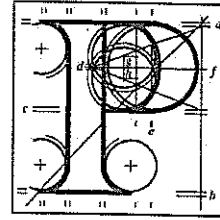


Our Case Number: ABP-317767-23



An  
Bord  
Pleanála

Ⓢ

Brendan Connell & Mary Connell  
Newtown  
Celbridge  
Co. Kildare

**Date:** 26th September 2023

**Re:** Proposed construction of 39 residential units, widening of Pausdeen Bridge and all associated site works.  
Newtown/Ardclough Road, Newtown, Celbridge, Co. Kildare.

Dear Sir / Madam,

An Bord Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

Please note that the proposed development shall not be carried out unless the Board has approved it with or without modifications.

If you have any queries in relation to the matter, please contact the undersigned officer of the Board at [laps@pleanala.ie](mailto:laps@pleanala.ie)

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Eimear Reilly  
Executive Officer  
Direct Line: 01-8737184

AA02

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An Bord Pleanála,  
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Rotunda, Dublin 1,  
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<b>AN BORD PLEANÁLA</b>	
LDG- _____	
ABP- <u>317767</u>	
19 SEP 2023	
Fee: € _____	Type: _____
Time: _____	By: <u>Post</u>

15th September 2023

**RE: Proposed construction of 39 residential units, widening of Pausdeen Bridge and all associated site works at Newtown/Ardclough Road, Newtown, Celbridge, Co. Kildare**

Dear Inspector,

I wish to raise concerns about the above referenced application for permission to construct 39 residential units and the widening of the Pausdeen Bridge at Newtown Celbridge. I have reviewed the documents submitted by Kildare County Council (the applicant) in relation to this application and have identified areas where there is a lack of information provided, which will make it difficult to assess the potential impacts of the project. In particular, the proximity of the River Liffey to the proposed development site is notably not considered in any detail in the application.

The information on the potential for flooding on the site is not adequately assessed, this stretch of the River Liffey from Celbridge to Straffan meets the definition of a Flood Plain. This requires a proper study and flood risk assessment to be completed before an application for construction consent can be granted. The application takes no account of the potential impacts of the proposed development on the ecology of the river, despite the proposed development site being located within 40m of the riverbank. This is a serious and obvious omission, the reasons for this need to be clarified by the applicant.

#### **Flood Risk Assessment**

Having lived beside the proposed site for the past 35 years I can confirm that the field in question does flood and becomes saturated with water in the winter months - as you would expect of a low-lying field adjacent to a major river, during wet weather. Indeed, the area of the field alongside the riverbank is a marsh, some of which was covered over in the past 10-15 years with illegally dumped fill material to build up the site and to avoid flooding. The open land drains along the southern edge of the proposed development site are filled with water to surface level during heavy rainfall. Indeed my own Garden which is adjacent and East of the proposed site becomes waterlogged during wet winter months. The water table in the area during these months is at or very close to the surface.

With the above in mind, there is a lack of site investigation work, empirical data collection and analysis of the flood risk presented in the application for this proposed development. The flood risk assessment undertaken for the site appears to have been completed on a desktop basis only, with no empirical data collection at the site or detailed analysis or modeling undertaken.

The associated report states that the sources of information used included a review of historic flood maps and reports from the OPW, a CFRAMS Study and the Celbridge Local Area Plan 2017-2023.

1. Section 2.2 of the report outlines the historic flooding data used. This consists of a screenshot of an online flood portal with reference to a flood event in 1954 and a reference to some newspaper reports from the time. This section of the report and references to newspaper reports from the 1950's implies that River Liffey is not prone to flooding in the Celbridge area. This is not a correct statement, the River Liffey has flooded in the Celbridge area several times in the past 20 to 30 years. A quick internet search will show evidence of several occasions when Celbridge has suffered serious flooding. Furthermore given that this field is in a flood plain and floods regularly it was never likely to be newsworthy if the Liffey overtops its banks at this location.

The highest water levels in the River Liffey in this area are determined by the requirements of the ESB to manage water levels at the Poulaphouca Dam upstream. The rainfall catchment area for the Blessington Reservoir is a huge area and relies on a dam built in the 1940's with water limitations that necessitate dam release during large rainfall events. This has happened on numerous occasions over the years and was not reported in the flood risk assessment (see annex 1 for examples).

2. The second data set referenced in the Flood Risk Assessment is the Strategic Flood Risk Assessment (SFRA) prepared by RPS Consulting Engineers for the Applicant as part of the preparation of a Local Area Plan for Celbridge and its environs. I note that strategic in this context relates to an overall high level of assessment of a potential risk on a broad area plan. It is not specific to the site in question. Indeed the SFRA report itself states the following:

*It should be noted that the SFRA remains a living document and is based on the best available data at the time of preparation. It is subject to change based on more up to date and relevant flood risk information becoming available during the lifetime of the Local Area Plan. All information in relation to flood risk is provided for general policy guidance only. All landowners and developers are instructed that Kildare County Council and their consultants can accept no responsibility for losses or damages arising due to assessments of the vulnerability to flooding of lands, uses and developments. Furthermore owners, users and developers are advised to take all reasonable measures to assess the vulnerability to flooding of lands in which they have an interest prior to making planning or development decisions. (Emphasis added).*

The inclusion of the above disclaimer in the SFRA reports suggests that this study should not be relied on for specific planning application purposes.

The mid Liffey area, which this site is adjacent to, acts as a buffer for flood waters in the more urban areas downstream of Celbridge. The ability of land adjacent to the river in this area to absorb water from the river in a flood event provides a natural flood abatement, further development of these flood plains will further diminish the River's natural regulation and will increase the likelihood of flooding events downstream.

In light of the flood risk posed to the proposed development itself and with the potential to increase flood risk downstream of the site, it is essential that an adequate and up to date assessment of flood risk

be completed. A short review of online information is not a flood study, onsite data collection, analysis and modeling are required to properly assess risk.

### **Groundwater Flood Risk**

As stated previously, the proposed development site becomes saturated with water regularly during the winter months, and the open field drains bordering the site are filled to surface level on regular occasions. This suggests that the groundwater levels in the area are at or near to the surface during the winter months, as would be expected of a site so close to a major river. The flood risk assessment has not adequately assessed the ground water levels on this site. Reliance is given to a desktop study using 1:100,000 scale general bedrock geology and soils maps from the GSI. With a 3 or 4 sentence explanation saying that there is no groundwater flood risk based on these maps.

This is an inadequate assessment of flood risk on a flood plain. Empirical data is required to provide evidence for this, collection of seasonal monitoring data of water levels in the river and of ground water levels and flow at the proposed site is required. A proper site-specific flood risk model must be prepared given that this site is located 40m from the River Liffey, in the region of its flood plain. A precedent cannot be set which allows for such a minimal assessment of flood risk in a floodplain to be accepted as adequate.

### **Ecological Assessment**

The ecological assessment of the site is notable in that it completely ignores the major ecosystem and habitat associated with the area of land where the development is proposed. The development area is part of a field which is bounded by the River Liffey. The river is 60m from one corner of the development site. The proposal includes a new structure over a tributary to the river, c20m from the river itself. Despite this, the river Liffey is not mentioned in the ecological or environmental report. A single site visit was made by an ecologist with a focus only on the development site itself, some photos were taken of a bramble bush, a domestic hedge, a cow pat and the rafters of an abandoned house.

There was no mention of the stream where there will be new infrastructure and no mention of the river. This is not an adequate level of assessment. The Templemills weir is located within 200m of the proposed development, see map below. The area of water upstream of this weir is a location where Otters frequent, there is clear evidence of otters on the river bank at this location.

Otters are a protected species under the Wildlife Act 1976, under the Wildlife Amendment Act 2000, it is illegal to disturb otters. Apart from this the presence of Otters in this area of the River is an indication of the health of the ecosystem in this area, their presence suggests an abundance of other wildlife in the area, none of which has been identified or assessed in any of the ecological reports. It appears that the NPWS have not been made aware of the recorded presence of otters in the vicinity of the proposed development.

Reference is made to mitigation measures including silt traps and washing of equipment during the construction phase of the proposal, to account for potential pollution events to the Paudeen stream. There are no mitigation measures proposed for impacts to the River Liffey itself, nor are there any mitigation measures proposed during the construction or operational phases of the development to the ecology and wildlife present in the river. This seems to be because no assessment has been undertaken

of the ecology of the river or any calculation of stormwater discharge rates to the river from the proposed drainage system.

### **SUDS scheme**

While there are outline drawings of a typical SUDs scheme and drawings of general drain structures included in the application documents, there are no calculations provided of drain water volumes included. This is concerning given that the field within which the proposed development site is located is prone to waterlogging and flooding. It appears that no assessment of the absorption capacity of the ground in the area has been undertaken to accommodate this SUDs scheme. It's very possible that there is no additional absorption capacity available, which would result in the discharge of all storm water to the river. This requires consideration given the low height difference and head available between the site and riverbank. I note that a topographic survey map has been provided, unfortunately the height measurements in this map are not readable.

There is no assessment of the suitability of a SUDs scheme included in the application documents, again no empirical evidence, data or calculations have been provided to show that such a scheme is suitable at this high risk location.

Nor is there any assessment of the storm water discharge quantities or qualities to the river Liffey provided. Given the presence of large, protected mammal species in the vicinity of the site, and the potential direct effects to their habitat an assessment of the potential for negative impacts to water quality and sedimentation is required, this has not been provided.

### **Conclusion**

It is the responsibility of an applicant for this type of development to provide a basis of evidence that shows that risks of flooding and impacts to sensitive ecosystems have been adequately assessed and that appropriate mitigation measures are in place. This responsibility should be enforced equally regardless of whether the applicant is a private development company or a local authority. Based on the information provided in this letter, I recommend that the application be refused due to the inadequate assessment of the likely impacts of the proposal. At the very least the applicant should be required to submit evidence showing that there is no flood risk or risk of negative impacts to the ecology of the River Liffey adjacent to the proposed development site and that any relevant information provided be made available for public review and comment.

Yours Sincerely,

Brendan Connell

Newtown

Celbridge



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## Annex 1

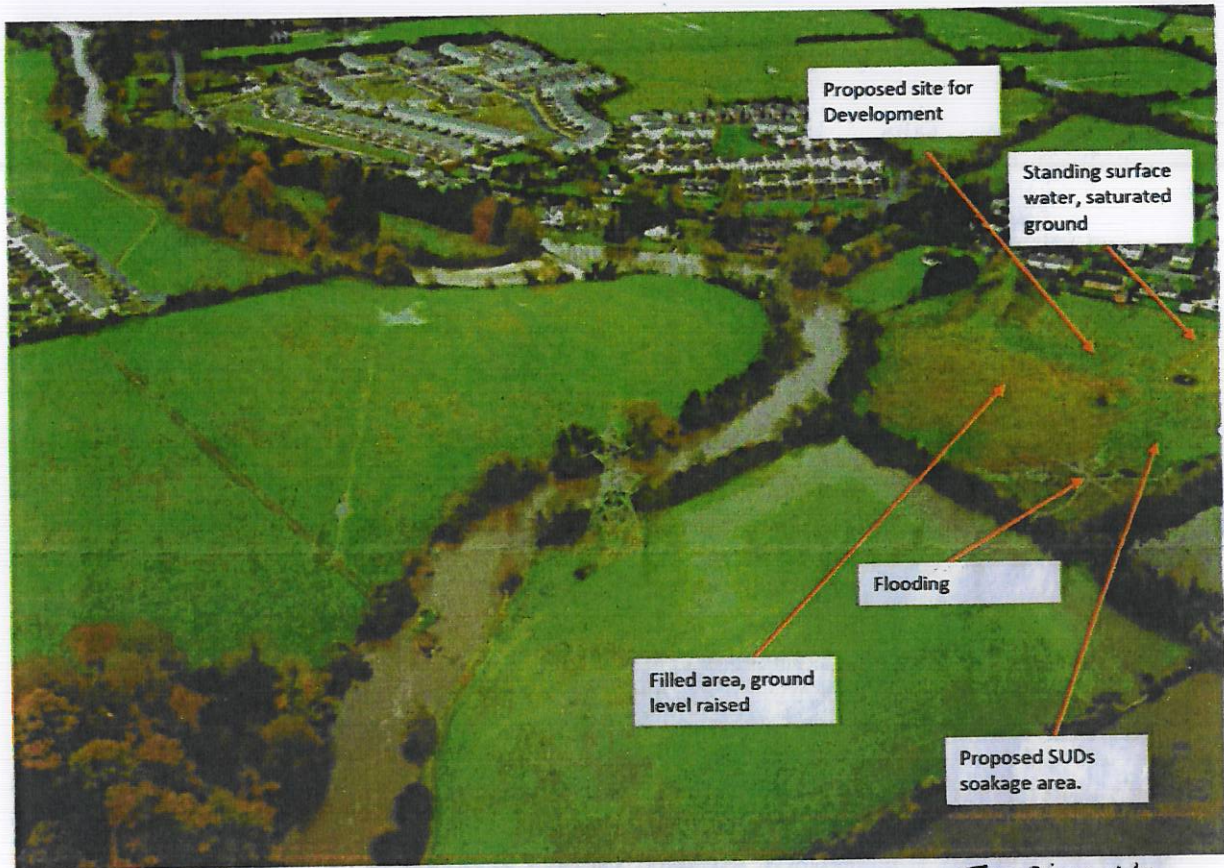
Evidence of Flooding in the Area which was not addressed in the application.



November 2000 flooding of the River Liffey upstream of the Templetown Weir. Also shows saturation of surrounding fields. MILLS

### ESB report into the November 2000 flood event

An ESB report into the flood event in November 2000 states that this flood had a 20yr return period, a similar flood event was recorded in 1993 and again in 1998. This was not a 1 in 1000 yr flood event as suggested by the flood risk assessment undertaken for this proposed development. The report states that the Poulaphouca dam acts as a flood relief measure for the middle catchment of the river Liffey, if it was not present flood levels would be 1m higher than the highest recorded flood event in 1954. This shows that water discharges from Poulaphouca are a key component in flood levels in the area. As heavy rainfall events increase, the likelihood of increased water discharges from Poulaphouca and the Blessington reservoirs also increases, this will be magnified by the effect of reducing the ability of lands adjacent to the Liffey to absorb flood waters and increased run off from a built environment. A proper assessment of the increased risk of climate related extreme flood events and their potential impacts on the proposed development and wider Liffey catchment is required.



*Aerial photograph showing extensive flooding of the river Liffey upstream of the ~~Templemills~~ Weir, in proximity to the proposed development site. This photograph shows flooding in the area where the proposed SUDs scheme is to be located.*

**Extract of Kildare Co. Co. report on the November 2000 flooding:**

"..The flooding which took place in County Kildare last weekend was extraordinary and was due to prolonged heavy rain falling on already saturated ground.

The continuous heavy rain had so swollen the watercourses in North-East Kildare that they had extremely limited capacity to absorb flood waters from agricultural land, urban areas and road. The principal watercourse in the area is the River Liffey and its level at Celbridge was such that by Monday evening the pedestrian bridge across the river was flooding and the Council had to consider whether it should close the main bridge which carries traffic to and from Dublin (Fortunately this did not become necessary). The high level of the river at Celbridge shows that the Liffey very quickly lost its capacity to absorb flood water from land".