



An
Coimisiún
Pleanála

Inspector's Report

ACP-324315-26

Development

Large Residential Development (LRD)
- Construction of 581 dwellings. EIAR
and NIS submitted with application

Location

Lands at Railpark, Maynooth, Co.
Kildare, Maynooth, ACP Ref: 312671-
22 (Phase 1) and Reg. Ref.: 21156 /
ACP Ref: 312685-22 (Phase 2), which
is currently under construction. north
of Maynooth Educate Together
National School on the Celbridge
Road (R405) and bordered by
agricultural lands to the N, E, S.
www.railparklrd.com

Planning Authority

Kildare County Council

Planning Authority Reg. Ref.

2561119

Applicant(s)

Conzone Ventures Ltd.

Type of Application

Large Scale Residential

Planning Authority Decision

Grant with Conditions

Type of Appeal

Third Party v Decision

	First v Conditions
Appellant(s)	Michelle Maguire (3 rd Party) Pat Monaghan (3 rd Party) Martina Walsh and Others (3 rd Party) Parkland Residents Association (3 rd Party) Mary Leydon (3 rd Party) Conzone Ventures Ltd (1 st Party)
Observer(s)	None.
Date of Site Inspection	7 th August 2026.
Inspector	Lucy Roche

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Appendices

1.0 Site Location and Description

- 1.1. The proposed development site comprises c.15.27ha of predominantly greenfield on the southeastern edge of the built-up-area of Maynooth, c.0.8km southeast of Maynooth Main Street, in the area known as Railpark. These lands forms part of a wider landbank of c30.47ha that is identified as a key development area (Railpark KDA), in the Maynooth Environs Joint Local Area Plan 2025-2031 (MEJLAP). As planned the Railpark KDA is to be developed for housing with supporting social infrastructure in the form of a neighbourhood centre, local park and a possible primary school. The KDA is to be served by the Maynooth Eastern Ring Road (MERR) a new single carriageway relief road to the east of Maynooth town, to facilitate the connection of the R405 Celbridge Road to the south and the R148 Leixlip Road to the north. The MERR is currently being delivered by KCC under Part 8 (Reg. Ref.: P82019-08MERR) having been brought forward under the Local Infrastructure Housing Activation Fund (LIHAF). Works on the MERR were ongoing on the date of inspection. The MERR will traverse the proposed development lands in a north-south direction.
- 1.2. Existing development in the area is primarily residential. The established residential estates of Parklands and Rockfield are located to the north and west of the site respectively. The interface between these established estates and the proposed development site comprises hedgerow interspersed with trees, garden vegetation, fencing and walls. Construction is progressing on a new residential development of 2-3 storey housing (The Grange) to the southeast of the site (granted under ABP 312671-22, ABP- 312685-22). This development is to be accessed directly off the Celbridge Road. Its layout facilitates a vehicular connection with the proposed development site. Maynooth Educate Together school also lies to the south of the site. The lands between the proposed development site and Maynooth Educate Together school are identified as a possible post-primary school site in the Maynooth and Environs Joint Local Area Plan 2025-2031. Remaining lands to the immediate north and east of the site are in agricultural use.

2.0 Proposed Development

2.1. The proposal is for a ten-year permission for a Large-Scale Residential Development. The development, as submitted to Kildare County Council on the 2nd of October 2025, comprised the construction of 581 no. residential units, a neighbourhood centre, and approx. 2.9ha of Public open space on an overall site of approximately 15.27 hectares. The residential component of the development consisted of 185 no. apartment / duplex apartments and 396 no. houses. The proposed neighbourhood centre consisted of 3 no. buildings, as follows:

- Block A: A part 5 storey / part 6 storey building comprising, a health centre and two no. shop units (pharmacy and convenience shop) at ground floor level and 41 no. apartments from first to fifth floor level.
- Block B is a 5-storey building comprising a childcare facility at ground floor level and 48 no. apartments from first to fourth floor level.
- A single storey standalone café / restaurant kiosk building) and a new public plaza and communal open space.

2.2. The planning authority in the course of their assessment of the application raised a number of issues relating to the design and layout of the development. These issues were raised by way of further information request on the 25th of November 2025, and 11th March 2026 (request for revised notices only). The final layout was submitted to the planning authority on the 6th of March 2026. For clarification, it is this revised layout that will form the basis of this assessment. The proposed scheme (as amended) is described in more detail below. I have included a summary of the amendments introduced at RFI stage in section 2.14.

Amended Scheme:

2.3. The proposal before the Commission comprises the construction of 589no. residential units and a neighbourhood centre. The residential component of the development consists of 220 no. apartment / duplex apartments and 369 no. houses. The mix of unit type, size and format is shown in Tables 2.1 and 2.2 below.

2.4. Buildings range in height from two to six -storey. The development and height strategy presented allows for a transition in scale across the site from west to east. The lower two and three storey houses and duplex units are arranged primarily along

the western boundary, reflecting the scale of existing / under construction residential development. The taller buildings are concentrated along the MERR, within the neighbourhood centre and at strategic locations (close to main entrances). The proposed neighbourhood centre consists of 2 no. buildings, as follows:

- Block A: A part 5-storey/part 6-storey building accommodating a health centre, two shop units (pharmacy and convenience) and community space at ground floor level and 41 no. apartments from first to fifth floor.
- Block B: a 5-storey building accommodating a childcare facility (762 sqm) with capacity for 198 no. childcare places) at ground floor level and 48 no. apartments across first to fourth floors

- 2.5. Externally, the neighbourhood centre will be served by a new public plaza and an area communal open space (c. 1,230 sq. m) for residents. The creche will also be served by a dedicated area of open space to the south of Block B.
- 2.6. The proposal includes c. 2.74ha of public open space in the form of a new local park, linear park, and four pocket parks. The proposed section of the local park (c. 13,873 sq. m) is designed to incorporate a MUGA, planning pitches, children's playground, skate plaza / teen area and calisthenic area. The park will also be served by a dedicated service building incorporating a café kiosk, WC facilities and storage.
- 2.7. The proposed development provides for 2 no. vehicular accesses from the permitted Maynooth Eastern Ring Road (MERR) including a new pedestrian /cyclist signalised crossing, associated internal roads, pedestrian and cycle infrastructure, set down areas, bin and bike stores, paths and access points provided up to the application site boundary to provide for potential future connections to adjoining lands to the north and south. The northeast section of the development will be accessed separately via a new local access road connecting the MERR.
- 2.8. The following table presents a summary of the principal characteristics, features, and floor areas of the components of the proposed scheme (as amended), which are extrapolated from the application documentation:

Table 2.1: Development Statistics	
Gross Site Area	15.27ha

Net Site Area	15.10ha (14.78 ha Net Site Area for Density)	
Net Developable Area	14.78ha	
Demolition	N/A	
Gross Floor Space	Total	54,860.9 sq. m
	Residential	53,632.9 sq. m (97.89%)
	Commercial / Creche	1,228 sq. m
Density	39.85dph (net)	
No. Residential Units	589 Units <i>(increased from 581 at RFI Stage)</i>	
No. of Houses	369 (63%)	
No. of Apartments	220 (37%)	
Commercial / Community	Health Care Centre	174 sq. m
	Creche	762 sq. m (with capacity for 198 no. childcare places)
	Retail Units	Pharmacy: 124 sq. m Convenience: 166 sq. m
	Community Space	100 sq. m
	Service Building:	
Unit Type / Mix	<i>See Tables 2.2 and 2.3 below</i>	
Dual Aspect units	81.4% of Apartments (179no.)	
Building Height	2 to 6 storeys	
Car Parking Spaces	Total	888
	Residential	862
	Commercial	26
Cycle Parking Spaces	Total	741
	Residential	700

	Commercial	41
Public Open Space	2.74ha (18.5% net site area)	

2.9. The following Tables provide a breakdown of house type and unit mix:

Table 2.2 – Unit Type		
Type	No. of Units Provided	% (approx.)
2 Bed House	44	7.5
3 Bed House	232	39.4
4 Bed House	93	15.8
1-bedroom duplex	10	1.7
2-bedroom duplex	44	7.5
3-bedroom duplex	38	6.5
1 Bed Maisonette	44	7.5
1 Bed apartment	29	4.9
2 Bed apartment	55	9.3
Total	589	100

Table 2.3 – Unit Mix					
Unit Mix	1 Bed	2 Bed	3 Bed	4 Bed	Total
Total Units	83	143	270	93	589
% Mix	14%	24%	46%	16%	100%

2.10. As proposed development is to be delivered in 5 phases, as follows:

Table 2.4 Phasing (<i>Phasing Proposal submitted at RFI Stage</i>)	
Phase 1	182 units (<i>84 units apartments, 98-unit houses</i>), Creche & Community Space Construction Duration (18 months)
Phase 2	141 units & Public Open Space areas 1/2/3: Construction Duration (12 months)
Phase 3	127 units & Public Open Space areas 4/5/6 Construction Duration (15 months)

Phase 4	77 units & Public Open Space areas 7 and 8 Construction Duration (9 months)
Phase 5	62 units & Public Open Space areas 9 and 10 Construction Duration (7 months)

2.11. The amendments introduced to the scheme at RFI stage can be summarised as follows:

- The introduction of new three-storey house types (Types L, La, Q, Qa, S1 and S2) around the local park.
- The introduction of new own-door (Type 4H) maisonette units to increased density in a low-rise form.
- Alterations to the design and configuration of Duplex Type A, providing increased separation distances between blocks and improve usability of intervening areas of open space; enhanced elevation fenestration and removal of balcony railings.
- Within the neighbourhood centre, Block A was reoriented to align with Block B, improving urban structure, legibility and frontage to streets and public spaces. The commercial uses within Block A were reconfigured to incorporate c. 136 sq. m of community space.
- The standalone café pavilion building was omitted.
- The architectural approach to gateway buildings has been simplified, with the removal of tower projections and the introduction of higher-quality finishes.
- A new site services building incorporating café kiosk, WC facilities and storage was located within the Local Park.
- Public open spaces were reconfigured and upgraded to provide clearer definition, improved usability, enhanced active and passive recreational provision, and stronger integration with surrounding development.
- The Local Park (POS 1) was enhanced, with increased activity and overlooking from surrounding development, upgraded play and sports facilities (including MUGAs, calisthenics and skate facilities), improved entrances and boundaries, and the introduction of a new c. 90 sq.m public maintenance and amenity building to support long term park management.

- The linear public open space / linear park was reconfigured and enhanced, with increased width and clearer definition, stronger landscape structure and planting, improved integration with adjacent development, reconfigured SuDS features to improve usability and visual quality and strengthened connectivity between neighbourhoods and the main park.
- A revised SuDS and biodiversity-led landscape strategy was implemented across all public open spaces, integrating wetlands, swales, detention areas and microhabitats in a manner that enhances amenity, biodiversity and long-term functionality.
- The access and junction strategy has been refined to confirm that all traffic signals, junction works and associated infrastructure serving the development are fully contained within the applicant's red line boundary, with direct tie-in to the approved MERR scheme without requiring any modification.

2.12. In addition to the standard plans and particulars, the application is accompanied by the following documents and reports:

- | | |
|---|--|
| • Planning Report and Statement of Consistency | • AA Screening Report |
| • LRD Opinion Response | • Natura Impact Statement (NIS) |
| • Planning Design Statement (PDS) | • Building Lifecycle Report |
| • CGI's | • Traffic Impact Assessment |
| • CGIs and Photomontages (<i>RFI</i>) | • DMURS Statement |
| • Housing Quality Assessment (HQA) (<i>updated RFI</i>) | • Engineering Report |
| • Schedule of Accommodation | • Flood Risk Assessment |
| • Social and Community Infrastructure Audit | • Outline Construction and Environmental Waste Management Plan |
| • Environmental Impact Assessment Report (EIAR) | • Outline Construction Waste Management Plan |
| • EIAR Addendum Report (<i>RFI</i>) | • Operational Waste Management Plan |

- Quality Audit
- Road Safety Audit
- SuDS Management Plan
- Public Lighting Report
- Acoustic Design Statement
- Daylight and Sunlight Impact Statement
- Wind Microclimate Assessment
- Landscape Report
- Arboricultural Report
- Climate Action and Energy Statement
- Utility Report
- Biodiversity Management Plan (RFI)

3.0 Planning Authority Opinion

3.1. In accordance with the information on file, two Section 247 pre-planning meetings were held between the applicants and Kildare County Council (KCC) prior to the submission of the application. These meetings took place on 17th May 2024 and 24th October 2024. A summary of these consultations, along with extracts of the site layouts presented at each meeting, is provided in Section 2 of the Architectural Design Statement which accompanies the application.

3.2. Subsequently, a Section 32B LRD Meeting was held with Kildare County Council on 30th of April 2025. The LRD Opinion, issued on 28th May 2025, concluded that the proposal did not constitute a reasonable basis for an LRD application, identifying three key issues:

1. The proposed layout does not reflect the urban design requirements of UD 01 in the Kildare County Development Plan 2023–2029 or the design checklist in Appendix D of the Sustainable and Compact Settlements Guidelines.
2. The road layout does not comply with DMURS, due to several long straight internal streets.
3. The surface water drainage strategy must incorporate appropriate Sustainable Drainage Systems (SuDS) in line with the Kildare County SuDS Guidance Document.

- 3.2.1. In addition, the LRD Opinion set out 64no. specific information items to be addressed in an application, as required by Article 16A of the Planning and Development Regulations 2000 (as amended).
- 3.2.2. The application is accompanied by a Statement of Response to the LRD Opinion. The Statement outlines how each of the specific information items and requests for further information have been addressed. It is noted that several alterations were made to the scheme, including the relocation of the plaza to create a stronger community focus, the introduction of higher-density gateway buildings, the reconfiguration of public open spaces and the local park, enhanced pedestrian and cycle connectivity, and a revised road layout to comply with DMURS. The architectural design of duplexes and building façades was altered, and new amenities such as bicycle parking, EV charging, and SuDS-based landscape measures were integrated.
- 3.2.3. The report of the planning authority (Nov. 2025) includes in Section 11, a summary of the 64no. items of information requested in their LRD opinion and an assessment of the applicant's response to each item.

4.0 Planning Authority Decision

4.1. Decision

- 4.1.1. Following an initial request for further information Kildare County Council, did by order dated 7th of May 2026, decide to grant permission for the proposed LRD subject to 70no. conditions.

4.2. Conditions

- 4.2.1. Kildare County Council attached 70no. conditions to the grant of permission. The majority of conditions are standard in nature (financial, procedural, construction, operational, and technical) for a residential scheme of scale proposed. A first party appeal has been lodged in respect of Conditions 25, 7(b), 7(e), 17(b), 20, 24, 25, 26 and 44.
- 4.2.2. The following conditions are of note (conditions under appeal are in **bold**):

Condition 5: States that the development shall be carried out within 10 years from the date of the grant of permission.

Condition 7(b): Phasing: Crèche Delivery

The creche facility shall be constructed as part of Phase 1 of the development and shall be occupied and operational prior to the commencement of Phase 2, unless where otherwise agreed in writing with the Planning Authority.

Condition 7(e) Phasing: MERR Delivery:

The residential units permitted shall not be occupied until the Maynooth Eastern Relief Road (MERR) and associated infrastructure works have been completed and are operational to the satisfaction of the Planning Authority.

Condition 8: Requires compliance with the mitigation measures set out in the EIAR and NIS.

Condition 12: Requires the submission of an Invasive Species Management Plan

Condition 13: Requires the submission of a revised Biodiversity Management Plan

Condition 17(b): Timing of Landscape Works:

All landscaping works shall be fully completed, within the first planting season following commencement of development, in accordance with landscape drawing no.24KE04 DR-0201 from AIT Landscape received by the Planning Authority on 06/03/2026. Any trees and hedging which die, are removed or become seriously damaged or diseased, within a period of 4 years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the Planning Authority.

Condition 18(a): Boundary treatment along the western boundary:

(a) Prior to the commencement of development, the Developer shall submit to the Planning Authority for the written agreement detailed proposals for the boundary treatment along the western boundary of the site adjoining the housing development known as “Rockfield”. The submission shall include:

- i. Detailed recommendations from a suitably qualified Arborist in relation to the retention, protection, long-term management, and maintenance of the existing hedgerow along this boundary;*
- ii. Details of all tree and hedgerow protection measures required to facilitate the installation of a new boundary fence, including temporary and permanent protection works;*
- iii. A topographic survey clearly identifying and accurately delineating the land ownership*

Reason: (a) To ensure boundaries are clearly identified and avoid areas of no man’s land between property boundaries and (b) in the interest of visual amenity.

Condition 20: Ceding of the public park to the Planning Authority, as follows:

Prior to the occupation of any dwelling within the development, the Developer shall complete the ceding of the public park to the Planning Authority, to its satisfaction. The lands to be ceded shall be:

- (a) Fully laid out and constructed in accordance with the approved drawings and specifications; Properly finished, landscaped, and drained, with all ancillary features, boundary treatments, and SuDS elements fully operational.*
- (b) Free from encumbrances, third-party rights, and financial charges.*

(c) Clearly defined by way of a folio-ready map and legal transfer documentation.

(d) The Developer shall submit, for the written agreement of the Planning Authority, all legal, mapping, and technical documentation necessary to facilitate the transfer, including confirmation that the lands are fit for adoption and long-term public management.

(e) A structured landscape maintenance transfer system shall be implemented to ensure a comprehensive and seamless transition of responsibility from the Developer to the Planning Authority with a 4-year defects liability period on all aspects, equipment, and landscaping within the public park.

Reason: To ensure the satisfactory provision, delivery, and long-term management of high-quality public open space in the interests of orderly development and proper planning and sustainable development of the area

Condition 24: Access points onto the MERR:

Prior to the commencement of development, the Developer shall provide access points onto the Maynooth Eastern Ring Road (MERR), including the proposed signalised junction, as per ROD drawing 24.111-ROD-GEN-SW_AE-DR-CH 300001 received by the Planning Authority on the 06/03/2026. These proposals shall comply with the requirements of Kildare County Council's Traffic Management Section, the MERR Project Team and Kildare County Council Transport Mobility and Open Spaces Section and completed to the satisfaction of the Planning Authority. The layout shall be such that all signalisation works are within the red line boundary of the planning application. No works are permitted outside the red line boundary. The proposed works shall tie into the MERR without necessitating any modifications to the approved MERR scheme. No alterations to the approved

MERR layout shall be required to facilitate the proposed development.

Reason: In the interest of traffic safety and the orderly development of the area.

Condition 25: Local Infrastructure Housing Activation Fund:

All residential units delivered under this permission incorporate a cost reduction of €18,000 from the prevailing open market price, in accordance with the Local Infrastructure Housing Activation Fund (LIHAF) affordability commitment. Evidence of compliance, including a schedule of selling prices, shall be submitted to and agreed in writing with the Planning Authority prior to the sale of any unit.

Reason: To comply with the LIHAF affordability requirement and ensure delivery of housing at reduced cost in the interest of housing affordability and proper planning.

Condition 28: Access to adjoining school site:

Full and unhindered vehicular, cycle, and pedestrian access to the adjoining proposed post-primary school site to the south shall be incorporated into the site layout to ensure seamless connectivity. A dedicated set-down area to facilitate school bus drop-off shall also be provided within the development as per ROD drawing 24.111-RODGEN-SW_AE-DR-CH-300002 received by the Planning Authority 06/03/2026 Final design details shall be submitted for the written approval of the Planning Authority and agreed with Kildare County Council Transport Mobility and Open Spaces Section.

Reason: To ensure safe and efficient access to the proposed school site, facilitate sustainable transport options, and promote the orderly development of the area

Condition 44: Stage 1 Quality Audit:

Prior to commencement of development, the Developer shall submit revised detailed design drawings addressing the recommendations of the Stage 1 Quality Audit, including pedestrian/cyclist permeability, tactile paving, safe zones in shared spaces, and cycle facility details. These shall be agreed in writing with the Planning Authority.

Reason: In the interest of pedestrian, cyclist and vehicular safety.

4.3. Planning Authority Reports

4.3.1. Planning Reports

Initial Planner's Report (November 2025)

- The initial report of the Local Authority Case Planner includes in its opening sections (sections 1 and 2), a description of the proposed development and its location / context.
- Section 3 Appropriate Assessment, comprises commentary from KCC's Ecologist who concluded that with the implementation of the mitigation measures and monitoring commitments detailed in the NIS the proposed development would not adversely affect the integrity of Rye Water Valley/Carlton SAC and is therefore compliant with the requirements of the Habitats Directive and relevant national legislation.
- Section 4 comprises an Environmental Impact Assessment informed by the EIAR and interdepartmental and external reports received. The assessment identifies gaps / shortfalls in the information provided on Population and Human Health, Archaeology, Biodiversity and Climate Change. It was considered that the issues identified could be addressed by way of a further information request.
- Sections 5 and 6 of the report provides a summary of the submissions / reports received from internal departments and prescribed bodies. Section 7 provides a summary of the issues raised by third parties.

- Sections 8, 9, and 10 of the report provide an outline of pre-planning consultations held, the planning history of the site and surrounding area and the policy context.
- Section 11 comprises an assessment of the applicant's response to the issues raised in the LRD opinion issued by KCC on 28/05/2025 which as noted in Section 3 above, concluded that that the proposal did not constitute a reasonable basis for an LRD application.
- Section 12 comprises the Quantitatively Assessment of the proposed development. Section 13 comprises the Qualitative Assessment of the proposed development having regard to the 4 key indicators of Quality Urban Design and Placemaking as indicated in the Compact Settlement Guidelines. On the topic of sustainable and Efficient Movement, the report notes that pedestrian permeability to adjoining development could be greater, particularly through Parkland Lawns, however the applicant has provided for this potential link.
- The planning authority's assessment, informed by the reports received from internal departments and prescribed bodies and the submissions received, identifies several issues that require further clarification. The report concludes with a recommendation that further information be sought on 11 no items as follows:

- Item 1: Requests the submission of a revised Biodiversity Management Plan to address issues raised in the report of KCC's Ecologist.
- Item 2: Requests detailed design proposals for the main access points onto the Maynooth Eastern Ring Road (MERR), including the proposed signalised junction.
- Item 3: Requests details of a full and unhindered vehicular, cycle, and pedestrian access and a dedicated set down area to facilitate school bus drop-off at the adjoining proposed post-primary school site to the south.
- Item 4: Raises concerns regarding the level of SuDS devices on the public open space areas, which exceeds the maximum

requirement of 10% as outlined within Objective INO26 of the KCDP and requests a revised SuDS strategy to address same.

Item 5: Raised concerns in relation to layout and the architectural approach to the proposed development and requested:

- (a) That the pavilion café building be removed or integrated into the neighbourhood centre building.
- (b) That Block A be reorientated 90degrees to align with Block B or be amalgamated into Block B.
- (c) An Increase in density around the main public open space area.
- (d) Increased separation between the duplex blocks, to provide useable open space.
- (e) Improved fenestration on the sides of the duplex blocks to improve passive surveillance.
- (f) That the architectural approach to the gateway buildings be simplified with higher quality finishes and with the tower projection removed.
- (g) That the architectural approach to the western elevations of the duplex units be improved
- (h) All railings on balconies removed from the duplex blocks.
- (i) Confirmation of the finishes of the gates/doors for bin storage.
- (j) Additional CGIs to reflect these changes required from points a-h above.

Item 6: Raised concerns regarding the phasing and the delivery of the creche and the lack of internal community space within the neighbourhood centre, and requested the following:

- Delivery of childcare provision within the first phase of the development
- An internal community space of 100sqm.

- Item 7: Raised concerns regarding the lack of internal storage afforded to Unit Type T1C (c.59 no. units) and requested revised internal floor plans to address same.
- Item 8: Expresses the opinion that the public open space areas could be improved to provide higher quality active and passive recreation and a formalised park that will provide for high-quality open space for the Railpark KDA. It requests:
- (a) The proposed woodland planting around the perimeter of the park to contain a mix of trees and whip planting, trees of large and small stem diameter and those which will form large-size future trees to establish a long-term landscaped boundary
 - (b) Each Park entrance to be revised to encompass suitably designed and constructed piers, gates, and or wall/railing as appropriate.
 - (c) Full design details of the proposed pedestrian bridge (in local Park).
 - (d) Detail landscape design drawings of the public park
 - (e) The proposed paddle court is to be revised and replaced with an additional MUGA
 - (f) calisthenics area is to be provided within the park
 - (g) Revisions to the layout of the skate park
 - (h) A designated area for future serviced building with services
 - (i) Integration of the proposed pond in the park into the landscape in a more harmonious manner.
 - (j) Redesign of the communal open space play area
 - (k) Clarification on the boundaries to the rear of Rockfield regarding the creation of no man's land.
 - (l) Clarification on drawings

(m) Clarification on the use of headwalls in areas of public open space.

Item 9: Requests revised proposals for Part V provision, with a greater mix of house types and capacity. The need for additional one-bed dwellings is identified.

Item 10 Refers to the submission of the National Environmental Health Service Section of the HSE (see summary of report below) who identified gaps in the literature used to inform chapter 3 Population and Human Health of the EIAR, the *failure to recognise the threat to global health posed by climate change*. It requests that the applicant submit appropriate visions to address the concerns raised.

Item 11: Part (a) Refers to the submission of the National Environmental Health Service Section of the HSE and their recommendations in relation to Chapter 11 of the EIAR on Climate Change. It requests appropriate revisions to address same.

Part (b) notes the failure of the applicants to adequately justify how the proposed development due to the location, design and layout contribute to the delivery of the national climate objective for a climate resilient, biodiversity rich, climate neutral economy by 2050 as per Objective DO1.4 of the Maynooth and Environs Joint Local Area Plan 2025 – 2031. It requests that the applicant submit appropriate details to address the foregoing

Report on Further Information (May 2025):

The second and final report of the Local Authority Case Planner considers the further information received on 6th of March 2026 together with the third-party submission and reports (internal and prescribed bodies) received. The following points are noted from the planning authority's assessment of the further information received:

- Item 1 (Biodiversity Management Plan): The Case Planner refers to the report of KCC's Ecologist who undertook a thorough assessment of the Biodiversity Management Plan. The Ecologist is satisfied that the plan substantially meets

the requirements outlined in the FI request and addresses the necessary biodiversity considerations for the proposed development. However, the Ecologist identifies two areas that would benefit from reworking (1) Meadow Habitat Creation and (2) Small Mammal Permeability and recommends conditions in relation to same. Condition 13 of the PA's decision relates.

- Item 2 (Access to MERR): The Case Planner refers to the report of the Roads Section who recommended the attachment of conditions in the event of a grant of permission.
- Item 3 (Access and set down area school site): The Case Planner refers to the report and recommendation of the Roads Section.
- Item 4 (Use of SuDS in Public Open space): the applicants revised SuDS Strategy, including the quantum of SuDS devices on Open Space is noted and deemed acceptable and in compliance with the KCDP as varied (Section 15.6.6 and Objective INO26). The Case Planner states that SuDS devices are to be wholly integrated into the open space, allowing for active and passive recreation, flexible usage, biodiversity etc therefore ensuring the SuDS do not compromise their quality but become an enhancement to the open space.
- Item 5 (alterations to layout and the architectural approach): The Case Planner considers the revisions to the layout, design and neighbourhood centre proposed in response to Item 5, to be acceptable to the scheme. The proposed revisions include the following (see section 2.11 above for further details):
 - The omission of the standalone café
 - The newly site proposed services building (with café kiosk) in the Local Park
 - The reconfiguration / reorientation of the Neighbourhood Centre.
 - The provision of more compact housing around the local park (new house types introduced), result in an increase in the number of houses proposed from 581 to 589.

- Increased separation distance between Duplex Type A along with improved fenestration. This ensures that open space between blocks is usable, legible, functionable and adequately overlooked.
 - Alterations to gateway buildings including the removal of previously proposed tower projections and the introduction of higher quality finishes.
 - Enhanced architectural treatment (revised fenestration, materials and detailing) to the western elevations of duplex blocks,
 - Additional CGI Imagery
- Item 6 (creche and internal community space): The applicant's response, which allows for the delivery of the proposed Creche facility and internal community space in Phase 1, is deemed acceptable subject to condition.
 - Item 7 (Unit Type T1C - Internal Storage): the internal storage provision for Unit Type T1C has been revised to ensure compliance with Section 15.4.6 of the KCDP.
 - Item 8 (Design of Public Open Space): The Case Planner refers to the report and recommendation of the Parks Section.
 - Item 9 (Part V): The Case Planner refers to the report and recommendation of the Housing Section.
 - Item 10 (EIAR Ch.3 Population and Human Health): Ch. 3 of the EIAR was revised and enhanced to address the issues raised by the HSE. The response was deemed acceptable by the Case Planner.
 - Item 11 (EIAR Ch. 11 – Climate Change): Ch. 11 of the EIAR was updated to provide an enhanced assessment of climate related risks and adaptation measure applicable during both the construction and operational phases of the proposed development. The response was deemed acceptable by the Case Planner.
 - Section 8 of the report considers the EIAR addendum. The Case Planner states that the EIAR received by the planning authority on the 2nd of October 2025 and updated by the addendum received on the 6th of March 2026,

adequately assessed the likely significant environmental effects of the proposed development on the environment in relation to each individual chapter and subject to appropriate implementation of all the mitigation measures and monitoring of same, the proposed development is not considered to have a significant environmental effects on the site or the surrounding area.

- Section 9 of the report considers appropriate assessment, noting that the further information received did not require the NIS to be updated.
- The report concludes with a recommendation to grant permission subject to 69no. conditions. Note: The PA's decision includes a total of 70no. conditions.

4.3.2. Other Technical Reports

- ***Environment:***
Reports (Nov. 2025 and March 2026) cite no objection subject to conditions on various items including RWMP; foul and surface water discharge; working hour restrictions, construction and operational noise, waste and adherence to EIAR Mitigation and Monitoring measures
- ***Heritage Officer:***
Report (Oct. 2025) recommends conditions ensuring compliance with the recommendations set out in EIAR Ch, 4 on Archaeological, Architectural and Cultural Impact assessment
- ***Parks:***
Report (Nov. 2025) requests further information on the layout of the proposed public park, design of the communal open space play area, site boundaries (creation of no-mans-land) and the use of headwalls in landscaping plan.

Report (April 2026) recommends conditions on Landscape design, boundary treatment, public park Ecology and trees and vegetation.
- ***Transport, Mobility & Open Spaces Department:***

The reports of the Transport, Mobility & Open Spaces Department include commentary on EIAR Ch.13 Traffic and Transport; the TIA, the Statement of Consistency with DMURS, the stage 1 Road Safety audit, the Quality Audit, CEMP; the Statement of Response to LRD Opinion; Public Lighting Design Report Acoustic Design Statement; SuDS Management Plan; LIHAF Requirements and the delivery of the MERR.

Report (Nov. 2025) cites no objection subject to 31no conditions.

Report (April 2026); cites no objection subject to 31no conditions.

- **Water Services**

Report (Nov. 2025) requests that the applicant revise the SuDS layout to reduce the footprint of Suds features in Public Open Space.

Report (April 2026) recommends 7no conditions relating to the management of surface waters.

- **KCC Ecologist:**

Report (Nov. 2025) requests further information in the form of a Biodiversity Management Plan.

Report on further information (undated). The Ecologist is satisfied that the applicants Biodiversity Management Plan substantially meets the requirements outlined in the FI request and addresses the necessary biodiversity considerations for the proposed development. However, two areas that would benefit from reworking by the applicant, are identified. These are Meadow Habitat Creation and Permeability for Small Mammal. The report recommends the creation of meadow habitats not depend heavily on the introduction of wildflower mixes and the incorporation of small gaps between private back gardens designed permeability for small mammals.

The report concludes with a recommendation to grant permission subject to condition.

- ***Housing:***

Report (November 2025) recommends conditions in the event of a grant of permission.

Report (March 2025) recommends conditions in the event of a grant of permission.

- ***Building and Development Control:***

Report (November 2025) notes that minor amendments to the proposed Taking in Charge map are required to account for EV charging proposals, SuDS features (tree pits), public lighting, parking arrangements etc. Condition recommended.

The report also raises concerns regarding the boundary plans for the western boundary which may result in inaccessible parcels of land between the rear gardens of the proposed development and the gardens of Rockfield Close. They request that the applicant make provision for future access, maintenance and ownership of these spaces.

Report (March 2026) recommends a condition regarding the submission of a revised Taking in Charge map

- ***Chief Fire Officer:***

Reports (Nov. 2025 and April 2026) No objection subject to condition. (Note: recommended conditions covered under separate codes).

- ***Community:***

Report (undated) identifies a need for a dedicated community space within the proposed neighbourhood centre.

- ***Kildare County Childcare Committee:***

Correspondence (Oct, 2025) recommends information sources on the supply / capacity of childcare facilities within the Railpark area of Maynooth.

4.4. Prescribed Bodies

- ***Uisce Éireann (UÉ):***

Report (Nov. 2025) confirms that the applicant has engaged with Uisce Éireann via a Pre-Connection Enquiry and that a Confirmation of Feasibility (COF) has been issued to the applicant advising that both water & wastewater connections are feasible subject to upgrades.

In relation to Water, the COF notes that in order to facilitate the development, the main site connection shall be made to the Eastern Link Main following completion of the Maynooth East Relief Road (MERR) road project. Network upgrades may be required based on connection uptake by other developments. These upgrades would consist of approx. 600 metres of existing 400mm main to be upsized to 450mm. This requirement will be further determined at Connection Application stage.

In relation to Wastewater, the COF notes, in order to accommodate the proposed connection for this development, upgrade works are required to increase the capacity of the wastewater network in Maynooth. UÉ notes that they have a project on their current investment plan which will provide the necessary upgrade and capacity. This upgrade project (Maynooth Transfer Pipeline) is scheduled to be completed by Q2 2027 (this may be subject to change), and the proposed connection could be completed as soon as possibly practicable after this date. The east portion of the development proposes to connect to the MERR gravity network that then flows to a future strategic Wastewater Pumping Station (WWPS). Currently the scope of the MERR project is to deliver works within the MERR only, the required strategic WWPS is not currently on the Uisce Éireann investment plan therefore, the applicant would be required to fund this infrastructure at Connection Application stage.

This would require:

- Construction of new strategic WWPS and associated rising main to serve the entire area.
- Provision of 24-hour storage and telemetry link to the Maynooth Pumping Station.
- Completion of the MERR by third parties.
- Connection to the network from the east portion of the site draining to the strategic WWPS can be facilitated prior to completion of the upgrade project subject to construction and commissioning of the strategic WWPS and rising main being completed. Network upgrades may also be required based on connection uptake by other developments. These upgrades would consist of existing gravity sewer upsizing works. This requirement will be further determined at Connection Application stage.

The report concludes with a recommendation to grant permission subject to condition.

- ***Department of Housing, Local Government and Heritage (Development Assessment Unit):***

Report (Nov. 2025): Recommended that a report on test trenching be submitted as further information.

Report (April 2026) the Department concurs with recommendations as outlined in Section 9 of the archaeological testing report and recommends Archaeological requirements to be carried out at the site in advance of any construction works commencing.

- ***Health Service Executive: National Environmental Health Service***

Report (Nov. 2025): This report provides commentary on the EIAR submitted in support of the application and includes

- The NEHS emphasises the need for early and meaningful public consultation and recommends that the local community, have access

to a feedback mechanism where feedback including complaints are received and acted upon by a designated person/liaison recommends the following in the event of a grant of permission.

- The report identifies gaps in the literature identified to inform Chapter 3 Population and Human health. It recommends that the proposed development put health at the centre and look to deliver a “healthy place” in line with the Healthy Ireland vision.
- Air Quality (Ch. 10) – the report recommends that the Avoidance, Remedial and Mitigation measures set out under section 10.8 for the construction phase are set as minimum conditions of planning.
- Climate Change (Ch.11) – The report identifies gaps in the literature identified to inform this Chapter. The report recommends that the list of mitigation measures listed under the construction phase are enhanced by adding the following to the actions listed
 - Sustainability Awareness – go beyond awareness to ensuring there are changes in sustainability practice
 - Sustainable Transport – add active travel support for walking and cycling
 - Monitoring and Evaluation – set SMART objectives
 - Waste Management – include the first part of the waste hierarchy and aim to eliminate the creation of waste in the first place.
- That an enhanced view of adaptation/resilience in both the construction and operational phases is adopted. In the construction phase other climate related hazards must be identified and mitigation measures put in place. For example, dry spells may be a hazard creating dust from soil stockpiles. A mitigation measure may be the use of drought resistant vegetation on stockpiles to contain dust. Details of mitigation measures could be listed in the Construction Environmental Management Plan (CEMP).
- That the proposed development include ways to protect population health (not just materials) in adaptation. Protective measures for example may include the increased use of trees or shelters to provide shade and create a cooling effect in hot weather, delivering an adequate proportion of green and blue spaces to limit the urban heat island effect and benefit mental

health simultaneously, ensuring the drainage design can cope with increased volumes and intensity of precipitation patterns in a warming world.

- Noise and vibration (Ch. 12) the report recommends that the Avoidance, Remedial and Mitigation Measures listed under Section 12.8 of EIAR are set as minimum conditions of planning. The use of electric powered plant and machinery should be considered not only as a noise mitigation measure but another way to reduce green-house gas emissions during the construction phase.

- ***Transport Infrastructure Ireland:***

Report (Oct. 2025) states that TII rely on the planning authority to abide by official policy in relation to development on/affecting national roads as outlined in DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012),

Report (March 2026) confirms that the Authority's position remains as set out in their letter of 09-Oct-2025

- ***EHO:***

Report (Oct. 2025) cites no objection subject to conditions on items including Construction Management Plan, Noise, air quality; ventilation, external lighting, waste facilities and pest control, childcare and food hygiene.

4.5. Third Party Observations to Planning Authority

- 4.5.1. The planning authority received several (45+) third party submissions during their assessment of the application. The main issues raised in the submissions can be summarised as follows:

- *Prematurity:* the proposed LRD would be premature pending the Eastern Ring Road (MERR), the Maynooth Transfer Pipeline, and a strategic wastewater pumping station.

- *Cumulative Impact*: EIAR omits cumulative analysis with adjacent permitted developments (Refs 21155 and 21156) and is deficient in this regard. A co-ordinated delivery of development within the Railpark KDA is required including the delivery of social amenity facilities. The development of these lands should not be at the detriment of existing communities.
- *Phasing*: the childcare facility and other key public amenities scheduled for Phase 3 should be provided in Phase 1.
- *Biodiversity*: Existing trees and hedgerow along boundaries should be retained and protected. Concerns raised regarding the potential loss of biodiversity on site. The NIS identifies Bat foraging along the eastern boundary but provides not bat sensitive lighting design.
- *Residential amenity*: the proposed development would impact the residential amenities of existing properties by way of overlooking, overshadowing, visual impact (loss of outlook), noise, traffic and general disturbance. Construction relating impacts. Need to liaise with residents during construction.
- *Boundary Treatment*: concerns raised regarding proposals for boundary treatment to the rear of existing properties and the potential for creation of a no-man's land. A clear boundary treatment plan is requested along with proposals for a solid boundary to the rear of existing properties. Any planning approval should stipulate arrangements for the ceding of land along the western boundary to avoid legal disputes.
- *Scale*: concerns raised regarding the height and density of development and the impact of same on the visual amenities of the area. Development should respect the existing two -storey houses. Houses should be built at ground level and not raised higher than houses in Rockfield.
- *Traffic and Transportation*: concerns raised regarding the inclusion of a "potential future pedestrian link" to Parklands Lawns. Concerns from the Gaelscoil and the Educate Together schools regarding the potential vehicular access through the Grange Development to the Celbridge Road, as having plant and machinery crossing the route that 880 children use to get to school poses a significant risk to the children's safety. Access to and from the development should only be from the MERR. Additional traffic during both construction and

operational phases will exacerbate existing pressures on the local road network, increased emissions and significantly heighten the risk to vulnerable road users along the Celbridge Road (R405). Cul-de-sac should be reconfigured away from existing properties. No over spill parking in Parklands Estate.

- *Surface Water*: The developer must provide full drainage and maintenance plans for the existing ditch along the boundary with Rockfield, before any approval is considered. Concerns regarding flooding and surface water management. The proposal to retain the existing ditch between developments is unacceptable.
- *Social Infrastructure*: existing social infrastructure is at or over capacity.

5.0 Planning History

5.1. Lands Within the Proposed Development Site

KCC PI. Ref: 21360:

Permission granted (Sept 2021) for a new wastewater pumping station with an underground emergency storage tank; inlet chamber, wet well chamber, valve and flow chambers; above ground welfare building, control kiosk, fixed lifting gantry, 1 No. odour control unit, security gate and fencing. All associated ancillary and enabling works including hardstanding, landscaping and site drainage. All the above is proposed on a site of approximately 0.1 hectares at lands to the north of Celbridge Road within the townland of Railpark.

Expiry date as Per. KCC online Planning Portal– 26/09/2026

5.2. Lands to the North

The following applications relate to lands within the Railpark KDA (*Different applicants*):

KCC PI Ref: 2561468 (Railpark West)

Permission granted by KCC (July 2026) for an LRD (Railpark West) comprising 139 no. residential units, a creche and all associated development, on a site of approximately 2.77 hectares.

Note: This decision is currently under appeal (Ref: ACP-324570-26)

KCC Pl. Ref: 211108 (Parkland Grove)

Permission granted (June 2022) for a 10-year permission for 76no residential units on a site area of c. 1.9Ha

5.3. **Lands to the East:**

KCC PL. Ref: 07/1419:

Permission **granted** permission for the construction of a road of total linear length of approximately 1400m and width of 17.8m containing two traffic lanes with grass margins, footpaths, cycle tracks and junctions including internal roundabouts.

KCC PL. Ref: 13/89:

Permission was **refused** for an extension of duration of permission of 07/1419.

KCC Part 8 Ref: P82019.008:

Maynooth Eastern Ring Road (MERR) was **granted** through a Part 8.

5.4. **Lands to the south:**

The following applications relate to a residential masterplan for some 105 No. units on an overall site area of c. 3.26 ha.

ABP Ref: 312671-22, (KCC Pl. Ref: 21/155) (Phase 1)

Permission **granted (Feb. 2024)** for phase 1 of a residential scheme comprising 58 no. dwellings

ABP Ref: 312685-22, (KCC Pl. Ref: 21/156) (Phase 1)

Permission **granted** (Feb. 2024) for Phase 2 of a residential scheme comprising 47 no. dwellings and a single storey crèche facility (c.261 sqm).

Note: Both of the above permissions include the following condition which relates to the Local Infrastructure Housing Activation Fund and MERR:

The developer shall show compliance with the signed letter of undertaking between the developer and Kildare County Council dated 25th October 2017, or any subsequent

superseding written agreement, prior to the occupation of the housing in the proposed development, unless otherwise agreed in writing with Kildare County Council.

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

6.0 Policy Context

6.1. Kildare County Development Plan 2023-2029 – as Varied (KCDP):

- 6.1.1. The Kildare County Development Plan 2023 – 2029, hereafter referred to as the KCDP 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. There are no specific implications for the subject site.

Variation No.2 – Newbridge Settlement Plan – adopted by Kildare County Council on the 23rd of February 2026. There are no specific implications for the subject site.

Variation No.3 – adopted by Kildare County Council on the 27th of March 2026. The purpose of this variation was to align the County Development Plan with Ministerial Guidelines published in accordance with Section 28 of the Planning and Development Act 2000, as amended, namely:

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

Variation No.4 – Landscape Character Assessment –also adopted on the 27th of April 2026, 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.

- 6.1.2. 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 Core Strategy and Settlement Strategy categorises Maynooth as a Metropolitan Key Town

Table 2.8 (as varied) sets out the Core Strategy for the County. In accordance with the details provided, Maynooth had a recorded population of 17,259 in 2022. The Core Strategy allocates a housing target of 997 no. units to Maynooth for the period 2023 to 2028, this is based on a 10.9% share of the overall target for the County (9144). Table 2.8 also identifies a target residential density of 35-150 units/ha for Maynooth that aligns with the Compact Settlement Guidelines (2024)

Table 2.7, Note 11 states: ‘Additional population allocation for Maynooth of up to 10,000 persons from redistribution of NPF City and Suburbs allocation (EMRA, July 2020). 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).’

Chapter 3 Housing:

The aim of this chapter is to show how the Plan intends to accommodate the full range of current and future housing needs of all members of society throughout the county while giving clear guidance on making provision for specialised housing requirements and providing for the needs of communities in order to deliver sustainable residential communities across the county. This chapter comprises the Housing Strategy for Kildare and includes guidance on density, protecting existing residential amenity, regeneration, compact growth and densification, mix of dwelling types, specialist provision; social, affordable purchase and cost rental housing and rural housing.

Chapter 5 Sustainable Mobility and Transport:

The aim of this chapter is to promote and facilitate ease of movement within and through County Kildare, by integrating sustainable land use planning and a high-

quality integrated transport system; and to support and prioritise investment in more sustainable modes of travel, the transition to a lower carbon transport system, and the development of a safer, efficient, inclusive, and connected transport system.

It is the policy of the Council to:

- TM P1 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.
- TM P2 Prioritise and promote the development of high-quality, suitable, safe and sustainable walking and cycling pathways and facilities, both inter-county, intra-county (in consultation with all relevant stakeholders including neighbouring local authorities) and within the towns and settlements of County Kildare within a safe road/street environment that will encourage a shift to active travel that is accessible for all, regardless of age, physical mobility, or social disadvantage, subject to all relevant and cumulative environmental assessments and planning conditions....

In terms of Walking and cycling, it is an objective of the Council to

- TM O21 Ensure site layout proposals detail present and possible future connections to pedestrian/cycle links and improve permeability between existing and proposed developments including adjacent developments thereby facilitating the '10-minute settlement' concept.

Chapter 12 Biodiversity and Green Infrastructure:

It is the policy of the Council to:

- BI P6 Recognise the important contribution trees and hedgerows make to the county biodiversity resource climate mitigation, resilience and adaptation.

It is an objective of the Council to:

- BI O28 Promote the integration of boundary hedges within and along development sites into development design so as to avoid "trapped hedges" located to the boundary of houses within the development

layout. Encourage the planting of woodlands, trees and hedgerows as part of new developments and as part of the Council's own landscaping works ideally using native plants of local provenance and origin.

Chapter 13 Urban Design, Placemaking and Regeneration:

The aims of this chapter are:

- To create vibrant and bustling towns and villages with a diverse mix of activities where residents benefit from inclusive, attractive, connected, vibrant and well- functioning places to live, work, visit, socialise and invest in. –
- To deliver improved urban design and healthy placemaking outcomes across Kildare's network of settlements through the implementation of the principles people-centred and design-led planning, including the 10-minute Settlement concept.
- To continue to pursue a Town Centre First approach to planning, renewing, and developing the historic cores of County Kildare's towns and villages.

This chapter includes guidance on Urban Design and Building Heights (section 14.8) and the following objective:

UD O11 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 Development Management Standards:

Section 15.4.5 Design, Layout and Boundary Treatments states that the need for boundary treatments such as railings or walls around residential developments should be limited to an absolute minimum. In situations where a design solution cannot mitigate against the presence of such physical boundaries, high railings and walls should be avoided and boundaries should take the form of a low wall (rendered, natural stone or brick), railing, or a planted native hedgerow, to incorporate hedgehog streets, depending on the characteristics and location of the site.

Section 15.4.6 House Design (as varied) calls for a high standard of building design, detailing and specification of materials and a high standard of craftsmanship and states that new developments should not be incongruous or have an overbearing effect on the established environment. Table 15.2 (as varied) sets out Minimum Floor space and Open Space Requirements for Houses. It also includes standards for house design and layout addressing issues including dual aspect apartments, general storage, bin/ refuse storage, waste management, bicycle parking, e-car charging the provision of usable private open space etc. This section also addressed boundary treatment noting the following:

- Special consideration should be given to boundary treatments particularly where these adjoin existing dwellings. Situations which lead to the creation of two walls or fences with a gap in between should be avoided. In such instances, applicants shall be required to apply the most effective and appropriate boundary treatment taking into consideration the context and environmental sensitivities of the site.
- High-quality boundary treatments are generally required to enclose private open space. A 1.8m – 2m high wall of solid block, capped and plastered on

both sides, is generally acceptable. The Council will consider alternative boundary treatments on their merits. All boundaries in such case shall be of high-quality solid construction with no gaps. Post and wire or timber post and panel fencing is not permitted.

- While every effort should be made to avoid rear gardens fronting on to public open space, in situations where this proves impossible, two-metre-high screen walls, suitably finished (rendered, natural stone or brick) and capped, should be provided between all areas of public space and rear gardens. Proposals for planting along the public side of the wall shall be included on a landscaping plan. An additional inner grass verge shall be provided along any footpath to facilitate this, if necessary.

6.2. **Maynooth and Environs Joint Local Area Plan (MEJLAP) 2025 - 2031**

- 6.2.1. The Maynooth and Environs Joint Local Area Plan (LAP) 2025 – 2031 came into effect on 1st April 2025

Zoning: The proposed development site is subject to two land use zonings in MEJLAP. The primary zoning within the development site boundary is ‘C (2) *Residential*’ with an objective to provide for new residential development.

A section of the site on its central eastern side, is zoned ‘N - *Neighbourhood Centre*’ which an objective to provide for new/existing neighbourhood centres and associated facilities. Neighbourhood centres are intended to serve the immediate needs of local residents and workers and should not compete with similar retail uses within the town centre.

Core Strategy:

Section 3 details the population and housing targets allocated to Maynooth and Environs over the life of the Plan.

Railpark Key Development Area.

The proposed development site is located within the Railpark Key Development Area. A design brief and an urban design framework have been prepared for the

KDA, and included in Section 11.4.1, Table 11.1 and Fig. 11.6 of the plan. The stated purpose of both the brief and the framework is to set out broad parameters for future development within the KDA and are intended to assist landowners, developers, residents and other interested stakeholders involved in the planning process. The MEJLAP allows for a degree of flexibility within the KDA stating that the Planning Authority will be open to alternative proposals for the KDAs where it is demonstrated that more optimal planning outcomes can be achieved in terms of delivering increased place quality within a site. However, such proposals must still align with land use zoning objectives and provide for the implementation of all relevant permeability, cycling and road measures, as outlined in Chapter 7.

In accordance with section 11.4.1, the Railpark KDA represents an important opportunity for Maynooth to grow sustainably delivering a significant quantum of housing as well as the Maynooth Eastern Ring Road (MERR) in addition to providing new social infrastructure to serve the existing and planned resident population of the area. The vision for the Railpark KDA is to realise the creation of a compact and well-integrated urban extension that consolidates development within the eastern area of Maynooth. The KDA will deliver a local park and a neighbourhood centre, as well as providing a site for a new post-primary school which will be developed over the medium to long term. The Railpark KDA Design Brief (Table 11.1) provides the following:

Site area:	30.47 hectares (C: New Residential lands)
Indicative net density:	40 dwellings per hectare (DPH)
Estimated residential yield:	954 units Urban character area:
Suburban edge Housing types:	Apartments, duplexes, maisonettes, terraced townhouses and semi-detached houses
Strategic open space provision:	A 2.5-3-hectare local park with a Multi-Use Games Area and additional public open spaces throughout the KDA.

The Railpark KDA Design Brief also includes guidance on Built Form and Urban Structure, Connectivity and Movement; Green and Blue Infrastructure, Open Spaces and Surface Water Drainage and Boundaries and Entrance Treatments.

Table 11.5 Implementation and Infrastructure Delivery Schedule – Town Centre and Residential Lands sets out the implementation and infrastructure delivery schedule and funding sources for the key infrastructure necessary to support the development of the Railpark KDA.

6.3. **Regional Plans/Policies**

Eastern and Midland Regional Spatial and Economic Strategy 2019- 2031 (RSES)

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.

6.4. **National Policies:**

Project Ireland 2040 – National Planning Framework, First Revision (April 2025), (NPF)

The National Planning Framework (NPF), initially published in 2018 and revised in 2025, sets out a high-level strategy for the planning and development of Ireland to 2040. The strategy to accommodate this growth in a sustainable way focuses on 10 National Strategic Outcomes (NSOs) that include: Compact Growth (NSO1), Sustainable Mobility (NSO4), Enhanced Amenity and Heritage (NSO7), a Low Carbon and Climate Resilient Society (NSO8) and the Sustainable Management of Water, Waste and Environmental Resources (NSO9).

National Strategic Outcome No. 1 of the NPF relates to Compact Growth. The aim is to deliver a greater proportion of residential development within existing built-up areas of cities, towns, and villages; to facilitate infill development and enable greater densities to be achieved, whilst achieving high quality and design standards. This is supported by National Planning Objectives, including NPO 9 which seeks to deliver at least 30% of all new homes that are targeted in settlements other than the five cities and their suburbs, within their existing built-up footprints and ensure compact and sequential patterns of growth.

Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness:

This document aims to further accelerate the delivery of new homes, to deliver 300,000 by the end of 2030, which will be achieved through the individual and collective effort of the key delivery partners. Local authorities, together with Approved Housing Bodies, the Land Development Agency, and the construction sector, will be critical to delivering and enabling the delivery of the quantum of homes needed over the lifetime of the plan. This is a wide-ranging strategy, encompassing two pillars: Activating Supply and Supporting People.

Climate Action Plan (CAP) 2025: -

Climate Action Plan 2025 builds upon last year's Plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024.

Climate Action Plan 2024 outlines measures and actions by which the national climate objective of transitioning to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy by 2050 is to be achieved. These include the delivery of carbon budgets and reduction of emissions across sectors of the economy. Of relevance to the proposed development, is that of the built environment sector. The Board must be consistent with the Plan in its decision making.

Ireland's 4th National Biodiversity Action Plan (NBAP) 2023-2030:

The NBAP includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B (1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Board, as a public body, to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Board. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, Environmental Impact Assessment Directive, Water Framework Directive and Marine Strategy

Framework Directive, and other relevant legislation, strategy and policy where applicable.

6.5. National Guidance

Having considered the nature of the proposed development, its location, the receiving environment, the documentation contained on file, including the submission from the Planning Authority, I consider that the following Ministerial Guidelines are relevant:

The Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (2025) (the 'Apartment Guidelines') set out national policy and standards for apartment development, in order to ensure greater consistency of national policy across local authority areas. These Guidelines include the following Specific Planning Policy Requirements (SPPRs):

- SPPR 1 notes that there will be no restriction within statutory plans in relation to the mix of unit sizes or types to be provided within apartment developments and that there shall be no minimum or maximum requirements for apartments with a certain number of bedrooms.
- SPPR 2 provides minimum floor areas for studios (32sqm), 1 bed (45sqm), 2 bed (63sqm), and 3-bed (76sqm).
- SPPR 3 requires a minimum of 25% dual aspect apartments.
- SPPR 4 requires ground level floor to ceiling heights to be a minimum of 2.7m.
- SPPR 5 notes that there is no requirement for a minimum number of units per floor per core.
- SPPR 6 notes that the provision of new communal, community and cultural facilities within apartment schemes shall only be required in specific locations identified within the development plan.
- SPPR 7 relates to shared accommodation/co-living development and
- SPPR 8 relates to student accommodation.

Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) (the Compact Settlement Guidelines): set out policy

and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements. Applicable policy for the proposed development includes:

- Section 3.3: It is a policy and objective of these Guidelines that residential densities in the range 40dph to 80dph (net) shall generally be applied at suburban and urban extension locations in Dublin and Cork, and that densities of up to 150dph (net) shall be open for consideration at ‘accessible’ suburban / urban extension locations (as defined in Table 3.8).
- Section 3.4: outlines a two-step density refining process, based firstly on a determination of accessibility to public transport options and secondly on five site-specific criteria (impacts on character, historic environment, protected habitats and species, daylight/ sunlight of residential properties, and water services capacity).
- Policy and Objective 3.1 requires that the recommended density ranges are applied and that, where appropriate, these density ranges are refined further using the site-specific criteria.
- Policy and Objective 4.1 require the implementation of principles, approaches and standards in the Design Manual for Urban Roads and Streets, 2013, including updates (DMURS).
- Section 5.3: requires the achievement of residential standards:
 - SPPR 1 – Separation Distances requires a minimum of 16m between opposing windows serving habitable rooms at the rear or side of houses and duplexes above ground floor level.
 - SPPR 2 – Minimum Private Open Space specifies new standards for houses (3 bed 40sqm, 4 bed+ 50sqm), and private open space for duplexes remains as per the Apartment Guidelines (see below).
 - Policy and Objective 5.1 recommend a public open space provision of between 10%-15% of net site area.

- SPPR 3 – Car Parking specifies the maximum allowable rate of car parking provision based on types of locations (e.g., 2 no. spaces per dwelling for intermediate and peripheral locations).
- SPPR 4 – Cycle Parking and Storage requires a general minimum standard of 1 no. cycle storage space per bedroom (plus visitor spaces), a mix of cycle parking types, and cycle storage facilities in a dedicated facility of permanent construction (within or adjoining the residences).
- *Section 5.3.7 – Daylight* indicates that a detailed technical assessment is not required in all cases, regard should be had to standards in the BRE 209 2022, a balance is required between poor performance and wider planning gains, and compensatory design solutions are not required.

The Urban Development and Building Height Guidelines for Planning

Authorities (2018) (the ‘Building Height Guidelines’): - set out national policy considerations in relation to building height in order to guide planning authorities in developing local planning policy and in determining planning applications. These Guidelines reinforce the national policy objectives of the NPF relating to compact growth and set a framework for a performance-based approach to the consideration of building height.

Childcare Facilities Guidelines for Planning Authorities, 2001 (the ‘Childcare Guidelines’): provide a framework to guide both local authorities in preparing development plans and assessing applications for planning permission, and developers and childcare providers in formulating development proposals.

It outlines (at Section 2.4) that appropriate locations for childcare facilities would include new communities/larger new housing developments, and that planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary for example, development consisting of single bed apartments or where there are adequate childcare facilities in adjoining developments. For new housing areas, an average of one childcare facility for each 75 dwellings would be appropriate. The threshold for provision should be established having regard to the existing geographical distribution of childcare facilities and the emerging demographic profile of areas.

6.6. Natural Heritage Designations

- 6.6.1. There are no designated natural heritage sites within the boundary of the appeal site or within the immediate vicinity of the site. The closest designated Natura site is the Rye Water Valley/Cartron SAC and pNHA which is located c. 1.2km to the northeast. The potential impact of the proposed development on designated Natura 2000 sites is considered in section 9 of this report.

The Royal Canal pNHA is located c.400m to the north of the site.

7.0 The Appeal

7.1. Third Party Appeals:

5no. third party appeals have been lodged against Kildare County Council's decision to grant permission for the proposed LRD. All five appeals have been lodged by or on behalf of residents of Parklands and Rockfield, the existing residential developments to the north and west of the proposed development site. The appellants are:

1. Michelle Maguire, resident of Rockfield Green
2. Pat Monaghan, resident of Rockfield Green
3. Mary Leydon, resident of Rockfield Green
4. Martina Walsh and Others (residents of Parklands)
5. Parklands Residents Association

As there is a degree of commonality in the grounds of appeal, I have grouped the issues raised based on theme and summarised them under the following sub-headings:

- Boundary Treatment, Privacy and Residential Amenity:
- Creation of an unmanaged 'No man's land'
- Road Layout, Cul-de-Sac Design and Residential Amenity:
- Permeable Connectivity to Parklands Lawn
- Scale, Height, Urban Form and Visual Impact

7.1.1. Grounds of Appeal

Boundary Treatment, Privacy and Residential Amenity:

- All third-party appellants have raised concerns regarding the proposals for boundary treatment along the interface between the application site and the rear of existing dwellings in Parklands and Rockfield, for reasons of privacy, security, visual intrusion and failure to prevent vegetation encroachment.
- The Parklands appellants identify No's 9, 10, 11, 12 and 13 Parklands Lawns and No's 22, 23, 24 and 25 Parklands Place as the properties most likely to be impacted by the proposed scheme due to their proximity to roads, footpaths and open spaces. It is contended that in the absence of a robust physical boundary treatment the proposal would result in increased exposure to pedestrian and vehicular activity and would diminish privacy and residential.
- The Parklands appellants also contended that the applicants' proposals for boundary treatment, which focuses on the retention of existing mature hedgerow planting, do not accord with standards set out in Section 15.4.6 of the KCDP.
- They raise concerns regarding the approach taken by the planning authority in granting permission subject to condition 18 which requires further details on boundary treatment to be submitted and agreed prior to commencement of development. In their opinion the planning authority should have been satisfied, before granting permission, that an appropriate boundary treatment would be provided and the relationship between the proposed development and neighbouring homes would be acceptable. It is contended that the approach taken creates a degree of uncertainty for residents.
- The Rockfield appellants raise similar concerns regarding the western boundary interface. In their opinion, the provision of a weld mesh or Hercules-type fence (as required by Condition 18 of the planning authority's decision), in place of a solid boundary wall is inappropriate where existing family homes adjoin new development and that it would not offer an appropriate level of privacy or security.

- All appellants call for the provision of a solid boundary wall. The Rockfield appellants include examples of existing solid boundary walls used in Maynooth.

Creation of an unmanaged 'No man's land'

- It is alleged that the proposed layout creates residual land strips between existing rear boundaries and the proposed development that will give rise to issues of illegal dumping and anti-social behaviour as well as security and maintenance issues. It is requested that these spaces be removed through design or incorporated into clearly defined folios with explicit ownership and maintenance obligations.

Road Layout, Cul-de-Sac Design and Residential Amenity:

- Concerns raised by residents of Rockfield Green regarding the proposed cul-de-sac layout to the rear of existing homes. It is considered that this arrangement would have an undue impact on existing residential properties by way of overlooking, loitering, noise disturbance, unauthorised access to rear gardens.

Permeable Connectivity to Parklands Lawn:

- The appeals submitted by/on behalf of the residents of Parklands have raised objection to the provision of a permeability connection between the proposed development site and Parkland Lawn, a residential cul-de-sac to the northwest of the application site.
- The appellants note that the Draft MEJLAP, included a proposal (Perm 61) for the provision of a pedestrian and cycle connection at Parklands Lawn but that this proposal was omitted by way material alteration and does not form part of the adopted LAP.
- They note reference in the application to a potential future pedestrian link to Parklands Lawn and are concerned that such a connection would contradict the spatial strategy and permeability framework of the LAP, including the Railway Park KDA Urban Design Framework and that it would constitute a Material Contravention of the Maynooth and Environs Joint Local Area Plan 2025–2031.

- They request that the Commission amend the permission by removing all references to any existing or future pedestrian or cycle connection through Parklands Lawns and to ensure that the development fully complies with the adopted Local Area Plan.

Scale, Height, Urban Form and Visual Impact:

- The residents of Parklands Concerns have raised concerns regarding the scale, height and urban form of the proposed scheme.
- It is contended that the height of the proposed apartment and duplex buildings, which range from 3 to 6 storeys, is excessive when compared to the existing two storey housing in the area. In their opinion, the Planning Authority failed to demonstrate why buildings of this height are necessary in locations adjoining existing residential areas or how they can be accommodated without negatively affecting the character and amenity of neighbouring homes.
- It is further contended that the Planning Authority failed to adequately demonstrate how the proposed five and six-storey buildings will integrate with the surrounding townscape or why this scale of development is appropriate in this location.
- It is further contended that the Planning Authority has failed to adequately assess the cumulative impact of existing, permitted and proposed development within the wider Railpark Key Development Area. They are concerned that the overall residential yield for the wider Railpark KDA could exceed the level envisaged in the Local Area Plan.

7.2. Applicant Response

The applicant's response to the third-party grounds of appeal was received on the 22nd of June 2026. The submission includes a summary of the proposed development, relevant planning policy, the planning authority's decision, the applicants own first party appeal and a review of the pre-application consultation process. The submission includes in Appendix 2, a response prepared by the project landscape architects, Ait Urbanism and Landscape Ltd and in Appendix 3, cross

sections with No's 25, 29 and 30 Rockfield Green. The applicant's response can be summarised as follows:

Boundary Treatment, Privacy and Residential Amenity:

On the issue of boundary treatment, the applicants submit that:

- The concerns raised by third parties are not substantiated by the landscape, ecological or arboricultural evidence submitted with the application.
- That the proposed boundary treatment strategy was subject to detailed consideration and engagement with the planning authority prior to the lodgement of the application and that it provides for a comprehensive and integrated boundary strategy.
- That Condition 18, as attached to the planning authority's decision, is both appropriate and necessary, as it provides a mechanism for the detailed design, alignment and specification of boundary treatments to be finalised at construction stage, having regard to precise on-site conditions, retained hedgerows, root protection areas and legal boundary positions.
- That, as evidenced by the submission of Ait Urbanism and Landscape Ltd, the existing hedgerow along the Parklands boundary is an important landscape and biodiversity feature and that its retention will adequately protect the amenity of existing residential properties from adjoining open spaces within the proposed development.
- That the boundary strategy in respect of Rockfield, has been carefully considered having regard to existing site conditions, that the proposed fence should not be considered in isolation but as part of a broader strategy comprising retained vegetation, supplementary planting where requires and secure physical measures.
- That, as noted by Ait Urbanism and Landscape Ltd, a full solid block is not the preferred landscape solution in this instance as it would likely require more extensive removal or disturbance of existing hedgerow vegetation, thereby reducing the biodiversity and screening value of the retained boundary corridor.

- That the most appropriate response is a site-specific solution which protects residential amenity while also safeguarding existing vegetation.
- In terms of compliance with Section 15.4.6 of the KCDP, it is contended that Section 15.4.6 does not prescribe a single boundary solution for all development scenarios and that the overriding requirement of the KDCP is for the most effective and appropriate boundary treatment having regard to the specific context of the site.
- On the examples of boundary walls cited by the Rockfield Appellants, the fact that boundary walls have been used elsewhere does not mean that a solid boundary wall represents the most appropriate solution in the context of this site. while the appellants have cited a preference for a boundary wall, this does not mean that the alternative approach adopted in this case is inappropriate.

No Mans Land

- On the issue of the creation residual lands strips / no man's land, the applicants note that this issue was address by the planning authority in their assessment of the application and in their decision to grant permission (Condition 18).
- The proposal is that fencing is offset inside the boundary to allow vegetation retention, that vegetation can be accessed from the gardens of Rockfield, and that the relevant area (residual land) can be incorporated into the gardens of Rockfield, subject to agreement with the neighbouring property owners.
- Condition 18 as attached to the planning authority's decision is intended to ensure that boundaries are clearly identified and to ensure that undefined, inaccessible or unmanaged residual areas are not created.

Permeability, Pedestrian Connectivity and Compliance with the Maynooth LAP:

- The applicants submit that the concerns raised in the appeal regarding a permeability connection with Parklands Lawn are based on a misunderstanding of the development proposed and the manner in which the LAP has informed the design of the scheme.

- The appellants state that the proposed development does not provide a pedestrian or cycle connection through Parklands Lawn, that no works are proposed within Parklands Lawn and that no pedestrians or cycle connection to Parkland Lawn forms part of the planning application.
- Regarding references in the application documentation to a 'potential future connection' at the northwest boundary of the site, the applicants state that this should not be interpreted as a proposed permeability route through Parklands Lawn but as a reflection of the requirements to provide the open space, movement and green infrastructure framework envisaged for the Railpark KDA and to ensure that the proposed development does not prejudice future connectivity objectives identified in the LAP.
- The submission contends that the MEJLPA promotes permeability, active travel and connectivity throughout the Railpark KDA and refers to Maps 7.1 and 7.2 of the LAP which identify strategic movement and active travel objectives intended to support the long-term development of an integrated and connected urban structure.
- The applicants note that any future connection would be dependent on lands outside the applicant's control, third party ownership and consent, and a separate future planning and delivery process.

Scale, Height and Urban, Form:

- The applicants submit that third party concerns on this topic do not reflect the layout and height approach incorporated into the proposed LRD which includes two and three storey heights adjacent to existing residential areas, and are not justified having regard to the planning policy context for the site, the detailed design evolution of the scheme of further information stage and the supporting architectural, visual and daylight / sunlight assessments submitted with the application.
- The subject site forms part of the Railpark KDA, which is identified with the MEJLAP as a significant growth area for Maynooth. The assessment of scale must therefore have regard to the site's role within this wider growth framework, rather than by reference solely to the existing two-storey character of adjoining estates.

- The MEJLAP does not prescribe a blanket height limit for new development in Maynooth. Instead, it requires that building heights respond appropriately to the site context, urban design objectives and protection of residential amenity.
- The height strategy presented has regard to the Railpark KDA framework, the proposed neighbourhood centre, the Maynooth Eastern Ring Road (MERR), the wider movement network and the surrounding residential context.
- The height strategy is varied and legible. It concentrates the greatest height at the most urban and accessible parts of the scheme, while using lower-rise housing and townhouses to provide transition towards existing residential areas.
- The proposed scheme was amended at RFI stage to introduce a more varied height strategy, comprising lower-rise housing, three storey townhouses, duplex units and apartment blocks arranged to respond to their respective locations within the site. New three-storey house types were introduced around the local park and along key streets to create a stronger urban edge, improve enclosure, increase passive surveillance and provide a more appropriate compact form.
- The revised scheme achieves a density of 39.45dph, which is appropriate for this site, and which is supported by the height strategy.
- The taller 5-6 storey elements are concentrated within the Neighbourhood Centre and other strategic locations within the development. They are not uniformly distributed across the site and do not directly exist with existing residential developments.
- The interface with existing residential development is characterised by a transition in scale through the use of two storey and three storey housing, duplex units, retained boundary vegetation, landscape buffers and appropriate separation distances. The proposed height strategy steps down towards existing residential areas and avoids direct juxtaposition of the tallest elements against the boundaries with Parklands and Rockfield.

- The verified photomontages and CGIs submitted in support of the application demonstrate that the revised scheme is acceptable in landscape and visual terms.
- The Daylight, Sunlight and Overshadowing Addendum confirms that the revised scheme achieves a high level of daylight and sunlight performance and that the development will not result in material adverse impacts in neighbouring residential properties.
- In respect of cumulative impact, it is submitted that the proposed development has been prepared as part of the wider Railpark KDA and has been coordinated with planned infrastructure, public open space, access, permeability and neighborhood centre objectives. The MEJLAP anticipates significant residential development within this area and the subject proposal contributes to the planned delivery of that urban structure. The proposal provides a coherent hierarchy of streets spaces and built form together with improved public realm, enhanced open space and appropriate density distribution. It therefore represents an integrated response to the planned development of the key development area rather than an isolated or piecemeal proposal.

Road Layout, cul-de-sac Design and Residential Amenity

- The applicants submit that the concerns expressed by the applicants regarding noise disturbance and antisocial behavior are speculative in nature and not supported by the proposed layout function of the street within the overall movement hierarchy or the level of activity likely to be generated at this location.
- The applicant considers that the proposed cul-de-sac forms an appropriate component of the internal residential street network, will accommodate only limited local traffic movements and will not result in unacceptable impacts on privacy security or residential amenity of adjoining residences.
- The case is made that the proposed layout adjoining Rockfield is acceptable and would not result in on-site impacts on existing residential amenity and that the requested redesign is therefore not necessary.

7.3. First Party Appeal

7.3.1. A separate first party appeal has been lodged on behalf of the applicants, Cozone Ventures Ltd, against conditions attached to the grant of permission issued by Kildare County Council on 7th of May 2026. The appeal is lodged against condition 25 as it pertains to the Local Infrastructure Housing Activation Fund (LIHAF). In addition, the applicant seeks clarification on a number of the conditions which are they consider unreasonable, disproportionate, impractical, duplicative, or which materially affect the viability and deliverability of the permitted scheme. Namely Condition No's. 7(b), 7(e), 17(b), 20, 24, 28 and 44. The grounds of appeal are summarised below.

7.3.2. *Grounds of Appeal*

Condition 25 – LIHAF Affordability Requirement.

- Condition 25 requires that all residential units delivered under the permission incorporate a cost reduction of €18,000 from the prevailing open market price in accordance with LIHAF affordability commitments. This equates to an effective contribution of approximately €10.6 million across the permitted 589 no. residential units.
- The applicant submits that this condition is excessive, disproportionate and unreasonable having regard to the exceptional level of planning gain, strategic infrastructure delivery, community benefit and financial contributions already being provided through the development.
- The total estimated tender cost of the Maynooth Eastern Ring Road is understood to be approximately €25 million. The €10.6 million contribution arising from Condition 25 alone represents approximately 42.4% of the total estimated road cost.
- The applicant contends that the cumulative burden imposed by Condition 25, when considered alongside these existing obligations and contributions, materially impacts the viability and deliverability of the permitted scheme for the following reasons:

Land Contribution and CPO to deliver MERR: - The applicant has approx. 2.87 acres (c1.16ha) of residentially zoned land subject to CPO as part of the delivery of the MERR. They submit that it would be unreasonable for them to contribute towards the acquisition and delivery of their own land while simultaneously funding a blanket affordability reduction across all residential units. They submit that the contribution of these lands should be considered as part satisfaction of any reasonable LIHAF-related obligation associated with the development and that such matters would be best agreed directly between the Planning Authority and applicant as part of the MERR, CPO, and the subject development.

Significant Community Gain as Part of Proposed Development: The proposed development would deliver a substantial level of strategic infrastructure and community benefit for the wider Railpark KDA significantly above normal development requirements, notably, the proposed scheme would deliver c2.76ha Public Open Space, approximately 1.25ha above standard 10% requirement resulting in the effective loss of approximately 49 no. residential units (based on the achieved density of 39.31 units/ha), a c. 100 sq. m dedicated service building (requested by KCC at FI Stage); a neighbourhood centre including 136 sq. m of community floorspace and pharmacy and health centre to serve the wider KDA; and, the ceding of approximately 0.1ha of lands for a pumping station to serve the wider area, resulting in the loss of approximately 4 further residential units.

Part V Contribution: Part V provision of 144 no. units equates to approximately 24.4% of the overall development, rather than the standard requirement of 20% of unit (118 no. units). The applicant submits that this represents a substantial and excessive social and affordable housing contribution that should be considered a substantial affordability contribution towards the objectives underpinning the LIHAF requirement.

Development Contributions and Infrastructure Delivery: The permitted development is also subject to development contributions totalling

€3,810,154.20 under the Kildare County Council Development Contribution Scheme. Accordingly, the applicant is already making a substantial direct financial contribution towards the delivery of strategic infrastructure in the area.

- *Precedent Development:* The applicant notes that the adjacent residential developments to the south, permitted under on ABP Ref.: 312671-22 and ABP Ref.: 312685-22 did not include an equivalent condition requiring a blanket affordability reduction across all residential units. Instead, Condition 2 of both permissions required the developer to demonstrate compliance with a signed letter of undertaking between the developer and Kildare County Council dated 25th October 2017, or any superseding written agreement, prior to occupation of the housing units. The applicant states their understanding that Kildare County Council accepted the delivery of 42 no. cost rental units as compliance with the LIHAF affordability obligations and that those cost rental units were not subject to development levy contributions.

The applicant submits that these adjacent permitted developments demonstrate that alternative mechanisms for satisfying LIHAF-related affordability obligations have previously been accepted by Kildare County Council and that the blanket €18,000 reduction imposed under Condition 25 is neither necessary nor proportionate in the context of the substantial planning gain, infrastructure delivery, Part V provision and land cessions already being provided through the permitted scheme.

- The applicants request that the Coimisiún omit Condition 25 for the reasons set out above

Condition No. 7(b) – Childcare Facility Occupation and Operational Requirement

- Condition 7(b) requires that the childcare facility be constructed as part of Phase 1 of the development and be occupied and operational prior to the commencement of Phase 2, unless otherwise agreed in writing with the Planning Authority.

- The applicant has no objection to the delivery of the childcare facility as part of Phase 1 of the development, they consider the requirement for the facility to be “occupied and operational” prior to commencement of Phase 2 to be unreasonable and outside the control of the applicant.
- It is contended that the applicant can only reasonably ensure the delivery of a completed shell and core creche building capable of occupation as the occupation and operation of the childcare facility is dependent on a third-party childcare operator and associated licensing, staffing and commercial arrangements, matters over which the applicant has no control.
- They request that Condition 7(b) be amended as follows:

Condition 7(b) - “The creche facility shall be constructed as part of Phase 1 of the development and shall be completed to practical completion stage and made available for fitout and occupation prior to the commencement of Phase 2, unless where otherwise agreed with the Planning Authority”.

Condition No. 7(e) – Occupation Restriction Pending Completion of MERR

- Condition 7(e) states that the residential units permitted shall not be occupied until the Maynooth Eastern Relief Road (MERR) and associated infrastructure works have been completed and are operational to the satisfaction of the Planning Authority.
- While the applicant acknowledges the strategic importance of the MERR as a critical item of public infrastructure and recognises its role in facilitating the planned growth of Maynooth, they consider C. 7(e) as currently drafted to be unreasonable and disproportionate insofar as it prevents the occupation of completed residential units pending the completion of infrastructure works that are not wholly within the control of the Applicant.
- While construction of the MERR is underway, it is only partially funded, and its ultimate completion remains dependent upon a range of factors outside the Applicant's control. Any delay could result in completed residential units remaining unoccupied for an extended period despite the permitted development itself being fully constructed and capable of occupation.

- The Applicant acknowledges that ongoing engagement will be required with Kildare County Council and the MERR project team to determine what interim or phased access arrangements may be acceptable in the unlikely event that the delivery of the MERR is delayed. The Applicant is committed to working with the Planning Authority to agree any such measures that may be necessary to facilitate the safe and orderly occupation of the development.
- Accordingly, the applicant requests that Condition 7(e) be amended as follows:

Condition 7(e) – “The residential units permitted in each phase shall not be occupied until the necessary phased opening of the Maynooth Eastern Relief Road (MERR) and associated infrastructure works has been completed and are operational to the satisfaction of the Planning Authority. The details of the phased occupation of units can be agreed in writing with the Planning Authority having regard to the status of the MERR.”

Condition No. 17(b) – Landscaping Delivery

- Condition 17(b) requires all landscaping works to be fully completed within the first planting season following commencement of development.
- The applicant submits that this requirement is neither reasonable nor practical having regard to the scale and phased nature of the proposed development.
- The applicant proposes instead that landscaping and planting works be implemented on a phased basis in accordance with the approved construction and phasing strategy. This would allow completed areas of development and Public Open Space to be landscaped, protected and established incrementally as phases are completed, while ensuring the timely delivery of high-quality amenity areas throughout the development process.
- Accordingly, the applicant requests that Condition 17(b) be amended as follows:

Condition 17(b) – “All landscaping works for each phase shall be completed, within the first planting season following commencement of that phase of development, in accordance with landscape drawing no.24KE04 DR-0201 from AIT Landscape received by the Planning Authority on 06/03/2026. Any

trees and hedging which die, are removed or become seriously damaged or diseased, within a period of 4 years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the Planning Authority.”

Condition Nos. 20 – Public Park Delivery and Transfer of Land to KCC

- Condition 20 requires the Developer to complete the ceding of the public park to the Planning Authority prior to occupation of any dwelling within the development.
- The applicant submits that this approach does not align with the approved Phasing Plan, the provisions of Condition 21 (which relate to submission for agreement of Phasing and Delivery Plan for the Public park), or with the practical sequencing of infrastructure and amenity delivery across a large-scale phased residential development.
- They contend that this requirement is unduly onerous having regard to the scale and phased nature of the proposed development and would effectively require the entirety of the Public Park, including sports facilities, recreational infrastructure and associated amenity works, to be delivered at significant upfront cost prior to any residential occupation taking place
- The applicant requests that Condition 20 be amended or omitted to avoid conflict with Condition 21 and to instead provide for the phased delivery and phased Taking-In-Charge/ceding of the Public Park and Public Open Space areas in accordance with the approved Phasing and Delivery Plan.
- They recommend the following
Condition 20- *“The Public Open Space and associated infrastructure in these areas shall be completed on a phased basis, generally in accordance with the approved Phasing Plan, as follows:*

(a) Strategic drainage and service infrastructure required to facilitate Phase 1 shall be completed within POS 1 and POS 3 prior to occupation of Phase 1 residential units.

(b) The fit-out of the park and recreational infrastructure and amenity fit-out of POS 1 and POS 3 shall be completed prior to occupation of an agreed proportion of Phase 2 residential units.

(c) All remaining Public Open Space areas shall be completed prior to completion of the residential phase to which they relate.

(d) All Public Open Space areas shall be maintained by the Developer at all times until such areas are completed to the satisfaction of the Planning Authority and are formally Taken in Charge by Kildare County Council. Taking-In-Charge may occur on a phased basis where Public Open Space areas are fully completed and established.”

The ceding of the public park shall be completed to the requirements of the Planning Authority at the relevant time and in accordance with their procedures.’

Condition No. 24 – MERR Access Infrastructure:

- Condition 24 requires the Developer to provide the access points onto the Maynooth Eastern Ring Road (MERR), including the proposed signalised junction, prior to commencement of development.
- The applicant submits that this condition is impractical and unreasonable as drafted, as the signalised junction and associated access infrastructure form part of the permitted development and are already required to be delivered in accordance with the approved plans and particulars pursuant to Condition 1.
- They request that the condition be amended to allow the junction, and associated access works to be delivered as part of the initial phase of development and completed prior to occupation of an agreed proportion of residential units, or otherwise subject to agreement with the Planning Authority, as the subject development may be commenced before the MERR is at such a stage where the junction works can be provided. They also suggest the omission of references to the red line application site boundary to provide flexibility for potential tweaks to the finalised design and in acknowledgement that the lands are in the applicant’s or Planning Authority’s control.
- They request that Condition 24 be amended as follows:

Condition 24 – *“When required by the Planning Authority, i.e. having regard to the construction status of the MERR vis-à-vis the proposed development, the Developer shall provide access points onto the Maynooth Eastern Ring Road (MERR), including the proposed signalised junction, as per ROD drawing 24.111-ROD-GEN-SW_AE-DR-CH 300001 received by the Planning Authority on the 06/03/2026. These proposals shall comply with the requirements of Kildare County Council’s Traffic Management Section, the MERR Project Team and Kildare County Council Transport Mobility and Open Spaces Section and completed to the satisfaction of the Planning Authority. The proposed works shall tie into the MERR without necessitating any modifications to the approved MERR scheme. No alterations to the approved MERR layout shall be required to facilitate the proposed development.”*

Condition No. 28 – School Bus Set-Down Area

- Condition 28 requires the provision of a dedicated school bus set-down area within the development site in accordance with the referenced ROD drawing (ROD drawing 24.111-RODGEN-SW_AE-DR-CH-300002).
- The applicant contends that it was clearly set out during the application process that the proposed bus set-down area could not be accommodated within the applicant’s red line boundary. They note that the bus set-down area, as illustrated, is not wholly located within the application site boundary.
- They request that the requirement for the dedicated bus set-down area within the applicant’s red line boundary be omitted or amended accordingly, as suggested below:

Condition 28 – *“Full and unhindered vehicular, cycle, and pedestrian access to the adjoining proposed post-primary school site to the south shall be incorporated into the site layout to ensure seamless connectivity. The dedicated set-down area to facilitate school bus drop-off, which is shown on the subject site and adjacent lands as per ROD drawing 24.111-RODGEN-SW_AE-DR-CH-300002 received by the Planning Authority 06/03/2026 Final design details, shall be facilitated as by the Planning Authority.”*

Condition No. 44 – Stage 1 Quality Audit

- *Condition 44 requires the submission of revised detailed design drawings addressing the recommendations of the Stage 1 Quality Audit prior to commencement of development.*
- The applicant contends that the requirement for revised drawings is unnecessary as the substantive recommendations of the Stage 1 Quality Audit have already been addressed within the submitted drawings and that the remaining matter, relating to tapers at the ends of parking bays is already reflected on the architectural drawings and can be addressed as part of the detailed design and tender stage.
- Accordingly, they request that Condition No. 44 be omitted from the final grant.

7.4. Planning Authority Response:

The planning authority has submitted a response (provided by the A/Senior Engineer in Road Design and Construction), to the first party appeal lodged against condition 25 as it pertains to the Local Infrastructure Housing Activation Fund (LIHAF).

The submission is accompanied by correspondence from the Department of Housing, Local Government and Heritage (DHLGH) (October 2025) on Tender review of the Maynooth Eastern Relief Road LIHAF Infrastructure Works, and request for increased grant funding and, a copy of a Letter of Understanding signed by landowners along the route of the MERR in 2017.

In respect of the third-party appeal, the planning authority requests that the Commission refer to the Planners reports and various technical departmental reports in relation to the assessment of the planning application.

The planning authority's response to the appeal against Condition 25 can be summarised as follows:

- Letters of Understanding (LOU) were drafted and signed by several original landowners along the route of the MERR in 2017.
- These LOU represented a construction cost of €14,500,000 which was to be funded by the LIHAF.

- These LOU also confirmed that 800 units were to be delivered to ensure compliance with the LIHAF.
- Based on these figures, the LIHAF contribution represents a saving of €18,125 per unit.
- In the intervening period the construction costs to deliver the MERR have increased with a funding allocation of €24.24 million being provided by the LIHAF.
- The number of housing units to be delivered in the environs of the MERR has now increased to c1,277, including 589 units to be delivered by Cozone.
- This increase in funding and housing delivery represents a saving per unit in the order of €18,981.
- The developments permitted under ABP Ref.: 312671-22 and ABP Ref.: 312685-22 are currently in construction and in compliance with the LOU.
- A third development granted under KCC PI Ref: 21/1108 but not yet commenced, also requires compliance with the LOU.
- Correspondence received from the Department of Housing, Local Government and Heritage in October 2025, confirming funding of €24.24 million, makes explicit reference to the need to comply with the LIHAF affordability commitment with a minimum of 800 units to be provided including 700 units with a cost reduction of €18,000 per unit from the open price.

7.5. Observations

None

7.6. Further Responses

None

8.0 Assessment

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

- Zoning, Density and Residential Yield.
- Urban Form: Building Height and Scale
- Impact on Existing Residential Amenity:
- Boundary Treatment
- Permeability Connection through Parklands Lawns.
- Design Quality – Residential Amenity
- 1st Party Appeal.
- Other Matters

8.1.1. Also, in respect of the proposed development, I have carried out an Environmental Impact Assessment which is presented in Section 9.0 of this report, an Appropriate Assessment (AA) which is presented in Section 10.0 and a screening determination in respect of Water Framework Directive (WFD) which is presented in Section 11.0. These sections are to be read in conjunction with Appendices of this report.

8.2. Zoning, Density and Residential Yield:

8.2.1. The proposed development site comprises 15.27ha of predominantly greenfield on the southeastern edge of the built-up-area of Maynooth, in the area known as Railpark. These lands forms part of a wider landbank of c30.47ha that is identified as a key development area (Railpark KDA), in the Maynooth Environs Joint Local Area Plan 2025-2031 (MEJLAP). As planned the Railpark KDA is to be developed for housing with supporting social infrastructure in the form of a neighbourhood centre, local park and primary school. The KDA is to be served by the Maynooth Eastern

Ring Road (MERR), a new single carriageway relief road to the east of Maynooth town, to facilitate the connection of the R405 Celbridge Road and the R148 Leixlip Road. The MERR has been brought forward under the Local Infrastructure Housing Activation Fund (LIHAF) and is currently being delivered by KCC under a Part 8 (Reg. Ref.: P82019-08 MERR).

- 8.2.2. The MEJLAP includes in Section 11.4.1, Table 11.1 and Fig. 11.6 a design brief and urban design framework for the Railpark KDA. The design brief supports the delivery of an estimated residential yield of 954 units at an indicative net density of 40dph and through a variety of house types including apartments, duplexes, maisonettes, terraced townhouses and semi-detached houses.
- 8.2.3. The proposed LRD (as amended at RFI stage) comprises a total of 589no. residential units and a neighbourhood centre, incorporating a health centre, two no. shop units (pharmacy and convenience shop), a childcare facility and community space. The proposal also includes c. 2.74ha of public open space in the form of a new local park, linear park, and four pocket parks. The Local Park (c. 13,873 sq. m) is designed to incorporate a MUGA, planning pitches, children's playground, skate plaza / teen area and calisthenic area and is to be served by a service building incorporating a café kiosk. An additional c. 1.1ha of public parkland is to be delivered under separate applications.

Land Use and Zoning

- 8.2.4. No issues / concerns in relation to zoning were raised in the planning authority's assessment of the application nor have any issues been raised in the appeal.
- 8.2.5. As set out in the MEJLAP, the appeal site encompasses two land use zoning objectives, namely 'C2 - *New Residential*' with an objective to provide for new residential development and "*N-Neighbourhood Centre*" which seeks to provide for new/existing neighbourhood centres and associated facilities. The MEJLAP states that such neighbourhood centres are intended to serve the immediate needs of local residents and workers and should not compete with similar retail uses within the

town centre. I note that the '*Urban Design Framework*' for the Railpark KDA, illustrated in Fig. 11.6 of the MEJLAP, aligns with the zoning objectives for the site.

- 8.2.6. I have reviewed the plans and particulars submitted in support of the application and I am satisfied that the proposed scheme, in terms of the nature, scale and location of uses proposed, accords with the zoning objectives and associated land-use zoning matrix for the area as set out in the MEJLAP. Furthermore, I am satisfied that the nature and scale of commercial / community use proposed is appropriate for this neighbourhood centre, that it would serve the immediate needs of local residents and workers and would not compete with similar retail uses within the town centre. On this basis, I am satisfied that issue of material contravention arises in respect of zoning or land use.

Density

- 8.2.7. The density of proposed development is stated as 39.71dph. This figure is based on the number of residential units proposed (589) and a net developable area of c14.8ha. The proposed density is consistent with the MEJLAP's indicative density target for the Railpark KDA (40dph) and with current Section 28 guidance as set out in the 2024 Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (The Compact Settlement Guidelines) under which it is a policy and objective that residential densities in the range 35dph to 50dph (net) shall generally be applied at suburban and edge locations of Metropolitan Towns.

Scale - Residential Yield:

- 8.2.8. It is contended in the grounds of appeal (Parklands Residents) that the planning authority in their assessment of the application failed to consider the cumulative impact of existing, permitted and proposed development within the wider Railpark KDA. The appeal submissions reference extant permissions granted under KCC PI Ref: 2561468 (Railpark West -139 units) and KCC PI. Ref: 211108 (Parkland Grove, 76no units) which, together with the proposed scheme would account for approx. 804 units, leaving limited capacity (c. 150no. units) for remaining KDA lands. The

concern is that the overall residential yield for the wider Railpark KDA would be exceeded.

- 8.2.9. In response, I note that the figure of 954 sited in the MEJLAP is an estimate of residential yield, not a maximum limit and that MEJLAP does not place a restriction on the number of units permissible with the KDA. The density of development proposed, at 39.71dph, falls just below the indicative density target for the Railpark KDA (40dph). This density is achieved through the delivery of a variety of house types including apartments, duplexes, maisonettes, terraced townhouses and semi-detached houses, in line with the design brief for the KDA (MEJLAP, Table 11.1). The proposal also delivers the planned neighbourhood centre and c.1.3ha of the local park for the KDA. I am satisfied that the development strategy presented, in terms of land use, density and residential yield is in line with that envisaged for the Railpark KDA as set out in the MEJLAP. Any future development proposals on the remainder of the KDA lands would be assessed on their own merits.

Conclusion:

In conclusion, I am satisfied that the proposed development, accords with the zoning objectives for the area and would support the delivery of the Railpark KDA as envisaged in the MEJLAP. Therefore, I consider, that the proposal, subject to detailed assessment of relevant planning issues, is acceptable in principle.

8.3. Urban Form: Building Height and Scale

- 8.3.1. The Parklands Appellants have raised concerns regarding the height strategy presented for the proposed scheme. They contend that the height of the proposed apartment and duplex buildings, which range from 3 to 6 storeys, is excessive when compared to the existing 2-storey housing in the area. In their opinion, the planning authority failed to demonstrate why buildings of height are necessary in locations adjoining existing residential areas, and how they can be integrated with the surrounding townscape without negatively affecting the character and amenity of neighbouring. They request the Commission to overturn the decision or, alternatively

amend the permission by reducing the height and scale of the buildings located beside existing homes.

- 8.3.2. The proposed development ranges in height from 2 to 6 storeys. Existing development in the immediate vicinity of the site comprises mainly 2-storey housing. The residential development currently under construction to the south of the site (The Grange) include three-storey houses / duplex apartment (permitted under ABP-312685-22 and ABP-312671-22).
- 8.3.3. The site itself is characterised by its peripheral location at the edge of the built-up area of Maynooth. The site and surrounding lands (c. 30.5ha) have been identified in the MEJLAP as a Key Development Area (Railpark KDA) which is envisaged as a new integrated residential neighbourhood, that is intended to contribute to the future growth and consolidation of the town through the delivery of a significant quantum of housing, supported by physical and social infrastructure. The development of these lands as envisaged in the MEJLAP will significantly alter the character of the area transforming it from peri-rural to urban. This is, I consider, a significant factor in the assessment of the height strategy presented. The site, currently in agricultural use, has no significant landscape, visual or amenity value and in my opinion, exhibits a high capacity and scope for new development.
- 8.3.4. The proposal includes for a mix of 2 and 3 storey houses, 2 storey maisonette blocks, 3 and 4 storey duplex blocks and 5 to 6 storey mixed use blocks. The mix of unit type proposed supports an appropriate density of c.39dph and is sufficiently varied to meet the needs of the existing and future population of Maynooth.
- 8.3.5. The development strategy presented for the site allows for a transition in height / scale from west to east across the site. Development along the western boundary, the interface with Rockfield, comprises 2 storey houses which are placed either back-to-back or side-to back with existing properties. Moving eastwards, 3-storey houses and duplex blocks are introduced, primarily at junctions and around the perimeter of the local park. The taller 4, 5 and 6 storey buildings are concentrated along the MERR, and in the case of the tallest 5-6 storey mixed use blocks within the neighbourhood centre.

- 8.3.6. The transition in building height is I consider a suitable response to the locational context of the site and its relationship with neighbouring properties / land uses. The positioning of higher 3-6 storey blocks along the MERR creates a strong urban edge that will aid the transition of the area to a more urban form of development by creating a sense of place.
- 8.3.7. Notwithstanding, I acknowledge that the proposed scheme would introduce taller 4, 5 and 6 storey buildings into this area of Maynooth, that would exceed the prevailing building height. Therefore, I consider it appropriate to ensure that the height strategy presented is supported by current planning policy and guidance.
- 8.3.8. Neither the KCDP nor the MEJLAP prescribe a blanket height limit for new development in Maynooth. Instead, these documents, informed by current Section 28 Guidance, including the Urban Development and Building Height Guidelines, (DHLGH, 2018), support sustainable, compact forms of development aided by increased building heights and densities, where appropriate.
- 8.3.9. The Building Height Guidelines in section 3.0, note that newer housing developments outside city and town centres and inner suburbs, i.e. the suburban edges of towns and cities, typically now include townhouses (2-3 storeys), duplexes (3-4 storeys) and apartments (4 storeys upwards), delivering net densities, in the range of 35-50dph.
- 8.3.10. The Guidelines go on to state that development should include an effective mix of 2, 3 and 4-storey development which integrates well into existing and historical neighbourhoods, that such development patterns are generally appropriate outside city centres and inner suburbs (i.e. at the suburban edges of towns and cities), for both infill and greenfield development and should not be subject to specific height restrictions.
- 8.3.11. Further to the above, I note that it is a specific planning policy requirement (SPPR4) of the Building Height Guidelines, that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:

1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “Sustainable Residential Development in Urban Areas (2007)” or any amending or replacement Guidelines.
2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and
3. avoid monotype building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.

8.3.12. The proposed scheme includes a mix of building heights, dwelling typologies and uses at a density that is appropriate for this location. Most buildings proposed within this scheme range in height from 2 to 4 stories. The two taller 5-6 storey buildings are concentrated within the Neighbourhood Centre, close to the main entrance to the development from the MERR and removed from existing properties. In my opinion, SPPR 4 and the overall provisions of the Building Height Guidelines, support, at least in principle, the building height strategy presented for this LRD.

8.3.13. At local level, it is an objective of the KCDP (Objective UD O11) to comply with the provisions of the Guidelines for Planning Authorities on Urban Development and Building Heights (2018). Objective UD O11 requires that new development greater than 4-storeys address the development management criteria set out in section 3.2 of the Urban Development and Building Heights Guidelines (2018).

8.3.14. In terms of compliance with the development management criteria set out in *Section 3.2 of the Urban Development and Building Heights Guidelines*, the applicants in their Planning Report and Statement of Consistency, refer to information contained in the Architectural Design Statement; Landscape and Visual Impact Assessment and Photomontage and Verified Views Brochure (see EIAR, Ch.6), Archaeological, Architectural and Cultural Heritage Assessment (see EIAR, Ch.4), Daylight and Sunlight Assessments, Microclimate / Wind Study Assessment; Biodiversity Assessment (see EIAR, ch.5). I have reviewed these documents in the context of Section 3.2 criteria; the following points are noted:

8.3.15. **At the scale of the relevant city/town**, I note that the proposed development site is located within 1km (as the crow flies) from Maynooth Town Centre and Train Station.

The development includes a neighbourhood centre that would support the day-to day need of future residents, most journeys can be undertaken on foot or by bicycle.

- 8.3.16. Maynooth is served by public transport in the form of bus and rails services, and the site is well positioned to avail of these services. At present, Maynooth Train Station is within 18 minutes walking distance of the proposed development (via the Celbridge Road). Future development of Railpark KDA lands (as envisaged in the MEJLAP), will improve pedestrian and cycle permeability in the area, reducing travel times to both the town centre and train station. Maynooth Train Station is served by the Dublin Commuter Service and Intercity Service. The Commuter Service runs between Dublin Connolly Station and Maynooth with a frequency of 15-30 minutes going to 10.5 minutes at peak hour. The Intercity Service runs between Dublin Connolly Station and Sligo with a frequency of 2-3 hours.
- 8.3.17. The site is also accessible by bus. The bus service along Straffan Road is approximately 11 minutes' walk from the site. This offers four services to Ringsend, Routes C3 and C4 both operate at 30-minute intervals while Routes C5 and C6 each offer a frequency of 5 buses per day. Bus services are set to be enhanced (increase, capacity and frequency) under Bus Connects, which will offer services from Straffan Road to Ringsend, Merian Square, UCD and Tallaght.
- 8.3.18. The site is not within an architecturally sensitive area and has no significant cultural or heritage value. The topography of the area is relatively flat. The proposed development has been subject to a Landscape and Visual Impact Assessment (considered in further detail in Ch. 6 of the EIAR). The LVIA describes the site as a former agricultural fieldscape in a peri-urban setting within the 'Northern lowlands' landscape character type with a low sensitivity to change and a high compatibility rating for housing, urbanisation and infrastructure.
- 8.3.19. While the proposed development would alter the character of the area, the proposal is brought forward as part of the planned, extension of Maynooth supported by the delivery of the MERR. Predicted impacts on visual amenity and landscape character identified in the EIAR are mitigated by design (transition in scale with taller buildings removed from sensitive receptors), the retention of hedgerow and tree planting where feasible along the west and northern boundaries and detailed proposals for landscaping and tree planting.

8.3.20. The development strategy presented would provide a strong urban edge to the MERR that would in my opinion make a positive contribution to place-making. Overall, I am satisfied that the proposed scheme uses mass and height to achieve an acceptable density, with sufficient variety in scale and form to respond to the scale of adjoining developments and to create visual interest in the emerging streetscape.

8.3.21. **At the scale of district/ neighbourhood/ street:** I consider that the development strategy presented responds well to its locational context and would support the sustainable expansion of Maynooth and the delivery of a new integrated residential neighbourhood as envisaged in the MEJLAP. The proposal is for a mid-density scheme that is typical for suburban / edge of city locations. The development of this site for residential, commercial and community use as proposed would help to consolidate the built-up area of Maynooth in a sustainable manner that would support the '10-minute' concept while positively contributing to the mix of uses and dwelling typology in the area. The stepping of building heights from 2 storey along its western boundary to 5-6 storeys within the Neighbourhood centre provides an appropriate transition between the scale and massing of the proposed development and neighbouring properties. The variety in building height, setback, architectural design and elevational treatment, breaks up the mass of the built form, while the use of brick as the main elevational treatment is appropriate in terms of both visual amenity and maintenance. At the scale of the neighbourhood, I am satisfied there would be capacity to absorb buildings at the height proposed.

8.3.22. **At the scale of the site/building:** I am satisfied that the form, massing, height, and orientation of proposed development have been carefully modulated with the view to maximising access to natural daylight, ventilation and views and minimising overshadowing and loss of light. The application documentation includes an Internal Daylight, Sunlight and Overshadowing Report (updated at RFI stage). This report was carried out in accordance with recognised BRE (BR209, 2022) and BS EN 17037:2018 guidance. It concludes that when considered with compensatory design measures (dual-aspect units, well-sunlit open space, private amenity provision, and high-quality internal layouts), the proposed development would provide excellent overall daylight and sunlight amenity for future residents. Overall, I am satisfied that

the scale of the site and its context as part of Railpark KDA), would readily allow for development at the heights proposed.

Conclusion - Urban Form: Building Height and Scale

8.3.23. In conclusion, I am satisfied that the proposed development would make a positive contribution to the area and would respond well to the emerging urban environment in visual terms. In my opinion the layout of the development allows for an appropriate transition in scale that is respectful of existing residential properties while also ensuring the appropriate and sustainable use of zoned and serviced lands. The height strategy presented for the site is in accordance with national policy and guidance to support compact consolidated growth within sub-urban expansion areas and would satisfy the criteria set down under Section 3.2 of the Urban Development and Building Heights guidelines. The proposal would accord with the provisions for the area as set out in the KCDP and MEJLAP and I am satisfied that no issue of material contravention arises.

8.4. Impact on Existing Residential Amenity:

8.4.1. The appellants, residents of Rockfield Green have raised concerns regarding the proposed cul-de-sac located adjacent to the western boundary of the site and to the rear of No's 19 / 20 Rockfield Green. The appellants contend that the proposed roadway and turning area to the rear of existing gardens would unduly impact the residential amenities of these properties by of overlooking, nuisance and anti-social behaviour and would give rise to security concerns. They further contend that this layout is inconsistent with established residential design principles and fails to adequately protect the amenity of current residents.

8.4.2. In terms of layout, I note that the proposed scheme broadly aligns with the block layout illustrated on *Figure 11.6 Railpark KDA Urban Design Framework*, albeit modified to comply with DMURS and to improve the usability and functionality of areas of public open space. For the most part, buildings are arranged in a block format addressing public roads and open spaces, with taller buildings including 3 -6 storey mixed use blocks arranged in a linear pattern to provide a strong urban edge to the MERR.

- 8.4.3. In all cases, both internally within the scheme and externally with existing properties, the separation distance between directly opposing rear elevations of houses exceeds the minimum standard of 16m set out under SPPR 1 of the Compact Settlement Guidelines. Where houses are arranged side-to-rear with existing or proposed houses, houses have been designed so that there no directly opposing habitable room windows, ensuring full compliance SPPR 1.
- 8.4.4. The provision of adequate separation distances ensures an adequate level of privacy for residents; it also supports positive outcomes in terms of daylight and sunlight provision. In this regard I note that the *Daylight and Sunlight Impact Statement* submitted with the application. This document considers the daylight and sunlight impacts of the proposed development on neighbouring properties with reference to recognised BRE Guidelines (BR209, 2022). The results indicate that the proposed development would not cause significant daylight or sunlight loss to neighbouring residential properties, inducing those properties currently under construction to the south of the site.
- 8.4.5. Along the western boundary, the interface with Rockfield, lower level predominantly two storey houses are arranged in a linear patter so that they are back-to-back exiting residential properties in Rockfield. There are two exceptions where houses are arranged on short cul-de-sac and orientated so that proposed houses would be side-on to existing properties. The first is at the northeast corner where proposed house no's 1, 2, and 3 are oriented north to face onto and area of public open space (POS 2) and beyond towards the Parklands Development. This arrangement is appropriate as it ensures an adequately level of passive surveillance over the area of public open space.
- 8.4.6. The second example, the issue of concern to residents, is located further south along the western boundary, to the rear of No's 19 and 20 Rockfield Green where house no's 15, 16, 127, 128 and 129 and Duplex Units 19 and 20 are arranged on a short cul-de-sac that culminates at the development boundary. The relationship between the proposed development site and No's 19 / 20 Rockfield Green is illustrated on Site Section A- A submitted with the application and on page. 28 of the applicant's response document.

- 8.4.7. As previously noted, residents of Rockfield Green are concerned that this cul-de-sac arrangement could result in issues of overlooking, loitering, noise disturbance, unauthorised access to rear gardens and a general reduction in residential amenity.
- 8.4.8. I have reviewed the plans and particulars submitted in support of the application and I have inspected the site. I note that the cul-de-sac in question comprises a very short stretch of road, c. 25m, that is intended to serve 6no. residential units directly. The level of activity generated by these 6no. units is unlikely to be significant or to go beyond the norms of what is to be expected within a residential area. All 6no. units are arranged to front onto the cul-de-sac providing a high level of passive surveillance that is likely to detract loitering and anti-social behaviour.
- 8.4.9. The cul-de-sac culminates at the western boundary where a new boundary fence and hedgerow planting is proposed. The arrangements for boundary treatment are discussed in greater detail later in this report. In brief, I am satisfied that the provision of appropriate boundary treatment at this location would be sufficient to ensure an adequate level of privacy and security for existing residents of Rockfield Green.

Conclusion:

- 8.4.10. In conclusion, I am satisfied that the proposed scheme as presented, including the cul-de-sac arranged to the rear of No's 19 / 20 Rockfield Green, would not have a significant undue impact on the amenities of residential properties in the vicinity.

8.5. Boundary Treatment:

- 8.5.1. All third-party appellants have raised concerns regarding the proposed / permitted boundary treatment along the interface between the application site and the rear of existing dwellings in Parklands and Rockfield. The primary concern is that the proposed / permitted strategy for boundary treatment would fail to adequately protect the privacy, security and amenity of existing properties.
- 8.5.2. The Parkland appellants contend that the approved strategy for boundary treatment (retention of existing hedgerow) fails to comply with the development management

standards set out in Section 15.4.6 of the KCDP. They have also raised concerns regarding Condition 18 as attached to the planning authority's decision. Condition 18 requires further agreement on boundary treatment along the western boundary of the site (the boundary with Rockfield) prior to commencement of development. In their opinion such matters should have been addressed to the satisfaction of the planning authority, before a grant of permission was issued. They contend that the approach taken by the planning authority creates a degree of uncertainty for residents.

- 8.5.3. The Rockfield appellants object to the use of weldmesh or Hercules-type as a boundary treatment between properties on the premise that such a proposal would not provide an adequate level of privacy for residents and would not prevent vegetation encroachment. They are also concerned that the proposal would result in the creation residual land strips (areas of no man's land) between existing and proposed boundaries that could give rise to issues of illegal dumping and anti-social behaviour as well as security and maintenance issues. They requested that these spaces be removed through design or incorporated into clearly defined folios with explicit ownership and maintenance obligations.
- 8.5.4. The appellants from both Parklands and Rockfield have requested an alternative boundary treatment in the form of a boundary wall and have cited examples of where solid boundary walls have been used as boundary between residential developments elsewhere in Maynooth. I will consider the issues raised by the appellants of Parklands and Rockfield under separate sub-heading below.
- 8.5.5. The applicants in their response to the issues raised in the grounds of appeal, submit that the scheme as permitted by the planning authority provides for a comprehensive and integrated boundary strategy, comprising retained hedgerow and boundary vegetation, secure boundary fencing, supplementary planting where required and a detailed condition (Condition 18) requiring the submission and agreement of final boundary treatment proposals prior to the commencement of development. In their opinion, the proposed development complies with the provisions of the KCDP, appropriately balances residential amenity considerations with biodiversity and landscape objectives and provides a robust and policy compliant framework for protecting the privacy, security and residential amenity of adjoining residents.

- 8.5.6. To support their case, the applicants have included in their submission additional commentary from the project Landscape Architects (Ait Urbanism and Landscape) along with section drawings to better illustrate the relationship between the proposed development and existing properties in Rockfield green.

Policy Context:

- 8.5.7. For relevant planning policy and guidance on boundary treatment I refer to both the KCDP and the MEJLAP.
- 8.5.8. The KCDP includes guidance on boundary treatment for residential development under sections *15.4.5 Design, Layout and Boundary Treatments* and *15.4.6 House Design*. I note that the Parkland appellants refer specifically to the guidance set out in Section *15.4.6* under the heading of '*House Design*', which states that special consideration should be given to boundary treatments particularly where these adjoin existing dwellings. Section 15.4.6 identifies a 1.8m – 2m high wall of solid block, as an acceptable boundary treatment to enclose private open space and states that where rear gardens front on to public open space, a two-metre-high screen wall, suitably finished (rendered, natural stone or brick) and capped, should be provided between all areas of public space and rear gardens. Section 15.4.6 also states that the Council will consider alternative boundary treatments on their merits, that all boundaries in such cases shall be of high-quality solid construction with no gaps and that post and wire or timber post and panel fencing is not permitted and, that situations which lead to the creation of two walls or fences with a gap in between should be avoided.
- 8.5.9. Section *15.4.5 Design, Layout and Boundary Treatments*, is also relevant. The guidance here states:

The need for boundary treatments such as railings or walls around residential developments should be limited to an absolute minimum. In situations where a design solution cannot mitigate against the presence of such physical boundaries, high railings and walls should be avoided and boundaries should take the form of a low wall (rendered, natural stone or brick), railing, or a planted native hedgerow, to

incorporate hedgehog streets, depending on the characteristics and location of the site.

- 8.5.10. Further to the above, I note that the KCDP under *Policy BI P6* recognises the importance of existing hedgerows for biodiversity, climate mitigation, resilience and adaptation. The associated objectives set out in the KCDP seek to prevent the unnecessary removal of existing hedgerows and, notably, under *Objective BI O28*, to promote the integration of boundary hedges within and along development sites into development design to avoid “trapped hedges” located to the boundary of houses within the development layout.
- 8.5.11. In respect of the MEJLAP, regard is had to *Objective GBIO 2.2* which seeks to ensure that all development proposals on sites where hedgerows and treelines are located (identified in Map 9.1) are retained and fully integrated as a focal point of the development in the first instance. In exceptional circumstances, where they are demonstrably required to be removed, development proposals shall be accompanied by a planting scheme of similar quantity and species mix to ensure no net biodiversity loss over the longer term.
- 8.5.12. I note that the existing hedgerow / treeline between the proposed development site and Parkmore, is identified for retention under *Map 9.1*. In addition, I note that this boundary is identified as part of the existing green infrastructure network in the *Urban Design Framework* for the Railpark KDA (Fig. 11.6 of the MJELAP) and that the *Design Brief* for the KDA supports the retention of existing hedgerows and treelines in order to protect the existing biodiversity and ecological networks on the site and to help provide an established sense of place in the neighbourhood from the outset.
- 8.5.13. I have considered the relevant policy provisions set out in both the KCDP and MEJLAP. In my opinion, those provisions including the development management guidance set out in the KCDP, are intended to ensure that proposals for boundary treatment, for both individual housing plots and the wider site / development boundaries, are the most effective and appropriate boundary treatment having regard to the specific context of the site, the need to ensure adequate level of

privacy and amenity for residents and the retention and proper integration of existing trees and hedgerows. This premise will form the basis of my assessment. For clarity, I am satisfied that the guidance set out in the KCDP is adequately flexible that no material contravention issues arise in respect of boundary treatment.

Boundary with Parklands

- 8.5.14. The Parklands appellants identify No's 9, 10, 11, 12 and 13 Parklands Lawns and No's 22, 23, 24 and 25 Parklands Place as the properties most likely to be impacted by the proposed scheme. These properties, along with No's 7, 8, and 9 Rockfield Grove, border the proposed development site to the northwest and, as proposed, would back on to the public realm comprising an area of public open space (POS2) and, in the case of No's 22-25 Parklands Place (incl.) a section of the internal estate road.
- 8.5.15. It is contended in the grounds of appeal that this public area, as it forms part of the wider Railpark KDA, would serve approx. 804no. residential units and as such would give rise to a high level of activity including pedestrian, vehicular movements, that would diminish the privacy and residential amenity of existing residents. It is further contended that in these circumstances the proposed boundary treatment should be assessed not only in the context of the Railpark development itself but also having regard to the likely increase in pedestrian activity and use of public spaces from the wider Railpark KDA.
- 8.5.16. The boundary between the proposed development site and existing properties in Parklands currently comprises a mature hedgerow interspersed with trees. Under the proposed scheme, this hedgerow is to be retained and integrated as part of the landscaping strategy for the site. I note that this proposal would meet the requirements of *Objective* GBIO 2.2 and *Map 9.1* of MJELAP (cited above) and would accord with the *Urban Design Framework* for the Railpark KDA.
- 8.5.17. While the Parkland appellants state their support for the retention of the existing hedgerow along the boundary for biodiversity reasons, they do not consider this

sufficient as a boundary treatment between areas of public and private open space, and they contend that such a proposal would be contrary to the standards set out in Section 15.4.6 of the KCDP. As previously stated, I am satisfied that the guidance set out in the KCDP, including Section 15.4.6, is adequately flexible so that no material contravention arises.

8.5.18. The existing properties of concern within Parkland, currently back onto an agricultural field. While I acknowledge that the development of this field for residential use as proposed would alter the context and outlook for these existing properties, I do not accept that the contention that the level of new activity in this area would be significant or go beyond the norms of what would be acceptable within a residential area. My reasoning for this is set out below.

8.5.19. The section of the internal estate road proposed to the rear of No's 22-25 Parklands Place (incl.) is designed to serve only four residential units directly and is unlikely to generate significant volumes of through traffic once the adjoining KDA lands to the north of the site are developed. This is because the adjoining KDA lands to the north are intended to be served by more direct routes both from the MERR (via the proposed development site) to the east and Parklands Way to the north.

8.5.20. The proposed area of public open space (POS 2) to the rear of No's 11 and 12 Parklands Lawns, comprises one of four pocket parks within the proposed scheme and are in addition to the proposed linear park (POS 3, 4 and 5) and the Local Park (POS 1), which is located c.100m to the east. POS 2, due to its remote location at the northwest corner of the development site and the quantum of public open space proposed throughout the scheme, is I consider unlikely to attract a significant volume of users from outside of the immediate area and is more likely to be used for passive recreation given the nature and scale of active recreation facilities proposed within the nearby Local Park (POS 1).

8.5.21. In terms of privacy and security, I note that the existing hedgerow at this location, is mature, continuous and robust and in my opinion provides an impregnable barrier between the application site and adjoining properties sufficient to ensure a high level of visual screening and security as well as providing insulation from noise etc. The

provision of boundary wall at this location would in my opinion, be contrary to the requirements of Objective GBIO 2.2 of the MJELAP which seeks to retain and fully integrate this hedgerow as a focal point of the development. It also has the potential to give rise to “trapped hedges”, contrary to *Objective BI O28* of the KCDP

- 8.5.22. Overall, I am satisfied that the proposed boundary treatment along the interface between the application site and the rear of existing dwellings in Parklands, comprising the retention of the existing hedgerow is the most appropriate and effective boundary solution in the context of the site and I am satisfied that it would accord with the provisions of the both the KCDP and MEJLAP.

Boundary with Rockfield:

- 8.5.23. The existing boundary interface between the proposed development site and existing properties to the west (Rockfield) predominantly comprises a mature hedgerow dominated by hawthorn and bramble and intersperse with trees. In accordance with the information provided by the applicant this hedgerow is under joint ownership between the subject site and neighbouring properties in Rockfield.
- 8.5.24. As illustrated on the application *Site Survey Drawing (Drg. No. MRP-SUR-ZZ-DR-JFA-AR-P1300)* there are gaps in the hedgerow along the western boundary. I note from observations during site inspection that these gaps have been closed off, on the Rockfield side, by various forms of fencing and /or garden planting. However, I consider that there is potential for existing gaps to be widen or new gaps to appear once existing ground vegetation and sprawling bramble is cleared to facilitate construction.
- 8.5.25. The proposal for the western boundary is to retain the existing vegetation and to reinforce same though the provision of a new continuous fence on the proposed development side. The new fence is to set back c.2m from existing hedgerow planting and to align with the existing property boundary where gaps in the hedgerow exist. Additional planting is proposed to the rear of No's 19 and 20 Rockfield Green, where an existing gap in the hedgerow aligns with an area of grass verge at the end of a cul-de-sac.

- 8.5.26. The proposal, as presented to the planning authority, was for a 2m high timber post and panel fence. However, the planning authority in their decision to grant permission (Condition 18 (vi)), supported by the report of KCC's Parks Department, stipulated a weldmesh or Hercules-type fence, to secure the boundary. I agree that the weldmesh fence of similar would be a more appropriate boundary treatment than timber post and panel fence in terms of maintenance and vegetation retention.
- 8.5.27. As previously noted, the Rockfield appellants object to the use of weldmesh or Hercules-type as a boundary treatment between properties as they are of the opinion that such a proposal would not provide an adequate level of privacy for residents and as it would not prevent vegetation encroachment. I note that the applicants have submitted as part of their response to the grounds of appeal, section drawings to demonstrate the relationship between the proposed development site and existing residential properties in Rockfield (No's 25, 29 and 30 Rockfield Green).
- 8.5.28. I agree that a wire mesh fence (or similar), when proposed in isolation, would not be an appropriate boundary treatment between residential properties, as such a fence, by its nature, would not provide screening for privacy. However, in this instance the wire mesh fence is proposed in addition to the retention of existing mature hedgerow vegetation, and its provision is intended (in part) to facilitate the retention of same as per the provisions of the KCDP. I believe that a wire mesh fence in addition to an appropriate level of boundary planting, would provide an acceptable boundary treatment in terms of both privacy and security. However, I am of the opinion that additional / supplementary planting along the boundary will be necessary to ensure the provision of a dense continuous screen for sufficient for privacy. Therefore, I would recommend that if the Commission were of a mind to grant permission, that they include, by way of a condition, a requirement for additional planting along the boundary.
- 8.5.29. In terms of vegetation encroachment and maintenance, I note that mesh type fencing by its nature would allow boundary vegetation to be maintained from both sides, as is standard where vegetation exists along a party boundary.

8.5.30. On the issue of residual land strips and the creation of areas of 'No Man's Land', I note that this issue was raised with the applicants at RFI stage (Item 8 of the Further Information Request). In their response, the applicant's clarified their intention that existing boundary and garden vegetation would be accessible from existing gardens within Rockfield. Any residual area that emerges between the existing party boundary and the new fence, is to be incorporated into the rear gardens of Rockfield, subject to landowner agreement. The applicants envisage legal changes to this effect would be dealt with post-planning.

8.5.31. The applicant's response was considered by KCC's Parks Department who recommended additional measures to ensure that boundaries are clearly identified and defined and to avoid areas of no man's land. These measures were subsequently incorporated into the planning authority's decision, under Condition 18. Condition 18 requires the submission of detailed proposals for the boundary treatment along the western boundary of the site, the boundary with "Rockfield", including the submission of:

- Arboricultural recommendations to ensure the retention, protection, long-term management, and maintenance of the existing hedgerow.
- Tree and hedgerow protection measures to facilitate the installation of a new boundary fence,
- A topographic survey identifying land ownership boundaries.
- Proposals for the installation of a weldmesh or Hercules-type fence to secure the boundary; and
- Confirmation that all boundary treatments aligned with the legal boundary.

8.5.32. I consider the approach taken by the planning authority in this regard to be acceptable. In my opinion, the requirements of Condition 18 would allow for specific details on the design, alignment and specification of boundary treatments to be finalised at construction stage, having regard to the precise on-site conditions, retained hedgerows and trees, root protection areas, legal boundary positions and, as discussed previously, additional / supplementary planting as and where necessary.

8.5.33. Regarding the request of the Rockfield appellants for a solid wall along the western boundary. I agree with the case put forward by the applicant, that a boundary wall would not be a suitable landscape solution in this case. The construction of a solid boundary wall would require more extensive removal and / or disturbance of existing boundary vegetation thereby reducing the biodiversity and screening value of the retained boundary corridor. While I accept that boundary walls have been utilised as a boundary treatment elsewhere in Maynooth, I do not consider this to be the most appropriate option in this case.

Conclusion: Boundary Treatment and Residential Amenity

8.5.34. Following consideration of the plans and particulars submitted with the application and appeal and having inspected the site, I am of the opinion, that the strategy for boundary treatment along the interface with Parklands and Rockfield, subject to the requirements of condition 18 as attached to the planning authority's decision and to the provision of additional supplementary planting as discussed, is appropriate in the context of the application site. The proposal supports the retention and protection of existing hedgerows while also ensuring an adequate level of privacy and security for residents. Furthermore, I am satisfied that the boundary treatment strategy presented satisfies the relevant provisions of both the KCDP and MEJLAP and that no issue of material contravention arises. However, should the Commission be of the view that an alternative boundary treatment is required, I note that this could be addressed by way of condition in the event of a grant of permission.

8.6. Permeability Connection through Parklands Lawns.

8.6.1. As outlined in section 7.1 above, the two third-party appeals submitted by/on behalf of the residents of Parklands, have raised an objection to the provision of a permeability connection between the proposed development site and Parklands Lawns, a residential cul-de-sac to the north of the application site and part of the wider Parklands Estate.

- 8.6.2. Parklands Lawns comprises c. 29no houses arranged in a ‘U’ shaped format around an area of public open space. An existing gap in the layout between House No’s 10 and 11 Parklands Lawn forms an undeveloped strip of greenfield that could, subject to boundary removal and vegetation clearance, facilitate access to the proposed development site.
- 8.6.3. As noted in the grounds of appeal, the creation of a permeability connection though this location, linking the proposed development site and existing pedestrian infrastructure on the Parklands Lawns cul-de-sac, was included as a permeability measure (PERM 61) in the Draft MEJLAP under Table 7.1 and illustrated in Map 7.1 but, was omitted by way of a material alteration during the making of the Plan. The Appellants also note that the adopted Railpark Urban Design Framework (MEJLAP, Fig.11.6) does not include a requirement for the provision of a pedestrian / cycle connection at this location.
- 8.6.4. The appellants further note that the planning application includes reference to a ‘*potential future pedestrian link*’ to Parklands Lawns. They consider that this raises serious concerns about whether the development complies with the adopted LAP and whether it conflicts with the planning policies approved by elected members. They contend that allowing this connection to be brought back through a planning application would constitute a material contravention of the MEJLAP. Accordingly, they request that the Commission amend the permission by removing all references to any existing or future pedestrian or cycle connection through Parklands Lawns and to ensure that the development fully complies with the adopted LAP.
- 8.6.5. I have reviewed the plans and particulars submitted in support of the application. I note that reference is made in the application, including on some of the application drawings, to a ‘*potential future pedestrian link*’ to Parklands Lawns; however, in my opinion reference to this ‘*potential future pedestrian link*’ does not contradict the provisions of the MEJLAP, including the Railpark KDA Urban Design Framework, nor does it give rise to a material contravention of the MEJLAP.
- 8.6.6. In the first instance, it is of relevance to note that the applicants are not proposing to provide a permeability link through Parklands Lawns as part of the proposed scheme.

The applicants have clarified this point in their response to the third-party appeal stating that no works are proposed within Parklands Lawn, no pedestrians or cycle connection to Parkland Lawn forms part of the planning application and no permission is sought to deliver or reinstate PERM 61.

8.6.7. The applicants acknowledge reference in the application to a potential future connection at the northwest boundary of the site; however, they state that this should not be interpreted as a proposed permeability route through Parklands Lawns but as a reflection of the requirement to provide the open space, movement and green infrastructure framework envisaged for the wider Railpark KDA and to ensure that the proposed development does not prejudice the future connectivity objectives identified in the MEJLAP.

8.6.8. To support their case, the applicants refer to the permeability and cycle measures illustrated on the *Movement and Active Travel Maps (Maps 7.1 and 7.2)* of the adopted MEJLAP, which, while updated to omit PERM 61, still show an indicative link through the application site up to the northern site boundary, the party boundary with Parklands Lawns. The applicants note that any future connection to Parklands Lawns would be dependent on lands outside their control, third party ownership and consent and a separate future planning and delivery process.

8.6.9. The applicants have illustrated how a potential future connection to Parklands could be facilitated in the future. In my opinion, this approach is acceptable as it would accord with the provisions of both MEJLAP and KCDP. In this regard, I note that in addition to the permeability measures listed in Table 7.1, the MEJLAP includes general measures to support active travel (walking and cycling) and the delivery of the 10-minute settlement principle, including *Objective MATO 2.2*, which seeks to ensure that all development allows for universally accessible connectivity for active travel modes to adjacent lands in accordance with the National Transport Authority's Permeability Best Practice Guide (2015) or any updated version of same.

8.6.10. Additionally, the KCDP, in *Section 5.4.1 Walking and Cycling*, recognises active travel as the most sustainable mode of transport and states that advancing walking and cycling as alternatives to private car use will prove crucial to the sustainable

development of County Kildare. Notably *Objective TM O21* of the KCDP seeks to ensure that site layout proposals detail present and possible future connections to pedestrian/cycle links and improve permeability between existing and proposed developments including adjacent developments thereby facilitating the '10-minute settlement' concept. The proposed scheme would accord with this objective.

Conclusion: Permeability Connection through Parklands Lawns

- 8.6.11. In conclusion, I am satisfied that the inclusion of a '*potential future connection*' to the Parklands estate as part of the proposed development is acceptable and appropriate in terms of promoting active travel and sustainable development and 'future proofing'; that it would be consistent with the provisions of both the MEJLAP and KCDP and that no issue of material contravention arises.

8.7. Design Quality – Residential Amenity:

- 8.7.1. As no design quality issues have been raised in the appeal, this section comprises a brief overview of the proposed LRD (as amended and as described in Section 2 above), having regard to the current development management standards set out in the in the KCDP and current Section 28 guidance. This is to ensure that the design strategy presented would deliver an adequate level of residential amenity to future occupants.
- 8.7.2. This section is informed by the applicants Planning report, Architectural Design Statements (ADS), Landscape Reports, Daylight, Sunlight Impact Statements, Internal Daylight and Sunlight and Overshadowing Reports, a Desktop Wind Microclimate Assessment Report, CGI Imagery and Housing Quality Assessment (HQA).
- 8.7.3. I have considered the plans and particulars submitted in support of this application including updated Housing Quality Assessment (HQA). I am satisfied on the basis of the information provided that all residential units meet or exceed the relevant minimum requirements in terms of unit size, floor area, ceiling height, internal storage and private open space and that suitable arrangements have been made

within the scheme for bike and bin storage. The applicant has confirmed that the proposed development would provide for c. 20% of units which can be designed to comply with Universal Design requirements

- 8.7.4. Of the 220no. apartment units proposed, 179 or 81.4% are dual aspect. This exceeds the minimum standard for dual aspect units set out in both the KCDP (33%-50%) and the 2025 Apartment Guidelines (25%) and, as confirmed by the applicants Daylight, Sunlight Impact Statements, helps to secure an adequate level of sunlight/daylight for future residents.
- 8.7.5. In terms of outdoor amenity space, I note that each housing unit is provided with an area of private open space in the form of rear gardens while private open space for the proposed duplex and apartment units is provided in the form of ground floor terraces and upper floor balconies which are accessed off the main living area.
- 8.7.6. Apartment / duplex units are also provided with c. 2,568sq. m of communal open space. This area exceeds the minimum required standard of 1,450 sq. m for the 220 apartment units as set out in the apartment guidelines (2025). Four main areas of communal open space are proposed, these areas varying in size from 428sq. m. to 1,230 sq. m. and are positioned close to the proposed apartment and duplex blocks so as to overlooked and be easily accessible to residents.
- 8.7.7. The proposed scheme would deliver approximately 2.74ha of public open space. This equates to c.18.5% of the net site area, which would exceed the public open space requirements of the KCDP, which is for 15% of the net site area. Public open space is proposed in the form of a local park (POS 1 – c.13,873 sq. m), a linear park (POS 3, 4 and 5, totalling c. 5,468 sq. m.) and four pocket parks (POS 2, 6, 7 and 8, totalling c. 7,305 sq. m). Public open space areas are well distributed throughout the site and would benefit from a high degree of passive surveillance.
- 8.7.8. The design and layout of the local park (POS 1) was significantly enhanced at RFI stage and includes children's play areas including a nature play trail, a MUGA, lawn pitch, a skate plaza / teen area, and a callisthenics area. The proposal also includes

for a dedicated service building (c. 100 sq. m) within the incorporating storage and WC facilities as well as a café kiosk.

- 8.7.9. Public open space areas are also designed to accommodate natural drainage solutions, including a wetland pond within the Local Park, in accordance with the provisions of the KCDP and requirements of the Local Authority (Parks and Water services)
- 8.7.10. The proposed scheme also includes for the provision of a new neighbourhood centre incorporating a childcare facility, healthcare centre, two retail units and community space, that would support the day-to-day needs of future residents and well as existing residents of the area.

Conclusion:

- 8.7.11. Overall, I am satisfied that the proposed LRD would accord with the development and design standards set out in the KCDP and in relevant Section 28 Guidance and that it would provide a good standard of residential amenity for future occupants. Furthermore, I am satisfied that issues of material contravention arise.

8.8. 1st Party Appeal

- 8.8.1. The applicants have lodged a first party appeal against conditions attached to the grant of permission issued by Kildare County Council on 7th of May 2026. The appeal is lodged against Condition 25 as it pertains to the Local Infrastructure Housing Activation Fund (LIHAF). The applicants have also sought clarification on Condition No's. 7(b), 7(e), 17(b), 20, 24, 28 and 44. I have included the full wording of these conditions in section 3 above. The issues raised are discussed under separate sub-headings below.

Condition 25 – LIHAF Affordability Requirement:

- 8.8.2. Condition 25 requires that all residential units delivered under the permission incorporate a cost reduction of €18,000 from the prevailing open market price in

accordance with the Local Infrastructure Housing Activation Fund (LIHAF) affordability commitment. Condition 25 also requires that evidence of compliance, including a schedule of selling prices, is to be submitted to an agreed in writing with the Planning Authority prior to the sale of any unit. The stated reasoning for this condition is to comply with the LIHAF affordability requirement and ensure delivery of housing at reduced cost in the interest of housing affordability and proper planning.

- 8.8.3. As set out in 1st Party Appeal and summarised in section 7.3.2 above, the applicant submits that this condition, which equates to an effective contribution of approximately €10.6 million across the permitted 589 no. residential units, is excessive, disproportionate and unreasonable having regard to the exceptional level of planning gain, strategic infrastructure delivery, community benefit and financial contributions already being provided through the development.
- 8.8.4. The applicant notes that this proposed scheme would deliver substantial additional public open space (2.76ha) and active recreational infrastructure for the wider Railpark KDA, significant Part V provision (c24.4%), lands for strategic infrastructure (MERR and pumping station) and community floorspace as well as development contributions exceeding €3.8 million. They contend that the cumulative burden imposed by Condition 25, when considered alongside these existing obligations and contributions, materially impacts the viability and deliverability of the permitted scheme.
- 8.8.5. The applicant's submission refers to two precedent cases, the adjacent residential developments to the south, permitted under on ABP Ref.: 312671-22 and ABP Ref.: 312685-22. The case is made that these permissions did not include a condition requiring a blanket affordability reduction across all residential units. Instead, Condition 2 of both permissions required the developer to demonstrate compliance with a signed letter of undertaking between the developer and KCC dated 25th October 2017. The applicant contends that KCC accepted the delivery of 42 no. cost rental units as compliance with the LIHAF affordability obligations and that those cost rental units were not subject to development levy contributions. The applicant submits that these precedent cases demonstrate that alternative mechanisms for satisfying LIHAF-related affordability obligations have previously been accepted by

KCC and that the blanket €18,000 reduction imposed under Condition 25 is neither necessary nor proportionate in this context. The applicants request that Condition 25 be omitted.

- 8.8.6. The planning authority has made a submission in response to the first party appeal lodged against condition 25. The planning authority's submission refers to Letters of Undertaking (LOU) which were drafted and signed by original landowners along the route of the MERR in 2017. The submission includes a copy of a signed LOU's. Under this LOU, the landowner agrees that the construction of the MERR by Kildare County Council will reduce the overall final selling price of any proposed residential unit, in comparison to the selling price if the landowner were obliged to directly cooperate in the funding of this piece of infrastructure.
- 8.8.7. At the time of signing the LIHAF contribution to the MERR was estimated to be €14,500,000 (subject to final, design and construction cost). The LOU's confirmed that 800 units were required to ensure compliance with the Template Grant Agreement between the Minister for Housing, Planning, Community and Local Government and Kildare County Council. Based on these figures, the LIHAF contribution represents a saving of €18,125 per unit.
- 8.8.8. The planning authority notes that in the intervening period, the construction costs to deliver the MERR have increased with a funding allocation of €24.24 million now being provided by the LIHAF. The number of housing units to be delivered in the environs of the MERR has also increased to c1,277. In accordance with the breakdown provided in the planning authority's submission, this figure includes the 589 units to be delivered by Cozone. This increase in funding and housing delivery represents a saving per unit in the order of €18,981.
- 8.8.9. Regarding the precedent developments cited in the 1st party appeal (ABP Ref.: 312671-22 and ABP Ref.: 312685-22), the planning authority states that these developments currently under construction, are in compliance with the LOU. They also note that a third development, granted under KCC PI Ref: 21/1108 but not yet commenced, also requires compliance with the LOU.

8.8.10. The planning authority submission is supported by correspondence issued from the Department of Housing, Local Government and Heritage to KCC on the 24th of October 2025. This letter confirms that additional funding for the MERR will be made available, bring the total maximum LIHAF grant funding available to 32m of which 75% or up to €24.24 million will be Exchequer funded. The letter from the Department states that approval is subject to conditions, including:

- The tender price remaining unchanged.
- Government approval to extend the LIHAF beyond 31st December 2025
- Updated Grant Agreement between the Department and Kildare County Council.
- Updated Local Agreements between Kildare County Council and the housing developer(s) – signed and forwards to the Department and outlining agreement to the LIHAF affordability commitment i.e. minimum of 800 housing units to be delivered on the private site, including 700 units with a cost reduction of €18,000 per unit from the open market price.

It is unclear from the information available, whether the above conditions have been met. However, it is noted that construction on the MERR has commenced.

8.8.11. I have examined the application details and all other documentation on file, including the applicants first party appeal and the planning authority's response to same. I note that the application site forms part of the Railpark KDA, as designated in the MEJLAP. I also note that the MEJLAP in *Table 11.5 Implementation and Infrastructure Delivery Schedule – Town Centre and Residential Lands* states that the development of the Railpark KDA is contingent on the delivery of the Maynooth Eastern Ring Road (MERR) and, identifies the funding sources for these infrastructure works as 'developer, State and KCC'.

8.8.12. As noted in *Section 7.7.1* of the MEJLAP, the development of the MERR has been brought forward under the Local Infrastructure Housing Activation Fund (LIHAF). The submission of the planning authority, as outlined above, clarifies how the funding mechanism under the LIHAF has been attributed to the proposed development. In accordance with the details provided by the planning authority, the LIHAF contribution represents a cost saving of c. €18,981 per unit which equates to an

overall cost saving of c. €11,179,809. As I see it, the intent of condition 25 is to ensure that the benefit of this cost saving is given to the purchaser of the residential unit rather than to the developer. I do not consider that this arrangement places an additional burden on the applicant, who will benefit from the construction of the MERR.

- 8.8.13. Regarding the contention of the applicant that Condition 25 is excessive, disproportionate and unreasonable having regard to the exceptional level of planning gain, strategic infrastructure delivery, community benefit and financial contributions already being provided through the development. I note that the development of these lands as proposed, including the delivery of public open space and active recreational infrastructure, is informed by the Design Brief and Urban Design Framework for the Railpark KDA as set out in the MEJLAP and by relevant development management standards set out in the MEJLAP, the KCDP and Section 28 Ministerial guidance. The requirement to provide social infrastructure in tandem with residential development is standard for a development of the nature and scale proposed.
- 8.8.14. In addition, I note that compliance with Part V of the Planning and Development Act 2000 (as amended) and the payment of Development Contributions in accordance with Section 48 of the Planning and Development Act 2000 as amended, is a requirement for all development of the nature and scale proposed and is a separate and standalone requirement aside from the delivery of road infrastructure. I also note that the applicants would be suitably compensated for any lands in their ownership that have been subject to a CPO. This would be a matter between the applicants and the KCC as part of the CPO process.
- 8.8.15. In light of the above, I do not agree with the contention of the applicants that the Condition 25 as attached to the planning authority's decision, is excessive, disproportionate or unreasonable. Accordingly, I would recommend to the Commission, if they are of a mind to grant permission, that they include a condition that requires the applicant / developer to comply with the LIHAF affordability requirement pertaining to these lands.
- 8.8.16. However, given the period of time that has lapsed since the signing of the original Letters of Undertaking, possible changes in land ownership in the intervening period

and the request issued by the Department of Housing, Local Government and Heritage, for updated agreements between KCC and housing developers as detailed in their correspondence to the Kildare County Council (Oct 2025), I would recommend that the wording of Condition 25 be amended as follows:

The proposed development shall be delivered in accordance with the Local Infrastructure Housing Activation Fund (LIHAF) affordability commitment pertaining to the Maynooth Eastern Ring Road and in accordance with the signed letter of undertaking between the landowner / developer and Kildare County Council dated 25th October 2017, or any subsequent superseding written agreement. The developer shall show compliance with the requirements of this condition, prior to the occupation of the housing in the proposed development, unless otherwise agreed in writing with Kildare County Council.

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

- 8.8.17. The Commission will note that the above wording is similar to that used in the relevant conditions attached to the precedent cases cited in the 1st Party Appeal, ABP Ref.: 312671-22 and ABP Ref.: 312685-22.

Condition No. 7(b) – Childcare Facility Occupation and Operational Requirement

- 8.8.18. Condition 7 relates to the phasing of the development. Condition 7(b) requires that the childcare facility, located on the ground floor of Block B within the neighbourhood centre, be constructed as part of Phase 1 of the development and that it be occupied and operational prior to the commencement of Phase 2, unless otherwise agreed in writing with the Planning Authority. The stated reasoning for this condition is in the interest of the provision of social infrastructure in tandem with housing and as per SC O79 and SC O87 of the KCDP.
- 8.8.19. As set out in the 1st Party Appeal, the applicant has no objection to the delivery of the childcare facility as part of Phase 1 of the development, noting that this would accord

with the proposed phasing plan received by the Planning Authority on the 6th of March 2026. However, the applicant submits that the requirement for the facility to be “*occupied and operational*” prior to commencement of Phase 2 is unreasonable and outside their control. The case is made that once the facility has been completed and handed over, the occupation and operation of the facility is dependent on a third-party childcare operator and associated licensing, staffing and commercial arrangements, matters over which the applicant has no control.

8.8.20. While I note that wording condition 7(b) offers a degree of flexibility, in allowing for an alternative agreement to be reached with the planning authority, I consider that it places an unreasonable and unnecessary burden on the developer to have the facility ‘*occupied and operational*’ prior to the commencement of Phase 2. In my opinion, it would be sufficient to require that the facility be constructed as part of Phase 1 and made available for occupation prior to the commencement of Phase 2. Therefore, I would recommend to the Commission, should they be of a mind to grant permission, that they include a condition on the phasing of the development and that this condition include the following stipulation:

- (a) The creche facility shall be constructed as part of Phase 1 of the development and shall be completed to practical completion stage and made available for fit out and occupation prior to the commencement of Phase 2,

Condition No. 7(e) – Occupation Restriction Pending Completion of MERR

8.8.21. Condition 7(e) states that the residential units permitted shall not be occupied until the Maynooth Eastern Relief Road (MERR) and associated infrastructure works have been completed and are operational to the satisfaction of the Planning Authority. The stated reasoning for this condition is to ensure that the strategic road infrastructure necessary to support the development is delivered in advance of occupation, in the interest of proper planning and sustainable development.

8.8.22. The applicant, while acknowledging the strategic importance of the MERR as a critical item of public infrastructure and recognises its role in facilitating the planned growth of Maynooth, considers C. 7(e) as currently drafted to be unreasonable and

disproportionate stating that it has the potential to prevent the occupation of completed residential units pending the completion of infrastructure works that are not wholly within the control of the Applicant.

8.8.23. The applicant states that while the construction of the MERR is underway, it is only partially funded at this stage and that its ultimate completion is dependent upon a range of factors outside the applicant's control including funding availability, procurement processes, contract performance, program delivery, materials supply and other matters that may arise during the delivery of a public infrastructure project. The applicant seeks to avoid a scenario whereby occupation of completed homes is delayed for reasons unrelated to the development.

8.8.24. The applicant seeks to amend condition 7(e) to allow for a level of flexibility whereby the residential units permitted in each phase would not be occupied until the necessary phased opening of the MERR and associated infrastructure works has been completed and are operational to the satisfaction of the planning authority. The applicant acknowledges that such an arrangement would require ongoing engagement with the KCC and the MERR project team to determine what interim or phased access arrangements may be acceptable in the unlikely event that the MERR is delayed.

8.8.25. I note that construction on the MERR has commenced and as discussed previously in this section, a funding mechanism under the Local Infrastructure Housing Activation Fund (LIHAF) has been agreed with the Department of Housing, Local Government and Heritage. KCC's Transport, Mobility & Open Spaces Department notes in their report to the planning authority (April 2026) that construction is expected to take two years. I am not aware of any proposal for the phased delivery of the MERR.

8.8.26. The proposed development is reliant upon the development of the MERR for access. In this regard I note that the MJLAP states in *Table 11.1 Railpark KDA Design Brief*, that vehicular access to this KDA shall be provided via the Maynooth Eastern Ring Road (MERR) which shall be constructed prior to or in tandem with the development of the KDA. The MJLAP further states in *Table 11.5 Implementation and*

Infrastructure Delivery Schedule – Town Centre and Residential Lands that the Development of the site [Railpark KDA] is contingent on the delivery of the Maynooth Eastern Ring Road (MERR) in its entirety and that vehicular access to residential development within the KDA will be via the MERR only.

8.8.27. Furthermore, I note that the Traffic Impact Assessment submitted in support of the application, which concludes that the proposed development will have negligible impact on the transportation network, is predicated on the delivery of the Maynooth Eastern Ring Road (MERR). The TIA states in section 10 Summary and Conclusion, that the MERR is expected to be delivered by Kildare County Council in advance of this development becoming operational.

8.8.28. In the circumstances outlined above, I consider 7(e) as attached to the planning authority's decision to be reasonable and appropriate. Accordingly, I would recommend to the Commission that, if they are of a mind to grant permission, they include a condition that the residential units permitted shall not be occupied until the Maynooth Eastern Relief Road (MERR) and associated infrastructure works have been completed and are operational to the satisfaction of the Planning Authority.

Condition No. 17(b) – Landscaping Delivery

8.8.29. Condition 17 relates to landscaping. Condition 17(b) requires all landscaping works to be fully completed within the first planting season following commencement of development. The stated reasoning for this condition is to ensure full and verifiable implementation of the approved landscape design.

8.8.30. The applicant contends that this requirement is neither reasonable nor practical having regard to the scale and phased nature of the proposed development. They propose instead that landscaping and planting works be implemented on a phased basis in accordance with the approved construction and phasing strategy. This would allow completed areas of development and Public Open Space to be landscaped, protected and established incrementally as phases are completed, while ensuring the timely delivery of high-quality amenity areas throughout the development process.

8.8.31. I consider the approach recommended by the applicants to be reasonable and practical and I would recommend to the Commission, should they be of a mind to grant permission; that they amend condition 17(b) to allow for landscaping and planting works to be implemented on a phased basis in accordance with the approved construction and phasing strategy:

Condition Nos. 20 – Public Park Delivery and Transfer of Land to KCC

8.8.32. Condition 20 requires the developer to complete the ceding of the public park to the planning authority prior to occupation of any dwelling within the development. Part (a) of Condition 20 requires that the lands to be ceded shall be fully laid out and constructed in accordance with the approved drawings and specifications; properly finished, landscaped, and drained, with all ancillary features, boundary treatments, and SuDS elements fully operational. The stated reasoning for this condition is to ensure the satisfactory provision, delivery, and long-term management of high-quality public open space in the interests of orderly development and proper planning and sustainable development of the area.

8.8.33. The applicants submit that this approach does not align with the approved phasing plan (illustrated on *Drawing No. MRP-SP-ZZ-DR-JFA-A-P1600*), which sees the public park (POS 1) delivered in Phase 2; with the provisions of Condition 21 as attached to the planning authority's decision, which allows for the phased delivery of the public park or with the practical sequencing of infrastructure and amenity delivery across a large-scale phased residential development.

8.8.34. For clarification, Condition 20 (the subject of this 1st party appeal) relates specifically to the ceding of the public park (POS 1) to the planning authority and the planning authority's requirements for same. Condition 21 as attached to the planning authority's decision relates to the phased delivery of the Public Park commensurate with residential occupation levels. Condition 21 requires the developer to submit, for agreement, a Phasing and Delivery Plan for the Public Park. Part (a) states that the Phasing and Delivery Plan shall include the timing and extent of each phase of park construction relative to the occupation of residential units. Part (e) states that no more than 20% (c. 118 No. units) of the residential units shall be occupied until

Phase 1 of the public park has been completed and made available for public use. The Commission will note that the public park (POS 1) includes in its design drainage and service infrastructure required to facilitate Phase 1.

8.8.35. The applicants contend that Condition 20 is unduly onerous having regard to the scale and phased nature of the proposed development and would effectively require the entirety of the Public Park, including sports facilities, recreational infrastructure and associated amenity works, to be delivered at significant upfront cost prior to any residential occupation taking place. The applicants propose a phased approach to the delivery of the public open space and park infrastructure, whereby:

(a) Strategic drainage and service infrastructure required to facilitate Phase 1 shall be completed within POS 1 and POS 3 prior to occupation of Phase 1 residential units.

(b) The fit-out of the park and recreational infrastructure and amenity fit-out of POS 1 and POS 3 shall be completed prior to occupation of an agreed proportion of Phase 2 residential units.

(c) All remaining Public Open Space areas shall be completed prior to completion of the residential phase to which they relate.

(d) All Public Open Space areas shall be maintained by the Developer at all times until such areas are completed to the satisfaction of the Planning Authority and are formally Taken in Charge by Kildare County Council. Taking-In-Charge may occur on a phased basis where Public Open Space areas are fully completed and established.”

The ceding of the public park shall be completed to the requirements of the Planning Authority at the relevant time and in accordance with their procedures.’

8.8.36. They consider that this approach would ensure the timely delivery of meaningful public open space and recreational amenities for residents while also facilitating the orderly and viable phased delivery of the wider scheme. The applicants acknowledge that the future taking in charge / ceding of the public park and public open space areas will need to be undertaken in accordance with the requirements of the planning authority.

- 8.8.37. On Condition 20, I refer the commission to the Development Management Guidelines which in *Section 7.11 Conditions requiring the ceding of land*, state that conditions should not be attached to planning permissions requiring land to be ceded to the local authority for road widening or other purposes, as conditions of this sort are unlawful. The Guidelines go on to state in that section, that that elements of “planning gain” – not strictly required as part of the development, but of benefit to the public (e.g. transfer of specified land or buildings for public use) - may be accepted as part of a permitted development. The Guidelines advice that in such cases, it may be appropriate to refer in the decision to specific application documents that set out the offer, however, it is important to ensure that the decision whether to grant or refuse planning permission is not contingent on an offer of planning gain.
- 8.8.38. In this instance, I note that while the applicants have not raised any objection to the requirement under condition 20 to cede the public park to the planning authority; there does not appear to be any formal agreement in place for the transfer of the lands. Accordingly, in the event the Commission is of a mind to grant permission for the proposed development, I do not recommend that a condition for the transfer / ceding of the public park be included in the decision. Conditions 9 and 19 relating to transfer/ceding of the Community Unit in the neighbourhood centre and the Service Building in the park to the Planning Authority, are also relevant in this regard.
- 8.8.39. Notwithstanding, I would recommend that a grant of permission include appropriate phasing conditions to ensure the timely delivery of all public open space areas commensurate with residential occupation levels. Regarding the delivery of the public park, I would recommend the following stipulation:
- No more that than 50% of the residential units within Phase 2 shall be occupied until such time as the Public Park (POS1) and all associated recreational facilities including the associated services building have been completed to the written satisfaction of the planning authority and have been made available for use. To ensure the timely, high-quality delivery of public open space commensurate with residential occupation levels.*

Condition No. 24 – MERR Access Infrastructure

- 8.8.40. Condition 24 requires the Developer to provide the access points onto the Maynooth Eastern Ring Road (MERR), including the proposed signalised junction, prior to commencement of development. Condition 24 also stipulates that all signalisation works are within the red line boundary of the planning application, the no works are permitted outside the red line boundary; that the proposed works shall tie into the MERR without necessitating any modifications to the approved MERR scheme and that no alterations to the approved MERR layout shall be required to facilitate the proposed development. The stated reasoning for this condition is in the interest of traffic safety and the orderly development of the area.
- 8.8.41. The applicant submits that this condition is impractical and unreasonable as drafted, as the signalised junction and associated access infrastructure form part of the permitted development and are already required to be delivered in accordance with the approved plans and particulars pursuant to Condition 1.
- 8.8.42. They request that the condition be amended to allow the junction, and associated access works to be delivered as part of the initial phase of development and completed prior to occupation of an agreed proportion of residential units, or otherwise subject to agreement with the Planning Authority. Their reasoning for this is that the subject development may be commenced before the MERR is at such a stage where the junction works can be provided. They also request that references in the condition to the application red line application site boundary be omitted to provide flexibility for potential tweaks to the finalised design and in the knowledge that the lands are in the applicants or planning authority's control.
- 8.8.43. I have considered the matter, and I would agree that the requirement to provide the signalised junction and associated access infrastructure prior to the commencement of development, as stipulated under condition 24, is impractical. However, I consider it necessary, in the interest of traffic safety, to ensure that suitable access arrangements to the site are available at both construction and operational phases. Accordingly, in the event the Commission is of a mind to grant permission for the

proposed development, I would recommend the following in the interest of traffic safety and the orderly development of the area:

- a) That Condition 24 as attached to the planning authority's grant of permission be amended to require the delivery of the signalised junction and associated access infrastructure, prior to occupation of any residential units.
- b) I have no objection the omission of the stipulation in the condition that The layout shall be such that all signalisation works are within the red line boundary of the planning application. No works are permitted outside the red line boundary. On the grounds that the junction will ultimately form part of the local road network. I note that any proposed tweaks in the finalised design would require approval from Kildare County Council's Traffic Management Section, the MERR Project Team and Kildare County Council Transport Mobility and Open Spaces Section.
- c) Regarding provision to ensure safe access to the site during construction, I refer the Commission to Condition 42 as attached to the Planning Authority's grant of permission. This condition requires the developer to submit, for approval, a comprehensive site – specific Final Construction Management Plan and Traffic Management Plan. The condition stipulates that these plans demonstrate full integration and coordination with the delivery and operation of the Maynooth Eastern Ring Road (MERR), including access arrangements, phasing, and traffic safety measures. Part (a) further stipulates that these plans demonstrate full integration and coordination with the delivery and operation of the MERR, including permanent and temporary access arrangements; phasing of works aligned with the MERR programme and traffic safety measures and protocols for coordination with the MERR contractor. The stated reason for this condition is to manage construction activities, minimise disruption to the surrounding area, and safeguard public safety and residential amenity during the construction phase. I recommend to the Commission that this condition be included in the event of a grant of permission.

Condition No. 28 – School Bus Set-Down Area:

- 8.8.44. Condition 28 requires that full and unhindered vehicular, cycle, and pedestrian access to the adjoining proposed post-primary school site to the south shall be incorporated into the site layout to ensure seamless connectivity. Condition 28 also requires the provision a dedicated set-down area to facilitate school bus drop-off. The stated reasoning for this condition is to ensure safe and efficient access to the proposed school site, facilitate sustainable transport options, and promote the orderly development of the area.
- 8.8.45. The Commission will note that the *Fig. 11.6 Railpark KDA Urban Design Framework* of the MEJLAP, details a pedestrian / cyclist connection only from the proposed development site to the adjoining school site. Potential vehicle access to the school site is shown from either the Celbridge Road to the south or directly from MERR to the east. There is no requirement for a dedicated set-down area to facilitate school bus drop-off within the proposed development site.
- 8.8.46. Condition 28 refers to *ROD drawing 24.111-RODGEN-SW_AE-DR-CH-300002* received by the Planning Authority 06/03/2026 in response to item 3 of the further information request. This drawing details an '*indicative possible bus lay-by*' to the west of a proposed access to the adjoining school site. The applicant contends that it was clearly set out during the application process that this '*indicative possible bus lay-by*' could not be accommodated within the applicant's red line boundary.
- 8.8.47. The applicant's response to item 3 of the further information request, queried the need for dedicated set-down area at this location, given the preference for coaches to access the future school site independently and that stated that best practice would be to provide dedicated set down facilities within the school lands accessed directly from the MERR. The '*indicative possible bus lay-by*' was shown for demonstrative purposes only to show how such a facility could potentially be accommodated in the future by others once detailed design are development for the school site.

- 8.8.48. As set out in the 1st Party appeal, the applicant fully supports the provision of pedestrian, cycle and vehicular connectivity to the adjoining school site. However, they request that the requirement for a dedicated bus set down area within the applicants red boundary line be omitted or amended accordingly.
- 8.8.49. As detailed ROD drawing 24.111-RODGEN-SW_AE-DR-CH-300002, the provision of the '*indicative possible bus lay-by*' would necessitate works on lands outside of the application red-line boundary. These lands are also shown on the application '*Site Location Map*' to be outside of the applicant's land holding. On this basis I am of the opinion the requirement under condition 28 that '*a dedicated set-down area to facilitate school bus drop-off shall also be provided within the development as per ROD drawing 24.111-RODGEN-SW_AE-DR-CH-300002 received by the Planning Authority 06/03/2026*', would be unenforceable.
- 8.8.50. I refer the Commission to the Development Management Guidelines which, in Section 7.3.2, state that unless the requirements of a condition are directly related to the development to be permitted, the condition may be ultra vires and unenforceable. Section 34(4)(a) of the Planning Act gives power to impose a condition regulating the development or use of adjoining etc. land, but such land must be under the control of the applicant and the condition must be "*expedient for the purposes of or in connection with the development authorised by the permission*". The guidelines go on to state in section 7.3.3 that clearly a condition should not be imposed if it cannot be made effective. Accordingly, in the event the Commission is minded to grant permission for the proposed development, I would recommend that condition 28 be omitted.

Condition No. 44 – Stage 1 Quality Audit

- 8.8.51. Condition 44 requires the submission (prior to the commencement of development) of revised detailed design drawings addressing the recommendations of the Stage 1 Quality Audit, including pedestrian/cyclist permeability, tactile paving, safe zones in shared spaces, and cycle facility details. The stated reasoning for this condition is in the interest of pedestrian, cyclist and vehicular safety.

- 8.8.52. The applicant contends that the requirement for revised drawings is unnecessary as the substantive recommendations of the Stage 1 Quality Audit have already been addressed within the submitted drawings. They contend that the only outstanding matter, relates to tapers at the ends of parking bays, that this is already reflected on the architectural drawings and can be addressed as part of the detailed design and tender stage. Accordingly, they request that Condition No. 44 be omitted from the final grant.
- 8.8.53. The Quality Qudit submitted with the application comprises an Access Audit, Walking Audit, Cycle Audit and Road Safety Audit and identifies 37 issues which are summarised, along with the design team's response to each issue in table format in section 1.5. The Quality Audit was considered by KCC Transport Mobility and Open Spaces Section in their reports to the planning authority. They state that the Quality Audit confirms alignment with DMURS principles but notes gaps in pedestrian and cyclist permeability, tactile paving, and safe zones for visually impaired users and that these issues are acknowledged for resolution at detailed design.
- 8.8.54. I consider it appropriate, in the interests of pedestrian, cyclist and vehicular safety, that all issues identified in the Stage 1 Quality Audit are addressed to the satisfaction of the planning authority. Accordingly, in the event the Commission is minded to grant permission for the proposed development, I would recommend that condition 44 as attached to the planning authority's (or similar) be included in the decision.

8.9. Other Matters:

10-Year permission

- 8.9.1. I note that the applicants have sought an extended period of 10 years to implement the proposed LRD. In my opinion, such as request is acceptable in this instance, given the nature, scale and location of the proposed development and its reliance on infrastructure provision, including the delivery of the MERR and associated infrastructure.

9.0 Environmental Impact Assessment

9.1. Introduction

- 9.1.1. This section of the report comprises an Environmental Impact Assessment (EIA) of the proposed development. I note that some matters relevant to EIA are considered in the Planning Assessment (Section 8), in the Appropriate Assessment (Section 10 and Appendix 1) and in the Water Framework Assessment (Section 11 and Appendix 2), therefore, this section of the report should be read in conjunction with those sections.

9.2. Statutory Provisions

- 9.2.1. Item (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:

(i) Construction of more than 500 dwelling units

(iv) 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. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)

- 9.2.2. The proposal (as amended) is for a Large-Scale Residential Development (LRD) comprising 589 no. residential units, a neighbourhood centre, and associated ancillary development on an area of approximately 15.27 hectares, just outside the established built-up area of Maynooth. An EIAR is therefore required as the LRD comprises the construction of more than 500 dwelling units.

9.3. Environmental Impact Assessment Report.

- 9.3.1. An EIAR prepared on behalf of the applicant by John Spain Associates has been submitted as part of the application documentation. The EIAR was prepared in accordance with Directive 2011/92/EU of the European Parliament and Council, 2011 on the assessment of the effects of certain public and private projects on the environment as amended by Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014.

- 9.3.2. The EIAR includes a Non-Technical Summary (NTS) which summarises the EIAR in plain language. The report in Chapter 1 sets out the purpose, methodology and scope of the document. Chapter 2 provides a description of the site and the proposed scheme, considering all relevant phases from construction through to existence and operation. Chapter 2 also includes a description and evaluation of the reasonable alternatives studied by the developer including alternative locations, designs and processes considered; and provides a justification for the option chosen considering the effects of the project on the environment.
- 9.3.3. The EIAR, in chapters 3 through 14, considers a range of specific environmental topics in compliance with Article 5 of the EIA Directive and Schedule 6 of the PDR. 2. The likely significant direct and indirect effects of the development are considered under the following specific headings, which collectively address the factors set out in Article 3 of the EIA Directive 2014/52/EU:
- Population and Human Health (Ch.3) (This chapter also considers the risk of major accidents and disasters)
 - Archaeology, Architecture and Cultural Heritage (Ch. 4)
 - Biodiversity (Ch.5)
 - Landscape and Visual (Ch.6)
 - Land and Soils (Ch.7)
 - Hydrogeology (Ch.8)
 - Water (Ch.9)
 - Air Quality (Ch.10)
 - Climate (Ch.11)
 - Noise and Vibration (Ch.12)
 - Traffic and Transport (Ch. 13)
 - Material Assets (Ch.14)
 - Interactions of the Foregoing (Ch.15)
 - Principal Mitigation and Monitoring Measures (Ch.16)
- 9.3.4. The impact of the proposed development was assessed under all the relevant topics as set above. Where further detailed surveys or assessments were required under each topic these have been compiled and are contained in the appendices.

- 9.3.5. An Addendum Report to the original EIAR dated March 2026 was submitted in response to the further information request issued by Kildare City Council on 6th of March 2026.
- 9.3.6. The EIAR Addendum Report and associated Appendices assess the changes to the proposed development arising from the applicant’s response to the further information, notably those issues raised in Items 10 and 11 of the FI request. The Archaeology chapter was also updated following the completion of test trenching.
- 9.3.7. The following Chapters have been updated and included in the accompanying appendices and summarised in the main body of the report below:
 - Population and Human Health;
 - Archaeology, Architectural and Cultural Heritage;
 - Climate;
 - Mitigation and Monitoring.

The Addendum Report confirms in Section 1.2 that the amendments to the proposed development would not result in any additional significant adverse impacts on the environment.

- 9.3.8. Table 9.1 below considers the EIAR in terms of compliance with Article 94 and Schedule 6 of the Regulations.

Table 9.1 - Compliance with Article 94 and Schedule 6 of the Regulations 2001
Article 94 (a) Information to be contained in an EIAR (Schedule 6, paragraph 1)
A description of the proposed development comprising information on the site, design, size and other relevant features of the proposed development (including the additional information referred to under section 94(b).
A description of the proposed development is contained in Chapter 2 of the EIAR. It includes a description of the site, design and scale of development, considers all relevant phases from construction through to existence and operation together with a description and evaluation of the reasonable alternatives studied by the developer including alternative locations, designs and processes considered; and a justification for the option chosen taking into account the effects of the project on the

environment. The information was updated in Section 2.3 of the EIAR Addendum Report.
A description of the likely significant effects on the environment of the proposed development (including the additional information referred to under section 94(b)).
An assessment of the likely significant direct, indirect, and cumulative effects of the development is carried out for each of the technical chapters of the EIAR. Chapter 15 Interaction of The Foregoing Describes the potential interactions and interrelationships between the various environmental factors. I am satisfied that the assessment of significant effects is comprehensive and robust and enables decision making.
A description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment of the development (including the additional information referred to under section 94(b)).
Mitigation measures are set out in each chapter of the EIAR. The proposal includes mitigation by avoidance, design and additional mitigation measures to address potential adverse effects identified in technical studies. Mitigation measures comprise standard good practices and site-specific measures and are largely capable of offsetting significant adverse effects identified in the EIAR. Chapter 16 Principal Mitigation and Monitoring Measures Sets out the key mitigation and monitoring measures included in the above chapters of the EIAR Document for ease of reference. The information was updated in Section 16 and Appendix 4 of the EIAR Addendum Report.
A description of the reasonable alternatives studied by the person or persons who prepared the EIAR, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the proposed development on the environment (including the additional information referred to under section 94(b)).
A description of the alternatives considered is contained in <i>Chapter 2 – Project Description and Alternatives</i> of the EIAR. The information was updated in Section 2.4 of the EIAR Addendum Report.

The alternatives considered include, 'do nothing' alternative and alternative locations, alternative Designs and alternative processes. This chapter explains that the consideration of alternative locations was not considered reasonable or appropriate, however, details have been provided of considerations of alternative designs. The reasons for the choice of the preferred design proposed has been set out.

I am satisfied, that the applicant has studied reasonable alternatives in assessing the proposed development and has outlined the main reasons for opting for the current proposal before the Commission and in doing so the applicant has taken into account the potential impacts on the environment.

Article 94(b) Additional information, relevant to the specific characteristics of the development and to the environmental features likely to be affected (Schedule 6, Paragraph 2).

A description of the baseline environment and likely evolution in the absence of the development.

A description of the baseline / receiving environment is included in each technical chapter of the EIAR. Each technical chapter also considers the '*Do nothing*' scenario.

A description of the forecasting methods or evidence used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information, and the main uncertainties involved

The methodology employed in carrying out the EIA, including the forecasting methods is set out in each of the individual chapters assessing the environmental effects. As confirmed in Chapter 1, section 1.7, no particular difficulties, such as technical deficiencies or lack of knowledge, were encountered in compiling any of the specified information contained in this statement, such that that the prediction of impacts has not been possible. Where any specific difficulties were encountered these are outlined in the relevant chapter of the EIAR.

A description of the expected significant adverse effects on the environment of the proposed development deriving from its vulnerability to risks of major accidents and/or disasters which are relevant to it.
As confirmed in Chapter 1, section 1.13.3, The surrounding context consists of a mix of residential, agricultural, employment, educational and open space lands. It does not include any man-made industrial processes (including SEVESO II Directive sites (96/82/EC & 2003/105/EC) which would be likely to result in a risk to human health and safety.
Article 94 (c) A summary of the information in non-technical language.
This information has been submitted in Non-Technical Summary. I have read this document, and I am satisfied that the document is concise and comprehensive and is written in a language that is easily understood by a lay member of the public.
Article 94 (d) Sources used for the description and the assessments used in the report
The references and sources used to inform the description, and the assessment of the potential environmental impact are set out at the end of each chapter. I consider the sources relied upon are generally appropriate and sufficient.
Article 94 (e) A list of the experts who contributed to the preparation of the report
A list of the consultants responsible for the preparation of each of the chapters in EIAR is set out in in Chapter 1, Section 1.11. This chapter also includes details of the expertise and qualifications of the Protect Team Members. I am satisfied that the EIAR has been prepared by experts with competency in the technical subject areas.

- 9.3.9. The documentation prepared by John Spain Associates with the support on specific topics for different specialist consultants is in line with current best practice guidance and allows for a complete examination and identification of any potential significant effects of the development, alone, or in cumulation with other plans and projects.

9.3.10. I am satisfied that the information provided is up to date, is reasonable and sufficient to allow the Commission to reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment. I am also satisfied that the information contained in the EIAR (as amended) complies with the provisions of Articles 3, 5 and Annex (IV) of EU Directive 2014/52/EU amending Directive 2011/92/EU.

9.4. Assessment of Environmental Factors:

9.4.1. Each topic in the EIAR has been for the most part considered in the following format:

- Introduction
- Study Methodology
- The Existing Receiving Environment (Baseline Situation)
- Potential Impact of the Proposed Development
- Do Nothing Impact
- Avoidance, Remedial and Mitigation Measures
- Residual Effects of Proposed Development
- Monitoring
- Reinstatement
- Interactions
- Difficulties Encountered in Compiling
- References

9.4.2. The EPA published the Guidelines on the Information to be contained in Environmental Impact Assessment Reports in 2022. The applicant is consistent with these guidelines as appropriate.

9.4.3. Unless otherwise stated below the methodology and the approach to, description of the receiving environment of each topic is considered appropriate. This assessment can rely on the EIAR submitted and addresses key issues, impacts and mitigations of the proposed development. Table 9.2 below provides the Assessment of Environmental Factors.

9.4.4. I have considered the submissions on file and where relevant, I have included reference to same in the table below. The issues raised in the appeal submissions

have been addressed Section 8 of this report which should be read in conjunction with Table 9.2.

- 9.4.5. I am satisfied that the corresponding sections of the EIAR have adequately identified, described and assessed the direct and indirect effects of the proposed development in accordance with the requirements of the EIA Directive. I am further satisfied that the proposed development would, on the basis of information submitted and submissions received on the file, and subject to mitigation and monitoring measures, be unlikely to have significant effects on any topic.

Table 9.1: Assessment of Environmental Factors	
Topic:	Population and Human Health (EIAR Chapter 3 updated under EIAR Addendum Report, Appendix 1)
Summary:	The Chapter on Population and Human Health was revised and updated at RFI stage to address the commentary of the HSE - National Environmental Health Service in their report to the planning authority (Nov. 2025) regarding the omission of relevant literature, including the National Adaptation Framework 2024, the Kildare County Council Climate Action Plan 2024-2029, and the Healthy Ireland Framework 2019-2025. As advised, the chapter was updated to recognise that climate change represents a key determinant of human health and to consider the potential impacts of climate-related hazards, including extreme heat, storms, and other severe weather events, on both the construction and operational phases of the development. This chapter addresses human health in the context of a range of factors including water, air quality, noise, and the risk of major accidents and disasters. Many of these factors are addressed in further detail elsewhere within the EIAR, The applicant's assessment on the topic of population and human health was undertaken in accordance with government and industry best practice guidelines. A Social and Community Infrastructure Audit was included with the application. The assessment methodology includes site visits and desk top studies. The existing baseline environment is set out in Section 3.3.
Difficulties	No significant difficulties were encountered in the preparation of the Population and Human Health chapter of this EIAR.
Issues:	Third parties to the appeal raised concerns regarding: • The height, scale and urban form of the development and how it would integrate with established character of the area and existing residential development. These issues are addressed in Section 8.2, and 8.3 of the planning assessment. • Impacts on existing residential amenity by way of increase noise (traffic and human activity), nuisance, potential overlooking / loss of privacy, anti-social behaviour and security issues. These issues are addressed in Section 8.4, and 8.5 of the planning assessment.

	Additionally, during the application stage, third parties raised concerns relating to noise, vibration and dust and impacts arising from increased traffic during both construction and operational phases on residents and on trading in the town, the lack of adequate social infrastructure in the area and the proposed phasing of childcare and other public amenities. (the phasing and delivery of childcare services etc was addressed at RFI stage).						
Impacts	Construction Phase			Operational Phase			Cumulative
	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Result
Water (see. Ch.9)	Potential pollution of surface and ground waters at a result of construction activity	Mitigation measures proposed in respect of Water are outlined in Ch. 9	Imperceptible with respect to human health	Increased surface water run-off discharge rates and flooding downstream from the development sites due to increase in impermeable surfaces,	Mitigation by design - SUDS	None to imperceptible residual risk with respect to human health	long term and positive: The overall cumulative impact of the proposed development is anticipated to the long term and positive with regard to human health for future residents of scheme.
Noise and Vibration (see Ch. 12)	Temporary increase in noise during construction. The closest noise sensitive locations to	Mitigation measures proposed in respect of Noise	Construction phase impacts are expected to be managed effectively and kept within	Potential change to noise environment from plant, traffic movements and car parking, external/public	See Ch. 12	Minimal residual effects on the surrounding environment during both the	

	the main building works will be the residential units to the west of the site which are at a distance of approximately 290m from the centre of the site. The potential vibration impact during the construction phase is of imperceptible impact	and Vibration are outlined in Ch. 12	acceptable thresholds. Monitoring of activity	amenity spaces and creche play areas. There are no expected sources of vibration associated with the operational phase.		daytime and night-time periods.	The impact on existing residents is considered to be neutral.
Air Quality (see Ch. 10)	Potential dust emissions rising from the operation and movement of machinery on site. Traffic emissions	Mitigation measures proposed in respect of Water are outlined in Ch. 10	direct, short-term, negative and imperceptible impact on air quality, managed by mitigation and monitoring	Dust nuisances and potential traffic derived pollutants.	See.Ch.10	No significant residual Impact identified	
Landscape and Visual	Physical structures and operations will alter the	See Ch.6	Impacts, following mitigation, are	Permanent change in land-use to residential /	Mitigation by design including	Positive: new housing, buildings, and	

(See Ch.6)	landscape during construction. Visual effects from the use of temporary buildings, machinery necessary for construction works at proposed works, as well as stockpiling of materials.		predicted to vary from slight and neutral to moderate and negative, depending on the stage of construction, and the intensity of site activity. The construction impacts will be short-term duration appropriately managed and monitored.	neighbourhood centre / local park	landscape proposals	public spaces, together with improved permeability and connections. No significant negative effects identified.	
Climate (see Ch.11)	temporary environmental effects, such as dust generation, noise, traffic disruption and the mobilisation of surface contaminants,	See Ch.11	No likely significant adverse impacts on Population and Human Health arising from	Increased risk of heat stress, reduced environmental comfort, mental health effects associated with extreme weather	See. Ch.11	No significant effects	

	exacerbated during periods of adverse weather, including heavy rainfall or elevated temperatures.		climate change are anticipated during the construction phase	events, and impacts on vulnerable population groups.			
Economic Activity	Positive net improvement in economic activity and construction related employment in the area	-	-	Increased population support local businesses and services. Employment opportunities within Neighbourhood centre.	-	Positive long-term effects	
Social Patterns	-	-	-	The proposal will deliver additional childcare facilities, neighbourhood centre and open spaces	-	Moderate, positive, long - term impact on social patterns in the operational phase.	

Land Use and Settlement Patterns	Potential adverse impacts - temporary degradation of the local visual environment. Secondary land use impacts include off-site quarry activity and appropriate disposal sites for removed spoil and other materials transported off site. Marginal increase in population due to increased construction employment in the area	Standard and good practice measures	No significant impact	The delivery of 589 no. residential units, a neighbourhood centre and open space, will support sustainable population growth, at a location which is designated for residential development.	-	direct, positive, and significant impact	
Health and Safety	short-term impacts associated with construction traffic, migration of surface contaminants, dust, noise and littering. Secondary impacts from construction traffic	Best practice measure including the implementation of CEMP and Construction Waste	No significant impacts identified	-	-	-	

	which are likely to affect population and human health distant from the proposed development site, including adjacent to aggregate sources and landfill sites.	Management Plan. Compliance with Health & Safety Regulations					
Risk of Major Accidents or Disasters	No Significant impact Identified.	-	-	No significant effects identified,	-	-	
Analysis:	I have examined, analysed and evaluated the EIAR Chapter on Population and Human Health (as updated at RFI stage) and all of the associated documentation and submissions on file in respect of population and human health. I have inspected the application site and the surrounding area. In addition, I have had regard to the policy outlined in the current development plan. I am satisfied that the applicants understanding of the baseline environment, by way of desk and site surveys, is comprehensive and that the key impacts in respect of likely effects on population and human health, as a consequence of the development have been identified. The proposed development is anticipated to have an overall positive effect on population and human health. The proposal would facilitate a sustainable increase in population, at an appropriate location that would support local infrastructure and services. The proposal would have a positive impact on housing availability in the area and would provide additional public open space and recreational facilities as well as economic and social benefits derived from the employment opportunities and facilities provided within the Neighbourhood Centre. The Social and Community Infrastructure Audit / Assessment Report submitted with the application demonstrates that the area is adequately served by the necessary community and social infrastructure to support the proposal. The concerns raised in the third-party appeal have been addressed in the planning assessment and I am satisfied that no significant effects on the amenities of existing properties would arise from the proposed scheme.						

	The implementation of the range of remedial and mitigation measures included throughout this EIAR document would limit and control any likely adverse environmental impacts of the construction and operational phase of the proposed development on population and human health. The potential for direct, indirect and cumulative impacts on human health from air quality, noise and vibration, material assets, landscape and visual impact and traffic during the construction and operation phases are addressed in the relevant chapters of the EIAR. I have assessed these relevant chapters. I am satisfied that these effects can be avoided, managed and mitigated by measures that form part of the proposed scheme.
Conclusion	Having regard to the examination of environmental information contained in Chapter 3 (as amended), it is considered, having regard to the nature of the proposed scheme, the location of the proposed scheme within the Metropolitan key town of Maynooth and contiguous to the established built-up area and the capacity of Maynooth to accommodate the scale of development proposed, and subject to the application of the standard mitigation measures proposed, there is no potential for significant environmental effects on population and human health.
Topic:	Archaeology, Architecture and Cultural Heritage (EIAR Chapter 4, updated under EIAR Addendum Report, Appendix 2)
Appendices	• Geographical Survey Report • Test Excavation Report
Summary	Chapter 4 of the EIAR deals with the topic of Archaeology, Architecture and Cultural Heritage. This chapter was updated at RFI stage to take account of the results of Archaeological Test Trenching. As detailed in the EIAR, there are no recorded archaeological sites located within the development area. The nearest monuments consist of Burial Ground (KD010-040----) and a Furnace (KD011-061----), recorded 480m and 500m, respectively, to the south of the site. There are no protected structures within the site, the nearest such structure is Lime Kiln (RPS ID. B06-06) located c. 310m to the northeast of the site. No specific cultural heritage features have been identified in relation to the proposed development area or its

	immediate environs. The nearest monuments consist of Burial Ground (KD010-040----) and a Furnace (KD011-061----), recorded 480m and 500m, respectively, to the south of the site. The geophysical survey undertaken to inform this chapter identified two curvilinear anomalies (possible ring-ditches) along with other potential archaeology within the site. Archaeological Test Trenching under licence was carried out at the site following submission of the original application. Chapter 4 of the EIAR was updated to incorporate the results of archaeological test trenching and submitted at RFI stage. The Test Excavation Report was included as an appendix the updated chapter. The Test Excavation Report outlines that a total of 61 test trenches were proposed and 51 trenches (Trenches 1–10, 18–22, 24–55, 57–60) were excavated down to natural or the surface of archaeological remains. Trenches 11–17, 23 and 73 in the northeast of the site were unfeasible as this area was undergoing construction for the Maynooth Eastern Relief Road (MERR) and being used temporarily for topsoil storage. Trench 56 could also not be excavated due to the presence of a modern sewer line. Nine features of archaeological significance were identified in Trenches 43, 45 and 53. These comprised: • The remnants of a probable ring-ditch (C4301) found in Trench 43. • A masonry structure (C4501), circular in plan and possibly representing the remains of a lime kiln, was identified in Trench 45 • Four human inhumation burials (C5303, C5305, C5306, C5307), a ring-ditch (C5302) with a possible extension (C5304) and a second possible ring-ditch (C5301) were identified in the northeast end of Trench 53. The Test Trenching report recommends that these features be investigated and persevered by record (fully excavated by hand) before any further works are carried out in these areas of the site. It also recommends that any topsoil stripping of the site is monitored by an archaeologist, including the northeast area (east of the MERR) that was not accessible during test excavations. Archaeological material identified during monitoring may necessitate further mitigation, including preservation in situ (avoidance) or preservation by record (excavation) following consultation with the National Monuments Service.
Difficulties	No significant difficulties encountered

Issues raised:	- No significant issues on the topic of Archaeology, Architecture and Cultural Heritage were raised in the planning authority's assessment of the application. KCC's Heritage Officer recommended conditions ensuring compliance with the recommendations set out in EIAR - The DHLGH in their initial report to the planning authority (Nov. 2025), noted the Geophysical Survey (24R0591; Murphy 2025) and that possible archaeological features had been identified. They noted that an Archaeological Licence 25E0711 was in place for Archaeological Test Trenching across the development site and recommended the testing report be submitted as further information stage. The Department in their subsequent report of (<i>April 2026</i>) concurred with recommendations as outlined in Section 9 of the archaeological testing report and recommends Archaeological requirements to be carried out at the site in advance of any construction works commencing.						
Impacts	Construction Phase			Operational Phase			Cumulative
	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Result
Recorded Archaeological Monuments	No effects, indirect or otherwise, on recorded archaeological monuments as none are located within the site.	-	-	None			There are no known cumulative effects on the Archaeological and Cultural Heritage resource of the area as a result
Known and Potential	Profound and negative impact on the nine archaeological features identified during the test	Advance archaeological assessment of the site, including test	Neutral and none to imperceptible	None			

Archaeological Features	trenching, including one circular ring-ditch which was previously identified during the geophysical survey as a curvilinear Potential for previously unrecorded, sub-surface archaeological remains to be uncovered during excavation	trenching targeting anomalies identified on geophysical survey and the site overall, followed by preservation by record (archaeological excavation) of the archaeological features identified at pre-construction phase. Monitoring of topsoil stripping with the use of a metal detector at the construction phase, all in consultation with the Licensing					of the proposed development.
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		Section of the National Monuments Service.					
Architectural and Cultural Heritage	No effects identified			None			
Indirect Effects on wider archaeological landscape or surrounding architectural heritage.	No effects identified			None			
Analysis and	I have examined, analysed and evaluated Chapter 4 of the EIAR (as updated), all of the associated documentation and submissions on file in respect of Archaeology, Architecture and Cultural Heritage. I am satisfied that the applicants understanding of the baseline environment, by way of desk and archaeological testing, is comprehensive and that the key impacts in respect of likely effects on Archaeology, Architecture and Cultural Heritage, as a consequence of the development have been identified. I note the discovery of nine archaeological features on site during the test trenching and the potential for further previously unrecorded, sub-surface archaeological remains to be uncovered during excavation / construction. I am satisfied that the potential effects of same have been considered in the EIAR and addressed by appropriate best practice mitigation.						

Conclusion	Having regard to the examination of environmental information in respect of Cultural Heritage and Archaeology, in particular the EIAR and EIAR Addendum report, the reports of the planning authority and DHLG&H. I am satisfied that subject to mitigation the proposed development will not give rise to significant direct, indirect, or cumulative effects on Cultural Heritage and Archaeology
Topic:	Biodiversity (EIAR Chapter 5)
Appendices:	Appendix 5.1 – Legislation and Policy Appendix 5.2 – Site Photographs
Summary:	The Biodiversity Chapter details the Ecological Impact Assessment (EclA) of the Proposed Development and assesses the potential effects of the Proposed Development on habitats and species; with a particular focus on those protected by national and international legislation or considered to be of nature conservation importance on or adjacent to the Site. The assessment methodology includes desktop study and ecological surveys which were then carried out across 2024 and 2025, these include: Preliminary Habitat and Invasive Flora Survey; Bat Transect survey; Winter Bird Survey; Breeding Bird survey and Badger Survey. The following points are noted: • The invasive flora survey recorded a cherry laurel (<i>Prunus laurocerasus</i>) along the western boundary of the Site. • No trees, buildings or structures with potential for roosting bats were recorded within the Site boundary. • Existing hedgerows provide 'Moderate' habitat suitability for foraging and commuting bats. • Three bat activity surveys were conducted across the site during the 2024 and 2025 bat activity season. A total of 160 bat passes were recorded. Activity levels varied notably between transects, with Transect 3 (17 June 2025) recording the highest number of detections (159), suggesting a significant concentration of bat activity during this period. In contrast, Transect 2 (14 May 2025) yielded just 4 bat passes, while Transect 1 (9 October 2024) recorded 17 bat passes, indicating comparatively lower levels of bat activity in the earlier and later parts of the season. • The Site was considered of low ecological value to wintering bird

	• Badgers are likely residing in lands to the north of the Site and utilise numerous points along the northern hedgerow to enter and exit the Site to forage. A badger was recorded on two occasions (16th and 24th July) entering the Site but was not recorded leaving. In addition, a fox was recorded numerous times. • The surveys recorded a typical mix of habitats and species, including hedgerows, treelines, grassland, birds, bats, and terrestrial mammals such as badger and fox. No rare or protected plant species were found on Site. • The Site itself is predominantly composed of improved grassland and species-poor grassland.
Issues	No significant issues on Biodiversity raised in the appeal. Third parties note the importance of retained hedgerows for biodiversity. This chapter was assessment by KCC Ecologist who satisfied with: - the Surveys for Habitats and Species, Hydrological and Hydrogeological Assessment and Nature-Based SUDS; Wildlife-Friendly Lighting Design Invasive Species Assessment and Exclusion of Non-Native Species Mitigation Hierarchy and Appointment of Ecological Clerk of Works Construction and Operational Phase Mitigation Measures. The Ecologist determined that the Biodiversity Management Plan (BMP) submitted in support of the application was insufficiently detailed and lacks ambition for a development of this magnitude. The Ecologist highlight a number of issues including: the lack of connectivity / continuous green corridors; insufficient habitat diversity; inappropriate Wildflower Mixes; Lack of Long-Term Management Framework; No Species-Specific Conservation Measures; Limited Biodiversity Net Gain & Community Engagement, etc. A revised BMP was submitted at RFI stage. The Ecologist was satisfied that the revised BMP addressed the necessary biodiversity considerations for the proposed development save for two areas that required further consideration, these being Meadow Habitat Creation and Small Mammal Permeability. It was considered that these issues could be effectively addressed by way of condition (Condition 13 of the PA's decision relates).
Difficulties	The following specific limitations have been identified (Section 5.12 of EIAR): • Records from these datasets do not constitute a complete species list. The absence of species from these datasets does not necessarily confirm an absence of species in the area.

	- Access limitations during the surveys - private residential areas to the west of the Site and active heavy machinery and inaccessible fencing limiting access to the crop field to the east of the Site. - Bat data from the 2025 activity transects do not include correct time and dates due to a formatting issue on the equipment. However, the surveys were conducted within a known 1.5-hour window, and GPS locations of all species records are available and so this is not a significant limitation.						
Impacts	Construction Phase			Operational Phase			Cumulative
	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Result (EIAR Section 5.6)
Designated sites	Hydrological connection to Rye Water Valley/Carton	As per NIS. CEMP	No residential impacts following mitigation	Hydrological connection to Rye Water Valley/Carton	As per NIS. SUDS	No residential impacts following mitigation	It is not considered likely that the Proposed Development will act in-combination with other permitted developments in the vicinity and cause significant effects on any nearby or linked KERs.
Habitats and Flora	Loss / damage of existing hedgerow / tree line. Spread of invasive species	Best practice measures Ecological Clerk of Works Tree/Hedgerow Protection Measures. Vegetation clearance at appropriate time	None	reduction in habitat connectivity and structural diversity within the Site. Spread of Invasive species	Mitigation by design – landscape plan. Net increase of hedgerow (396m) and treeline 1,647m BMP Lighting plan.	None	

					Invasive Species Management		
Bats	Artificial lighting can cause displacement from preferred foraging corridors	Best practice measures. CEMP. Construction Phase Lighting controls	Imperceptible (hedgerow loss)	Permanent loss of 108m of internal hedgerow / increased lighting	Bat and Mammal Sensitive Lighting – Maintenance of Dark Commuting Corridors	Imperceptible (hedgerow loss)	
Birds	disturbance (activity, noise, lighting) to breeding birds particularly if undertaken during the nesting season (March to August).	Best practice measures. CEMP. Noise controls.	Imperceptible (hedgerow loss)	permanent loss of breeding bird habitat due to the removal of hedgerows and grassland areas.	Bird Boxes	Imperceptible (hedgerow loss)	
Non-Volant Mammals (incl. badger)	disturbance through increased noise, lighting, and human presence. Open trenches, netting, and exposed materials could pose a risk of entrapment or injury to mammals moving through the Site.	Best practice measures. CEMP Measures to avoid Accidental Trapping of Fauna. Noise and lighting control measures	Negative, permanent, slight (Displacement & habitat loss)	Displacement due to ongoing human activity, domestic pets, and loss of habitat features. Loss of hedgerow and grassland cover reduces foraging opportunities and	Pre Commence ment Badger Survey Mammal Sensitive Lighting – Maintenance of Dark	Negative, permanent, slight (Displacement & habitat loss)	

				diminishes habitat connectivity.	Commuting Corridors		
Common Lizard	Risk of injury or death during clearance works	Measures to avoid Accidental Trapping of Fauna.	Imperceptible (Vegetation clearance)	No significant effects identified	-	-	
Fish and other aquatic species	Contamination of Lyreen River (via surface water drainage)	Best practice measures. CEMP Pollution control measures	None	No significant effects identified	-	-	
Analysis	I have examined, analysed and evaluated the information provided in Chapter 15 and all the associated documents, and submissions on file in respect of biodiversity. I am satisfied that the applicant understanding of the baseline environment, by way of desk and site surveys, is comprehensive and that the key impacts in respect of likely effects on biodiversity, as a consequence of the development have been identified. The primary ecological risks identified relate to habitat loss, lighting disturbance, and potential surface water and groundwater contamination during construction. If unmitigated, these could result in negative impacts to habitats and species of conservation concern, including downstream European and nationally designated sites. However, subject to the implementation of the mitigation measures outlined in this Chapter, and the NIS, residual impacts are predicted to be imperceptible or slight. The integration of a biodiversity management plan will further support the conservation value of the site and contribute to local ecological networks. KCC Ecologist identified some shortcomings in the updated Biodiversity Management Plan. I am satisfied that these shortcomings can be address by way of condition in the event of a grant of permission. With these measures in place, the Proposed Development is not expected to give rise to significant long-term ecological effects.						
Conclusion	Having regard to the survey work carried out, the location of the site with the development boundary of Maynooth, contiguous to the established built-up area, the design of the proposed development which includes features that may act to avoid or mitigate negative impacts on the local ecology and environment and best practice mitigation measures, which include further pre-construction surveys,						

	measures to address the invasive species present on site and measures concerning the design of outdoor lighting, and subject to a condition ensuring the appropriate felling of trees with bat root potential, that there is no potential for any significant direct, indirect or cumulative effects on biodiversity as a result of the proposed development
Topic:	Landscape and Visual Impact (EIAR Chapter 6 and EIAR Addendum)
Summary	This chapter assesses the potential significant effects of the proposed development on the landscape, views and visual amenity of the subject site and the surrounding landscape. The assessment is undertaken in accordance with government and industry best practice guidelines. The assessment methodology includes consultations with the local authority, desk top study and site assessments. The LVIA describes the existing receiving environment, the contiguous landscape and the methodology utilised to assess the effects of the proposed development. It assesses the visual extent of the proposed development and the proposal's visual effects on key views and sensitive receptors throughout the study area. The landscape sensitivity of the site and its immediate environs is generally described as low with a high capacity for change. However, the LVIA identifies a number of highly sensitive landscapes within 1 km of the site, these are: Maynooth Town Architectural Conservation Area; Carton Demesne: Protected Area; Views to and from bridges on the Royal Canal and proposed NHA's. Given the distance from the site, intervening topography and the existing built environment, the LVIA anticipated there would be no impact on the Maynooth Town Architectural Conservation Area or any of the important views associated with the Maynooth Town ACA. 17no. viewpoints were chosen to assess the potential visual effects of the proposed development, individually and cumulatively with the MERR. The views were chosen as being representative of the key sensitive views in terms of effects on local sensitive receptors and are taken from the public domain. In terms of Scenic Routes and Scenic Views, the following have been assessed: • Views to and from Bridges on the Royal Canal: See Viewpoint 4 • Scenic Routes Scenic Route 28: Carton Demesne: See Viewpoint 5 The impact of the development on the 17 viewpoints is illustrated in Verified Photomontages & Computer-generated imagery (CGIs). The results can be summarised as follows:

	- The quality of the effect of visual change ranges from none to neutral in all scenarios, with the exception of the View 17 (Cumulative View) where the visual effect of the construction of the permitted MERR is considered negative at a location north of the site on the Royal Canal (a sensitive location given its pHNA designation). - The significance of effect of visual change ranges from none to moderate save for Cumulative View 14 (R405 Celbridge Road) and Cumulative View No. 17 (Royal Canal – North of the Site), where the significance of effect (of the MERR) is considered significant to profound. The duration of impact ranges from none to permanent. Section 6.6 identifies potential cumulative effects of the proposed development with the ongoing construction of residential housing developments at Railpark to the south and southwest of the site along with the future construction of the Maynooth Eastern Ring Road (MERR) to the south, southeast and east of the site. The landbank that is currently agricultural in nature and 'land-locked' will alter to a peri-urban / suburban landscape setting on the southeast of Maynooth Town.						
Appendices	Verified Photomontages & Computer-generated imagery (CGIs)						
Difficulties	No significant difficulties identified.						
Appeal Issues:	9.5. Third party appellants have concerns that the proposed scheme, due to the height and scale of development proposed would change the character of the area. Concerns raised are addressed in section 8.3 Urban Form: Building Height and Scale of the Planning Assessment						
Impacts	Construction Phase			Operational Phase			Cumulative
	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Result
Landscape	Potential for significant and adverse temporary effects on the	Standard and good practice measures.		The development of this site as proposed will	Mitigation by Design	It is anticipated that the landscape	Cumulative visual effect with MERR-

	landscape during the construction stage resulting from; - the erection of physical structures such as site compounds, storage area, site hoarding, signage, security fencing; - the presence of site machinery and delivery/storage of materials etc - Lighting and light spillage	Outlined in CEMP. Tree and hedgerow retention and protection during the Construction Phase to maintain landscape character – overseen by the project arboriculturist (Arboricultural Clerk of Works – AcoW)		permanently change and may fundamentally alter the appearance of the landscape	Landscape Design including the retention of existing hedgerows, extensive tree, shrub and hedgerow planting. A new local public park with recreational space, habitat plantation and integrated SUDS measures.	impact will be moderate and positive in the short and medium term increasing to significant and positive once landscaping matures.	profound negative at one location north of the site on the Royal Canal (a sensitive location given its pHNA designation). The proposed development is in line with the Kildare County Councils Urban Design Framework Plan for the Railpark Key Development Area, as presented in the Maynooth
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Visual	Significant and adverse short-term effects during construction from: Dust, Site huts, Building materials, Ground disturbance (e.g. topsoil, stockpiles, etc.) Site hoarding/security fence etc	Standard and good practice measures. Outlined in CEMP. Traffic Management Plan Use of site hoarding to restrict views	Short-term none to neutral	visual change	Siting of the taller built elements away from sensitive receptors, setbacks from the site boundaries, Retention of hedgerow and tree planting where feasible along the west and northern boundaries Substantial additional tree		and Environs Joint Local Area Plan 2025-2031
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					planting through the site		
	I have examined, analysed and evaluated Chapter 6 of the EIAR, the associated Verified Views Photomontages. I am satisfied that the applicants understanding of the baseline environment, by way of desk and site surveys, is comprehensive and that the key impacts in respect of likely effects on the landscape and visual amenity of the area, as a consequence of the development have been identified. The development of this site as proposed will alter the landscape character of the site from an agricultural field in a peri-urban setting to a new residential suburb of Maynooth with substantial green infrastructure and public open spaces. However, the proposal is brought forward as part of a planned expansion of the Maynooth, Railpark KDA and guided by a design brief and urban framework strategy. The LVIA demonstrates that the proposed development can be assimilated within the site with limited impact on the landscape character and visual amenities of the area. The one notable exception in the cumulative impact, with MERR, on Cumulative view No. 17 (Royal Canal – North of the Site, including the future MERR), where the significance of effect is considered profound. However, this impact is to be expected in this context (expansion area), given the nature and scale of development permitted / planned for this area. The MERR is currently under construction. The retention of substantial sections of the northern and western hedgerows will assist in retaining part of the rural aesthetic of site. The proposed landscaping scheme will help soften the impact of this newly urbanised landscape and its visual impact from surrounding receptors. The proposed development comprises the extension of the established urban area of Maynooth on residentially zoned lands, therefore, changes to the landscape and views would not be out of character or unexpected.						
Conclusion	Having regard to the examination of environmental information in respect of Landscape and Visual Impact, including photomontages / CGI imagery, I am satisfied that there is no potential for any significant direct or indirect on landscape or visual amenity as a result of the proposed development. Cumulative effects within MERR will be profound but acceptable in the context of the planned expansion of Maynooth.						
Topic:	Land and Soils (EIAR Chapter 7)						

Summary:	Chapter 7 considers the impact of the proposed development on land and soil. It identifies the characteristics, predicted potential impacts, mitigation measures and residential impacts arising from the proposed development in both the construction and operational phases. The assessment methodology includes consultation with various sources, including the Geological Survey of Ireland (GSI) and the Environmental Protection Agency (EP) and desk top study of interactive maps and an available ground investigation report relevant to the area of study. The lands within the proposed development are predominantly flat, but they also show a small mound at the northeast of the site. The area to the west of the development is a residential area, whilst the rest of the areas are greenfield. No watercourses are found within the site boundary. The topsoil layer within the site boundary is estimated to range between 0.25-0.6m but is typically around 0.35m thick. The subsoil is predominantly glacial till, which is generally regarded as competent ground for civil engineering purposes, and its typical thickness is from 1.8 to 2.7m. Most of the soil found deeper than 1m below ground level is likely to have sufficient strength and stiffness values to serve as foundation levels for this type of development. The bedrock geology is Limestone (typically Waulsortian), and it was encountered at depths of 2.7m and 4m in the ground investigations conducted to the north of the proposed site. Two karst features (caves) are present approximately 2-3km to the northeast of the site. These types of features are the result of rock dissolution processes, typically associated with limestone rocks, that can lead to the creation of voids within the geological units and hence they are considered as a risk. No geological heritage areas, quarries or mineral extraction points are found within the site or in the surrounding areas. No indication of any presence of contamination was found within the site
Difficulties	No particular difficulties were encountered in completing this chapter. The EIAR notes that all soil volumes calculated are estimated volumes based on similar schemes and a review of the available information for this proposal. Actual volumes or amounts may change based on final detailed design and the condition of soils when exposed / excavated.
Appeal Issues:	No issues on the topic of Lands and Soils raised in the appeal and no significant outstanding issues identified from the planning authority's assessment of the application.

Impacts	Construction Phase			Operational Phase			Cumulative
	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Result
Excavation	The EIAR estimates the need to excavate 55,930 tonnes of topsoil, 33,164 tonnes of which will need to be disposed of. Subsoils excavation (approximately 55,900m³) will be required to facilitate the construction. A portion of the excavated subsoils will be suitable for reuse throughout the site (estimation of 30,200m³) while the rest will need to be disposed of.	Avoidance by design – minimise extent of cut and fill Excavated material to be removed off-site to be undertaken to the relevant EPA licensing requirements. Implementation of CEMP Standard and good practice measures	Residual impacts during construction are predicted to be short term and not significant once mitigation measures are implemented.	N/A	N/A	N/A	no significant cumulative impacts on land, soils and geology environment are anticipated -

	Excavation of Bedrock is unlikely	Implementation of CEMP					
Contamination of soil	Accidental spillages of fuel and lubricants used during the construction phase may cause contamination of the topsoil, subsoil, bedrock or groundwater underlying the site.	Monitoring: Construction monitoring of the works; Inspection of fuel / oil storage areas; Monitoring cleanliness of adjacent road network;		Accidental spills or leaks of fuels and oils from vehicles	Mitigation by design – Storm Water Network, Use and maintenance of SUDS		
Construction Traffic	risk of rutting and deterioration of the exposed subsoil layers by construction vehicles and plant over the course of the construction period causing erosion and generation of sediment laden run-off and mud may be deposited onto nearby roads used for access.	Monitoring of contractor's; stockpile management; Monitoring sediment control measures; The quantities of topsoil and subsoil removed off site will be recorded		-	-	-	

Geological Environment	No impact on the geological environment envisaged.	N/A	N/A	-	-	-	
Analysis	I have examined, analysed and evaluated the information provided in Chapter 5 and all the associated documents, and submissions on file in respect of Land and Soils. I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts and provides suitably comprehensive range of mitigation and monitoring measures to reduce any potential impacts. I note that the proposed development will require a land take of approximately 15.27ha and will change the nature of the lands from greenfield to urban development comprising mid-density residential, neighbourhood centre and public open space. I further note that the development of these lands as proposed would accord with the zoning objectives for the site and the Urban Design Framework for the Railpark KDA and the as set out in the MEJLAP, as discussed in section 8 of this report. The impact of these works on the landscape and visual amenity is discussed in chapter 6 of the EIAR and considered above.						
Conclusion	Having regard to the baseline environment and site-specific best practice mitigation measures including those contained in the Construction Environmental Management Plan (CEMP), to mitigate potential effects on land soil, and geological environment, I am satisfied that there is no potential for any significant direct, indirect or cumulative effects on lands, soils and geology as a result of the proposed development.						
Topic:	Hydrogeology (EIAR Chapter 8)						
Appendices	Drawings						
Summary	The chapter assesses and evaluates the impact of the proposed development on the underlying groundwater body / aquifer during the construction and operational phases of the proposed development. Potential impacts of the proposed development on the hydrogeological environment were assessed for the construction and operational phases. The proposed development was considered in terms of its potential as a source of impact on groundwater levels, flow directions and chemical quality. Application of the Source-Pathway-Receptor (SPR) identified the hydrogeological receptors listed below:						

	• A locally important bedrock aquifer; • A Groundwater Dependent Terrestrial Ecosystem (GWDTE) located 1.2 km northeast of the proposed development site boundary; • 24 private boreholes and wells within 2 km of the proposed development site. The site is underlain by limestone bedrock that is classified as a local important aquifer that is productive only in local zones. The aquifer is assessed as being the principal receptor of hydrogeological impacts from the proposed development. The bedrock aquifer forms part of the Dublin Groundwater Body (GWB). The Water Framework Directive (WFD) status of the GWB is classified as good under the latest River Basin Management Cycle.						
Difficulties	None identified						
Issues Raised:	No significant issues raised in the planning authority's assessment of the applicant or in the appeal.						
Impacts	Construction Phase			Operational Phase			Cumulative
	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Result
Construction site runoff (suspended fine sediments) infiltrating	Contamination - concrete, cement etc which are alkaline, and corrosive have the potential to cause pollution to the Locally Important bedrock	Implementation of best practice construction methods and practices	short term and imperceptible				No significant cumulative impacts identified

onto the aquifer	aquifer of medium importance.	including monitoring.					
Chemical spillages	Contamination - Spillage of fuel, hydraulic fluids, solvents, etc may result in reduced water quality in the Locally Important bedrock aquifer.	Site-Specific Construction and Environment Management Plan be developed and implemented during the construction phase.	short term and imperceptible				
Impact on groundwater supply (wells and boreholes)	Contamination - Low risk of pollution to groundwater as a result of the spillage of fuels or chemicals	Weather conditions and seasonal weather variations will also be taken account	short term and imperceptible				
Alteration of groundwater flow path and recharge in the aquifers	Localised flow alteration - Infiltration into groundwater is likely to increase during construction -	sub-soil and topsoil stripping to be minimised	short term and imperceptible	Low risk of contamination and alteration of flow to the groundwater supply sources	Mitigation by design. The design of proposed site levels	No predicted impacts	
Flooding	Localised flow alteration - Imperceptible impact on the Locally Important	Concrete batching will take place off site	short term and imperceptible	Increase in permanent impermeable area	(roads, FFL etc.) replicates existing	No predicted impacts	

	Aquifer - groundwater is not like likely to be encountered			and increased pluvial flooding	surface contours, break lines etc where possible.		
Contamination risks			short term and imperceptible	Contamination risk arising from development use / leaking pipes / contaminated surface water runoff and accidental hydrocarbon leaks and subsequent discharge into piped surface water drainage network (e.g. along roads and in driveway areas);	Use and maintenance of SUDS Operational waste management and collection.	No predicted impacts	
Conclusion	Having regard to the baseline environment, the design of the surface water management system for the site and the site-specific best practice mitigation measures including those contained in the outline Construction Environmental Management Plan (CEMP), to mitigate potential effects on ground water, I am satisfied that there is no potential for any significant direct, indirect or cumulative effects on hydrogeology as a result of the proposed development.						
Topic:	Water (EIAR Chapter 9)						

Appendices	Appendix 9.1 – Existing Surface Water Drainage Layout Appendix 9.2 – Proposed Surface Water Drainage Drawing A Flood Risk Assessment (FRA) has been included as a standalone report with this application
Summary	This chapter assesses and evaluates the impact of the proposed development on the hydrology, natural and artificial water bodies within the study area. Interactions between water bodies, surface drainage, foul water drainage and water supply proposals are assessed. the potential impacts of the development on the water, hydrological and hydrogeological environment. The Source-Pathway-Receptor (SPR) model has been used to determine the level of risk to surface water receptors adjacent to or hydraulically connected to the proposed development. Potential impacts of the proposed development on the surface hydrological environment were assessed for the construction and operational phases. The S-P-R model identified the following surface waterbodies as principal hydrological receptors potentially impacted by the proposed development: • The Rye Water River waterbody • Lyreen River waterbody. The Lyreen is a minor tributary of the Rye Water that flows through Maynooth and has been modified by towns historic development. There is no significant overland flow pathways exist between the proposed development site and the Lyreen. • The Royal Canal Artificial Waterbody • The Royal Canal bounds the site to the northeast. There are no direct overland flow paths between the development site and the Royal Canal.
Difficulties	No difficulties were encountered in completing this section.
Issues Raised:	No significant issues raised in the planning authority's assessment of the applicant or in the appeal

Impacts	Construction Phase			Operational Phase			Cumulative
	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Result
Contamination	Increased sediment loads due to excavations and landscaping works. Accidental discharges of oils, fuels or construction chemicals.	Best practice measures to control run-off and reduce the risk of accidental discharges outlined in CEMP	short term and imperceptible	Risk of contaminated urban run-off being discharged to the Lyreen river via the storm water drainage network.	Mitigation by design including SUDS	No predicted residual impacts on the water and hydrological environment arising from the operational phase.	There are no predicted cumulative impacts arising from the construction or operational phase.
Increase in impermeable areas				Low risk on hydromorphology QE of the Lyreen from increased surface water runoff volumes and discharge rates to the storm water drainage network.			
Flooding				Increased run-off rates and volumes			

				discharging via the stormwater drainage network may result increased downstream flood risk associated with exceedance the hydraulic capacity of the of existing infrastructure.			
Conclusion	Having regard to the baseline environment, the design of the surface water management system for the site and the site-specific best practice mitigation measures including those contained in the outline Construction Environmental Management Plan (CEMP), to mitigate potential effects on ground water, I am satisfied that there is no potential for any significant direct, indirect or cumulative effects on water as a result of the proposed development. Consideration of the proposed development in terms of the Water Framework Directive is included section 11 this report.						
Topic:	Air Quality (EIAR Chapter 10)						
Appendices	AADT						
Summary	This chapter describes and assesses the potential impacts on air quality associated with the Proposed Development. Taking into account Ambient Air Quality Standards, the baseline air quality was examined along with the potential for release of emissions to the atmosphere and associated effects prior to and following mitigation measures. The main air quality impacts in during the construction phase are: • Dust deposition, resulting in the soiling of surfaces; • Visible dust plumes, which are evidence of dust emissions;						

	• Elevated PM10, PM2.5 concentrations from demolition and construction activities (including earthworks and track out); and • An increase in concentrations of PM10, PM2.5 and nitrogen dioxide due to exhaust emissions from vehicles and equipment used on site (non-road mobile machinery) and vehicles accessing the site. The main air quality impacts in during the operational phase are: • An increase in concentrations of PM10, PM2.5 and nitrogen dioxide due to exhaust emissions from vehicles and equipment used on site (non-road mobile machinery) and vehicles accessing the site. The site is located in Maynooth, Co. Kildare and falls under the 'Zone D', which is described by the EPA as 'Rural Ireland'. It is expected that existing ambient air quality in the vicinity of the site is characteristic of a rural location with the primary source air emissions (such as particulate matter (dust), NO2, and hydrocarbons) likely to be of local domestic and agricultural origin.		
Difficulties	No difficulties encountered in compiling this chapter.		
Issues Raised:	No significant issues raised in the planning authority's assessment of the application or in the appeal. Third parties to the application raised concerns of excessive dust emissions during construction and potential impacts of same on existing residential properties. HSE in their report to the planning authority (Nov. 25) stated, in the context of Air Quality that the Avoidance, Remedial and Mitigation measures set out under section 10.8 of the EIAR for the construction phase are set as minimum conditions of planning		
Impacts	Construction Phase	Operational Phase	Cumulative

	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Result
Dust	Dust emissions from construction, earthworks and track out	good construction practice, in terms of site management, communication and monitoring	No significant residential effects identified	No effects identified	It has been determined that the operational phase air quality impact is negligible and therefore no site-specific mitigation measures are proposed.	N/A	No significant cumulative impacts identified
Traffic	Potential for traffic emissions to affect air quality in the short-term over the construction phase, particularly due to the increase in HGVs accessing the site.	Develop and implement a Dust Management Plan (DMP),		Increased traffic and exhaust emission-neutral impacts due to increases in NO ₂ , PM ₁₀ and PM _{2.5} All predicted values (NO _x and NH) were below or within relevant critical levels and loads, indicating no significant ecological impact from operational traffic emissions.		N/A	

Conclusion	I have examined, analysed and evaluated Chapter 10 of the EIAR, all of the associated documentation and submissions on file in respect of air quality / dust emissions. I am satisfied that the applicant's understanding of the baseline environment, is comprehensive and that the key impacts in respect of likely effects from dust and / or air emissions, as a consequence of the development have been identified. I note that parties to the application raised issues relating to the dust emissions during construction phase. Construction activities typically emit dust. There are no statutory guidelines regarding the maximum dust deposition levels that may be generated during the construction phase of a development in Ireland. The avoidance, remedial and mitigation measures outlined in section 10.8, which include the development and implementation of a Dust Management Plan (DMP) should be sufficient to ensure that no significant nuisance dust occurs at nearby sensitive receptors. Subject to the implementation of mitigation measures to suppress dust, I am satisfied that the impact of nuisance / visible dust on sensitive receptors is unlikely to be significant.						
Conclusion:	Having regard to the examination of environmental information contained in Chapter 7, I consider, given the nature of the development and subject to the proposed mitigation measures, there is no potential for significant environmental effects from dust and / or air emissions in the vicinity of the development. I am satisfied that subject development will not give rise to significant direct, indirect, or cumulative effects on Air Quality						
Topic:	Climate (EIAR Chapter 11 - updated under EIAR Addendum Report, Appendix 3)						
Summary	This chapter identifies, describes, and presents an assessment of the eventual significant direct and indirect effects of the Proposed Development on climate (for example greenhouse gas emissions) and its vulnerability to climate change. It is to be read in conjunction with Ch10. Air Quality, Ch14. Material Assets, Ch13, Traffic and Transport, Flood Risk Assessment and the Traffic and Transport Assessment, as well as the Energy Analysis Report, Building Life Cycle Assessment Report and Site-Specific Flood Risk Assessment submitted with the planning application. The assessment methodology focuses on desk top studies. This assessment was undertaken in line with the Institute of Environmental Management and Assessment (ISEP) guide 'Assessing Greenhouse Gas Emissions and Evaluating their Significance', 2nd Edition, 2022.						

Difficulties	There were no difficulties encountered when compiling this assessment.		
Issues:	No significant issues raised in the appeal. The HSE - National Environmental Health Service, in their report to the planning authority (Nov. 25) identified a number of gaps in the literature used to information this chapter. They also recommended that: • The list of (construction phase) mitigation measures be enhanced to go beyond sustainability awareness to ensure changes in sustainability practice; to add active travel support for walking and cycling, in terms of Monitoring and Evaluation to set SMART objectives and in terms of Waste Management, to include the first part of the waste hierarchy and aim to eliminate the creation of waste in the first place. • An enhanced view of adaptation/resilience in both the construction and operational phases. In the construction phase other climate related hazards must be identified and mitigation measures put in place. For example, dry spells may be a hazard creating dust from soil stockpiles. A mitigation measure may be the use of drought resistant vegetation on stockpiles to contain dust. Details of mitigation measures could be listed in the Construction Environmental Management Plan (CEMP). • The proposed development include ways to protect population health (not just materials) in adaptation. Protective measures for example may include the increased use of trees or shelters to provide shade and create a cooling effect in hot weather, delivering an adequate proportion of green and blue spaces to limit the urban heat island effect and benefit mental health simultaneously, ensuring the drainage design can cope with increased volumes and intensity of precipitation patterns in a warming world. The issues / concerns raised by the HSE – NEHS were raised with the applicant at RFI stage (Item 11 of the further information request). Chapter 11 was updated accordingly. The updated chapter provides an enhanced assessment of climate change adaptation and resilience during both the construction and operational phases of the proposed development, with particular emphasis on the protection of population and human health and alignment with Objective DO1.4 of the Maynooth and Environs Joint Local Area Plan 2025-2031. No further issues were identified in the planning authority's assessment of the application.		
Impacts	Construction Phase	Operational Phase	Cumulative

	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Result
Green House Gas Emissions (e.g. CO2)	Total GHG emissions generated as a result of the construction of the proposed Project are predicted at 36,860,557.00 Kg of CO2eq (36,860.56 tonnes CO2eq).	Detailed list of construction stage specific climate resilience measures to ensure durability, water management, and energy efficiency while mitigating risks associated with extreme weather considering dust, dry spells, shade, cooling, green/blue infrastructure, and the required drainage capacity: (Section 11.8.1)		GHG emissions from the operational stage of the development arise from heating, domestic hot water, and lighting. CO2 from increased traffic	Mitigation by design sustainable and renewable energy technology. SUDS Mechanical ventilation Tree canopy and green infrastructure for microclimate cooling electric vehicle and	long-term, minor adverse and not significant.	

		Good practice construction			bicycle parking		
Climate Change	Low risk of flooding during construction (Site within Flood Zone C)			Imperceptible flood risk	SUDS		
Analysis	I have examined, analysed and evaluated Chapter 11 of the EIAR as updated at RFI stage. The Proposed Development will result in some impacts to climate through the release of GHGs. Overall, I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts and provides a suitably comprehensive range of mitigation measures to reduce any potential impacts. The measures embedded in the design will ensure that the development is resilient to the predicted effects of climate change.						
Conclusion	Having regard to the examination of the environmental information contained within the Chapter on Climate Change it is considered that due to the residential nature of the development the predicted GHG figures are not significant in the context of the sectoral emissions ceilings, therefore I consider that there is no potential for significant environmental effects on climate.						
Topic:	Noise and Vibration (EIAR Chapter 12)						
Summary:	Chapter 12, Noise and Vibration, considers the noise and vibration impact of the short-term construction phase and the long-term operational phase on the surrounding environment. It provides an overview of the baseline noise environment, the potential impact of the proposed development and details of mitigation measures proposed to address same. Construction Phase: Cumulative noise impact from construction was assessed based on a worst-case scenario i.e. all plant and equipment operating simultaneously, at each noise sensitive location. The cumulative noise impact from the construction activities						

	without mitigation was predicted not to comply with the project criteria. It is not anticipated that the vibration will have a negative impact on the sensitive receptors. Mitigation measures have been specified to control the noise and vibration impact from construction activities. This includes the use of screening via hording, low noise plant and construction noise and vibration monitoring.		
Appendices	Raw Unattended Noise Measurement Data		
Difficulties	No issues encountered while compiling this chapter.		
Issues:	- No significant issues or concern on the topic of Noise and Vibration were raised in the planning authority's assessment of the application. The PA's decision includes conditions to address noise, including C.42 which requires the submission of a final CMP (including noise control measures), C. 50 which requires compliance with the Acoustic Design Statement (also covered under C. 1) and C.58 which requires use of Best Practice Measures to prevent / minimise noise during construction. - The Parkmore Appellants are concerned that the public area (POS 2 and internal road) to the south of existing properties in Parklands Estate would generate noise from human activity, traffic etc that would impact on existing residential amenity. This issue is addressed in more details in Section 8.4 of the planning assessment. - General concerns raised by third parties at application stage in relation to construction related noise. - The HSE in their report to the planning authority advised that in the context of noise and vibration that the Avoidance, Remedial and Mitigation Measures listed under Section 12.8 of EIAR are set as minimum conditions of planning and that the use of electric powered plant and machinery should be considered not only as a noise mitigation measure but another way to reduce green-house gas emissions during the construction phase.		
Impacts	Construction Phase	Operational Phase	Cumulative

	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Result
Noise	Construction noise impacts are expected to vary during the construction phase of the project; this impact will depend on the distance between the construction activities and noise sensitive receptor.	Best practice noise and control measures including includes the use of screening via hoarding, low noise plant and construction noise monitoring.	Predicted Neutral, slight and short-term. Any residual impact of construction noise on sensitive receptors would be temporary and managed through the implementation of mitigation measures.	Noise from plant and equipment. Noise from external plant and equipment has been assessed to meet the required standards, ensuring that operational effects remain minor and localised.	Mitigation by Design and construction. Note: application is accompanied by an Acoustic Design Statement.	It is anticipated that the operational phase will have minimal residual effects on the surrounding environment during both the daytime and night-time periods.	Cumulative noise impacts are predicted to be negligible, localised, and compliant with relevant criteria, ensuring that they remain within acceptable levels.
				Noise from the usage of external amenity spaces, playgrounds and the creche. No significant effects predicted.			

				Inward Noise. No significant effects predicted.			
Traffic	The development is expected to contribute minimal traffic volumes in the area. The increase in traffic related noise levels over baseline figures is predicted to be no more than 0.5dBA at the noise sensitive receptors identified for this project.	Best practice measures including a restriction on the dropping and loading of material to less sensitive hours. Note: the application documentation includes CEMP with proposals for Traffic Maangment	Predicted Neutral, slight and short-term.	In both the “Do-Nothing” and “Do-Something” scenarios, increase in traffic related noise levels over baseline figures is predicted to be no more than 1dBA at the noise sensitive receptors	N/A	Imperceptible	
Vibration	Vibration impact is not anticipated for most of the construction stage; some vibration is	Precautionary vibration monitoring at the boundary with the	Predicted Neutral,	None	N/A	N/A	N/A

	expected to be generated during the substructure stage where piling operations are proposed. No significant impacts are anticipated.	nearest sensitive receptors to be undertaken during construction	Imperceptible, and short-term. Any residual impact of construction vibration would be temporary and managed through the implementation of mitigation measures.				
Conclusion	I have examined, analysed and evaluated Chapter 12 of the EIAR and the submissions on file in respect of noise. I am satisfied that the applicant's understanding of the baseline environment, by way of desktop and noise surveys etc, is comprehensive and that the key impacts in respect of likely effects due to increased noise and / or vibration, as a consequence of the development have been identified. Parties to the appeal/application have raised issues relating to construction and operational noise and the potential impacts on some of the residential amenities of neighbouring properties. It is acknowledged in the EIAR that the cumulative noise impact from the construction activities on sensitive receptors, without mitigation, would not comply with the project criteria. However, having regard to the temporary nature of construction works, and the mitigation measures proposed which include the appointment of a Public Liaison Officer to liaise with residents on noise related issues, to act as a point of contact for all complaints and to take responsibility for reviewing the noise monitoring results and exceedances, I am satisfied that the impact is acceptable in the context of the appropriate development of these lands and the provision of much needed housing. I am satisfied, on the basis of the information contained in Chapter 12, that subject to proposed mitigation no significant vibration impacts during construction will arise, that effects from increase in traffic during construction and operational phases of the proposed						

	development will not be significant. Further, as discussed in section 8 above, I am satisfied that the operational noise impacts on neighbouring properties in Parklands would not be significant or beyond the norms of what is to be expected within a residential area.
Topic:	Traffic and Transport (EIAR Chapter 13)
Summary	This chapter assesses and evaluates the impact of the proposed development on the surrounding traffic flow, traffic safety and transport infrastructure during the construction and operational phases. It is to be read in conjunction with the Transport Impact Assessment (TIA) and its appendices, which outline related impacts arising from the proposed development, and proposed measures to mitigate the predicted impacts. The assessment methodology includes a combination of desk-based analysis, site survey data, qualitative and quantitative impact assessment, and consideration of potential impact mitigation requirements. The potential impacts of the proposed development have been defined by reference to the baseline traffic survey data, transport demand forecasting and traffic growth; traffic microsimulation modelling for the base year, opening year and forecast years; and detailed development design proposals. includes desk top studies, site visits and traffic surveys. During operation, it is predicted that the proposed development would generate 306no. two-way vehicle trips in the AM peak hour and 278no.two-way vehicle trips in the PM peak hour. Junction analysis for both junctions at R405/Griffin Rath Manor and R148/Dunboyne Road indicate that both junctions can operate within their respective capacities and can accommodate the projected traffic growth in 2045, and the projected traffic associated with the proposed development. During the construction phase, all construction vehicles accessing and egressing the site will do so from the MERR. Vehicular access to the proposed development will be via a new signalised junction on the Maynooth Eastern Ring Road (MERR). A secondary site access is also proposed via a new T-junction on the MERR on the south side of the site. The EIAR anticipates that MERR will be fully open prior to the occupation of the proposed development. Pedestrian and cycle facilities within the site will be provided in accordance with the Design Manual for Urban Roads and Streets [DMURS].

	The area is served by public transport in the form of bus and rail. Bus services along Straffan Road are approximately 15 minutes' walk from the proposed site. Services will be enhanced under BusConnects with increased capacity and frequency. The Maynooth Train Station is within 20 minutes of walking distance from the proposed development. It is served by the Commuter Service and Intercity Service. The Commuter Service runs between Dublin Connolly Station and Maynooth with a frequency of 15-30 minutes. The Intercity Service runs between Dublin Connolly Station and Sligo with a frequency of 2-3 hours. The public transport capacity assessment conducted for the proposed development indicates that the proposed development can easily be absorbed by the adjacent public transport network of services. A Mobility Management Plan accompanies this application (including in TIA). The MMP includes measures that will be implemented by the management company to promote more sustainable forms of transport to staff/ visitors of the proposed development.
Appendices	Traffic Analysis
Difficulties	The EIAR identifies no particular difficulties in completing this section. There is no major impact of the main development on the surrounding junctions. It is noted that traffic demand generation calculated are estimated using the TRICS Software. TRICS is a database of various development types throughout Ireland and the UK, which allows the trip generation of new developments to be accurately calculated on similar sites in similar locations. Actual no. of trips may change based on other development around the site.
Issues:	3rd-parties to this appeal have raised concerns regarding the potential impact on existing residential amenity by way of traffic related noise / disturbance arising from the use of internal roads during the operational phase. Cul-de-sac should be reconfigured away from existing properties. Objections have also been raised relating the potential future provision of a permeability link with Parklands Lawns, the residential development to the north of the site. These matters have been addressed in the Section 8 above. Third parties to the application raised concerns regarding the impact of construction and operational traffic on the local road network and neighbouring land uses, include the existing school. There was a concern that traffic, in particular construction traffic would access the site via the Celbridge Road by way of 'The Grange' a new residential scheme currently under construction to the south. Additional traffic during both construction and operational phases will exacerbate existing pressures on the local road network, increased emissions and significantly heighten the risk to vulnerable road users along the Celbridge Road (R405). The case was made that access to and from

	the development should only be from the MERR. There was also the concern that the proposed LRD would be premature pending the delivery of the MERR. No over spill parking in Parklands Estate. The grant of permission issued by the PA, includes several conditions relating to traffic and transport, the majority of which are standard for a development of the nature and scale proposed. C. 7(e) requires no occupation of residential units until the MERR, and associated infrastructure works is complete and operation. C. 24 requires that prior to the commencement of development the developer provide access points onto the Maynooth Eastern Ring Road (MERR), including the proposed signalised junction. Conditions 7(e) and 24 are subject to a first party appeal which is considered in Section 8 above.						
Impacts	Construction Phase			Operational Phase			Cumulative
	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Result
Traffic	Key characteristic effecting traffic and transportation during the construction phase include the volume and frequency of construction vehicle movements, temporary changes to local road networks or access points, and the transportation of	Range of integrated control measures and associated management initiatives outlined in: Construction & Environmental Management Plan (CEMP)	Following the implementation of the identified construction phase mitigation measures, the residual effects on traffic and transportation are not	Key characteristics affecting traffic and transport during the operational phase include the number and type of dwelling units, parking provision, site access points, and the internal road network design.	Mobility Management Plan (MMP)	Following the implementation of the identified operational phase mitigation measures, the residual effects on traffic and transportation	No predicted cumulative impacts arising from the construction or operational phase.

	materials and workers to and from the site. The phasing of construction activities and the location of site compounds and storage areas also influence traffic patterns and potential disruptions to existing road users.	Construction Traffic Management Plan (CTMP) and Construction Waste Management Plan Monitoring: • adherence to CEMP and CTMP • cleanliness of adjacent road network,	considered significant.			are not considered significant.	
Analysis	I have examined, analysed and evaluated Chapter 13 of the EIAR, all of the associated documentation and submissions on file in respect of Traffic and Transport. I am satisfied that the applicants understanding of the baseline environment is comprehensive and that the key impacts in respect of likely effects on Traffic and Transport, as a consequence of the development have been identified. Parties to the appeal have raise issues in respect of Traffic and Transport, these issues are addressed in detail in Section 8 above. The following is noted: • During the construction phase, all construction vehicles accessing and egressing the site will do so from the MERR. The predicted construction HGV and staff vehicle generation levels are lower than those predicted during the operational stage. The						

	impact at construction stage is predicted to be imperceptible to not significant and therefore lower vehicular traffic generated at construction stage is predicted to have a lesser impact compared to the operational stage. • Vehicle movements during construction will ultimately depend on the construction approach, methodology and sequencing of the main contractor. Details of the proposed vehicle movements during construction will be outlined within the finalised Construction Environmental Management Plan (CEMP) requested by condition). • Regarding impacts from construction traffic, having considered the information outlined in Chapter 13 of the EIAR I am satisfied that with the application of the Construction & Environmental Management Plan (CEMP) and the associated Construction Traffic Management Plan (CTMP) the impact of construction traffic on the local road network and on properties in the area would not be significant. • Regarding prematurity of the MERR, it is noted that the MERR is currently under construction. KCC's road department, in their report to the planning authority anticipates a 2-year timeframe for completion. As discussed in the Planning Assessment (Section 8) The phasing of the development is to be conditioned to align with MERR delivery. • Regarding traffic noise and the impact on existing properties, as discussed in the planning assessment (Section 8) I am satisfied that the level of noise generated on the internal road network would not be significant or go beyond the norms of what is to be expected within a residential area. • The TIA demonstrates that the local road network can accommodate the scale of development proposed.
Conclusion	Having regard to the examination of environmental information in respect of Material Assets – Traffic and Transportation, in particular the EIAR, and the submitted Traffic and Transport Assessment and Mobility Management Plan, the report of the planning authority and the appeal submissions, it is considered that the proposed development would not have a significant direct, indirect, and/or cumulative effects on Traffic and Transportation.
Topic:	Material Assets (EIAR Chapter 14)
Summary	This chapter considers the key aspects relating to material assets of a human origin of the proposed development site and the surrounding area, namely waste, potable water supply, wastewater discharge, electricity and gas supply and telecoms. Traffic and transportation are dealt with separately in chapter 14. The Material Assets chapter describes existing services to the application site and

	describes the predicted impacts which the development may have on these services and finds that there is adequate capacity for the proposed development. This chapter was prepared with reference to the specific criteria set out in European Commission, Guidance on the preparation of the Environmental Impact Assessment Report (2017) and the EPA's Guidelines on the information to be contained in Environmental Impact Assessment Reports (2022), both of which reflect the requirements of Directive 2014/52/EU. The Material Assets chapter sets out that no significant residual impacts are expected to occur during the construction phase, subject to the implementation of mitigation measures. During the operational phase of the development, a positive impact on the existing urban environment is predicted via the development of greenfield lands for the purpose which they are zoned for, the provision of high quality housing and neighbourhood centre facilities to cater for the needs of a growing population and to meet existing demand, and the delivery of supporting open space and roads infrastructure, which will facilitate access to the planned schools campus. The development is not expected to precipitate any significant residual impact on other material assets examined in this chapter.
Difficulties	No significant difficulties were encountered in the preparation of this chapter.
Issues:	No significant issues raised in the planning authority's assessment of the application or in the appeal. Uisce Éireann, in their report to the planning authority confirm that the applicant engaged in a Pre-Connection Enquiry and that a Confirmation of Feasibility (COF) and a Statement of Design Acceptance (SODA) for the proposed development were issued to the applicant advising that both water & wastewater connections are feasible subject to upgrades. In relation to Water, the COF notes that in order to facilitate this development, the main site connection shall be made to the Eastern Link Main following completion of the Maynooth East Relief Road (MERR) road project. Network upgrades may be required based on connection uptake by other developments. These upgrades would consist of approx. 600 metres of existing 400mm main to be upsized to 450mm. This requirement will be further determined at Connection Application stage.

	In relation to Wastewater, the COF notes, that in order to accommodate the proposed connection for this development, upgrade works are required to increase the capacity of the wastewater network in Maynooth. Uisce Éireann has a project on their current investment plan which will provide the necessary upgrade and capacity. This upgrade project (Maynooth Transfer Pipeline) is scheduled to be completed by Q2 2027 (this may be subject to change), and the proposed connection could be completed as soon as possibly practicable after this date. The east portion of the development proposes to connect to the MERR gravity network that then flows to a future strategic Wastewater Pumping Station (WWPS). Currently the scope of the MERR project is to deliver works within the MERR only, the required strategic WWPS is not currently on the Uisce Éireann investment plan therefore, the applicant would be required to fund this infrastructure at Connection Application stage. This would require: • Construction of new strategic WWPS and associated rising main to serve the entire area. • Provision of 24-hour storage and telemetry link to the Maynooth Pumping Station. • Completion of the MERR by third parties. • Connection to the network from the east portion of the site draining to the strategic WWPS can be facilitated prior to completion of the upgrade project subject to construction and commissioning of the strategic WWPS and rising main being completed. Network upgrades may also be required based on connection uptake by other developments. These upgrades would consist of existing gravity sewer upsizing works. This requirement will be further determined at Connection Application stage						
Impacts	Construction Phase			Operational Phase			Cumulative
	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Potential, Direct and Indirect Effects	Mitigation and Monitoring	Residual	Result
Urban Settlements	Temporary impacts existing urban settlement due to disturbance and		No residual impact	Positive impact: delivery of housing and critical mass to support existing and	-	positive impact	positive and permanent impact cumulatively on

	additions to local population			permitted facilities and public transport infrastructure.			the urban settlement of Maynooth.
Ownership and Access	Temporary Disturbance		No residual impact	Overall positive: increased connectivity and permeability	-	positive impact	
Foul Water Disposal	Connects may lead to short term impacts	Provision of utilities will be carried out in accordance with the recommendations of the relevant statutory bodies and providers	No residual impact	Increased foul discharge and reduced capacity of the public foul sewer			The cumulative effects of development on electrical supply, telecoms and municipal waste are anticipated to be negligible.
Potable Water Supply	potable water connections will primarily comprise trench excavations conducted in parallel with the other services.	Provision of utilities will be carried out in accordance with the recommendations of the relevant	No residual impact	increase the demand on the existing supply – additional loading on network	Water Metering will be included in each unit to record		

	Short term and imperceptible	statutory bodies and providers			consumption.		
Surface Water Disposal	potential adverse impact on the Rye Water during the construction	See Chapter 5 Biodiversity and 9 Water / Hydrology	No residual impact	increased impermeable areas would reduce local ground water recharge and potentially increase surface water flow to the river.	SUDS	No residual impact	
Electric Supply	temporary connection	Provision of utilities will be carried out in accordance with the recommendations of the relevant statutory bodies and providers	No residual impact	increase the demand on the existing supply- negligible.	None required	No residual impact	
Telecoms	Possible diversion existing fixed telecom lines – disruption	Provision of utilities will be carried out in accordance with the	No residual impact	marginal increase in demand	None required	No residual impact	

		recommendations of the relevant statutory bodies and providers					
Municipal Waste	Waste generated during construction	Outline Construction Waste Management Plan	No residual impact	Increased demand on municipal waste disposal	Mitigation by design Operational Waste Manageme nt Plan. Proposed waste storage facilities support segregated waste collection.	No residual impact	
Conclusion	I have examined, analysed and evaluated Chapter 14 of the EIAR and all of the associated documentation and submissions on file in respect of material assets. Having regard to the nature, the application documentation and the associated appendix, it is considered that the Chapter adequately demonstrates an understanding of the potential impact of the proposed development on material assets (service infrastructure and utilities) and I am satisfied that the subject development will not give rise to significant direct, indirect, or cumulative effects.						

	The development of this site as proposed is reliant upon infrastructure up-grades for water supply and wastewater treatment. This has been confirmed by UE in in their Confirmation of Feasibility issued on the 13th of June 2025 and in their report to the planning authority (Nov. 2025). The applicants have submitted a phasing plan (RFI stage) which demonstrates how the development is to be phased in line with infrastructure delivery. During the operational phase of the development, a positive impact on the existing urban environment is predicted via the development of greenfield lands for the purpose which they are zoned for, the provision of high quality housing and neighbourhood centre facilities to cater for the needs of a growing population and to meet existing demand, and the delivery of supporting open space and roads infrastructure, which will facilitate access to the planned schools campus. The development is not expected to precipitate any significant residual impact on other material assets examined in this chapter.
Conclusion	Having regard to the examination of environmental information it is considered that by virtue of the capacity of existing infrastructure, planned infrastructure upgrades, phasing plan the nature and design of the development and the proposed standard construction mitigation measure, there is no potential for significant environmental effects on Material Assets of the area.

9.6. Risk of Major accidents or Disasters:

- 9.6.1. No issues have been raised by any party to the appeal/application in respect of major accidents and disasters. The Risk of Major Accidents or Disasters is addressed in the Population and Human Health Chapter of the EIAR (as amended).
- 9.6.2. The EIAR notes, having regard to the topography, nature and location of the subject site, that it is not considered likely that there will be any impact related to a major accident or disaster during the construction phase of the proposed development, stemming internally from within the development, or externally. While adverse weather conditions may arise during the construction period, including periods of heavy rainfall or elevated temperatures, these do not constitute major accident or disaster risks in the context of the proposed development and will be managed through standard construction methodologies and the implementation of a Construction and Environmental Management Plan. Accordingly, no likely significant impacts related to major accidents or disasters are anticipated during the construction phase.
- 9.6.3. During the operational Stage, the EIAR notes that the proposed development will be located on land which is not at any significant accident or disaster risk. The traffic arrangements and parking have been designed so as to avoid any risk of a major accident associated with the surrounding road network. The site is located within Flood Zone C and is appropriately sited and designed to minimise the risk of flood impacts on the development, as set out within the Flood Risk Assessment Report. The proposed development is considered compliant with the Planning System and Flood Risk Management Guidelines, with the FRA concluding by stating that *“The consulted sources indicate that no area of the subject site is liable to flood from fluvial, coastal or groundwater sources. All sources indicate that there is a low risk of flooding on site and that the site is within Flood Zone C, ensuring it is appropriate for residential and commercial developments.”* The EIAR considers that there is no significant risk related to major accidents or disasters, external or internal, man-made or natural in respect of the proposed development.

9.6.4. The EIAR concludes that the proposed development site does not present risks of major accidents or disasters, either caused by the scheme itself or from external manmade or natural disasters.

9.6.5. Having regard to the location of the site, the nature and design of the development proposed, and standard construction methods proposed I am satisfied that there is no potential for any significant direct, indirect or cumulative effects on the potential for Major Accidents and Disasters as a result of the proposed development.

9.7. Cumulative Effects

9.7.1. Third parties to the application allege that the EIAR omits cumulative analysis with adjacent permitted developments, KCC Ref: 21155 (ABP Ref.: 312671-22) and KCC Ref: 21156 (ABP Ref.: 312685-22) contrary to Directive 2014/52/EU and EPA (2002) guidelines table 2.3, which requires cumulative traffic noise and water services assessment. They contended that this omission renders the EIA deficient under the planning and development regulations 2002 schedule 6.

9.7.2. Each individual chapter provides an assessment of the cumulative impact of the development. The projects considered in relation to the potential for cumulative impacts arising from the Proposed Development are set out in Appendix 2-1 of the EIAR. I note that the projects listed include KCC Ref: 21155 (ABP Ref.: 312671-22) and KCC Ref: 21156 (ABP Ref.: 312685-22). The methodology adopted for the cumulative impact assessment and justification for the extent of the study areas for each topic are discussed Chapter 2, section 2.6 of the EIAR.

9.7.3. I am satisfied that the EIAR has adequately addressed the cumulative impact. The proposed development could occur in tandem with the development of other sites that are zoned in the area. Such development would be unlikely to differ significantly from that envisaged under the Kildare County Development Plan 2023-2029 (as varied) which has been subject to Strategic Environment Assessment. Its scale may be limited by the provisions of KCDP, and its form and character would be similar to the development proposed in this application. Regarding KCC Ref: 21155 (ABP Ref.: 312671-22) and KCC Ref: 21156 (ABP Ref.: 312685-22), it is noted that both of

these developments are currently under construction and nearing completion. Therefore, it is unlikely that any significant cumulative construction impacts with these projects would arise.

- 9.7.4. The actual nature and scale of the proposed development is in keeping with the zoning of the site and the provisions of the KCDP, MEJLAP and national policy. The proposed development is not likely to give rise to environmental effects that were not envisaged in the plans that were subject to SEA. It is, therefore, concluded that the cumulation of effects from the planned and permitted development and that currently proposed would not be likely to give rise to significant effects on the environment other than those that have been described in the EIAR and considered in this EIA.

9.8. Transboundary Effects

- 9.8.1. Given the location of the proposed development there is no potential for significant transboundary effects.

9.9. Interactive Impacts (updated)

- 9.9.1. Chapter 15 of the EIAR identifies, describes and assesses the potential interactive impacts of the proposed development during its construction and operation. Table 15.1 of the EIAR provides a summary of interactions which is set out in matrix format.
- 9.9.2. I have considered the interrelationships between factors and whether these might as a whole affect the environment, even though the effects may be acceptable on an individual basis. Having considered the mitigation measures in place, no residual risk of significant negative interaction between any of the disciplines was identified and no further mitigation measures were identified.

9.10. Mitigation Measures

- 9.10.1. Chapter 16 provides a summary of the recommended mitigation measures and monitoring.

9.11. Reasoned Conclusion;

9.11.1. I consider that the EIAR (as amended) provided information which is reasonable and sufficient to allow the Commission to reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment. I am satisfied that the information contained in the EIAR is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU.

9.11.2. Having regard to the examination of the environmental information contained above, and in particular the EIAR (as amended) and supplementary information provided by the applicant, and the submissions from third parties and from prescribed bodies in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

Population and Human Health:

- Positive socioeconomic effects on population and human health associated with increased employment and demand for services during the construction phase. Positive effects from the provision of additional housing in a mix of house types and tenure, the additional childcare facility, the additional community space and additional local services in the form of a health centre and retail units and the provision public open space and recreational facilities.
- Construction-related impacts in the form of disturbance, noise, vibration, dust, contaminants, and traffic etc would be temporary and short term and mitigated / managed by a suite of appropriate construction phase management measures, including dust management, the control of construction hours and the implementation of a construction traffic management plan, resulting in no significant residual impacts during construction.

Biodiversity:

- Construction stage would result in the loss and / or damage / fragmentation of habitat. The loss of existing hedgerow / tree lines and grassland cover resulting in a reduction foraging opportunities, habitat connectivity and structural diversity within the Site. However, this would be compensated through the implementation of the landscaping scheme which provides an overall Net increase of hedgerow (396m) and treeline 1,647m within the site

and though the implementation of a Biodiversity Management Plan for the site.

- Direct / indirect effects from the disturbance and/or displacement of fauna during construction and operational stage, would be mitigated by further pre-commencement surveys, a suite of appropriate construction phase management (included in a Construction and Environmental Management Plan), lighting design, the appropriate timing of works and various enhancement measures including the provision of bird boxes, swift bricks, bat boxes, pollinator friendly planting and unmanaged log piles. Mitigation to control the spread of invasive species (Cherry Laurel) has also been proposed, this would be finalised through the submission of an Invasive Species Management Plan, requested by way of condition.

Land, Soil, Water, Air and Climate:

- The development of these lands would result in the loss of and removal of in-situ soil but would facilitate appropriate development and improved amenities in accordance with the proper planning and sustainable development of the area.
- Direct negative effects arising for land, soils and geology during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including several pollution prevention and control measures resulting in imperceptible residual impacts on land, soils and geology.
- Impacts on groundwater and surface water quality, would be mitigated by standard good practice measures including a Construction Environmental Management Plan, by the implementation of suitably designed drainage infrastructure and Sustainable Urban Drainage System (SuDS) measures and connection to public mains water and wastewater networks.
- No significant impacts on climate and air quality are anticipated due to the nature and scale of the development.
- Potential effects arising from noise and vibration during construction which will be mitigated by appropriate construction management measures.

Material Assets, Cultural Heritage and the Landscape:

- Direct negative impacts on nine known archaeological features discovered on site during test trenching would be appropriately mitigated through further archaeological investigations and perseveration by record (fully excavated by hand) in advance of construction. Direct impacts on unknown / undiscovered archaeological remains / features during the construction phase would be mitigated by appropriate archaeological monitoring with provision made for resolution of any archaeological features / deposits that may be identified, resulting in no residual impacts for archaeological, architectural and cultural heritage.
- The proposed development will fundamentally alter the character and appearance of the landscape; however, once operational, the proposed development will read as part of the built-up area and would have no significant direct or indirect effects on the landscape, visual amenity of the area or on any protected view.
- Potential for light short-term negative impacts in terms of **construction traffic** to be mitigated as part of a Construction and Environmental Management Plan. There will be no significant negative impact on traffic junctions in the immediate area in the operational phase and any potential impact will be mitigated by way of design and through the implementation of a Mobility Management Plan.
- Potential effects on waste management during construction will be mitigated by a Construction and Environmental Management Plan, a Construction Demolition Waste Management Plan.

9.12. The EIAR has considered that the main significant direct and indirect effects of the proposed development on the environment would be primarily mitigated by environmental management measures, as appropriate. The assessments provided in many of the individual EIAR chapters are satisfactory to enable the likely significant direct environmental effects arising as a consequence of the proposed development to be satisfactorily identified, described and assessed. The environmental impacts identified are not significant and would not justify refusing permission for the proposed development or require substantial amendments.

10.0 AA Screening

10.1. I refer the Commission to Appendix 1 of this report.

10.2. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Rye Water Valley/Carton in view of the sites conservation objectives and that Appropriate Assessment under the provisions of Section 177U was required.

10.3. Following an examination, analysis and evaluation of the NIS, all associated material submitted (see appendix 1) I consider that adverse effects on site integrity of the Rye Water Valley/Carton can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

10.3.1. My conclusion is based on the following:

- The nature, scale and location of the proposed development.
- The contents of the applicants Natura Impact Statement.
- Detailed assessment of construction and operational impacts.
- Effectiveness of mitigation measures proposed in the Natura Impact Statement, EIAR and the outline Construction & Environmental Management Plan.
- Application of planning conditions to ensure the mitigation measures proposed are undertaken.

11.0 Water Framework Directive

11.1. I refer the Commission to Appendix 2 of this report.

11.2. The purpose of the Water Framework Directive (WFD) is to protect and enhance all waters as well as water dependent wildlife and habitats, with the aim to achieve 'good' water quality status for all waters subject to the WFD and to mitigate against the risk of a decline in the water body quality and quantity status.

11.3. The proposed development comprises large scale residential development of 589no residential units, a neighbourhood centre and public park (refer to section 2 for details). No water deterioration concerns were raised in the planning appeal.

- 11.4. I have assessed the proposed development having regard to the information provided in the application documentation which includes Appropriate Assessment Screening Report and Natura Impact Statement; Environmental Impact Assessment Report; Site-Specific Flood Risk Assessment (SSFRA) and outline Construction Environmental Management Plan and publicly available information on www.catchments.ie.
- 11.5. The Proposed Development site is located within the Liffey and Dublin Bay catchment (Catchment I.D 09) and the Liffey_SC_080 sub catchment (Sub-catchment I.D. 09_5) (EPA, 2025). The closest waterbody is the Royal Canal (IE_09_AWB_RCMLE) which lies approximately 428m north of the Site. The WFD ecological potential status of the Grand Canal for the 2016-2021 period was classed as 'Good' (EPA, 2025). The Royal Canal flows west to east and eventually discharges into the Liffey Estuary Lower (IE_EA_090_0300), 22.59km east of the Site, which flows into Dublin Bay (IE_EA_090_0000) approx. 30km east of the Site. The Liffey Estuary Lower has a status of 'Moderate' and is projected to be 'At Risk' of not achieving its WFD objectives (EPA, 2025).
- 11.6. The Maynooth stream is 469m northwest of the Site within the town of Maynooth. The Maynooth stream flows northwards into the Lyreen 09 (IE_EA_09L020100), and then the Rye Water (IE_EA_09R010600), which flows west to east and lies 1.3km north of the Site. The Rye water flows into the River Liffey (IE_EA_09L011900) approx. 5.7km east of the Site, which also eventually flows into the Dublin Bay. The WFD ecological potential status of the Rye Water for the 2016-2021 period was classed as 'Moderate', but it is projected to be 'At Risk' of not achieving its WFD objectives (EPA, 2025). The Liffey has a 'Good' status and its risk of achieving its WFD objectives is under review (EPA, 2025). The EPA water quality monitoring data for the stations on the Rye water and Liffey located closest to the Site is summarised in Table 5.6. The reported Q-value results indicate that water quality in the Lyreen and Rye Water in the vicinity of the Site is "Poor" and "Moderate". The EPA data indicates that macroinvertebrates were the main drivers of Q value for the water course for the period 2016-2022 (EPA, 2025).
- 11.7. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground waterbodies, in order to reach good

status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no significant risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

11.8. The reason for this conclusion is as follows:

- The location of the development at the edge of the built-up area
- The nature and design of the proposed development which includes the provision of Sustainable Urban Drainage Systems
- The absence of any surface water feature on site
- The location of the appeal site outside an area at risk of flooding (Flood Zone C).
- The effectiveness of the mitigation measures proposed in the NIS, EIAR and the adoption of a CEMP.

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 jeopardize any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

12.0 Recommendation

12.1. Having regard to the foregoing assessments, I recommend that permission be granted for the proposed development, subject to conditions, and for the reasons and considerations set out in the following Draft Order.

13.0 Reasons and Considerations:

Having Regard To:

- (a) The location of the site within the development boundary of Maynooth and within the Railpark Key Development Area as designated under the Maynooth Environs Joint Local Area Plan 2023 – 2029
- (b) Policies and objectives for the area as set out in the Maynooth Environs Joint Local Area Plan 2023 – 2029, including the zoning objectives for the subject site, and the permitted uses therein.
- (c) 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,
- (d) Policies and objectives set out in Project Ireland 2040 – National Planning Framework, First Revision (April 2025) and the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031,
- (e) Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness
- (f) The provisions of Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January 2024.
- (g) The provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in July 2025.
- (h) The provisions of the Urban Development and Building Heights Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in December 2018
- (i) Childcare Facilities, Guidelines for Planning Authorities, 2001.
- (j) Development Management Guidelines, 2007
- (k) The provisions of the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of Environment, Community and Local Government in 2019.

- (l) The Climate Action Plan 2025 prepared by the Government of Ireland
- (m) The objectives and targets of the National Biodiversity Plan 2023-2030
- (n) to the pattern of existing and permitted development in the area
- (o) the submissions received.
- (p) The grounds of appeal
- (q) The reports from the Planning Authority.

it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable density of development in this suburban 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 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.

14.0 **Recommended Draft Order**

14.1. **Appeal By:** Michelle Maguire, Pat Monaghan, Mary Leydon, Martina Walsh and Others and Parklands Residents Association against the decision made on the 7th of May 2026 by Kildare County Council to grant permission to Cozone Ventures Limited and by Cozone Ventures Limited against conditions as attached to the grant of permission issued on the 7th of May 2026.

14.2. **Proposed Development:**

14.2.1. The proposed development will consist of a 10-year planning permission for a large-Scale Residential Development (LRD) comprising:

581 no. residential units, a neighbourhood centre and all associated development, on a site of approximately 15.27 hectares. The residential component of the development consists of 185 no. apartment / duplex apartments and 396 no. houses to be provided as follows: • 59 no. 2 bed two storey mid terraced houses; • 52 no. 3 bed two storey mid terrace houses; • 223 no. 3 bed two storey end terrace/semi-

detached houses; • 58 no. 4 bed two storey semi-detached houses; • 4 no. 4 bed two storey detached houses; • 185 no. duplex apartments / apartments (53 no. 1 beds, 92 no. 2 beds, 40 no. 3 beds) in a series of 3 to part 6 storey duplex apartment blocks / apartment blocks. The proposed neighbourhood centre consists of 3 no. buildings (Block A, Block B and a single storey standalone café / restaurant kiosk building) and a new public plaza and communal open space. Block A is part 5 storey / part 6 storey building comprising health centre (174 sq.m.) and two no. shop units (124 sq. m pharmacy and 166 sq. m convenience shop) at ground floor level and 41 no. apartments (17 no. 1 beds and 24 no. 2 beds) from first to fifth floor level. Block B is a 5-storey building block comprising a childcare facility (762 sq.m.) at ground floor level and 48 no. apartments (21 no. 1 beds and 27 no. 2 beds) from first to fourth floor level. 96 no. duplex apartments units (12 no. 1-bed, 48 no. 2-bed, and 36 no. 3-bed units) are provided in 5 no. blocks (Blocks 1 to 5) ranging from 3 no. storeys to 5 no. storeys. All duplex apartments and apartment units are provided with a balcony, terrace or private garden on all elevations. A total of 888 no. surface car parking spaces are proposed for residential units, visitor parking and the neighbourhood centre commercial uses. A total of 623 no. cycle spaces are proposed for long stay/residents. 42 no. spaces for the neighbourhood centre, commercial uses and 93 no. short stay/visitor cycling parking spaces. The proposed includes significant public open space including a new local park, linear park, and pocket parks, children's play areas and ancillary play area for the childcare facility. The development includes hard and soft landscaping, lighting, boundary treatments, and communal open spaces areas. The proposed development provides for 2no. vehicular accesses from the permitted Maynooth Eastern Ring Road (MERR) including a new pedestrian /cyclist signalised crossing, associated internal roads, pedestrian and cycle infrastructure, set down areas, bin and bike stores, paths and access points provided up to the application site boundary to provide for potential future connections to adjoining lands to the north and south. The development includes foul and surface water drainage, 6 no. ESB substations, green roofs, PV panels, plant, services and all associated ancillary site works and development.

As revised by the notices of Further Information received by the planning authority on the 13th of March 2026.

14.3. **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.

14.4. **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 submissions and observations received by it in accordance with statutory provisions.

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

- (a) The location of the site within the development boundary of Maynooth and within the Railpark Key Development Area as designated under the Maynooth Environs Joint Local Area Plan 2023 – 2029
- (b) Policies and objectives for the area as set out in the Maynooth Environs Joint Local Area Plan 2023 – 2029, including the zoning objectives for the subject site, and the permitted uses therein.
- (c) 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,
- (d) Policies and objectives set out in Project Ireland 2040 – National Planning Framework, First Revision (April 2025) and the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031,
- (e) Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness

- (f) The provisions of Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January 2024.
- (g) The provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in July 2025.
- (h) The provisions of the Urban Development and Building Heights Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in December 2018
- (i) Childcare Facilities, Guidelines for Planning Authorities, 2001.
- (j) Development Management Guidelines, 2007
- (k) The provisions of the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of Environment, Community and Local Government in 2019.
- (l) The Climate Action Plan 2025 prepared by the Government of Ireland
- (m) The objectives and targets of the National Biodiversity Plan 2023-2030
- (n) to the pattern of existing and permitted development in the area
- (o) the submissions received.
- (p) The grounds of appeal
- (q) The reports from the Planning Authority.
- (r) The report of the Planning Inspector

14.5. Environmental Impact Assessment (EIA):

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

- (a) The nature, scale, location and extent of the proposed development,

- (b) The environmental impact assessment report and associated documentation submitted with the application,
- (c) The submissions from the planning authority, applicant, third parties and prescribed bodies in the course of the application; and
- (d) The report of the Planning Inspector's.

The Commission considered that the Environmental Impact Assessment Report, updated by the Environmental Impact Assessment Addendum Report received by the planning authority on the 6th of March 2026 and supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Commission is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU.

Having regard to the examination of environmental information contained above, and in particular in the EIAR (as amended) and supplementary information provided by the applicant, and the submissions from the planning authority, prescribed bodies and the third-party appellant, the Commission considered and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are:

Population and Human Health:

- Positive socioeconomic effects on population and human health associated with increased employment and demand for services during the construction phase. Positive effects from the provision of additional housing in a mix of house types and tenure, the additional childcare facility, the additional community space and additional local services in the form of a health centre and retail units and the provision public open space and recreational facilities.
- Construction-related impacts in the form of disturbance, noise, vibration, dust, contaminants, and traffic etc would be temporary and short term and mitigated / managed by a suite of appropriate construction phase management measures, including dust management, the control of construction hours and the implementation of a construction traffic management plan, resulting in no significant residual impacts during construction.

Biodiversity:

- Construction stage would result in the loss and / or damage / fragmentation of habitat. The loss of existing hedgerow / tree lines and grassland cover resulting in a reduction foraging opportunities, habitat connectivity and structural diversity within the Site. However, this would be compensated through the implementation of the landscaping scheme which provides an overall Net increase of hedgerow (396m) and treeline 1,647m within the site and through the implementation of a Biodiversity Management Plan for the site.
- Direct / indirect effects from the disturbance and/or displacement of fauna during construction and operational stage, would be mitigated by further pre-commencement surveys, a suite of appropriate construction phase management (included in a Construction and Environmental Management Plan), lighting design, the appropriate timing of works and various enhancement measures including the provision of bird boxes, swift bricks, bat boxes, pollinator friendly planting and unmanaged log piles. Mitigation to control the spread of invasive species (Cherry Laurel) has also been proposed, this would be finalised through the submission of an Invasive Species Management Plan, requested by way of condition.

Land, Soil, Water, Air and Climate:

- The development of these lands would result in the loss of and removal of in-situ soil but would facilitate appropriate development and improved amenities in accordance with the proper planning and sustainable development of the area.
- Direct negative effects arising for land, soils and geology during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including several pollution prevention and control measures resulting in imperceptible residual impacts on land, soils and geology.
- Impacts on groundwater and surface water quality, would be mitigated by standard good practice measures including a Construction Environmental Management Plan, by the implementation of suitably designed drainage

infrastructure and Sustainable Urban Drainage System (SuDS) measures and connection to public mains water and wastewater networks.

- No significant impacts on climate and air quality are anticipated due to the nature and scale of the development.
- Potential effects arising from noise and vibration during construction which will be mitigated by appropriate construction management measures.

Material Assets, Cultural Heritage and the Landscape:

- Direct negative impacts on nine known archaeological features discovered on site during test trenching would be appropriately mitigated through further archaeological investigations and perseveration by record (fully excavated by hand) in advance of construction. Direct impacts on unknown / undiscovered archaeological remains / features during the construction phase would be mitigated by appropriate archaeological monitoring with provision made for resolution of any archaeological features / deposits that may be identified, resulting in no residual impacts for archaeological, architectural and cultural heritage.
- The proposed development will fundamentally alter the character and appearance of the landscape; however, once operational, the proposed development will read as part of the built-up area and would have no significant direct or indirect effects on the landscape, visual amenity of the area or on any protected view.
- Potential for light short-term negative impacts in terms of **construction traffic** to be mitigated as part of a Construction and Environmental Management Plan. There will be no significant negative impact on traffic junctions in the immediate area in the operational phase and any potential impact will be mitigated by way of design and through the implementation of a Mobility Management Plan.
- Potential effects on waste management during construction will be mitigated by a Construction and Environmental Management Plan, a Construction Demolition Waste Management Plan.

14.6. **Appropriate Assessment (AA): - Stage 1**

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development, the documents submitted with the planning application and appeal including the Appropriate Assessment Screening Report, the Inspector's Report, and the submissions on file. In completing the screening exercise, the Commission adopted the report of the Inspector and concluded that it is not possible to exclude that the proposed development alone will give rise to significant effects on the Rye Water Valley/Carton SAC (Site Code: 001398) in view of the sites' Conservation Objectives, and that a Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement was, therefore, required.

14.7. Appropriate Assessment (AA): - Stage 2

The Commission considered the Natura Impact Statement submitted by the applicant and all other relevant documentation on the file and completed an Appropriate Assessment (Stage 2) of the implications of the project on the Rye Water Valley/Carton SAC (Site Code: 001398), in view of the sites' Conservation Objectives. The Commission considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment. The Commission concluded that the project, individually or in combination with other plans or projects, would not adversely affect the integrity of the Rye Water Valley/Carton SAC (Site Code: 001398) in view of the sites' Conservation Objectives and qualifying interests. This conclusion is based on the following:

- The nature, scale and location of the proposed development.
- The contents of the applicants Natura Impact Statement.
- Detailed assessment of construction and operational impacts.
- Effectiveness of mitigation measures proposed in the Natura Impact Statement, EIAR and the outline Construction & Environmental Management Plan.
- Application of planning conditions to ensure the mitigation measures proposed are undertaken.

14.8. Conclusions on Proper Planning and Sustainable Development:

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable density of development in this suburban 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 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 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and as amended by the further plans and particulars received by the planning authority on the 06th of March 2026 and 13th of March 2026, 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 period during which the development hereby permitted may be carried out shall be 10-years from the date of this order. Reason: Having regard to the nature, scale and location of the development, the Commission considers it appropriate to specify a period of validity of this permission in excess of five years
3.	The proposed development shall be delivered in accordance with the Local Infrastructure Housing Activation Fund (LIHAF) affordability commitment

	pertaining to the Maynooth Eastern Ring Road and in accordance with the signed letter of undertaking between the landowner / developer and Kildare County Council dated 25th October 2017, or any subsequent superseding written agreement. The developer shall show compliance with the requirements of this condition, prior to the occupation of the housing in the proposed development, unless otherwise agreed in writing with Kildare County Council. Reason: In the interest of the proper planning and sustainable development of the area.
4.	The mitigation measures contained in the Environmental Impact Assessment Report (EIAR) received by the Planning Authority on the 2nd of October 2025 and as revised by the Environmental Impact Assessment Addendum Report received by the Planning Authority on the 6th of March 2026, shall be implemented. Reason: To protect the environment
5.	The mitigation measures contained in the Natura Impact Statement (NIS), shall be implemented. Reason: To protect the environment
6.	Prior to the commencement of development, the Developer shall submit for the written agreement of the Planning Authority a revised Biodiversity Management Plan (BMP) that includes the following: (a) A revised meadow planting plan that shall prioritise natural regeneration and management using the local seed bank, rather than wholesale reseedling. (b) Provision of small mammal gaps linking back gardens to improve site permeability for species such as hedgehogs.

	(c) The creation of wildlife corridors around the boundary of the site, in line with the tree protective fencing. Reason: To ensure the best alignment of the BMP with the All-Ireland Pollinator Plan and to support mammals protected under the Wildlife Act.
7.	Prior to the commencement of development, the Developer shall submit for the written approval of the Planning Authority an invasive species management plan detailing the removal and disposal of Cherry Laurel (<i>Prunus laurocerasus</i>) and any other invasive non-native species identified on site. Additionally, no invasive non-native species (such as laurel of any kind) shall be introduced/planted through landscaping, and all planting shall be free of invasive contaminants. Reason: The purpose of this requirement is to prevent the spread and establishment of invasive non-native species, thereby safeguarding the ecological integrity of the site and its surroundings, in accordance with Kildare County Development Plan 2023-2029 Objective BI O16.
8.	All works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where they consider that the continuation of the works is likely to result in a significant pollution or siltation incident or impact on protected habitats or species, and on-site works will cease until authorised to continue by the planning authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period. Reason: To ensure compliance with mitigation measures and to protect biodiversity.
9.	Unless otherwise agreed in writing with the planning authority, prior to the commencement of development, the proposed development shall be carried out in accordance with the Phasing Plan submitted to the planning

	authority on the 6th of March 2026 and in accordance with the following criteria: (a) The creche facility shall be constructed as part of Phase 1 of the development and shall be completed to practical completion stage and made available for fit out and occupation prior to the commencement of Phase 2, (b) No more that 50% of the residential units within Phase 2 shall be occupied until such time as the Public Park (POS1) and all associated recreational facilities including the associated services building have been completed to the written satisfaction of the planning authority and have been made available for use. (c) The residential units permitted shall not be occupied until the Maynooth Eastern Relief Road (MERR), and associated infrastructure works have been completed and are operational to the satisfaction of the Planning Authority. The timing of each phase shall be subject to the following: - i. Prior to the commencement of the first phase and any subsequent phase, full details of all necessary infrastructure both on and off the site i.e. roads, drainage, water, sewerage, public lighting etc, required to fully service that particular phase shall be submitted to and agreed in writing with the Planning Authority. ii. Prior to the commencement of the first phase and any subsequent phase, full details of the public open space and car parking provision required to fully service that particular phase shall be submitted to and agreed in writing with the Planning Authority. iii. No development shall commence on any subsequent phase until the preceding phase has been completed to the satisfaction of the Planning Authority, including the provision of all necessary infrastructure required to fully service the preceding phase.
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	Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings. in the interests of proper planning & sustainable development.
10.	Prior to commencement of development, the Developer shall submit revised detailed design drawings addressing the recommendations of the Stage 1 Quality Audit, including pedestrian/cyclist permeability, tactile paving, safe zones in shared spaces, and cycle facility details. These shall be agreed in writing with the Planning Authority. Reason: In the interest of pedestrian, cyclist and vehicular safety.
11.	Details of the materials, colours and textures of all the external finishes to all proposed buildings and structures shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.
12.	(a) Details of all signage to be provided to commercial/non-residential units of the development shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development (b) Apart from the agreed signage, no additional signage, advertisement or advertisement structure (including that which is exempted development under the Planning and Development Regulations, 2001 (as amended)), shall be erected or displayed on the buildings or within the curtilage of the site unless authorised by a further grant of planning permission. (c) No external roller shutters or their housings, awnings, canopies or grilles, shall be erected without a prior planning permission. Reason: In the interest of clarity and visual amenity.

13.	Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s). Reason: In the interest of urban legibility
14.	<i>Prior to the commencement of development</i>, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and wastewater collection network. Reason: In the interest of public health and to ensure adequate water/wastewater facilities
15.	Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Council for such works and services. Reason: In the interest of public health and surface water management.
16.	<i>Prior to commencement of development</i>, the Developer shall submit final detailed drawings showing the integration of all SuDS measures with the internal road network and connections to the MERR drainage system. These shall confirm compliance with Kildare County Council SuDS Guidance Document (2024). Reason: In the interest of proper drainage arrangements and sustainable development.
17.	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. All

	existing over ground cables shall be relocated underground as part of the site development works. Reason: In the interests of visual and residential amenity
18.	Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. This scheme shall comply with a wildlife-friendly lighting strategy that minimises light spill, avoids illuminating retained or newly created habitats, and protect bat flight lines and commuting routes Details of the lighting design shall be submitted to the Planning Authority and agreed in writing prior to the installation. Reason: In the interest of amenity and public safety and to prevent disturbance and habitat fragmentation for nocturnal species
19.	<i>Prior to commencement of development</i>, the Developer shall submit a comprehensive site – specific Final Construction Management Plan and Traffic Management Plan for the written approval of the Planning Authority. These plans shall provide details of intended construction practice for the development with measures to reflect mitigation described in the submitted EIAR and NIS for the application and shall demonstrate full integration and coordination with the delivery and operation of the Maynooth Eastern Ring Road (MERR), including access arrangements, phasing, and traffic safety measures. No works shall commence until written confirmation of compliance is received. These plans shall: (a) Demonstrate full integration and coordination with the delivery and operation of the Maynooth Eastern Ring Road (MERR), including: • Permanent and temporary access arrangements • Phasing of works aligned with the MERR programme • Traffic safety measures and protocols for coordination with the MERR contractor.

	(b) Include detailed provisions for: • Haul routes for construction traffic • Noise control measures in accordance with BS 5228 and best practice • Measures to prevent debris and mud impacting the existing road network, including wheel-wash facilities and road sweeping (c) Measures to protect public safety, including compliance with the Department of Transport, Tourism and Sport (DTTAS) Traffic Signs Manual for all construction site warning signage. (d) The Planning Authority reserves the right to alter the Construction Management Plan in the event of traffic congestion or safety issues arising. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development. Reason: To manage construction activities, minimise disruption to the surrounding area, and safeguard public safety and residential amenity during the construction phase.
20.	<i>Prior to the occupation of any residential unit hereby permitted,</i> the Developer shall provide access points onto the Maynooth Eastern Ring Road (MERR), including the proposed signalised junction, as per ROD drawing 24.111-ROD-GEN-SW_AE-DR-CH 300001 received by the Planning Authority on the 06/03/2026. These proposals shall comply with the requirements of Kildare County Council's Traffic Management Section, the MERR Project Team and Kildare County Council Transport Mobility and Open Spaces Section and completed to the satisfaction of the Planning Authority. The proposed works shall tie into the MERR without necessitating any modifications to the approved MERR scheme. No

	alterations to the approved MERR layout shall be required to facilitate the proposed development. Reason: In the interest of traffic safety and the orderly development of the area.
21.	(a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and the design standards outlined in Design Manual for Urban Roads and Streets (DMURS) (b): Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. (c) Stage 2 and 3 Road Safety Audits shall be provided in accordance with the requirements of Kildare County Council. Reason: In the interest of amenity and of traffic and pedestrian safety.
22.	All roads and footpaths and cycleways shown to adjoining lands shall be constructed up to the boundaries to provide access to adjoining lands with no obstruction including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001, as amended. These areas shall be shown in a drawing which shall be submitted to and agreed in writing with the planning authority prior to commencement of development. Reason: In the interest of permeability and proper planning and sustainable development.
23.	(a) All the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points, and all of the in-curtilage car parking spaces serving residential units shall be

	provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. (b) Non-residential parking areas shall include at least two active EV charging point and ducting for 20% of spaces. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: In the interest of sustainable transportation.
24.	Bicycle parking shall be provided in accordance with Section 15.7.2 (Cycle Parking) of the Kildare County Development Plan 2023–2029. All bicycle parking facilities shall comply with DMURS and best-practice design guidance (e.g., Sheffield stands or equivalent), ensuring safety, accessibility, and appropriate spacing. Reason: To promote sustainable transport and ensure adequate, secure, and accessible bicycle parking.
25.	Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. Reason: In order to safeguard the residential amenities of property in the vicinity
26.	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. Details of the Invasive Species Management Plan for this site shall be incorporated within this plan. This plan shall be prepared in accordance with the “Best Practice Guidelines on

	the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. Reason: In the interest of sustainable waste management
27.	Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times. Reason: In the interest of proper planning and sustainable development
28.	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 within each house plot and/or for each apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan. Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment
29.	All landscaping works for each phase shall be completed, within the first planting season following commencement of that phase of development, in

	accordance with landscape drawing no.24KE04 DR-0201 from AIT Landscape received by the Planning Authority on 06/03/2026. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. Reason: In the interest of residential and visual amenity.
30.	(a) Prior to the commencement of development, the Developer shall submit to the Planning Authority for the written agreement detailed proposals for the boundary treatment along the western boundary of the site adjoining the housing development known as "Rockfield". The submission shall include: i. Detailed recommendations from a suitably qualified Arborist in relation to the retention, protection, long-term management, and maintenance of the existing hedgerow along this boundary; ii. Detailed proposals from a suitably qualified Landscape Architect (or qualified Landscape Designer) for additional / supplementary planting along the boundary sufficient to form a dense continuous screen. iii. Details of all tree and hedgerow protection measures required to facilitate the installation of a new boundary fence, including temporary and permanent protection works; iv. A topographic survey clearly identifying and accurately delineating the land ownership boundaries;

	v. Full details and specifications for the installation of a weld-mesh or Hercules-type fence to secure the boundary; and vi. Confirmation that all boundary treatments are aligned precisely with, and run tight to, the legal boundary as shown on the submitted mapping. (b) All fencing/railings within the permitted development shall be black powder coated galvanised fencing/railings. Reason: (a) To ensure boundaries are clearly identified and avoid areas of no man's land between property boundaries and in the interest of residential amenity and privacy and (b) in the interests of visual amenity.
31.	The areas of public open space shown on the submitted plans shall be reserved for such use. These areas shall be levelled, soiled, seeded, and landscaped in accordance with the landscaping scheme submitted to the Planning Authority on the 06/03/2026. The areas of public open space shall be maintained as public open space by the Developer until taken in charge by the Local Authority. Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose, in the interest of residential amenity.
32.	The development shall comply with the Acoustic Design Statement received by the Planning Authority on the 02/10/2025, ensuring that internal and external noise levels meet the requirements of BS 8233:2014 and the thresholds set out in the Kildare County Noise Action Plan. Reason: To ensure that internal and external noise levels are maintained within acceptable limits in accordance with BS 8233:2014 and the Kildare County Noise Action Plan, to protect public health and ensure the enjoyment of residential amenity.
33.	Prior to commencement, the Applicant shall submit a revised Taking in Charge (TIC) map for the written agreement of the Planning Authority. The map shall clearly identify three areas; areas to be Taken in Charge, Areas

	Not to be Taken in Charge and areas to be Taken in Charge by a management company. The TIC proposals shall consider future access and maintenance arrangements for all areas and services including roads, footpaths, open spaces, drainage (SuDS) features, public lighting, EV charging, and boundary treatments. Reason: In the interest of clarity and proper planning and sustainable development.
34.	The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking in Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority. Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.
35.	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.
36.	(a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the

	number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing. (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing. (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit. Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.
37.	Prior to commencement of development, the developer 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
38.	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.
39.	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.
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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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Lucy Roche
Planning Inspector

24th August 2026

APPENDIX 1(A) Screening for Appropriate Assessment

Step 1: Description of the project and local site characteristics

Brief description of project	The proposal (as amended) is for an LRD comprising 589no. residential units and a neighbourhood centre (Childcare facility, health centre, two shop units and community space and approx. 2.9ha of Public open space on an overall site of approximately 15.98 hectares. See. Section 2 of the Inspectors Report for further details. The following additional points are noted: • KCC Drainage records indicate that there are existing 900mm and 300mm diameter surface water gravity pipes that cross beneath the Development Site in a south to north direction. These pipes will require a localised diversion. A localised diversion of a 375mm diameter surface water outfall pipe from the Maynooth Eastern Ring Road Scheme will also be required. • It is proposed to construct a new surface water drainage system for the development to collect runoff and convey it to the outfall location. The Site will be served by a new network consisting of surface water pipes, surface water swales, permeable paving areas, tree pits and detention basins. The detention basins and lower sub-base levels of the permeable paving will provide for the attenuation storage requirements on site as a result of the residential development. Blue / Green roofs will also be provided on the roofs of the apartment blocks at the proposed neighbourhood centre. • There is an existing 300mm diameter foul drainage pipe that bisects the Site of the Proposed Development and also flows south to north. This sewer will require a localised diversion (subject to Uisce Eireann agreement / specification) • It is proposed to construct a new foul sewer network to serve the Proposed Development – subject to upgrades.
Brief description of development site characteristics and potential	The project site comprises c. 15.27 ha of greenfield land at the southeastern edge of Maynooth. The Site consists of the following habitats: ▪ Improved grassland (GA1) ▪ Dry Calcareous and neutral grassland (GS1) ▪ Hedgerow (WL1) ▪ Tree Line

impact mechanisms	(WL2). One high impact invasive species was found within the Site boundary during the PEA walk over surveys carried out on the 17th of July 2024, namely cherry laurel (<i>Prunus laurocerasus</i>). The Site is within the Liffey and Dublin Bay catchment (Catchment I.D 09) and the Liffey_SC_080 sub catchment (Sub catchment I.D. 09_5) (EPA, 2025). The closest waterbody is the Royal Canal which lies approximately 428m north of the Site. The Maynooth stream is 469m northwest of the Site within the town of Maynooth. The Maynooth stream flows northwards into the Lyreen 09 and then the Rye Water), which flows west to east and lies 1.3km north of the Site. The Rye water flows into the River Liffey approx. 5.7km east of the Site, which also eventually flows into the Dublin Bay.			
Screening report	Yes			
Natura Impact Statement	Yes			
Relevant submissions:	The application includes an Environmental Impact Assessment Report. The EIAR in Chapter 2 considers the impact of the proposed development on biodiversity, Chapters 8 and 9 consider the impact on the development on hydrogeology and water / hydrology, respectively.			
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
[List European sites within zone of influence of project in Table and refer to approach taken in the AA Screening Report as relevant- there is no requirement to include long list of irrelevant sites.				
European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening. Y/N
Rye Water Valley/Carton SAC (001398)	See Table 6 of applicants AA screening report.	c. 1.2km	Indirect. Drainage to Lyreen River, which is a tributary of the SAC	Yes

			Hydrological pathway via surface water drainage network during the construction phase. Hydrogeological pathway during construction phase.	
North Dublin Bay SAC (000206)	As above	>20km	Indirect – Further downstream, the Rye Water ultimately discharges into the River Liffey and Dublin Bay. Foul Water Discharge at Dublin Bay	No: Due to the highly indirect nature of the connection, and the dilution and treatment provided, any pathway to these designated sites can be considered ecologically insignificant.
South Dublin Bay SAC (000210)	As above	>20km		
North Bull Island SPA (004006)	As above	>20km		
South Dublin Bay and River Tolka Estuary SPA (004024)	As above	>20km		
Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites				
Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*			
	Impacts		Effects	

Site 1: Rye Water Valley/Carlton SAC (001398) QI list: • Petrifying springs with tufa formation (Cratoneurion) [7220] • Vertigo angustior (Narrow mouthed Whorl Snail) [1014] • Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]	Direct: No Direct Impacts Indirect: Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution.	If contaminants were to reach the spring-fed habitats within the SAC, this could degrade the vegetation structure or species composition of QI habitats such as Petrifying springs with tufa formation [7220], which are highly sensitive to chemical changes in groundwater inputs. Alteration of spring-fed wetland vegetation could also affect habitat conditions required by Vertigo angustior [1014] and Vertigo moulinsiana [1016], which depend on constant soil moisture, vegetation structure, and unpolluted groundwater-fed substrates for foraging and breeding. Potential impacts the Narrow-mouthed Whorl Snail and Desmoulin's Whorl Snail due to deterioration of the water. Potential changes in snail Population Density
Likelihood of significant effects from proposed development (alone): Yes		
If No, is there likelihood of significant effects occurring in combination with other plans or projects?		
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
It is not possible to exclude the possibility that proposed development alone would result significant effects on Rye Water Valley/Carlton SAC (001398) for effects associated with the deterioration of water quality. An appropriate assessment is required on the basis of the possible effects of the		

project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage.

Appendix 1(b) - Appropriate Assessment

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V [or S 177AE] of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the proposed LRD in view of the relevant conservation objectives of Rye Water Valley/Carton SAC (001398) based on scientific information provided by the applicant.

The information relied upon includes the following:

- Natura Impact Statement prepared by Enviroguide
- The National Parks and Wildlife Services web site (www.npws.ie)
- The AA determination undertaken by the Planning Authority.

I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

Submissions/observations

No issues raised in the appeal on the issue of appropriate assessment.

NAME OF SAC/ SPA (SITE CODE): Rye Water Valley/Carton SAC (001398)

Summary of Key issues that could give rise to adverse effects (from screening stage):

Impacts on water quality during construction, as follows:

Construction:

- Risk of hydrological and hydrogeological contamination due to accidental release of pollutants (e.g. fuels, cement, silt) during excavation and earthworks in the construction phase.

- Potential migration of contaminants through the groundwater body towards the Rye Water Valley/Carton SAC.
- Risk of temporary deterioration in groundwater quality supporting groundwater dependent habitats (e.g. petrifying springs).
- Potential indirect impacts on terrestrial snail habitat associated with groundwater fed and surface-fed conditions.
- No operational-phase effects were identified.

[illegible]

		Once operational, the Proposed Development is not expected to release pollutants to ground, and the drainage design includes appropriate attenuation and infiltration features. There is no anticipated alteration to groundwater quality or chemistry under normal operational conditions.	Operational phase deemed necessary.
[1014] Narrow-mouthed Whorl Snail (<i>Vertigo angustior</i>)	To maintain the favourable conservation condition of Narrow Mouthed Whorl Snail (<i>Vertigo angustior</i>) in Rye Water Valley/Cartron SAC,	There is no direct surface water connectivity between the Site and the SAC. However, surface water runoff during the construction phase, if not controlled, could enter minor watercourses within 1 km of the Site which eventually connect to the Rye Water. Contaminated runoff (e.g. hydrocarbons, silt, concrete washout) could reach downstream habitats indirectly via these channels. The Site and SAC share the wider Dublin groundwater body, and groundwater vulnerability at the Site is classed as high. Though regional groundwater flow is typically shallow and localised, there remains a	As above

		plausible, if weak, pathway for contaminated infiltration water to reach the SAC's sensitive groundwater-dependent habitats. No operational phase impacts predicted.	
[1016] Desmoulin's Whorl Snail (Vertigo moulinsiana)	To maintain the favourable conservation condition of Desmoulin's Whorl Snail (Vertigo moulinsiana) in Rye Water Valley/Cartron SAC	Local surface water features within 1 km eventually feed into the Rye Water system. Construction-phase contamination (e.g. silt, hydrocarbons, concrete washout) could, without mitigation, enter these channels and reach the SAC over time. As the Site and SAC share the Dublin groundwater body, and the Site is mapped as having high groundwater vulnerability, there is a plausible groundwater pathway. If contaminants infiltrate ground during construction, there is potential for effects on the groundwater feeding the SAC, including the wetland habitats required by V. moulinsiana. No operational phase impacts predicted	As Above

The above table is based on the documentation and information provided on the file and from the NPWS site and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

Assessment of issues that could give rise to adverse effects view of conservation objectives

Deterioration to Water Quality

Good quality water is necessary to restore maintain the qualifying interests of the Rye Water Valley/Cartron SAC. The construction of the drainage system and its connection to the existing pipe within the Site could potentially lead to contaminants such as silt, fuels and oils, and other construction related pollutants entering the drainage system, which eventually flows into the Rye Water Valley/Cartron SAC (001398). Additionally, contaminants that may arise during construction activities may enter the ground water system, travel through the underlying bedrock and discharge into the Rye Water Valley/Cartron SAC (001398) resulting in deterioration of the water quality along the SAC. Should pollutants from the proposed development enter the SAC this could adversely affect the water quality. This can subsequently adversely affect the Annex listed species protected under the SAC.

I am satisfied that the application includes a suitably comprehensive range of mitigation measures. The measures relate to the construction phase as no operational-phase effects were identified. I am satisfied that they will ensure that any emissions to ground or surface waters will not affect the water quality of the Rye Water. Accordingly, the mitigation measures are adequate to ensure that the integrity of any of the Rye Water Valley/Cartron SAC (001398)

All Mitigation measures are captured in planning condition number 4 recommended above.

In-combination effects

I am satisfied that in-combination effects has been assessed adequately in the NIS (Section 4.3.2). The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of Rye Water Valley/Cartron SAC (001398).

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in the appropriate Assessment. No direct impacts are predicted. Indirect impacts would be temporary in nature and

mitigation measures are described to prevent ingress of silt laden / contaminated surface water and groundwater. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Rye Water Valley/Carlton SAC (001398). Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on Rye Water Valley/Carlton SAC (001398). in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of 177AE was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted, I consider that adverse effects on site integrity of the Rye Water Valley/Carlton SAC (001398). can be excluded in view of the conservation objectives of this site and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- The nature, scale and location of the proposed development.
- The contents of the applicants Natura Impact Statement.
- Detailed assessment of construction and operational impacts.
- Effectiveness of mitigation measures proposed in the Natura Impact Statement, EIAR and the outline Construction & Environmental Management Plan.
- Application of planning conditions to ensure the mitigation measures proposed are undertaken.

APPENDIX 2 – WFD IMPACT ASSESSMENT SCOPING TABLE

Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	ACP:324315-26	Townland, address	Railpark, Maynooth, Co. Kildare
Description of project		Large-scale Residential Development (LRD): 589 residential units and a neighbourhood centre. Ancillary and associated development works.	
Brief site description, relevant to WFD Screening,			
Proposed surface water details		KCC's drainage records indicate that there are existing 900mm and 300mm diameter surface water gravity pipes that cross beneath the Development Site in a south to north direction. These pipes will require a localised diversion. A localised diversion of a 375mm diameter surface water outfall pipe from the Maynooth Eastern Ring Road Scheme is also required. The existing topography will allow for the Site to drain by gravity to the existing surface water pipe network located within the site and to the new surface water drainage infrastructure to be provided as part of the MERR. It is proposed to construct a new surface water drainage system for the development to collect runoff and convey it to the outfall location. The Site is to be served by a new network consisting of surface water pipes, surface water swales, permeable paving areas, tree pits and detention basins. The detention basins and lower sub-base levels of the permeable paving would provide for the attenuation storage requirements on site as a result of the residential development. Blue / Green roofs to be provided on the roofs of the apartment blocks at the proposed neighbourhood centre.	
Proposed water supply source & available capacity		In relation to Water, in accordance with UE confirmation of feasibility, in order to facilitate the development, the main site connection shall be made to the Eastern Link Main following completion of the MERR project. Network upgrades may be required based on connection uptake by other developments. These upgrades would consist of approx. 600 metres of existing 400mm main to be upsized to 450mm. This requirement will be further determined at Connection Application stage. I consulted UE's Capacity Register on the 17th of Aug. 2026 which indicated that Potential Capacity Available - LoS improvement required.	
Proposed wastewater treatment system & available capacity, other issues		An existing 300mm diameter foul drainage pipe bisects the Site and also flows south to north. This sewer will require a localised diversion, subject to approval and specifications of Uisce Eireann.	

	A new foul sewer network is proposed. Foul discharge from the c.272 units at the Site will discharge to the existing 300mm diameter foul sewer located within the Site and c.309 units to the new foul infrastructure to be provided as part of the MERR Scheme. A Confirmation of Feasibility Letter was received from Uisce Eireann in June 2024. Uisce Eireann have confirmed that a foul connection is feasible subject to upgrades on the wider receiving network. These upgrades are outlined in section 4.4 of the Planning Assessment. They include: Upgrade works to increase the capacity of the wastewater network in Maynooth and accommodate the proposed connection for this development. This upgrade project (Maynooth Transfer Pipeline) is scheduled to be completed by Q2 2027 (this may be subject to change), and the proposed connection could be completed as soon as possibly practicable after this date. I consulted UE's Capacity Register on the 17th of Aug. 2026 which indicated that spare capacity is available
Others?	None

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
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) (Consider all phases)	Mitigation Measures proposed	Is mitigation sufficient? Will there be any residual impacts?
Surface Water Bodies						
The Royal Canal Main Line (Liffey and Dublin Bay) IE_09_AW B_RCMLE	Good	Review		None	-	-
Maynooth stream (Lyreen 09) IE_EA_09L 020100	Poor	Review		Downstream of the surface water drainage network	Standard construction practices. SuDS measures	Mitigation sufficient. No residual Impacts anticipated
Rye Water IE_EA_09R 010600	Moderate	At Risk	agriculture, urban runoff	Downstream of the surface water drainage network	Standard construction practices.	Mitigation sufficient. No

			and Wastewater Discharges		SuDS measures	residual Impacts anticipated
Liffey IE_EA_09L 011900	Moderate	At Risk		Downstream of the Site drainage network	Standard construction practices. SuDS measures	Mitigation sufficient. No residual Impacts anticipated
Transitional Water bodies						
Liffey Estuary Lower IE_EA_090 _0300	Moderate	At Risk		Downstream of the Site drainage network	Standard construction practices. SuDS measures	Mitigation sufficient. No residual Impacts anticipated
Coastal Waterbodies						
Dublin Bay IE_EA_090 _0000	Good	Not at Risk		Downstream of the Site drainage network	Standard construction practices. SuDS measures	Mitigation sufficient. No residual Impacts anticipated
Groundwater Bodies						
Dublin IE_EA_G_0 08	Good	Review		Underlying groundwater body	Standard construction practices. SuDS measures	Mitigation sufficient. No residual Impacts anticipated