

An Coimisiún Pleanála Ref. ABP-313306-22

## Submission to Oral Hearing

Addressing Limited Agenda Items:

1. Summary of the Proposed Development
2. Zoning Status of the Site
3. Core Strategy Housing Allocation in the Kildare County Development Plan 2023-2029

SHD Application for a development of 596 dwellings, a neighbourhood centre, creche and associated development and works

At

Great Connell  
Newbridge  
Co. Kildare

Submission on behalf of the Applicant

Aston Limited

DRAFT 13 August 2025

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## 1 INTRODUCTION

This submission addresses the specific issues identified on the limited agenda circulated by the Commission on 6 August 2025, and provides an overview of the proposed development as provided for under the Order of Proceedings for the oral hearing.

## 2 OVERVIEW OF THE PROPOSED DEVELOPMENT

The SHD application comprises 569 dwellings (325 houses and 244 apartments), a neighbourhood centre with 11 commercial units (2,141 sqm commercial floor space), a childcare facility (886 sqm), 2.613 ha of landscaped public open space, and c.8.31 ha amenity area adjoining the River Liffey.

The site is traversed by an existing Irish Water Wayleave which runs from northeast to southwest across the site. The route of the Newbridge Southern Orbital Ring Road (NSORR) also traverses the site. The application includes 350 m of the NSORR from its existing junction with the Greatconnell Road. The alignment of the road aligns with the wayleave and is designed to connect to the then permitted (ABP Ref. 302141-18) and now constructed NSORR at Kilbelin Woods on the western side of the River Liffey and the now Taken in Charge NSORR to the east of the site linking to the M8 Motorway.

**Figure 2.1 Site Layout Plan**



The SHD application was lodged in April 2022. A subsequent application was made by Aston Ltd. in December 2022 for a 790 m section of NSOOR, including a new bridge over the River Liffey, connecting that part of the NSOOR included in the SHD application to the section of the NSOOR permitted and now completed at Belin Woods. The sections of the NSOOR included in the respective Aston applications complete the NSOOR as provided for in the Newbridge LAP 2013-2019 (the LAP) from the R445 at Little Connell to the R416 Athgarvan Road at Kilbelin.

KCC granted permission for the remaining section on the NSOOR including the River Liffey Bridge by Order dated 2 November 2023, subject to 42 conditions. A copy of the grant is attached at Appendix B.

It is noted that KCC issued a Request for Further Information dated 21 February 2023. Item 1(b) of the RFI requested the following information:

*'Having regard to the urban, residential and riverside setting of the proposed road and bridge, the Planning Authority is not satisfied that the proposed development will appropriately integrate with adjacent developments, uses and their settings. In addition, while acknowledging certain design approaches may be engineered having regard to road safety requirements, improvements in terms of public realm, connectivity and residential amenity are required. In this regard, the Applicant is requested to submit the following:*

*'(b) A revised site layout plan, incorporating permitted residential development adjacent and the layout as submitted to An Bord Pleanála in the proposed Great Connell SHD application. This layout should highlight in colour units 17 -- 40, 401 -- 414 and 483 - 512 (requested to be removed by Kildare County Council in its Opinion to An Bord Pleanála). See Note 1 below*

By Submission dated 27 July 2023, the applicant submitted Drawing No. 0487 indicating the revised site layout plan with Units 17-40, 401-414 and 483-512 of the proposed SHD development highlighted in pink. The proposed and permitted bridge design has ensured that the bridge and SHD developments are appropriately integrated and all potential impacts on all SHD units were assessed in the submitted EIAR, the application documents and documents and drawings submitted with the response to the RFI on the River Liffey bridge application.

A copy of the permitted bridge layout plan (Drawing No. 0487), that integrates with the proposed SHD development, is attached at Appendix C.

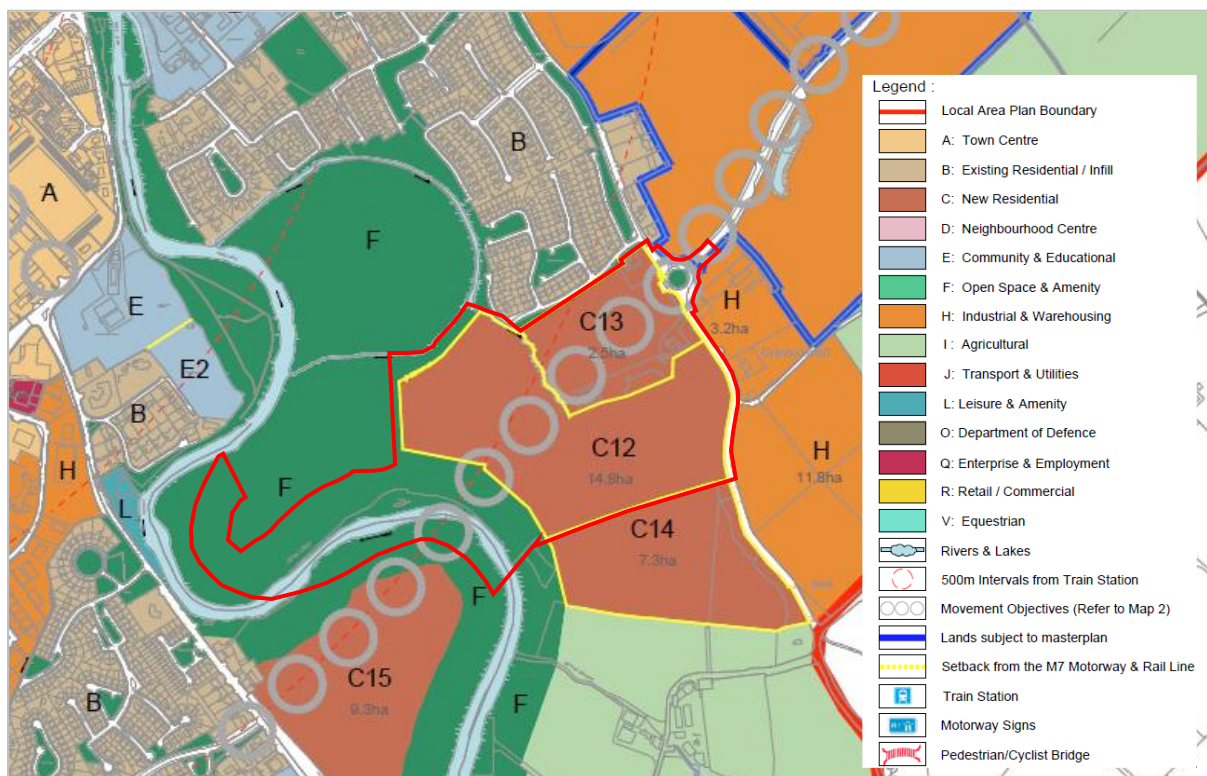
### 3 ZONING STATUS OF THE LANDS

#### 3.1 Zoning – Newbridge LAP 2013-2019

The site is the subject of two lands use zoning objectives in the LAP. The majority of the site is zoned Objective C 'New Residential' 'To provide for new residential development'. An area of the site adjoining the River Liffey is zoned Objective F 'Open Space & Amenity' 'To protect and provide for open space, amenity and recreational provision'.

Dwellings and Creche/Playschool uses are Permitted in Principle on 'C-New Residential' lands. Specific objective C13 in Table 17 'Land Use Objectives' states that a small, high-quality neighbourhood centre to serve the local population will be facilitated on the site.

**Figure 3.1 Zoning Map Extract**



#### 3.2 Legal Submission – Status of the Zoning Objectives

Item 1 Agenda requests clarity as to the current zoning status of the site having regard to the expiration of the Newbridge Local Area Plan (2013-2019 – Extended to 2021). This is addressed in the Senior Counsel Opinion attached as Appendix A. The Opinion concludes:

*'In summary, the Commission is entitled to conclude that the site of the proposed development remains zoned residential as there is nothing in the KCC Development Plan to the contrary.'*

*'Furthermore, the fact that the Newbridge LAP has expired does not preclude the Commission from determining the application as the ultimate consideration in the 2016 Act is the question of whether the development is consistent with "proper planning and sustainable development" which is for the Commission to determine in the exercise of its evaluative expertise.'*

*'Furthermore, as a matter of law, the proposed development is fully compliant with the Core Strategy and Table 2.8 of the KCC Development Plan.'*

### **3.3 Relevant Precedent**

The Commission granted permission on 26 April 2024 for a residential development of 60 units on the site identified as Site C3 (zoned Objective C-New Residential) in the Newbridge LAP 2013-2019 (as extended) (Ref. ABP 315884-23).

The KCC Planner's Report states as Section 10.1 (Principle of Development):

*'The site is primarily located on land use zoned 'C3 New Residential... the proposed development of 60 units is therefore considered acceptable in principle subject to other planning considerations.'*

The Inspector's Report states at section 5 (Policy Context):

*'It is noted that the Newbridge LAP 2025-2031 is currently under review. The Kildare County Council website ([www.kildarecoco.ie](http://www.kildarecoco.ie)) states that KCC will have regard to the adopted LAPs until such time as they are reviewed or another plan is made. The site is located within the settlement boundary for Newbridge and is zoned 'C3' – New Residential with the associated land use objective 'to provide for new residential development'.*

The Inspector's Report states at Section 7.3.1:

*'The appeal site is located within the settlement boundary for Newbridge and is zoned 'C3'... I am satisfied that the proposed residential use is in accordance with the sites zoning objective and should be assessed on its merits.*

The Board's Direction and Order both state:

*'Having regard to the zoning objective of the subject site, the provisions of the Kildare County Development Plan 2023-2029... the proposed development would, therefore, be in accordance with the proper planning sustainable development of the area'*

The Board's decision to grant permission, and the planners' reports, were all made and prepared, respectively, after December 2021, the date to which the Newbridge LAP was extended. These establish that both authorities concluded that the site remained zoned Objective C 'New Residential' 'To provide for new residential development' after December 2021.

## **4 HOUSING ALLOCATION**

### **4.1 Introduction**

Item 2 on the agenda is:

*'The relevant provisions of the Kildare County Development Plan 2023-2029, with particular regards to the 'Core Strategy' and Table 2.8 which indicates a Housing Target for 2023-2029 of 1,061 units for Newbridge and the number of dwellings already approved within this timeframe (i.e., what is the remaining capacity?)'*

In summary, it is understood that the information required is:

**Question 1:** The number of units permitted in the period since the adoption of the Kildare County development Plan in 2023.

**Question 2:** That number subtracted from the housing allocation in that Plan of 1,061 units to establish the remaining capacity.

The evidence base for the requested information is presented below, and in summary, the answers are:

**Answer 1:** 200 units

**Answer 2:** The remaining capacity is 861 units.

It is noted that the SHD application was accompanied by a Material Contravention Statement that addressed the discrete matter of the housing allocation to Newbridge under **Variation 1** of the Kildare County Development Plan 2017-2023 that was the relevant statutory land use planning reference at the time of the making of the application. Variation 1 set a dwelling target of **699** units in Newbridge between **2020 and 2023**. At that time, the proposed 569 units in the SHD application, when added to the 216 'new'<sup>1</sup> residential units permitted since the adoption of Variation 1, exceeded the target for Newbridge **up to 2023**.

The Material Contravention Statement was submitted out of an abundance of caution notwithstanding that it was my professional opinion that the exceedance of that allocation did not constitute a material contravention of the Development Plan for reasons including *inter alia* the proposed development was necessary to achieve the target allocation (consistent with national, regional and county policy priorities) notwithstanding a relatively small exceedance that would in any event be constructed during the life of the Kildare County Development Plan 2023-2029 which at that time was in draft form and made an allocation of 1,061 units to Newbridge for the period 2023 to Q4 2028.

In this regard, the following material changes in circumstances since the lodgement of the SHD application are now relevant to the Commission's determination of this application.

1. The coming into effect of the Kildare County Development Plan 2023-2029 (the Development Plan) that establishes a new allocation of **1,061** units for the period **2023 to Q4 2028**. This is now the relevant plan for the purpose of the Commission's determination of this application, noting that it may change should KCC adopt a variation to the current Development Plan, or adopt a new Newbridge LAP, prior to the Board making its decision.
2. The publication of the revised National Planning Framework (NPF) and the NPF Implementation Guidelines 2025.

#### **4.2 Permissions Granted Since 28 January 2023**

The Kildare County Development Plan 2023-2029 came into effect on 28 January 2023. Table 2.8 allocates 1,061 units to Newbridge for the period 2023-Q4 2028.

A review of KCC's Planning Register for all lands zoned Objective C in the Newbridge LAP was undertaken and the results are presented in the Tables and Map included at Appendix D.

The relevant date for the assessment of current capacity is permissions granted after 28 January 2023.

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<sup>1</sup> This figure refers to residential units permitted minus extant units in those areas at the time of Variation No .1.

Table 4.1 identifies the permissions granted on the zoned residential sites in the Newbridge LAP, identified in the LAP as Sites C1 to C20.

**Table 4.1 Summary of Permissions Granted since 23 January 2023**

Site (Newbridge LAP 2013-2019)	Permitted Units
Site C3	58
Site C6	16
Site C20	40
Site C20	86
<b>Total</b>	<b>200</b>

The review of the Planning Register identified no live applications for new residential development in Newbridge on any Objective C zoned sites as of the date of this Report.

Table 4.2 identifies the 2023-2028 housing allocation, the number of units and remaining capacity:

**Table 4.2 Assessment of Remaining Capacity**

Allocated Units	Permitted Units	Remaining Capacity
1,061	200	<b>861</b>

In summary:

- The relevant statutory plan is the County Development Plan 2023-2029. It makes an allocation of 1,061 units between 28 January 2023 and Q4 2028.
- There is a shortfall of 861 units on the 2023-2028 allocation, referred to as a 'requirement' in the Revised NPF.
- The proposed development of 569 units will make a significant contribution to meeting that requirement. A grant of permission will bring the number of permitted units to 769. There will remain a shortfall of 292 units to meet the current statutory allocation requirement.
- The proposed development is necessary to achieve the housing requirement for Newbridge, consistent with national, regional and county policy priorities.
- **Accordingly, the proposed development is fully compliant with the Core Strategy and Table 2.8 of the Kildare County Development Plan 2023-2029.**

### 4.3 NPF Review

Notwithstanding that the proposed 569 units are accommodated within the current housing allocation requirement, the recently published section 28 Ministerial Guidelines titled 'The NPF Implementation: Housing Growth Requirements Guidelines for Planning Authorities' (2025) represent a further material

change in circumstances that is relevant to the Commission’s assessment. A brief overview of the relevant considerations is presented below.

The Guidelines replace the Section 28 ‘Housing Supply Target Methodology for Development Planning Guidelines’ (2020) that had informed the preparation of Core Strategy and housing allocations in the Kildare County Development Plan 2023-2029. The 2025 Guidelines provide updated housing growth requirements to planning authorities to facilitate the revision and update of development plans in accordance with the Revised NPF housing growth requirements.

Section 1.1 of the Guidelines state that *‘the Guidelines alone may not be relied on for the purposes of any consenting or permitting process and the purpose of the Guidelines is to inform a plan review or variation processes’*. Accepting that position, the Guidelines do, however, provide a valuable insight into the short term implementation of national policy through statutory land use plans that will include an imminent Variation to the Kildare County Development Plan 2023-2029<sup>2</sup> that is relevant to housing allocation to Newbridge.

Policy and Objective 1 of the Guidelines states: *‘It is a policy and objective of these Guidelines that the housing growth requirements for each planning authority set out in Appendix 1 are reflected in the relevant City or County Development Plan, subject to...’*

Appendix 1 of the Guidelines sets out the housing growth requirement for each local authority. The relevant targets for Kildare County Council are as follows

**Table 4.3 NPF Implementation Housing Growth Requirements (2025), Appendix 1, Results for Kildare County Council**

<b>NPF Implementation, Housing Growth Requirement for Kildare County Council</b>			
<b>Existing Annual 2020 Housing Requirement (Housing Supply Target)</b>	<b>Housing Requirement (Housing Supply Target) Adopted Development Plan - Annual Housing Requirement (Housing Supply Target)</b>	<b>New Annual New Housing Growth Requirement to 2034</b>	<b>New Annual New Housing Growth Requirement 2035 to 2040</b>
1,535	1,524	2,755	1,918

Appendix 1 of the Guidelines states the ‘Existing Annual 2020 Housing Requirement’ for Kildare County Council of 1,535 units, as provided for in the NPF (2020). The annual housing requirement incorporated in the Development Plan 2023-2029 is 1,524. The ‘New Annual Housing Growth Requirement’ to 2034 is 2,755, thereby requiring an **81% increase** in housing allocation and zoned land.

<sup>2</sup> Policy and Objective 3 of the Guidelines states: *‘It is a policy and objective of these Guidelines that planning authorities should use all available means to ensure that the objectives of these Guidelines are incorporated within development plans as quickly as possible through the variation of the current adopted development plan...’*

Furthermore, Policy and Objective 2 states: *'It is a policy and objective of these Guidelines that 'additional provision' of up to 50% over and above the housing growth requirement for each local authority set out in Appendix 1 is reflected within the relevant City or County Development Plan'*.

Applying a full 50% over provision of the 'New Annual Housing Growth Requirement to 2034' for Kildare the figure of 2,755 units results in an **annual** requirement of 4,133 units to 2034 (or to 2028 to the end of the Development Plan period). This represents a 171% increase in housing allocation and zoned land requirement.

Table 2.8 of the current Plan allocated 11.6% of the county housing requirement Newbridge. Applying 11.6% of 4,133 units per annum over the next 3 years of the County Plan to 2029 (12,398 total units) allocates an additional 1,438 units to Newbridge. The total annual housing allocation to Newbridge to 2028 is therefore in the order of 4,79 units. Excluding the 50% overprovision, this requires a housing allocation of 959 units.

The proposed development will make a significant contribution to implementation the strategies of the Plan. Having regard to the quantum and status of available zoned land in Newbridge as set out in Appendix D, were this development not to proceed there will be a significant shortfall in meeting the required housing growth under the Revised NPF 2025.

As such, the proposed development is consistent with the Strategic Objectives of the County Development Plan to secure the implementation of the Core Strategy, the Settlement Strategy and the Housing Strategy of the Plan.

## **Appendix A**

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Senior Counsel Opinion  
Mr David Browne SC

## **Appendix B**

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KCC Final Grant of Permission dated 2 November 2023  
Section of NSOOR and Bridge over the River Liffey

## **Appendix C**

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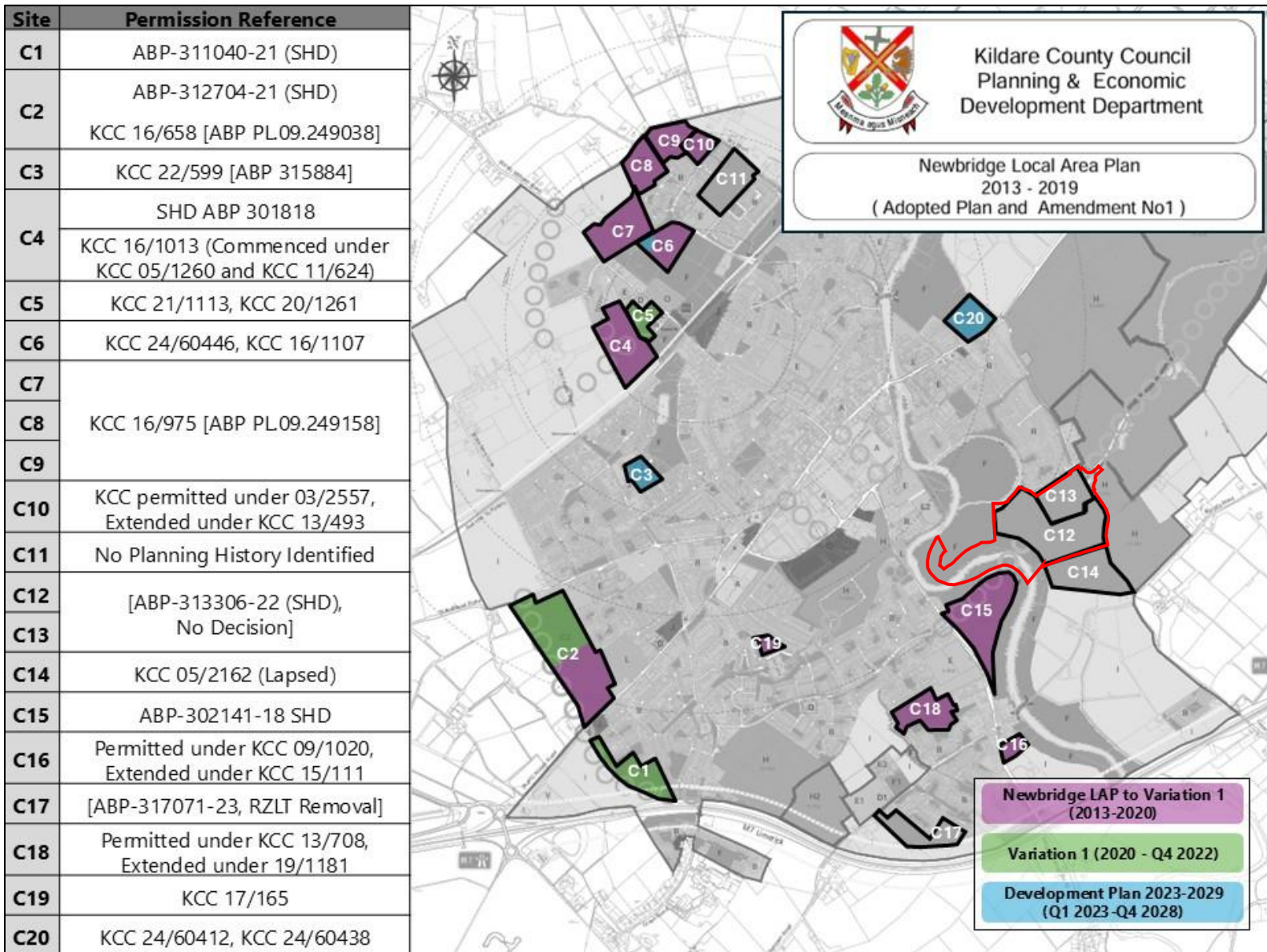
### Site Layout Plan Section of NSOOR and Bridge over the River Liffey

## **Appendix D**

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### Analysis of Planning and Zoning History of All Objective C Zoned Sites in the Newbridge LAP 2013-2019

**Figure D.1: Analysis of Sites Zoned Objective C 'New Residential' in the Newbridge Local Area Plan 2013-2019 (Adopted Plan and Amendment No.1)**



**Table D.1: Analysis of Residential Permissions Granted on Objective C Zoned Sites in the Newbridge LAP 2013-2019**

Relevant Plan Period	Allocation	Permitted Units	Complete	Under Construction	Extant
Newbridge LAP to Variation 1 (2013-2020)	3,469	1566	1205	361	–
Variation 1 (2020 – 27/1/2023)	699	612	–	612	–
Development Plan 2023-2029 (28/1/2023-Q4 2028)	1,060	200	–	126	74
<b>Total</b>		<b>2378</b>	<b>1205</b>	<b>1099</b>	<b>74</b>

**Table D2: Analysis of Residential Permissions Granted on Objective C Zoned Sites in the Newbridge LAP 2013-2019**

Site	Area (ha)	Area Name	Permission Ref.	Final Grant Date	Units*	Status				
						Complete	Under Construction	Extant	Lapsed	Other
C1	5.2	Ballymany	ABP-311040-21 (SHD)	23/11/2021, ABP	204	–	204	–	–	–
C2	15.1	Ballymany	ABP-312704-21 (SHD)	06/09/2022, ABP	336	–	336	–	–	–
			KCC 16/658 [ABP PL.09.249038]	13/04/2018, ABP	280	280	–	–	–	–
C3	1.8	Morrinstown	KCC 22/599 [ABP 315884]	26/04/2024, ABP	58	–	–	58	–	–
C4	7.3		SHD ABP 301818	24/09/2018, ABP	279	279	–	–	–	–

		Morristown (Station Road)	KCC 16/1013 (Commenced under KCC 05/1260 and KCC 11/624)	15/05/2017	39	39	-	-	-	-
C5	1.9	Piercetown	KCC 21/1113	23/03/2022	52	-	52	-	-	-
			KCC 20/1261	04/05/2021	20	-	20	-	-	-
C6	3.5	Rickardstown	KCC 24/60446	24/01/2025	16	-	-	16	-	-
			KCC 16/1107	13/06/2017	96	96	-	-	-	-
C7	5.7	Roseberry Hill	KCC 16/975 [ABP PL.09.249158]	26/01/2018, ABP	361	-	361	-	-	-
C8	3.8	Roseberry Hill								
C9	3.3	Roseberry Hill								
C10	1.9	Roseberry Hill	KCC permitted under 03/2557, Extended under KCC 13/493	14/08/2013 KCC Ext.	50	50	-	-	-	-
C11	5.1	Walshestown	No Planning History Identified	-	-	-	-	-	-	-
C12	14.8	Great Connell	ABP-313306-22 (SHD)	No Decision**	569	-	-	-	-	569**
C13	2.5	Great Connell								
C14	7.3	Great Connell	KCC 05/2162	15/01/2005	269	-	-	-	269	-
C15	9.3	Kilbelin	ABP-302141-18 SHD	31/10/2018, ABP	343	343	-	-	-	-
C16	1.1	Walshestown Meadows	Permitted under KCC 09/1020, Extended under KCC 15/111	27/05/2015	19	19	-	-	-	-
C17	3.8	Walshestown	ABP-317071-23, (Draft RZLT Map Appeal)	12/01/2024***	-	-	-	-	-	-
C18	4.6	Kilbelin Abbey	Permitted under KCC 13/708, Extended under 19/1181	24/11/2014 ABP, 12/12/2019 Ext.	80	80	-	-	-	-

C19	0.6	Moorefield	KCC 17/165	25/08/2017	19	19	-	-	-	-
C20	3.6	Old Connell	KCC 24/60412	20/01/2025	40	-	40	-	-	-
			KCC 24/60438	20/01/2025	86	-	86	-	-	-
<b>TOTAL UNITS</b>					<b>2378</b>	1205	1099	74	269	569

\*Number of units granted as per 'Final Grant Date' listed in the table above

\*\*Subject Site

\*\*\* ABP-317071-23. The landowner submitted that the lands be excluded from the RZLT Map on the grounds that the land does not satisfy criteria in Section 653B(b) of the Act. The Board by way of Board Order dated 12 January 2024 decided to set aside the determination of the local authority and allowed the appeal.

**Table D2 Summary Status of Allocations, Permitted Units and Status of Permissions**

Relevant Plan Period	Allocation	Units Permitted	Complete/Under Construction	Not Implemented	Excess (+) Shortfall (-)
Newbridge LAP to Variation 1 (2013-2020)	2,609	1,566	1,566	-	- 1,043
Variation 1 (2020 - Q4 2022)	699	612	612	-	- 87
Development Plan 2023-2029 (Q1 2023-Q4 2028)	1,061	200	126	74	-861
<b>Total</b>		<b>2,378</b>	<b>1,279</b>	<b>74</b>	

