in the Daylight and Sunlight Analysis prepared by Model Works, dated July 2025. Clarification of details were provided by Model Works in their response to the appeal by the Parson Lodge Residents Association. The assessment is undertaken in accordance with BRE (Building Research Establishment) Guide to

Daylight and Sunlight, 2022 and in terms of daylight, BS EN 17037:2018+A1:2021 – Daylight in Buildings and EN 17037:2018+A1:2021 – Daylight in Buildings.

8.6.2. Daylight: Section 6.1 assesses the ‘Loss of daylight to existing buildings’ and this is undertaken through an assessment of the Vertical Sky Component (VSC) which is a measure of how much direct daylight a window is likely to receive. The Vertical Sky Component is a measure of how much of the sky can be seen at a given point. A new development may impact on an existing building, and this is the case if the Vertical Sky Component measured at the centre of an existing main window is less than 27%, and less than 0.8 (20%) times its former value.

8.6.3. The applicant has assessed the potential impact on No. 7 Parson Lodge (a total of 5 windows) and the Health Clinic to the north east of the site (a total of 24 windows). No other units/ buildings would be impacted by the proposed development. Full details of the assessment results are provided in Appendix F of the applicant’s report and it was found that all windows would meet the BRE requirements for daylight.

8.6.5 Sunlight: Section 6.2 of the applicant’s report considers the ‘Loss of sunlight to existing buildings’ and uses the Annual Probable Sunlight Hours (APSH) assessment. This assessment indicates what the impact of a development would be on the sunlight received by existing units and the it is recommended that all living rooms and conservatory windows, of existing dwellings, be assessed if the proposed scheme is positioned within 90° of due south, and it subtends to an angle greater than 25° to the horizontal, measured from the centre of the relevant window. According to the BRE guidance a dwelling/ or a non-domestic building which has a particular requirement for sunlight, will appear reasonably sunlit if:

- At least one main window wall faces within 90° of due south and
- The centre of at least one window to a main living room can receive 25% annual probable sunlight hours, including at least 5% of annual probable sunlight hours in winter months (the winter period is considered to fall between the 21st of September and the 21st of March).

Further to this the BRE advise that the sun lighting of existing dwellings may be adversely affected if the centre of the window in question:

- Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between the 21st of September and the 21st of March and
- Receives less than 0.8 times its former sunlight hours during either period and
- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

8.6.4. The applicant has again assessed the impact of the development on No.7 Parson Lodge and the Health Clinic. The results are provided in Appendix G. In terms of No. 7 Parson Lodge, there was a full compliance for WPSH and a 60% compliance for ASPH. Window 1 would reduce from 20% APSH to 15% APSH, 0.75 times the existing value and Window 19 would reduce from 16% APSH to 12% APSH, also 0.75 times the existing value. This reduction is considered to be minor in the context of the windows facing north east and hours of actual sunlight would be limited. For the Clinic, there was a 100% compliance for APSH, and a 96% compliance achieved for WPSH.

8.6.5. Impact on Amenity Space: The test is to ascertain if a minimum of 50% of an amenity space shall receive two or more hours of sunlight on the 21st of March, and this is assessed under Section 6.3 of the applicant's report, with details provided in Table 10 of their report. The assessment considers the impact on the amenity spaces of Nos. 5 to 7 Parson Lodge, the rear garden of the Rectory and spaces adjacent to the Health Clinic. The submitted assessment found that all tested spaces were compliant and the development would have a negligible impact.

8.6.6. **Conclusion on sunlight/ daylight impacts to neighbouring properties:** It is noted that there is likely to be instances where judgement and balance of considerations apply. To this end, I have used the Guidance documents referred to in the Section 28 guidelines and those contained within the Kildare County Development Plan 2023 – 2029 as varied in Section 15.2.3 and to assist me in identifying where potential issues/ impacts may arise and to consider whether such potential impacts are reasonable, having regard to the need to provide new homes within the Kildare County area, and to increase densities within zoned, serviced and accessible sites, as well as ensuring that the potential impact on existing residents from such development is not significantly negative and is mitigated in so far as is

reasonable and practical. Existing units and their private amenity spaces will receive adequate daylight and sunlight, in accordance with the BRE Guidance. I have no reason, therefore, to recommend to the Commission that permission be refused.

8.6.7. **Planning Authority comment on residential amenity:** No particular issues of concern were raised in the Planning Authority report.

8.6.8. **Conclusion on Section 8.5:** Overall, I am satisfied that the development will not have a negative impact on the existing residential amenity of the area through overlooking leading to a loss of privacy and through loss of daylight/ sunlight. The site is zoned for Town Centre development, and which allows for residential development, in addition to childcare/ café/ commercial uses. The site is located in an established urban area, in Maynooth, and with access to existing services, including public transport. I have no reason, therefore, to recommend to the Commission that permission be refused due to impact on the residential amenity of the existing area. No issues of Material Contravention of the Kildare County Development Plan 2023 – 2029 as varied have been identified in the appeal. I am satisfied that no issues of concern in relation to negative impact on residential amenity arise.

8.7. **Residential Standards of Proposed Development**

8.7.1. Appeal: No specific issues of concern were raised about the quality of the proposed development, other than the insufficient number of three bedroom/ family sized units provided here. In the interest of completeness of assessment, I have identified relevant residential amenity considerations and have assessed them under the following headings.

8.7.2. Planning Authority: No specific issues of concern were identified about the quality of the proposed development. The Planning Authority listed the unit mix, but no specific comment was made on the suitability of this. The further information request referred to a mix of unit types for Part V purposes and referenced duplex units and apartments, but not the number of bedrooms to be provided.

8.7.3. Assessment: I have assessed this development and quality of residential amenity under a number of sub-headings as follows, whilst also having regard to the issue raised in the appeal.

- 8.7.4. Unit Mix: The development, revised by way of the further information response provides for a total of 97 one- bedroom (50%), 91 no. two-bedroom (47%) and 7 no. three bedroom units (3%) within three apartment blocks. As reported, concern was expressed in the appeal about the lack of family sized units in the proposed development, however the proposed development does provide for a suitable mix of unit types, and I note that the adjoining lands to the south west and south consist of mostly houses that can be considered to be predominately three and four bedroom units. The provision of apartments, of different types, will provide for an improved mix of housing types here. This mix will also allow for downsizing/ rightsizing in an area where such unit may not be easily available.
- 8.7.5. Section 15.4.3 of the Kildare County Development Plan as varied refers to 'Housing Mix' and which states, 'In accordance with Objective HO O15 a 'Statement of Housing Mix' will be required to accompany applications for 10 or more units in order to ensure an appropriate mix of house types and sizes...this statement shall set out how the proposed housing mix, including type, size and tenure has been determined, having regard to local supply and demand'. Section 11.0 of the applicant's 'Planning Report and Statement of Consistency' includes a 'Statement of Housing Mix' demonstrating compliance with Objective HO 015 of the Kildare County Development Plan, as varied. From the submitted information 20 of the units are 'suitable for all age groups and persons at different stages of the life cycle'. I am satisfied that the proposed unit mix is acceptable, and the applicant has also adequately demonstrated compliance with Objective HO 015 of the Kildare County Development Plan, as varied.
- 8.7.6. Quality of Units – Floor Areas: The applicant has provided a 'Housing Quality Assessment' prepared by JFA Architects and which demonstrates that the units comply with the requirements of Section 15.4.7 of the Kildare County Development Plan 2023 – 2029, as varied, and the Apartment Guidelines 2025. A total of 134 (69%) of the proposed units exceed 110% of the minimum required floor areas, and I also note that all units are in excess of 100% of the minimum required floor areas.
- 8.7.7. A total of 101 (52%) of the proposed units are dual aspect and as per the submitted plans/ elevations, none of the single aspect units in Blocks A and B are north facing only. There are 13 units in Block C that have a north facing only aspect and these are identified in the following table:

Level/ Floor	Unit	Floor Area 110%
Ground	C.00.06	Yes
First	C.01.11	Yes
First	C.01.12	Yes
Second	C.02.11	Yes
Second	C.02.12	Yes
Third	C.03.11	Yes
Third	C.03.12	Yes
Fourth	C.04.11	Yes
Fourth	C.04.12	Yes
Fifth	C.05.11	Yes
Fifth	C.05.12	Yes
Sixth	C.06.07	Yes
Sixth	C.06.08	Yes

I am satisfied that in the interest of achieving adequate numbers of units on this site that the provision of 13 apartments out of a total of 195 that are north facing only is acceptable. These units are afforded increased floor areas over the minimum required and are also provided with good areas of private amenity space.

- 8.7.8. The ground floor to ceiling heights are 2.7 m, and in general there are 12 apartments per floor/ per stair/ lift core.
- 8.7.9. Quality of Units – Amenity Space: The proposed units are provided with private amenity space in the form of terraced areas for the ground floor units and balconies for the upper floors. The area provided is sufficient in terms of complying with the minimum required as per the Kildare County Development Plan as varied under Section 15.4.7 and the Apartment Guidelines 2025. Access to these amenity spaces is from the Kitchen/ Living/ Dining space and it is noted that the balconies extend across the front of bedrooms in some cases but only for the two and three bedroom units. Balcony depths meet or exceed the requirement to be 1.5 m deep.
- 8.7.10. The proposed development includes the provision of 2,444sq m of public open space, which equates to 16.9% of the total site area and 1,380sq m of communal open space is to be provided for. There is a large area of communal open space between the south of Block B and the canal town path, and which is accessible to all residents of the three blocks. A play area is included within the section of communal open space. I am satisfied that these areas provide for good amenity for the future residents of this development. The public open space is to the east/ west of Block C and to the south of the access road to the site. The proposed amenity spaces are

considered to be acceptable and will ensure that all units have access to open space in addition to their own private amenity space. The layout and location of the open spaces, both public and communal, are considered to be acceptable and will receive good passive surveillance from the adjoining apartment blocks.

8.7.11. Daylight and Sunlight: As already reported, the applicant has engaged the services of Model Works to assess the impact of the development on daylight and sunlight, and a 'Daylight and Sunlight Assessment' has been submitted in support of the application. This assessment has been prepared based on best practice guidance set out in the following documents:

- Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' BRE – 3rd Edition, 2022 (BR209).
- BS EN 17307:2018 – Daylight in Buildings – British Standard
- IS EN 17037: 2018 – Irish Standard

The submitted assessment undertook a number of tests, and these are detailed in the following section of this report. I am considering the information provided in the report submitted in response to the further information request, dated November 2025, as it has full regard to the revised layout/ block design.

8.7.12. Daylight Provision in New Development: From the information provided in the Section 5.1 of the applicant's report, I am satisfied that the Spatial Daylight Autonomy results are acceptable, and the proposed units are demonstrated to be generally compliant, with 495 tested rooms or 89% demonstrating compliance. Units that do not meet the targets are identified in the applicant's report and details are provided of suitable compensatory measures. In Block A, there is an 88% compliance rate, Block B has a 93% compliance rate and Block C is 85% compliant. Full details are provided in Appendix C of the applicant's report.

8.7.13. The following are the targets for Spatial Daylight Autonomy:

To meet or exceed 50% of the total lux at:

- Bedrooms 100 Lux
- Living Rooms 150 Lux
- Kitchens 200 Lux

Over 50% of the reference plane for at least half of the daylight hours.

Those units that are below the targets include the following:

Block	Floor	Unit – Room	Kitchen/ Living/ Dining	Bedroom 1	Bedroom 2
A	Ground	BA-003 (1 Bed)	37%	100%	
A	First	BA-012 (1 Bed)	49%	82%	
A	First	BA-013 (1 Bed)	44%	54%	
A	First	BA-014 (1 Bed)	20%	100%	
A	First	BA-015 (1 Bed)	20%	100%	
A	First	BA-018 (1 Bed)	39%	100%	
A	First	BA-020 (2 Bed)	12%	100%	100%
A	First	BA-021 (2 Bed)	16%	100%	
A	Second	BA-024 (1 Bed)	49%	94%	
A	Second	BA-025 (1 Bed)	27%	100%	
A	Second	BA-026 (1 Bed)	29%	100%	
A	Second	BA-031 (2 Bed)	42%	100%	100%
A	Third	BA-034 (1 Bed)	31%	100%	
A	Third	BA-035 (1 Bed)	33%	100%	
B	Ground	BB-007 (1 Bed)	33%	100%	
B	Ground	BB-008 (1 Bed)	31%	100%	
B	Ground	BB-009 (1 Bed)	38%	100%	

B	First	BB-018 (1 Bed)	24%	100%	
B	First	BB-019 (1 Bed)	16%	100%	
B	First	BB-020 (1 Bed)	16%	100%	
B	First	BB-021 (1 Bed)	25%	100%	
B	Second	BB-030 (1 Bed)	47%	100%	
B	Second	BB-031 (1 Bed)	41%	100%	
B	Second	BB-032 (1 Bed)	43%	100%	
B	Second	BB-033 (1 Bed)	46%	100%	
B	Second	BB-043 (1 Bed)	54%	100%	
B	Third	BB-044 (1 Bed)	47%	100%	
B	Fourth	BB-056 (1 Bed)	48%	100%	
C	Ground	BC-001 (1 Bed)	28%	100%	
C	Ground	BC-006 (1 Bed)	47%	100%	
C	Ground	BC-007 (2 Bed)	40%	100%	100%
C	First	BC-009 (2 Bed)	100%	100%	41%
C	First	BC-010 (1 Bed)	27%	100%	
C	First	BC-011 (1 Bed)	42%	100%	
C	First	BC-012 (2 Bed)	49%	31%	0%
C	First	BC-013 (2 Bed)	94%	100%	0%
C	First	BC-014 (1 Bed)	49%	100%	

C	First	BC-017 (1 Bed)	11%	100%	
C	First	BC-018 (1 Bed)	8%	100%	
C	First	BC-019 (2 Bed)	100%	45%	100%
C	Second	BC-029 (1 Bed)	33%	100%	
C	Second	BC-030 (1 Bed)	33%	100%	
C	Third	BC-031 (2 Bed)	100%	47%	100%
C	Third	BC-034 (1 Bed)	45%	100%	
C	Third	BC-035 (1 Bed)	48%	100%	
C	Third	BC-041 (1 Bed)	37%	100%	
C	Third	BC-042 (1 Bed)	37%	100%	
C	Fourth	BC-043 (2 Bed)	47%	100%	100%
C	Fourth	BC-053 (1 Bed)	42%	100%	
C	Fourth	BC-054 (1 Bed)	41%	100%	
C	Fifth	BC-055 (1 Bed)	40%	100%	
C	Fifth	BC-056 (2 Bed)	30%	100%	100%
C	Fifth	BC-064 (1 Bed)	43%	100%	
C	Fifth	BC-065 (1 Bed)	43%	100%	
C	Fifth	BC-0 (1 Bed)	47%	100%	

8.7.14. Unit BC-012, a two bedroom apartment, scores poorly with all rooms below standard, however if the test is undertaken without the impact of trees, then all

rooms demonstrate full compliance at between 99% and 100%. The removal of trees would improve results and taking Block C as an example, 28 rooms do not meet the recommended target, but omitting the impact of trees, the result improves significantly so that 15 rooms do not meet the recommended target. In Block A the difference is 14 below the recommended target, minus trees this improves to 6 rooms and in Block B the improvement is 4 without trees from an initial 14 rooms.

8.7.15. Section 5.2 of the applicant's report provides an assessment of 'Sunlight Exposure in the Proposed Development' and is on the basis that a room, preferably a habitable room, receives at least 1.5 hours of sunlight on the 21st of March. Appendix D includes a summary of the results, and it was found that 67% or 195 of the tested rooms were compliant. The applicant has outlined how there are difficulties with an urban development of this nature and that revisions were made to the original design/ layout in order to improve the results. In addition, in response to the further information request, revisions were made to Block C including a reduction in mass/ bulk and a better level of integration of the balconies into the building was proposed. This has resulted in a reduction in the quality of sunlight exposure.

8.7.16. I note the submitted details and the results are as expected having regard to the layout of the development and the location of the rooms that achieve lower levels of sunlight. The impact of trees is also noted, and it is considered that their retention is worthwhile in the overall context of the area and in the interest of biodiversity, however it does indicate a significant difficulty in the integration of a residential development into an established urban area.

8.7.17. The applicant's report clearly indicates which units are below the suggested standard for daylight and sunlight and a list of specific compensatory measures per unit are proposed and are detailed on an individual apartment basis through the table under Section 5.4 – 'Compensatory Design Measures'. Generally, it is the Kitchen/ Living/ Dining rooms that fail to comply, though in the majority of affected cases, one or both of the bedrooms demonstrates a very good receipt of daylight.

8.7.18. Compensatory measures include the following:

- Unit Size: Some of the units with reduced daylight are provided with floor areas that are up to 10% larger than the minimum required.
- Bedroom Size: Provision is in excess of the minimum required floor area.

- Balcony/ Terrace area: Units are provided with private amenity space in excess of the minimum required areas.
- Storage: Provision is in excess of the minimum required floor area.
- LKD Room Width: Provision is in excess of the minimum required width.

The proposed listed compensatory measures are considered to be acceptable/ appropriate for the proposed units/ the overall development of this site.

8.7.19. Site Sunlight and Shading: Section 5.3 details the 'Sunlight Provision to Amenity Spaces in the Proposed Development'. The submitted analysis includes an assessment of the external amenity spaces which comprises the communal open space and public open space areas. The BRE requirement is that a minimum of 50% of an amenity space shall receive two or more hours of sunlight on the 21st of March. Table 7 of the applicant's report provides a summary of the analysis results with Figure 11 locating each of the spaces. The Communal Open Space achieves a 100% result, Public Open Space 01 achieves a 52% result and for Public Open Space 02 a 97% result is achieved. I note that Public Open Space 01 is located to the east and north east of Block C and would be impacted by the orientation of this block. The target figure is met, and this area of open space would provide for good amenity in the morning up to the early afternoon. The applicant has also assessed the open space for the creche and a result of 100% is achieved here. The proposed areas of open space will therefore be provided with adequate daylight and sunlight in accordance with the BRE requirements.

8.7.20. **Conclusion on Daylight and Sunlight Assessments:** I have had appropriate and reasonable regard of quantitative performance approaches to daylight provision, as outlined in the relevant guidance. As with the majority of developments in established urban areas, there are restrictions in relation to the site size and shape, as well as ensuring that existing residential amenity is protected.

8.7.21. I am satisfied that the design and layout of the scheme has been fully considered alongside relevant sunlight and daylighting factors. The standards achieved, when considering all site factors and the requirement to secure comprehensive urban development of this accessible and serviced site located to the south of Maynooth

town centre, in accordance with national policy guidance, are in my opinion acceptable and will result in an acceptable level of residential amenity for future occupants of this development. Overall, I am satisfied that the proposed development will provide for good daylight and sunlight to the proposed units.

- 8.7.22. **Childcare Provision:** As part of the proposed development a childcare facility is proposed, and I have considered this in the context of ensuring compliance with the Childcare Guidelines 2001 and Section 15.5.2 – Childcare Facilities of the Kildare County Development 2023 – 2029 as varied. The proposed development provides for a total of 195 residential units; however, the vast majority of the proposed units are either one or bedroom units, with only 3% of the total being three bedroom units. As part of Block C, a childcare facility with an internal floor area of 176sq m was proposed and supported with outdoor space of 145sq m, able to accommodate 30 children. Through the further information response, this space was revised and can accommodate 48 children on a floor area of 232sq m.
- 8.7.23. In support of the application, a Social Infrastructure Audit, dated July 2025, has been prepared by John Spain Associates and which has full regard to the Kildare County Development Plan 2023 – 2029, as varied, and the Childcare Guidelines 2001. The assessment found there to be nine existing childcare facilities within a 2km radius (Table 5.1 of the applicant’s report) and a further four facilities have been permitted/are proposed within this area. The existing facilities provided for an estimated total of 581 – 613 spaces with capacity for 47 children, and the proposed facilities would have capacity for an additional 202 spaces. The applicant reports that there are additional facilities outside of the 2km radius within a short driving distance of the site. The applicant refers to the proposed facility, which would be able to accommodate the demand from the proposed development, and there should be excess capacity available to serve the wider Maynooth area.
- 8.7.24. The apartment guidelines state that ‘One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms’.

8.7.25. The applicant through their submitted report, has assessed the need for childcare provision based on the following, which I have summarised in the interest of simplification:

	2001 Childcare Guidelines	2025 Apartment Guidelines – without 1 beds	2025 Apartment Guidelines – without 1 beds and only 50% of 2 beds
Number of Units	195	97	52
1 Facility with capacity for 20 children for every 75 units	52	26	14

8.7.26. From the above table, I consider that the demand for childcare from this development to be very low. The applicant has proposed a childcare facility with capacity for 48 children, and this will easily meet the requirements of the subject development and also provide for additional capacity to serve Maynooth, whilst demonstrating compliance with National Guidance and the Kildare County Development Plan, as varied. I support the provision of additional capacity, and this element of the development provides for a mix of uses on site, increased employment and improved services for the area. The unit is served with adequate open space, and which will be provided with good sunlight through its southern aspect as demonstrated by the Daylight and Sunlight Assessment provided in support of the further information response.

8.7.27. **Conclusion on Childcare Provision:** The proposed development provides for mostly one- and two-bedroom units and whilst the likely demand for childcare from this development has been demonstrated to be very low, the applicant has proposed to provide for a facility that will meet the demand from the proposed scheme as well as meeting the childcare needs of the wider area. I am satisfied that this is an acceptable addition to this development and ensures that there is a mixed use element included as part of this scheme.

- 8.7.28. **Overall Conclusion on Proposed Residential Amenity:** It is considered that the proposed development will provide for a high quality of residential amenity in this established urban part of Maynooth town centre. Room sizes and amenity spaces are of a good standard, with adequate dual aspect units demonstrating compliance with the Apartment Guidelines, 2025. It is accepted that the subject site is restricted by adjoining development and through the proximity of the subject lands to the Royal Canal. The applicant has managed to provide a high quality residential scheme that will ensure the continued consolidation of Maynooth town centre, whilst ensuring integration with the existing established urban character of the area.
- 8.7.29. The proposed development complies with the requirements of National and Local policies, including the Maynooth Environs Joint Local Area Plan, as relevant to a scheme of this nature. The development ensures that the quality of existing and proposed residential amenity is protected. No issues of material contravention of the Kildare County Development Plan, as varied, have been identified in relation to proposed residential amenity.

8.8. **Traffic and Access**

- 8.8.1. Appeal: Concern was expressed in the appeal that the proposed development would impact on existing traffic on Parson Street, there was a shortfall in car parking and concern about the use of Parson Lodge as a through route.
- 8.8.2. Planning Authority Comment: Concern was expressed by the Kildare Transportation Department about the removal of car parking spaces on Parson Street and about the actual junction design between the subject site and Parson Street. Concern was also raised about the car parking provision/ layout. The applicant submitted a detailed response to the further information request issued by the Planning Authority and although not all matters were fully addressed, it was decided to grant permission subject to conditions.
- 8.8.3. Road Layout: The proposed development provides for a single junction with Parson Street and two cul-de-sacs within the site provide access to the north/ north west of the three apartment blocks. The submitted plans indicate that provision is made to access lands to the north of the site, and this will ensure the demonstration of compliance with RD 7 indicated on Map Ref. 7.4 of the Maynooth Environs Joint Local Area Plan (EJLAP). The objective here is to provide for a road connection

between Parson Street and Leinster Street, and I am satisfied that the development facilitates the provision of such a link.

- 8.8.4. I note the concerns about the proposed junction here and the potential need for removal of car parking spaces from Parson Street. Drawing Number DOBA-2457-XX-SI DR-C-0500 indicates that one parking space will be required to be removed or as stated on the drawing 'One existing car parking space to be relocated within the proposed development to facilitate sightlines'. The location of the proposed entrance is similar to that permitted under ABP Ref. 313264, though at the time of assessment of that application it was indicated that additional car parking spaces may require relocation/ revision. Revisions to on-street car parking are a matter for Kildare County Council, and they have provided a suitable condition, No. 24. b) regarding revised parking arrangements.
- 8.8.5. Parson Street is narrow in width, but through its location in an urban area and having the benefit of footpaths on both sides of the street, I am satisfied that road speeds would be low here and that appropriate sightlines in accordance with DMURS would be achievable. Part of the existing boundary wall/ gate posts are proposed for removal and from the site visit, these appear to have been altered over time. The submitted plans indicate that the section of wall to be removed will be over a relatively short section. I am satisfied that this can be provided without having a negative impact on the Rectory, which is a protected structure.
- 8.8.6. I am satisfied that a suitable access can be provided to this site. I do not foresee that the development will give rise to significant congestion on Parson Street; the nature of the development is such as to promote the use of public transport, and the low car parking provision demonstrates a move away from reliance on car use. The public transport provision allows for easy access to the city centre by train and bus, but also to major sources of employment in the area such as the Intel Campus in Leixlip. Maynooth University is within easy walking/ cycling distance from the subject site. The submitted 'Traffic and Transport Assessment and Mobility Management Plan' gives rise to no concern about increased traffic in the area including along Parson Street. Trip movements are calculated to be very low, in the low 30s, for both the morning and evening peaks and there would be negligible impact on existing junctions in the area.

- 8.8.7. Concern was raised in the appeal about the use of Parson Lodge as an access to the site. A number of reasons were put forward such as security, increase in nuisance but I note comment was made about there being no need for this route and I would agree that the access onto Parson Street or onto the canal towpath would be sufficient for pedestrian/ cycle use. I note numerous policies/ objectives in the Kildare County Development Plan, as varied, and the Maynooth EJLAP, such as Policy TM 020 of the Maynooth EJLAP which seeks to provide for suitable permeability for new developments and also Objectives TM 021 and TM 041 with a similar emphasis on improved permeability for developments. I consider that the canal towpath provides much of this, but I would have no objection to increased permeability here. It is possible that the residents of Parson Lodge would be the key beneficiaries of the proposed linkage as they would have access to the proposed creche and café/ commercial unit and an improved route to the station.
- 8.8.8. There is an existing agricultural type gate at the end of the cul-de-sac on Parson Lodge allowing for access to the subject site. I have no issue with the provision of an emergency access here. I note the comment made that access may not be possible due to vehicles parking on the street. All of the houses in Parson Lodge have off-street parking and the blocking of a street is a parking enforcement issue. I saw no issues of concern on the day of the site visit. The issue of access can be addressed by way of condition, should the Commission be of a mind to grant permission. At a minimum I recommend that provision be made for access between the subject site and Parson Lodge, again this can be addressed by way of condition.
- 8.8.9. Car Parking: The applicant was requested to revise the car parking bay sizes by way of further information and revised details have been provided demonstrating car parking in compliance with the requirements of the Kildare County Development Plan, as varied. 79 spaces are provided for residents of the 195 units, and 4 spaces each for electric vehicles and accessible spaces are provided. The Planning Authority raised no concerns about the number of car parking spaces to be provided, and I am satisfied that adequate parking is available subject to proper on site management of these spaces. The applicant has indicated the management company will control the allocation of car parking as well as enforce parking on site. I consider that provision should be made for a car share scheme on this site and this

can be done by way of condition should the Commission be of a mind to grant permission.

- 8.8.10. Adequate bicycle parking is also provided on site. This is provided throughout the site serving each of the three apartment blocks and very good provision is made for indoor/ under cover storage of bicycles. I note that no provision is made for motorcycle parking and I consider it appropriate that specific parking be made available, at two spaces per block should the Commission be of a mind to grant permission. This was not raised by third parties but I consider it appropriate in the interest of proper planning and sustainable development.
- 8.8.11. Public Transport: The applicant was requested by way of further information (Item 18.) to provide full details on Public Transport capacity and this was done through a Public Transport Capacity Assessment (PTCA). Bus routes in the area were revised under Phase 2 of the Network Redesign in November 2021 and under Phase 5a in June 2023. Revisions have been made to the revised routes since then, with additional services provided and which demonstrates increased capacity in response to increased demand. The rail service is due to be significantly expanded and modernised under the DART + project and the Railway Order was signed in July 2024. I am satisfied that the subject site is currently well served by public transport and further permitted improvements to public transport will be for the benefit of residents of this development.
- 8.8.12. **Conclusion on Traffic and Access:** The location is adjacent to Maynooth station with a regular train service to/ from the city centre. The site is also served by a frequent bus service, which is demonstrated to have adequate capacity to serve the demand generated by this development. Adequate car parking is provided, and a significant number of bicycle parking spaces are also to be provided on site. I am satisfied that adequate vehicular access can be provided from Parson Street and provision should be made for an emergency access from Parson Lodge.

8.9. Infrastructure and Flood Risk

- 8.9.1. Appeal: No specific issues of concern were raised.
- 8.9.2. Kildare County Council: No issues of concern were raised about surface water drainage or flooding, or in terms of water supply.

- 8.9.3. Assessment – Water Supply and Foul Drainage: Uisce Éireann reported no concern to the proposed foul drainage and water supply and recommended conditions in the event that permission was to be granted. A Confirmation of Feasibility was issued in relation to water supply and foul drainage subject to upgrades. The Uisce Éireann Capacity Register for Water Supply, dated April 2026, indicates there to be ‘Potential Capacity Available - LoS improvement required’ and specific reference in this application to upgrades required to 600m of existing watermains and also to mains on Parson Street in addition to other works.
- 8.9.4. For foul drainage the Capacity Register, dated April 2026, provides a ‘Green’ indication of available capacity for the LLVSS WWTP in Leixlip which serves Maynooth. The Specific comments in the Uisce Éireann report are that upgrade works are underway in Maynooth and are due to finish in Q2 2027 and some upgrade works to an existing gravity sewer would be required to serve this development. In addition, Uisce Éireann reported that some of their services pass through the site and adequate measures will be required to ensure their protection both during and post construction. A wayleave will be required for services that are not within public open space.
- 8.9.5. Flood Risk: The applicant has provided a ‘Parson Street Maynooth FRA’ – prepared by JBA Consulting with the application, dated to July 2025. Full details of the site and surrounding area including watercourses, and soils are provided. The Lyreen River is located approximately 140m to the north of the subject site and flows north before joining the River Rye. There is an unnamed stream approximately 180m to the east of the site and which flows into the Lyreen. Bedrock consists of dark limestone and shale, with the soil formed of made up ground. The land is well drained and there is no history of flooding associated with groundwater in the area. The topography is found to be generally flat with a slight fall from north south. The high point of 58.71m OD is at the most eastern part of the site, and a low point of 55.11m OD at the northwest of the site where it joins Parson Street.
- 8.9.6. The submitted assessment has full regard to ‘The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009’ and additional information is provided from the Maynooth EJLAP and from the Eastern Catchment Flood Risk Assessment and Management Study (CFRAM). The site is indicated to be partially within Flood Zones A and B. There is historical flooding reported from November

2000 when Parson Street flooded and in November 2017 when flooding on the M4 flowed towards Maynooth; details in the applicant's 'Parson Street Maynooth FRA' and the subject lands were found to be clear of flooding in both cases.

8.9.7. The submitted report has regard to the following forms of potential flooding:

- **Fluvial Flooding:** Details provided from CFRAM indicates that the development site is at risk of flooding during 1 in 1000 year events but not 1 in 100 year events. A section of the site to the northwest is within Flood Zone A defended. Further details are that although the Maynooth Flood Relief Scheme has been completed, there is still potential for fluvial flooding from the Lyreen River and the Meadowbrook River. These are sensitive to climate change.
- **Coastal Flooding:** The subject site is 25km from the coast and risk from this flooding source can be screened out at this stage.
- **Pluvial/ Surface Water Flooding:** There is no indication of rainfall generated flooding in the historic records. The site is greenfield and surface water will be managed by the on-site drainage system. The site is not at risk from pluvial flooding.
- **Canal:** There is no record of flooding incidents associated with the canal. Consideration has been made to overtopping and although no concerns arise, the residual risk can be addressed through the provision of suitable finished floor levels and through the use of a suitable surface water management system to serve the site.
- **Ground Water:** There is no record of any flood risk from groundwater sources, and the potential risk can be screened out at this stage.

8.9.8. Section 4 of the applicant's report considers Flood Risk in greater detail, with the greatest potential risk coming from fluvial flooding. The majority of the site is located within Flood Zone C but sections on Parson Street are in Flood Zone A and defended and Flood Zone B. When consideration is made of climate change, the proposed apartment blocks are not at risk of flood inundation. The report notes that Parson Street has been flooded in the past and at present is defended to the 1% AEP flood event. An emergency access is possible along the Royal Canal.

- 8.9.9. Maynooth is sensitive to climate change in 0.1% AEP events and suitable flood resilient materials/ finishes should be considered but are not required here as the proposed buildings are in Flood Zone C. The applicant has proposed that finished floor levels (FFLs) be at least 300mm above existing ground levels to prevent surface water entering the site. Other measures will be designed to drain water away from the proposed apartment blocks and Figure 4-2 of the applicant's report provides an indicative flow path through the site.
- 8.9.10. The applicant's report also includes a section on surface water drainage and the important point to note here is that runoff will be at the greenfield rate of 7.62 l/s. SuDS features to be deployed include bioretention areas, tree pits, green/ blue roofs, lined permeable paving and detention basins. The report states that infiltration systems have not been provided here due to the high groundwater levels found during site investigations. The SuDS system includes detailed inspection and maintenance plans for all drainage components. Figure 4-3 of the applicant's report demonstrates the 'Surface Water Drainage Plan' for the subject site and Figure 4-4 outlines the 'Proposed SuDS treatment train'.
- 8.9.11. Section 5 of the applicant's report provides 'The Justification Test for Development Management', noting that the majority of the site is within Zone C but elements are within Zones A and B. I have summarised the different sections of the applicant's report as follows:
- Justification Test: Part 1: The lands are Zoned A – Town Centre in the Maynooth EJP. Objectives IO3.1 to IO3.3 acknowledge the potential for flooding in Maynooth but also to assess the impact of flooding on any proposed development.
 - Justification Test: Part 2:
 - 'The development will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk': A small section of the site is within Flood Zone A, and this area is defended to the 1% AEP. Runoff will be restricted to greenfield rates, and a detailed surface water drainage system is proposed for this site. Flow path of rivers will not be impacted by the

proposed development and there will be no increase in flood risk due to the proposed development.

- 'The development proposal includes measures to minimise flood risk to people, property, the economy and the environment as far as reasonably possible': The development includes a design that provides for FFLs to be at least 0.6m above existing ground levels. Mitigation measures include the provision of suitable escape routes to Leinster Street and via the canal towpath during emergencies.
- 'The development proposed includes measures to ensure that residual risks to the area and/or development can be managed to an acceptable level as regards the adequacy of existing flood protection measures or the design, implementation and funding of any future flood risk management measures and provisions for emergency services access.': The primary access to Parson Street is in flood zone A/B and the street could be impeded at times of 0.1% events or during failure of flood defences during 1% AEP. The proposed route to Leinster Street is outside any flood risk zones as is the canal towpath. Residual flood risk to the subject site is managed by suitable FFLs of 300mm above existing ground levels, the provision of suitable emergency routes and through the provision of a high-level overflow through the site.
- 'The development proposed will address the above in a manner that is also compatible with the achievement of wider planning objectives in relation to development of good urban design and vibrant and active streetscapes.': Full details of how the development will achieve wider planning objectives are provided in the submitted Planning Report and Statement of Consistency'.

8.9.12. Conclusion on Flood Risk: The proposed apartments will be provided in Flood Zone C, however adjoining lands/ access routes may be within Flood Zones A/B. Suitable measures are proposed to ensure the proposed apartments will not be impacted by flooding and access will be available during emergency periods. The residual flood risk is managed by suitable FFLs of at least 300mm above existing ground levels,

the provision of suitable routes during times of emergency and through the provision of a high-level overflow through the site.

8.9.13. I note the details provided in the submitted report and supporting/ referenced documents/ studies and I agree with the conclusion/ recommendations provided. No concerns arise in relation to flooding and I am satisfied that the submitted information demonstrates that the proposed development will not give rise to increased flood risk to adjoining properties.

8.9.14. **Conclusion on Infrastructure and Flood Risk:** The site is served by a public water supply and the public foul drainage network. Wastewater will be treated at the Leixlip WWTP and subject to completion of the upgrade works, there is no issue in relation to capacity. The site is partially within Flood Zones A/B, however the proposed apartment blocks are in Flood Zone C as are open space and car parking areas. Suitable mitigation measures have been proposed by the applicant, and I am satisfied that the development can proceed without giving rise to flooding issues in the area, including potential impact on adjoining sites.

8.10. **Other Matters**

8.10.1. **Concern about impact on health and safety of residents of the area:** This issue primarily refers to impacts arising during the construction phase of the development. The applicant has provided an 'Outline Construction Environmental Management Plan' (CEMP) which includes requirements for Site Management and as already reported a framework for a Construction Traffic Management Plan is provided and final details will be provided by the site contractor.

8.10.2. I am satisfied that suitable measures will be provided during the construction phase to control noise, dust, vibration and other potential sources of nuisance. Site working hours are indicated to be 8.00 hours to 18.00 on weekdays and to finish earlier at 13.00 on Saturdays. If permission is granted, standard hours of operation will be conditioned. The applicant does not intend that construction vehicles would be routed through Parson Lodge, this is clearly stated in their response to the appeal, and they would welcome a suitable condition stating this. This would be a temporary situation for the duration of the construction phase.

8.10.3. There is nothing unusual in this development that would require specific measures to ensure public health and safety is protected. The development does not immediately

adjoin the canal and there is no specific need for additional measures; any work adjacent to the Royal Canal towpath would have to be compliant with the requirements of Waterways Ireland. I am therefore satisfied that no issues of concern arise.

- 8.10.4. **Archaeology and Architectural Heritage:** I note the report of the Development Applications Unit and the recommended condition including archaeological monitoring of the site take place. The applicant has provided an 'Archaeological Impact Assessment' in support of their application and which concluded 'there will be no predicted impacts on the recorded archaeological resource'. Archaeological testing found that the site was used for the dumping of materials and pieces of pottery etc. found here may be ex-situ artefacts. The applicant refers to Condition No. 5 of ABP Ref. 313262-22 requiring the employment of an archaeologist to monitor all site investigation and excavation works. I note the reports of the DAU and the applicant, and I have no objection to the inclusion of such a condition, requiring monitoring of the site, in the event that permission is to be granted for this development.
- 8.10.5. The applicant has provided an 'Architectural Heritage Impact Assessment' in support of their application. The only structure reported at relevant is the former Maynooth Rectory and which is listed in the Kildare County Development Plan 2023 – 2029, as varied, as a protected structure (RPS no. B05-56 refers). The section of the Royal Canal to the south of the site is listed on the NIAH – Ref No. 11803136.
- 8.10.6. The proposed development requires a new access onto Parson Street, and this will be provided in the location of the existing entrance to the Rectory. Full details of the works are provided in the applicant's report and the protection of the character of the Rectory is given primary consideration. A new access will be provided to the Rectory from the proposed access road. The access, revised boundary treatment and landscaping will all complement each other and ensure the protection of the Rectory. The listed 'Recommendations' include a full written and photographic record of structures to be impacted and a schedule of materials to be salvaged/ made available for reuse is to be provided. The existing gates are to be removed, restored and returned to the Rectory site for future use.

- 8.10.7. I note the submitted details in the report and consider that the applicant has fully considered the impact of the development on Architectural Heritage and in this the potential impact on the Rectory. I note the permitted development on this site and works permitted to the Rectory are not part of this development and the overall impact on this structure is reduced through this application. No issues of concern arise.
- 8.10.8. **Ecological Impact Assessment:** The applicant engaged Altemar to prepare an Ecological Impact Assessment, and this was included in support of the application, report dated July 2025. The site is not a habitat for any protected fauna. There would be no direct/ or indirect impact impacts on European sites as a result of the proposed development. The nearest European site is the Rye Water Valley/ Carton SAC which is 1.5km from the subject site, the Rye Water Valley/ Carton pNHA is also 1.5km away. The nearest pNHA is the Royal Canal which the site is adjacent to, and the applicant's report gives this as 7m away. Table 7 of the applicant's report lists the Natura 2000 sites within 15km of the subject site and Table 8 lists designated conservation sites/ pNHAs. These are mapped on Figures 12 to 15 of the applicant's report. Figures 16 to 18 locates waterbodies, and their proximity to SACs and SPAs, which indicates hydrological connections between the subject site and European designated sites.
- 8.10.9. The applicant's report indicates that the site is mostly a dry meadow habitat and full details are provided of the plant species found here. Travellers Joy, which is an invasive plant species, is found to the southwest portion of the site. The boundary of the site contains scrub, trees/ woodlands and stone walls. The applicant reports that the site does not contain any habitats of conservation value, and no rare plant species were noted. It is also reported that treatment is underway of Japanese knotweed and bohemian knotweed.
- 8.10.10. Whilst fox and grey squirrel were recorded on site, no evidence of mammals of conservation value were found here. No rare fauna species were found here. No bat roosts were recorded on site and only Common Pipistrelle and Soprano Pipistrelle bats were recorded foraging on site. The applicant's report includes a table listing birds found on site and none were on the red list with only Herring Gull and Goldcrest listed on the Amber list.

- 8.10.11. There are likely direct negative impacts on existing flora and fauna during the construction phase through the removal of habitats, though these are mostly of a low biodiversity importance. The subject lands are not within a designated conservation site and subject to standard mitigation measures, and even in the absence of mitigation measures, 'it is not considered likely that there would be potential for significant effects on designated sites in Dublin Bay.' Mitigation measures are required to ensure the protection of the Rye Water Valley/ Carton SAC from water pollution etc. Biodiversity is not expected to be significantly affected by the proposed development. In terms of bats, it is recommended that a pre-construction survey be undertaken of trees and that post construction a suitable light plan be put in place. No lighting is proposed for open space areas on the site. Standard measures will be put in place for post construction/ operational phase of the development, and the proposed landscaping plan will improve flora diversity.
- 8.10.12. Table 11 of the applicant's report lists the recommended mitigation measures proposed for this site. Table 12 considers cumulative impacts, and it is found that effects on biodiversity would be unlikely, neutral, not likely and would be localised. The applicant concludes on this that 'No significant cumulative impacts are likely in relation to the proposed development'. The report concludes: 'No significant effects on biodiversity are likely. Residual effects on biodiversity are considered to be: Low adverse / site / Negative Impact / Not significant / long term.' Appendix 1 provides a 'Bat Fauna Impact Assessment' dated July 2025 and I note that bat surveys were undertaken in September 2024 on two separate dates. Full details of the survey are provided by the applicant.
- 8.10.13. The submitted details are noted and from the site visit it was evident that the site was under grass, with extensive tree/ scrub on the boundaries, but did not appear to be rich in biodiversity. This site is located within an established urban area but is limited by the canal to the south eastern boundary, Parson Lodge to the west and existing development to the north. There are no watercourses or ponds on site that would encourage a greater level of biodiversity. The Royal Canal provides for a significant amenity function for walkers and on the day of the site visit it was noted that a significant amount of dog walkers use the towpath here. I agree with the conclusion of the applicant's report and the proposed landscaping plan will ensure that biodiversity is enhanced here.

- 8.10.14. The applicant has provided a 'Biodiversity Enhancement Plan' in response to the further information request and measures include the retention of additional sections of hedgerow where possible and to be enhanced as appropriate, provision of larger trees on site, planting of native species, provision of suitable green roofs, provision of swift boxes, bird boxes and bat boxes in locations considered to be appropriate for their installation. As reported, a suitable lighting is proposed that is to be bat friendly.
- 8.10.15. Trees: The applicant has provided an Arboricultural Report, dated July 2025 and prepared by Charles McCorkell Arboricultural Consultancy. The proposed development will require the removal of 49 existing trees, 5 tree groups and the partial removal of 2 tree groups on site and the trees are considered to be of a moderate quality. By way of a further information response, this report was updated and figures were revised such that 40 trees, 4 tree groups were to be removed and a partial removal of 3 tree groups was proposed. Section 8 of the applicant's report provides a list of recommendations including requirements for tree protection, tree works and suitable mitigation measures. Appendix A provides a Schedule of trees on site (type, quality, life stage, etc.) and details of the Tree Works Schedule. Appendix B provides plans of the Tree Survey & Constraints, Tree Removal Plan and Tree Protection Plan.
- 8.10.16. Additional details were provided in response to the further information request by Kildare County Council including a detailed 'Tree Survey and Constraints Plan', a 'Tree Removal Plan' and a 'Tree Protection Plan'. The revised plans are overlaid onto the proposed site layout, and it is clear what the impact of the proposed development would be on trees. The Arboricultural Report was updated/ revised as per the further information request/ revised details.
- 8.10.17. No specific issues were raised in the appeal about the impact on trees other than comment on the loss of screening. I note the proposed landscaping plan and the 'Biodiversity Enhancement Plan' dated November 2025 submitted in response to the further information request and which will ensure that the development promotes/ enhances biodiversity. I am satisfied that the applicant has fully considered the impact of the development on trees and appropriate measures will be put in place to ensure the protection of trees to be retained on site.

9.0 Appropriate Assessment (AA)

9.1 Stage 1 – Appropriate Assessment Screening

Finding of likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually would be likely to give rise to significant effects on the Rye Water Valley/ Carton SAC in view of the conservation objectives of this site and further consideration is required through Appropriate Assessment of the development.

Stage 2 – Appropriate Assessment

The proposed residential development on lands to the south east of Parson Street, Maynooth and to the north of the Royal Canal has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended. Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the Rye Water Valley/ Carton SAC (001398). Consequently, an AA was required of the implications of the project on the qualifying features of the site in light of its conservation objectives.

Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Rye Water Valley/ Carton SAC (001398) subject to the implantation in full of appropriate mitigation measures.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and monitoring in relation to the Conservation Objectives of the Rye Water Valley/ Carton SAC (001398).
- Detailed assessment of in combination effects with other plans and projects including historical projects, plans and current proposals.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Rye Water Valley/ Carton SAC (001398).

I have had full consideration of the information, assessment and conclusions contained within the NIS. I have also had full regard to National Guidance and the information available on the National Parks and Wildlife Service (NPWS) website in relation to the identified designated Natura 2000 site. I consider it reasonable to conclude that on the basis of the information submitted in the NIS, including the recommended mitigation measures, and submitted in support of this application, that the proposed development, individually or in combination with other plans or projects would not be likely to adversely affect the integrity of the Rye Water Valley/ Carton SAC (001398).

10.0 Environmental Impact Assessment (EIA)

10.1 This application was submitted to the Commission after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

10.1.1 The applicant has addressed the issue of Environmental Impact Assessment (EIA) within the submitted EIA Screening Report (Prepared by John Spain Associates – Dated July 2025) and I have had regard to same. The submitted report considers that the development is below the thresholds for mandatory EIAR having regard to Schedule 5 of the Planning and Development Regulations 2001, due to the site size at 1.45 hectares, number of residential units (195) and the fact that the proposal is unlikely to give rise to significant environment effects, a formal EIAR is not required. In addition, detailed and comprehensive assessments have been undertaken to assess/ address all potential planning and environmental issues relating to the development; these are included in support of the application.

- 10.1.2 The Planning Authority reported that they ‘considered that a sub-threshold EIA is not required for the proposed development. The content and conclusion of the submitted EIA Screening Report is noted and accepted. It is not considered that an EIAR is required for the proposed development.’
- 10.1.3 Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended, and section 172(1)(a) of the Planning and Development Act 2000 as amended provides that an EIA is required for infrastructure developments comprising of urban development which would exceed:
- 500 dwellings
 - Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. A business district is defined as ‘a district within a County or town in which the predominant land use is retail or commercial use’.
- 10.1.4 Item (15)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 as amended provides that an EIA is required for: “Any project listed in this part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.”
- 10.1.5 Environmental Impact Assessment is required for development proposals of a class specified in Part 1 or 2 of Schedule 5 that are sub-threshold where the Commission determines that the proposed development is likely to have a significant effect on the environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment.
- 10.1.6 The applicant submitted an EIA Screening Statement with the application, and this document provides the information deemed necessary for the purposes of screening sub-threshold development for an Environmental Impact Assessment.

10.1.7 The various reports submitted with the application address a variety of environmental issues and assess the impact of the proposed development, in addition to cumulative impacts with regard to other permitted developments in proximity to the site, and demonstrate that, subject to the various construction and design related mitigation measures recommended, the proposed development will not have a significant impact on the environment. I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other submissions, and I have considered all information which accompanied the application including inter alia:

- Planning Report and Statement of Consistency (John Spain Associates July 2025)
- Architectural Design Statement (JFA Architects July 2025)
- Photomontages (Model Works July 2025)
- Landscape and Visual Impact Assessment (Áit Urbanism + Landscape Ltd. July 2025)
- Daylight and Sunlight Analysis (Model Works July 2025)
- Traffic and Transport Assessment and Mobility Management Plan (Transport Insights July 2025)
- Infrastructure Design Report (DOB July 2025)
- Flood Risk Assessment (JBA Consulting July 2025)
- Outline Construction Environmental Management Plan (DOB July 2025)
- Ecological Impact Assessment (Altemar July 2025)
- Appropriate Assessment Screening & Natura Impact Statement (Altemar July 2025)
- Climate Action Energy Statement (ENX July 2025)

10.1.8 The EIA screening report prepared by the applicant has under the relevant themed headings considered the implications and interactions between these assessments and the proposed development, and as outlined in the report states that the development would not be likely to have significant effects on the environment. I am satisfied that all other relevant assessments have been identified for the purposes of screening out EIAR.

10.1.9 I have completed an EIA screening assessment as set out in Appendix 3 and 4 of this report. I consider that the location of the proposed development and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment. The proposed development does not have the potential to have effects the impact of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency or reversibility. In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the EIA Screening Statement submitted with the application.

10.1.10 A Screening Determination should be issued confirming that there is no requirement for an EIAR based on the above considerations.

11.0 Water Framework Directive

11.1 The subject site is located approximately 79m to the south east of the Lyreen River and is approximately 14m to the north of the Royal Canal.

11.2 The proposed Large Scale Residential Development (LRD) comprises of the construction of a residential development of 195 units in the form of apartment units, a creche and a café/ commercial unit on a site of 1.45 hectares, to the south of Maynooth town centre.

11.3 I have assessed the LRD development at Parson Street, Maynooth, Co. Kildare 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. I have undertaken a WFD Impact Assessment Stage 1: Screening and which is included in Appendix 5 after my report. This assessment considered the impact of the development on the:

- River Lyreen
- The Royal Canal

- Groundwater

11.4 The impact from the development was considered in terms of the construction and operational phases. Through the use of best practice and implement of a CEMP at the construction phase and through the use of SuDS during the operation phase, all potential impacts can be screened out.

11.5 Conclusion

I conclude that 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 and consequently can be excluded from further assessment.

12.0 Conditions and Recommendations Table

The following table summarises the conditions/ recommendations of Kildare County Council grant of permission and how they will be addressed in a decision to grant permission:

Kildare County Council Condition/ Recommendation	Recommended Relevant Condition
1. Development to be undertaken in accordance with the plans and details submitted.	Condition No.1
2. Nature of the development. a) 195 units, creche & childcare. b) Single residential units not to be subdivided. c) Childcare facility no change to use. d) Hours of operation of this facility e) Max of 48 Children f) No change to retail/ commercial unit without planning.	a) Not required. There is no change in the proposed unit numbers. b) Not required. c) Condition No.7 d) Condition No.7 e) Not required – under Condition No.7 f) Condition No. 8
3. Full compliance with the recommendations of the NIS.	Condition No. 3
4. Details of materials and finishes. Fourth floor to be finished in light coloured brick material.	Condition No.5
5. Submit details of boundary treatments and access to Canal.	Condition No.6

6. a) Submit details of boundary treatment. b) Fencing/ railings to be black powder coated.	Condition No.6
7. Details of pedestrian/ cycle access to Parson Lodge. Limit on gate type.	Condition No.2
8. Part V requirements.	Condition No.30
9. Uisce Éireann Connections	Condition No.19
10.Arboricultural Requirements	Condition No. 20
11.Tree Felling and Bond	Condition No. 20 and 31.
12.Landscape Architect to be employed and landscaping details.	Condition No. 20
13.Employment of a qualified ecologist during the site development works. Japanese Knotweed Control.	Condition No. 22.
14.Trees and hedgerows to be suitably protected during the construction phase.	Condition No. 20.
15.Employment of an Ecological Clerk of Works.	Not required.
16.Final lighting plan along the Royal Canal.	Condition No.10
17.Bat boxes, swift boxes, biodiverse roofs, SuDS bioretention features, and all native planting enhancements shall be installed as proposed.	Condition No.23
18.Implement a natural regeneration phase.	Condition No.23 – Biodiversity E – Plan.
19.Provision of a 5-year Landscape and Biodiversity Management Plan	Condition No.20
20.Provision of a ‘Taking-In-Charge Biodiversity Management Plan’.	Condition No.20
21.Works to Parson Street.	Condition No. 13
22.Parson Street junction to demonstrate compliance with DMURS.	Condition No. 13
23.Junction layouts, line of sight/ setbacks.	Condition No. 13
24. a) Provision of suitable entrance onto Parson Street. b) Relocation of car parking spaces on Parson street.	Condition No.13
25.Undertake a Stage 2 Road Safety Audit.	Condition No. 13
26.Undertake a Stage 3 Road Safety Audit.	Condition No. 13
27.Details of connection to Leinster Street.	Condition No. 13
28.Details of electric charging points – minimum of 20% to be provided	Condition No. 15

29. Car Parking details.	Conditions 13 and 14
30. Cycle parking shelter.	Condition No. 16.
31. Details of the road design – radii, surface, signage and lining.	Condition No. 13
32. Provision of a suitable Construction Management Plan. This to include a Construction Traffic Management Plan.	Conditions No. 27 and 28
33. a) Provide suitable signage during the construction phase. b) Suitable dishing of footpaths at crossings.	Conditions No. 27 and 28
34. Full details of the public lighting system to be submitted for the written agreement of the Planning Authority and be implemented in full.	Condition No.10
35. Implement the submitted Mobility Management Plan.	Condition No.17
36. Protection of existing sightlines.	Condition No.10
37. No impact to existing roadside drainage/ channels.	Conditions No.10 and 18.
38. No surface water runoff to public roads/ streets.	Conditions No.10 and 18.
39. CBR tests to be undertaken to determine subgrade levels under the roads.	Not required – Condition no.10 covers the requirements for roads.
40. Protection of tree roots in areas of roads and footpaths. Implement a suitable landscaping plan.	Condition No.20
41. Implement the Kildare County Council Third Noise Action Plan 2019 – 2023 and the British Standards BS 8233:2014 in relation to noise.	Condition No.26
42. Prepare and implement a Construction and Demolition Resource Waste Management Plan	Condition No. 27
43. a) Foul water to discharge to public system. b) Clean water only to discharge to surface water drainage system. c) Suitable discharge of water from car parking areas.	Conditions No. 27 and 28
44. a) Hours of construction. b) Noise Levels	Condition No. 28 and No. 29.
45. Limit on noise levels.	Condition No. 26 and 28
46. Implement best practice to reduce noise and dust.	Not provided – not enforceable as worded.
47. Submit a Construction Phase Surface Water Management Plan	Condition No. 28

48. Prepare and implement an Operational Waste Management Plan.	Condition No. 27
49. Archaeology/ Monitoring.	Condition No. 24
50. SuDS details as provided to be fully implemented.	Condition No. 18
51. SuDS and Flood details to be finalised.	Condition No. 18
52. SuDS maintenance plan and details.	Condition No. 18
53. SuDS to be compliant with KCC Requirements.	Condition No. 18
54. Naming and Numbering Scheme	Condition No. 7
55. No additional development at roof level.	Not required. Any additional works require planning permission.
56. Management Company	Condition No. 11

13.0 Recommendation

- 13.1 I consider the principle of development as proposed to be acceptable on this site. The site is zoned A – Town Centre with an objective ‘To protect, improve and provide for the future development of the town centre.’ The site is serviced, where public transport, social, educational and commercial services are available. The proposed development is of a suitably high quality and provides for a mix of one, two and three bedroom apartments which are served by high quality communal and public open space.
- 13.2 I consider that the proposed development will not negatively impact on the existing residential and visual amenities of the area. Suitable pedestrian, cycling and public transport is available in the area to serve the development. The site is adjacent to Maynooth station, which is proposed to serve by DART services in the future.
- 13.3 The development is generally in accordance with National and Regional Guidance and Local Policy and is in accordance with the proper planning and sustainable development of the area. I am satisfied that this subject site, which is located in an established urban area, on appropriately zoned lands, with a range of services available and which is in an accessible location, is suitable for the development of 195 apartment units and note the following:
- The lands are suitably zoned for residential development of this nature. Under the Maynooth and Environs Joint Local Area Plan 2025 - 2031, the site is zoned A – Town Centre with an objective ‘To protect, improve and provide for the future

development of the town centre.’ This zoning objective allows for residential development, childcare, café and retail uses.

- The area is well served by community, social, retail and amenity infrastructure. The proposed development provides for a creche.
- The area is well served by public transport and active travel measures. The bus network has been recently improved through several phases of Bus Connects and the site is adjacent to Maynooth station which is served by Commuter and Intercity train services. A Railway Order has been approved for the provision of a DART service to Maynooth.
- There is a clear requirement for residential units in this part of Kildare County and more specifically in the Maynooth area. The proposed development offers a variety of housing types and increases the range of housing types in the immediate area.
- The proposal is acceptable in terms of meeting the requirements of relevant guidelines including the Apartment Guidelines 2025 and also demonstrates compliance with the Kildare County Development Plan 2023 – 2029, as varied, in terms of meeting relevant residential standards.

13.4 I recommend that permission be GRANTED for the development, for the reasons and considerations and subject to the conditions set out below.

14.0 Reasons and Considerations

Having regard to:

- (i) the site’s location on lands with a zoning objective ‘A – Town Centre with an objective ‘To protect, improve and provide for the future development of the town centre’ in the Maynooth and Environs Joint Local Area Plan 2023 – 2029,
- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Kildare County Development Plan 2023 – 2029, as varied, and appendices contained therein,
- (iii) to Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness,

- (iv) the provisions of the National Biodiversity Action Plan 2023-2030, which have been considered,
- (v) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),
- (vi) the Design Standards for Apartments, Guidelines for Planning Authorities, July 2025,
- (vii) the Climate Action Plan 2024 and the Climate Action Plan 2025,
- (viii) the availability in the area of a wide range of social and transport infrastructure,
- (ix) to the pattern of existing and permitted development in the area,
- (x) Planning Report and supporting technical reports of Kildare County Council,
- (xi) to the submissions and observations received,
- (xii) the Inspectors report;

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

15.0 Recommended Draft Order

15.1 Application:

For permission under the Planning and Development Act 2000 as amended, in accordance with plans and particulars, lodged with An Coimisiún Pleanála on the 25th of February 2026 by Glenveagh Homes Limited,

Proposed Development:

- 195 Apartments in three blocks, up to seven storeys in height, car parking, bicycle parking, creche, café/ commercial unit and all associated site works, at Parson Street, Maynooth, Co. Kildare.

Appeal:

Third-Party appeal by the Parson Lodge Residents Association against the decision to grant permission subject to conditions as issued by Kildare County Council.

15.2 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.

15.3 Matters Considered:

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

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

- (i) the site's location on lands with a zoning objective 'A – Town Centre with an objective 'To protect, improve and provide for the future development of the town centre' in the Maynooth and Environs Joint Local Area Plan 2023 – 2029,
- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Kildare County Development Plan 2023 – 2029, as varied, and appendices contained therein,
- (iii) to Delivering Homes, Building Communities 2025 - 2030: An Action Plan on Housing Supply and Targeting Homelessness,
- (iv) the provisions of the National Biodiversity Action Plan 2023-2030, which have been considered,
- (v) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),
- (vi) the Design Standards for Apartments, Guidelines for Planning Authorities, July 2025, (vii) the Climate Action Plan 2024 and the Climate Action Plan 2025,

- (viii) the availability in the area of a wide range of social and transport infrastructure,
- (ix) to the pattern of existing and permitted development in the area,
- (x) Planning Report and supporting technical reports of Kildare County Council,
- (xi) to the submissions and observations received,
- (xii) the Inspectors report;

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

15.4 Appropriate Assessment (AA):

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 and scale of the proposed development on serviced lands, the nature of the receiving environment which comprises a site in an established urban area, the distances to the nearest European sites, and the hydrological pathway considerations, submissions on file, the information submitted as part of the applicant's Appropriate Assessment Screening Report documentation and the Inspector's report.

- Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the Rye Water Valley/ Carton SAC (001398). Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of the site in light of its conservation objectives.
- Following an Appropriate Assessment, it was ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Rye Water Valley/ Carton SAC (001398) subject to the implantation in full of appropriate mitigation measures.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and monitoring in relation to the Conservation Objectives of the Rye Water Valley/ Carton SAC.
- Detailed assessment of in combination effects with other plans and projects including historical projects, plans and current proposals.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Rye Water Valley/ Carton SAC.

15.4 Environmental Impact Assessment (EIA):

The Commission completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report submitted by the applicant, which contains the information set out Schedule 7A to the Planning and Development Regulations 2001 (as amended), identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

Having regard to:

- The nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(iv) and Class 13 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- Class 14 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- The location of the site on lands within the Kildare County Development Plan 2023 – 2029 as varied, and the results of the strategic environmental assessment of the Kildare County Development Plan undertaken in accordance with the SEA Directive (2001/42/EC),
- The location of the site on lands governed by zoning objective A – Town Centre with an objective ‘To protect, improve and provide for the future development of the town centre’ in the Maynooth and Environs Joint Local Area Plan 2023 – 2029, and the results of the strategic environmental assessment of the Maynooth and Environs Joint Local Area Plan undertaken in accordance with the SEA Directive (2001/42/EC),

- The existing use on the site and pattern of development in surrounding area,
- The planning history relating to the site,
- The availability of mains water and wastewater services to serve the proposed development,
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and
- The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Construction Management Plan.

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

Conclusions on Proper Planning and Sustainable Development:

15.5 The Commission considered the proposed development to be generally in accordance with National and Regional Guidance and Local Policy and is in accordance with the proper planning and sustainable development of the area. They were satisfied that this subject site, which is located in an established urban area in Maynooth, on appropriately zoned lands, with a range of services available and which is in an accessible location, is suitable for the development of 195 apartment units and they note the following:

- The location of the site within an established urban area. This vacant undeveloped site is located in Maynooth, within the Kildare County administrative area and is within an area which has an established history of residential development.
- The lands are suitably zoned for residential development of this nature. Under the Maynooth and Environs Joint Local Area Plan 2023 – 2029, the site is zoned A – Town Centre with the objective: ‘To protect, improve and provide for the future development of the town centre’ which allows for residential, childcare, café and commercial development,

- The area is well served by community, social, retail and amenity infrastructure. The proposed development provides for a creche.
- The area is well served by public transport and active travel measures. Public transport is available from the adjacent Maynooth station and a bus interchange on the Straffan Road to the east of the subject site.
- There is a clear requirement for residential units in this part of Kildare County and more specifically in the Maynooth area. The proposed development offers an alternative type of housing to the predominant current form of two storey units in this area.
- The proposal is acceptable in terms of meeting the requirements of relevant guidelines including the Apartment Guidelines 2025 and also demonstrates compliance with the Kildare County Development Plan 2023 – 2029 as varied in terms of meeting relevant residential standards.

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height, and quantum of development, as well as in terms of traffic and pedestrian safety and convenience. The proposal would, subject to conditions, provide an acceptable form of residential amenity for future occupants.

The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

16.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of

agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

- a) Screening shall be provided to the western side of Apartment A.01.10 for a length of 1m to the north west corner. This may be a solid or louvred screen.
- b) The Developer shall submit for the written agreement of the Planning Authority, details of the pedestrian and cycle linkages, and access for emergency between the development and Parson Lodge. The use of meeting gates between the proposed development and Parson Lodge are not permitted. Note: Construction Vehicles are not permitted to use Parson Lodge during the construction phase of the development.

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 residential amenity.

3. The developer shall implement in full the recommendations and mitigation measures as set out in the Natura Impact Statement received by the Planning Authority on 01/08/2025.

Reason: To ensure the protection of the natural heritage on the site.

4. The developer shall implement in full the recommendations of the Ecological Impact Assessment and the Biodiversity Enhancement Plan.

Reason: In the interest of ecology and biodiversity development.

5. a) All elevations facing the Royal Canal and those indicated on the submitted plans shall be finished in brick or similar material but shall not include the use of self-coloured or coloured render on these elevations.

b) Details of the materials, colours, and textures of all the external finishes to the proposed building shall be as submitted with the application, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of clarity and visual amenity.

6. a) Prior to the commencement of development on site, the Developer shall submit for the written agreement of the Planning Authority, full details of all the boundary treatments on the subject site, including those along the Royal Canal.

(b) Galvanised fencing/ railings shall be finished in black/ dark green powder coating.

Reason: In the interest of visual amenity and the proper planning and sustainable development of the area.

7. Proposals for a development name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

8. a) The proposed childcare facility shall not operate outside the period of 0800 to 1900 hours Monday to Saturday inclusive except public holidays and shall not operate on Sundays or public holidays.

b) Full details of operating hours, numbers of children and details of signage shall be submitted for the written agreement of the Planning Authority.

c) Any change to the nature of the facility or opening hours shall not be undertaken without the prior grant of planning permission.

Reason: In the interest of residential amenity.

9. Full details of the operating hours, details of signage and nature of use for the café/ commercial space shall be submitted for the written agreement of the Planning Authority prior to first occupation.

Reason: In the interest of clarity.

10. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

Reason: In the interests of amenity and public safety.

11. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

12. 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.

13. a) The road network serving the proposed development, including turning bays, the junction with Parson Street and associated works, revision of car parking on Parson Street, footpaths and kerbs, access road to service areas, provision of suitable set-down/ pick-up areas/ service delivery areas, and car parking shall be in accordance with the detailed construction standards of the Planning Authority for such works.

b) Stage 2 and 3 Road Safety Audits shall be provided in accordance with the requirements of Kildare County Council.

In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

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

14. (a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. All car parking spaces shall be assigned permanently for the residential development as indicated and shall be reserved solely for that purpose. These residential spaces shall not be utilised for any other purpose, including for use in association with any other uses of the development hereby permitted, unless the subject of a separate grant of planning permission.

(b) Car parking for the creche shall be clearly identified for that purpose only.

(c) Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the Planning Authority.

(d) A revised site layout plan indicating that a minimum of three spaces (one per block) shall be allocated to a car share scheme, shall be agreed with the Planning Authority prior to first occupation of each apartment block, unless alternative arrangements are made.

(e) A revised site layout plan indicating that a minimum of six motorcycle parking spaces (two per block) shall be agreed with the Planning Authority prior to first

occupation of each apartment block.

Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units and the remaining development.

15. A minimum of 20% of the car parking spaces serving the apartment units should be provided with functioning EV charging stations/ points, and ducting shall be provided for all remaining car parking spaces. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.

Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.

16. A total of 429 no. bicycle parking spaces, room for cargo bicycles and E-Bikes with suitable infrastructure, shall be provided within the site. Details of the layout, marking demarcation and security provisions for these spaces shall be as submitted to An Coimisiún Pleanála with this application, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

17. The developer shall implement in full the recommendations of the submitted Mobility Management Plan which shall be overseen by an appointed Mobility Manager.

Reason: In the interest of promotion of sustainable transport.

18. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services.

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

19. The developer shall enter into water and waste water connection agreement(s) with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

20. a) The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development.

b) Full details of site management to be agreed with the Planning Authority prior to the commencement of development.

c) A fully qualified Landscape Architect, and a fully qualified Arborist shall be employed during the site clearance, including the felling of trees, and landscaping phases of the development.

d) All trees and hedgerows identified for retention shall be protected and maintained in accordance with BS 5837 and the Arborist's Method Statement.

Reason: In the interest of residential and visual amenity.

21. (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.

22. a) Prior to the commencement of development, a qualified ecologist shall submit for the written approval of the Planning Authority, a report confirming the absence of Japanese knotweed on the site.

b) The site shall be monitored for Japanese knotweed throughout the construction phase, particularly in areas of soil disturbance, storage, or stockpiling, and any occurrence shall be notified in writing to the planning authority and be managed in accordance with best practice.

Reason: To ensure the protection of species and habitat on site.

23. Bat boxes, swift boxes, and all other identified measures in the Biodiversity Enhancement Plan received by the Planning Authority on 21/11/2025 shall be installed exactly as specified.

Reason: To ensure the protection of ecology on site.

24. The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development, as appropriate, following consultation with the Local Authority Archaeologist. Prior to the commencement of such works the archaeologist shall consult with and forward to the Local Authority archaeologist a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the Planning Authority, in consultation with the National Monuments Service, regarding appropriate mitigation. The developer shall facilitate the archaeologist in recording any remains identified.

Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation of places, caves, sites, features or other objects of archaeological interest

25. (a) 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 and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the Planning Authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

(b) This plan shall provide for screened communal bin stores, the locations, and designs of which shall be included in the details to be submitted.

(c) This plan shall provide for screened bin stores, which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

26. The proposed development shall be in compliance with the Kildare County Council Third Noise Action Plan 2019 – 2023 and the British Standards BS 8233:2014 and the Developer shall incorporate mitigation measures into the design of the residential buildings to ensure that the potential noise impact of future increased train movements does not have an adverse impact on the internal

environment within the development and to ensure that the ProPG internal noise limit criteria is achieved.

Reason: In the interests of the health and safety for all users of the development.

27. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

28. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- b) Location of areas for construction site offices and staff facilities;
- c) Details of site security fencing and hoardings;
- d) Details of on-site car parking facilities for site workers during the course of construction;
- e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- f) Measures to obviate queuing of construction traffic on the adjoining road network and no construction vehicles are to use Parson Lodge to access the site;

- g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority.
- n) Provision of a Construction Management Traffic Plan.

Reason: In the interest of amenities, public health and safety.

29. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, 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 residential amenities of property in the vicinity.

30. 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 provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption

certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may 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 of the area.

31. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company or such other security as may be accepted in writing by the planning authority, to secure the protection of the trees on site and to make good any damage caused during the construction period, coupled with an agreement empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree or trees on the site or the replacement of any such trees which die, are removed or become seriously damaged or diseased within a period of [three] years from the substantial completion of the development with others of similar size and species. 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 secure the protection of trees on the site.

32. 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.

33. 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.

Paul O'Brien

Inspectorate

14th May 2025

Appendix 1: Screening for Appropriate Assessment

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	A Large-Scale Residential Development (LRD) for 195 apartment units, creche, café/ commercial unit and all associated site work on lands to the south east of Parson Street, Maynooth, Co. Kildare.
Brief description of development site characteristics and potential impact mechanisms	<p>The subject site with a stated net area of 1.45 hectares comprises lands to the south east of Parson Street, north of the Royal Canal in Maynooth, County Kildare. The development site has an irregular shape. Access will be from Parson Street and will allow for the future access of lands to the north of the subject site thereby providing a connection to Leinster Street in accordance with the requirements of the Maynooth Environs Joint Local Area Plan.</p> <p>Potential Impact Mechanisms:</p> <p>Construction Phase:</p> <ul style="list-style-type: none"> • Uncontrolled releases of dust, sediments and/or other pollutants to air due to earthworks. • Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies or surface water network. • Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater – Screen out due to nature of the development. • Waste generation during the construction phase comprising soils and construction wastes – can

	<p>be screened out due to the implementation of a suitable CEMP.</p> <ul style="list-style-type: none"> • Spread of invasive species - can be ruled out due to distance to designated sites. • Increased noise, dust and/or vibrations arising from construction activity - can be ruled out due to distance to designated sites. • Increased dust and air emissions arising from construction traffic - can be ruled out due to distance to designated sites. • Increased lighting in the vicinity arising from construction activity - can be ruled out due to distance to designated sites. • Increased human presence and activity arising from construction activity - can be ruled out due to distance to designated sites. <p>Operational Phase:</p> <ul style="list-style-type: none"> • Hydraulic/organic overloading of Leixlip WWTP leading to the release of untreated sewage into downstream European sites – Can be screened out as the WWTP is licenced and has capacity for wastewater treatment as per the Uisce Éireann register dated April 2026. • Surface water drainage from the Site of the Proposed Development – Can be screened out due to the implementation of suitable SuDS measures on site. • Increased lighting at the Site and in the vicinity emitted from the proposed development - can be ruled out due to distance to designated sites. • Increased human presence and activity at the Site and in the vicinity as a result of the
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	<p>Proposed Development - can be ruled out due to distance to designated sites.</p> <ul style="list-style-type: none"> Loss of ex-situ habitat for SCI species of European sites – does not arise.
Screening report	Y - The Applicant submitted an Appropriate Assessment Screening Report dated July 2025 – Updated to March 2026.
Natura Impact Statement	Y - The Applicant submitted a Natura Impact Statement dated July 2025 - Updated to March 2026.
Relevant submissions	<p>The appeal did not raise any issues of concern in relation to Appropriate Assessment, though query over the updated AA Screening/ NIS was raised.</p> <p>Note: The update is on the basis of the further information submitted to the Planning Authority – the development description has been revised to match that of the further information response. The assessment or its findings do not change as a result of the change of development description. Remains as 195 apartment units in three blocks.</p>
<p>Step 2. Identification of relevant European sites using the Source-pathway-receptor model</p> <p>The Applicant’s submitted AA Screening included the following:</p> <ul style="list-style-type: none"> Rye Water Valley/Carton SAC Ballynafagh Bog SAC Ballynafagh Lake SAC South Dublin Bay SAC North Dublin Bay SAC South Dublin Bay and River Tolka Estuary SPA 	

- North Bull Island SPA
- North-West Irish Sea SPA

I am screening out all the above except the Rye Water Valley/Carton SAC as the other sites do not have a hydrological/ ecological connection. In addition, the other sites are between 14.6km and 30km from the subject site and can be screened out due to distance.

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Rye Water Valley/ Carton SAC (Site Code – 001398)	<ul style="list-style-type: none"> • Petrifying springs with tufa formation [7220] • Narrow-mouthed Whorl Snail [1014] 	1.5 km to the north east	<ul style="list-style-type: none"> • There is no hydrological connection between the subject site and the Petrifying Springs due to their location at a higher elevation than the Rye Water River. • Surface water will discharge to the Joan Slade River, then to the Lyreen River and which in turn discharges to the Rye Water River. 	<p>Y</p> <ul style="list-style-type: none"> • Can Screen out Petrifying Springs • Indirect hydrological link between the site and the designated site.

	<ul style="list-style-type: none"> • Desmoulin's Whorl Snail [1016] 		<ul style="list-style-type: none"> • There is potential for dust, silt and other contaminants to enter the Joan Slade River during the construction phase. These may enter the Rye Water River. • Wastewater will go via the public foul drainage system, to be treated at the Leixlip WWTP. No significant effects on Designated European sites are foreseen. • There is a need for mitigation measures to 	<ul style="list-style-type: none"> • There is a need for suitable mitigation measures to prevent materials entering the Joan Slade River during the construction phase and discharging to the Rye Water River. • There is a need for suitable mitigation measures to prevent materials entering the Joan Slade River during the construction phase and discharging to the Rye
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			prevent silt, hazardous materials and petrochemicals entering the SAC. Need to proceed to a NIS to ascertain the impacts on the SAC.	Water River.
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Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Rye Water Valley/ Carton SAC (Site Code – 001398)	<p>Direct:</p> <p>There is potential for direct hydrological connection to the site via the Joan Slade River & the Lyreen River which discharges to the Rye Water River, with possible downstream impacts from the project during the construction, and operation phases.</p>	<p>Potential for dust, silt and hazardous contaminants to enter the Rye Water River. This would have a negative impact on the Narrow-mouthed Whorl Snail and Desmoulin's Whorl Snail.</p> <p>The Conservation Objectives are to restore the favourable conservation condition of the Narrow-mouthed Whorl Snail, with a target to restore to self-sustain</p>

		<p>population. Under Hydrological Regime it is a target to restore suitable hydrological regime, subject to natural processes.</p> <p>The Conservation Objectives are to maintain the favourable conservation condition of Desmoulin's Whorl Snail. The target is no decline, subject to natural processes. Under Hydrological Regime it is a target that there is no decline, subject to natural processes.</p>
	<p>Likelihood of significant effects from proposed development (alone): Yes</p>	
	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</p> <p>No. No projects would be seen to have a likely significant in combination effect on designated European sites. AA Screening/ AA/ NIS would be submitted with applications of a similar scale to the proposed development.</p>	
<p>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</p>		
<p>I conclude that the proposed development would have a likely significant effect 'alone' on QIs associated with the Rye Water Valley/ Carton SAC (Site Code – 001398)</p>		

due to potential for dust, silt and sediment and hazardous materials to reach these site via discharge to the Joan Slade River, then to the Lyreen River and which in turn discharges to the Rye Water River. The SAC could be significantly effected due to potential impact on water quality/ resource during the construction and operational phases of this development, with materials transported by the Lyreen River.

An Appropriate Assessment is required on the basis of the effects of the project 'alone'. Further assessment in-combination with other plans and other projects is not required at this time.

Appendix 2:

Stage 2 – Appropriate Assessment

The applicant has provided a Natura Impact Statement (NIS), in accordance with the requirements of the Stage 2 Appropriate Assessment process. A detailed list of supporting documentation is provided in the submitted Natura Impact Statement.

I am satisfied that the submitted NIS is in accordance with current guidance/ legislation/ best practice and the information included within the report in relation to baseline conditions and potential impacts are clearly set out and supported with sound scientific information and knowledge. The NIS examines and assesses the potential adverse effects of the proposed development on the Rye Water Valley/ Carton SAC, where it has been established that there is a possibility for significant effects on the designated European sites, in the absence of mitigation as a result of hydrological impacts. As reported in the Appropriate Assessment Screening, all other European designated sites can be excluded from the need for further assessment. I have also excluded the Petrifying Springs, that are a QI, for the Rye Water Valley/ Carton SAC at the AA Screening Stage.

Table 4 of the applicant's NIS report provides 'The site-specific Conservation Objectives, overall status of species and habitats and the potential impact of the proposed development on the features of interest and conservation objectives of Rye Water Valley/Carton SAC.

Table 5 of the applicants NIS provides details on the 'Mitigation measures to prevent impacts on sensitive receptors' to be used on site. Primary concern relates to the construction phase, and the only recommendation for the operational phase is for the employment of a project ecologist during the completion of the drainage and landscape works.

I have provided the following table to list the QIs that may be affected and also a summary of the applicant's suggested mitigation measures, as per Table 5 of their submitted report.

Rye Water Valley/Carton SAC (Site Code 001398)

Qualifying Feature	Pathway	Effect	Mitigation Measures (summarised – fully detailed in applicant’s report.
<p>Narrow-mouthed Whorl Snail [1014]</p> <p>Desmoulin’s Whorl Snail [1016]</p>	<p>Hydrological connection through the Joan Slade River which outfalls to the Lyreen River, and in turn the Rye Water River.</p> <p>Water quality may be impacted, and dust/ silt and sediment could be transport from the development site to the designated European site.</p>	<p>Potential for contaminants including dust, silt, soil, hydrocarbons and cement to enter the surface water drainage network and discharge to the designated site.</p>	<p>Construction Phase:</p> <p>Mitigation 1: Water Quality</p> <ul style="list-style-type: none"> • Project ecologist employed to oversee enabling/ construction work. • Staging/ phasing of project to reduce risk. • Suitable drainage to be provided on site and to be properly maintained. • Protect watercourses from dust, silt and contaminated water from entering. • Provision of suitable silt traps. • Suitable material storage on site.

			<ul style="list-style-type: none"> • Control of oil, fluids on site. • Planting to be put in place as soon as possible. • Trees to be felled in consultation with the Ecologist and Arborist. • Measures to be taken to address potential issues from dust – suitable sweeping of roads, use of wheel wash, material handling, control of speed limits, record air quality and make the log available if requested. • Monitoring to be undertaken as required including during periods of potential dust generation, checking of silt traps and
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			<p>consideration of weather related impacts.</p> <ul style="list-style-type: none"> • Suitable measures to be deployed in relation to groundworks and earthworks. • Suitable storage of machines and plant on site. <p>Operational Phase:</p> <ul style="list-style-type: none"> • A project Ecologist to be employed during the completion of the drainage and landscape works.
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Potential impacts on the designated sites have been identified in the applicant's report. Where significant effects are identified, suitable mitigation measures and avoidance measures have been identified to overcome such issues. The NIS concludes 'No significant adverse effects are likely on Natura 2000 sites, their qualifying interests or conservation objectives. The proposed project will not will adversely affect the integrity of European sites.'

NIS Assessment:

I have relied on the following guidance: Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities, DoEHLG (2009); Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological

guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC, EC (2002); Managing Natura 2000 sites, The provisions of Article 6 of the Habitats Directive 92/43/EEC, EC (2018).

The Rye Water Valley SAC is subject to appropriate assessment. A description of the sites and their Conservation Objectives and Qualifying Interests are set out in the submitted NIS and have already been outlined in this report as part of my assessment. I have also examined the Natura 2000 data forms as relevant and the Conservation Objectives supporting documents for these sites available through the NPWS website.

Aspects of the Development that could adversely affect the designated sites: The main aspects of the development that could impact the conservation objectives of the European sites are through habitat loss by deterioration of water quality by pollution and disposition of silt/ sediment/ contaminated water and dust during the construction phase and transported from the development site to the designated European site by way of the Lyreen River.

Mitigation: A range of mitigation measures are provided in the NIS, and these are noted. These primarily refer to the construction phase of the development as provided in the applicant's report. The connection of the site to designated sites by the Lyreen River rightly requires a degree of caution to be deployed throughout the construction and operational phases.

Overall, I consider that the proposed mitigation measures are clearly described, and precise, and definitive conclusions can be reached in terms of avoidance of adverse effects on the integrity of designated European sites based on the outlined mitigation measures. I consider that the mitigation measures are necessary having regard to the proximity/ hydrological connection of the site to the Rye Water Valley/ Carton SAC (001398). Overall, the measures proposed are effective, reflecting current best practice, and can be secured over the short and medium term and the method of implementation will be through a detailed management plan and appropriate monitoring through the construction and operational phases of the development.

Appropriate Assessment Conclusion:

The proposed residential development on lands to the south east of Parson Street, Maynooth and to the north of the Royal Canal have been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended. Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the Rye Water Valley/ Carton SAC (001398). Consequently, an AA was required of the implications of the project on the qualifying features of the site in light of its conservation objectives.

Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Rye Water Valley/ Carton SAC (001398) subject to the implantation in full of appropriate mitigation measures.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and monitoring in relation to the Conservation Objectives of the Rye Water Valley/ Carton SAC (001398).
- Detailed assessment of in combination effects with other plans and projects including historical projects, plans and current proposals.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Rye Water Valley/ Carton SAC (001398).

I have had full consideration of the information, assessment and conclusions contained within the NIS. I have also had full regard to National Guidance and the information available on the National Parks and Wildlife Service (NPWS) website in relation to the identified designated Natura 2000 site. I consider it reasonable to conclude that on the basis of the information submitted in the NIS, including the recommended mitigation measures, and submitted in support of this application, that the proposed development, individually or in combination with other plans or projects would not be likely to adversely affect the integrity of the Rye Water Valley/ Carton SAC (001398).

Appendix 3

EIA Pre-Screening

An Coimisiún Pleanála Case Reference	ACP-324107-26		
Proposed Development Summary	A Large-Scale Residential Development (LRD) for 195 apartment units, creche and all associated site works on lands to the south east of Parson Street, Maynooth, Co. Kildare.		
Development Address	Parson Street, Maynooth, Co. Kildare		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	√	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	√	Class 10. Infrastructure Projects – (b)(i) Construction of more than 500 dwelling units (iv) Urban Development	Proceed to Q3.
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	√	Class 10. Infrastructure Projects – (b)(i) Construction of more than 500 dwelling units: 195 units proposed – below threshold.	Proceed to Q4

		(b)(iv) Urban Development – Site area is 1.45 hectares, not in a business district and site is below the 10 hectares threshold for a built up area.	
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
N/A			

5. Has Schedule 7A information been submitted?		
No		
Yes	√	Screening Determination required

Inspector: _____ Date: _____

Appendix 4: EIA Screening Determination:

A. CASE DETAILS		
An Coimisiún Pleanála Case Reference	ACP-324107-26	
Development Summary	A Large-Scale Residential Development (LRD) for 195 apartment units, creche and all associated site works on lands to the south east of Parson Street, Maynooth, Co. Kildare.	
	Yes/ No/ N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	Below threshold and therefore no need for an EIA in this case.
2. Has Schedule 7A information been submitted?	Yes	Environmental Impact Assessment Screening Report – Dated July 2025
3. Has an AA screening report or NIS been submitted?	Yes	Appropriate Assessment Screening & Natura Impact Statement - Information for a Stage 1 (AA Screening) and Stage 2 (Natura Impact Statement) AA has been submitted – Dated July 2025 and updated to March 2026.
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	

<p>5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA</p>	<p>Yes</p>	<p>Ecological Impact Assessment Report – Dated July 2025.</p> <p>Arboricultural Report – Dated July 2025.</p> <p>Flood Risk Assessment – Dated July 2025.</p>	
<p>B. EXAMINATION</p>		<p>Where relevant, briefly describe the characteristics of impacts (ie the nature and extent) and any Mitigation Measures proposed to avoid or prevent a significant effect</p> <p>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)</p>	<p>Is this likely to result in significant effects on the environment?</p> <p>Yes/ No/ Uncertain</p>
<p>1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)</p>			
<p>1.1 Is the project significantly different in character or scale to</p>	<p>The development proposes the</p>	<p>No.</p>	

<p>the existing surrounding or environment?</p>	<p>provision of residential development in the form of apartment units within the urban area of Maynooth, County Kildare. The development would not be out of character with such existing uses.</p>	
<p>1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</p>	<p>The proposed development will result in the construction of residential development on lands that are zoned for town centre use and which allow for mixed uses including residential and childcare.</p>	<p>No.</p>
<p>1.3 Will construction or operation of the project use natural resources such as land, soil,</p>	<p>Construction materials will be typical of such</p>	<p>No.</p>

<p>water, materials/minerals or energy, especially resources which are non-renewable or in short supply?</p>	<p>an urban development. The loss of natural resources or local biodiversity as a result of the development of the site are not regarded as significant in nature.</p>	
<p>1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels, hydraulic oils and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature, and the implementation of a finalised</p>	<p>No.</p>

	<p>Construction Management Plan will satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.</p>	
<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would</p>	<p>No.</p>

	<p>be local and temporary in nature and implementation of a Construction Management Plan will satisfactorily mitigate potential impacts. Operational waste will be managed via a Waste Management Plan. Significant operational impacts are not anticipated.</p>	
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No significant risk identified subject to the implementation of appropriate mitigation measures. The operation of the Construction Management</p>	<p>No.</p>

	<p>Plan will satisfactorily mitigate emissions from spillages during construction.</p> <p>The operational development will connect to mains services.</p> <p>Surface water drainage will be separate to foul services within the site. No significant emissions during operation are anticipated.</p>	
<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Potential for construction activity to give rise to noise and vibration emissions.</p> <p>Such emissions will be localised, short term in nature and their impacts may be suitably</p>	<p>No.</p>

	<p>mitigated by the operation of a Construction Management Plan.</p> <p>Management of the scheme in accordance with an agreed Management Plan will mitigate potential operational impacts.</p>	
<p>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p>Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of the submitted Construction Management Plan would satisfactorily address potential</p>	<p>No.</p>

	<p>impacts on human health. No significant operational impacts are anticipated.</p>	
<p>1.9 Will there be any risk of major accidents that could affect human health or the environment?</p>	<p>No significant risk having regard to the nature and scale of development. Any risk arising from construction will be localised and temporary in nature. The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location in Maynooth.</p>	<p>No.</p>
<p>1.10 Will the project affect the social environment (population, employment)</p>	<p>The development of this site as proposed will result in a change of use</p>	<p>No.</p>

	<p>and an increased population at this location. This is not regarded as significant given the urban location of the site and surrounding pattern of land uses, which are characterised by residential development. Employment will be generated during the construction phase.</p>	
<p>1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?</p>	<p>There are no other similar developments in the immediate area which would have a cumulative effect on the environment.</p>	<p>No</p>

2. Location of proposed development

<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <p>a) European site (SAC/ SPA/ pSAC/ pSPA)</p> <p>b) NHA/ pNHA</p> <p>c) Designated Nature Reserve</p> <p>d) Designated refuge for flora or fauna</p> <p>e) Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</p>	<p>No European sites located on or adjacent to the site. An Appropriate Assessment Screening/ Natura Impact Statement (NIS) was provided in support of the application. No adverse effects are foreseen subject to recommended mitigation measures including employment of Project Ecologist, suitable provision of silt traps, site/ machinery/ vehicle management and monitoring</p>	<p>No.</p>
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	of water/ air quality.	
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be significantly affected by the project?	No adverse effects on designated sites are foreseen.	No.
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	There is no known archaeology on this site, however appropriate measures are provided in the submitted Archaeology Assessment provided in support of this application. The Rectory adjoining the site is a protected structure, but the design has full regard to the character	No.

	and setting of this structure.	
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	There are no such features that arise in this location.	No.
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	<p>None on site.</p> <p>A site-specific flood risk assessment was prepared, and no issues of concern were identified.</p> <p>The proposed apartment blocks and open space are located within Flood Zone C, with a section of the access road within Zones A/B and Parson Street within Zone A/B. No development is proposed here and suitable</p>	No.

	measures are proposed including identified routes during emergencies.	
2.6 Is the location susceptible to subsidence, landslides or erosion?	No such impacts are foreseen.	No.
2.7 Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	The site accesses the public road network via a new junction onto Parson Steet.	No.
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be significantly affected by the project?	There is a community facility to the north east of the site. No significant affects are foreseen.	No.
3. Any other factors that should be considered which could lead to environmental impacts		
Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	There are no existing/ approved developments in the area that	No.

	would give rise to cumulative effects.	
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No trans-boundary effects arise as a result of the proposed development.	No.
3.3 Are there any other relevant considerations?	No.	No.
C. CONCLUSION		
No real likelihood of significant effects on the environment.	<input checked="" type="checkbox"/>	EIAR Not Required
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	EIAR Required
D. MAIN REASONS AND CONSIDERATIONS		
<p>Having regard to: -</p> <p>a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(i) and 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,</p> <p>b) The existing use on the site and pattern of development in surrounding area,</p> <p>c) The availability of mains water and wastewater services to serve the proposed development,</p> <p>d) The location of the development outside of any sensitive lands,</p> <p>e) The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003),</p> <p>f) The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001 as amended, and</p> <p>g) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment,</p>		

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

Inspector _____

Date _____

Approved (DP/ADP) _____

Date _____

Appendix 5: WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	ACP-324107-26	Townland, address	Parson Street, Maynooth, Co. Kildare
Description of Project		A Large-Scale Residential Development (LRD) for 195 apartment units, creche, café/ commercial unit and all associated site works, on lands to the south east of Parson Street, Maynooth.	
Brief site description, relevant to WFD Screening		The subject site is located to the north west of the Royal Canal and the Lyreen River is located to the north west on the opposite side of Parson Street to the subject site. The land is undeveloped, is under grass, trees and scrub.	
Proposed surface water details		SuDS measures to be implemented by the developer in the engineering and landscaping design. Measures include bioretention tree pits, green/ blue roofs, filter drains, lined permeable paving and detention basin.	

Proposed water supply source & available capacity		The Uisce Éireann Capacity Register for Water Supply, dated April 2026, indicates there to be 'Potential Capacity Available - LoS improvement required'.					
Proposed wastewater treatment system & available city, other issues		Capacity Register, dated April 2026, provides a 'Green' indication of available capacity for the LLVSS WWTP in Leixlip which serves Maynooth. The Specific comments in the Uisce Éireann report are that upgrade works are underway in Maynooth and are due to finish in Q2 2027 and some upgrade works to an existing gravity sewer would be required to serve this development.					
Others?		None.					
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection							
Identified water body	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)	Mitigation Measures proposed	Is mitigation sufficient? Will there be any residual impacts?

Groundwater	Dublin (IE-EA-G-008) On Site.	Good	Not at Risk	None	Surface water run-off, groundwater, and drainage – All phases.	Implement suitable CMP measures for Construction Phase. Implementation of SuDS plan for Operational Phase.	Mitigation is sufficient – No residual impacts foreseen.
River	Lyreen_020 (IE_EA_09L020100) Approximately 79m from site.	Poor	At Risk	Agriculture	Surface water run-off, groundwater, and drainage – All phases.	Implement suitable CMP measures for Construction Phase. Implementation of SuDS plan for Operational Phase.	Mitigation is sufficient – No residual impacts foreseen.

River/ Canal	Royal Canal Main Line (Liffey and Dublin Bay) Approximately 14m from site.	Good	Review	None	Surface water run-off, groundwater, and drainage – All phases.	Implement suitable CMP measures for Construction Phase. Implementation of SuDS plan for Operational Phase.	Mitigation is sufficient – No residual impacts foreseen.
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