

# Local Authority Own Housing Development at Station Road, Kildare

Screening for the Requirement of Environmental Impact  
Assessment

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## Environmental Assessment **Built Environment**

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# 1 Introduction

Kildare County Council (KCC) proposes to develop new housing at An Tríantán, Station Road, Kildare.

## 1.1 Purpose of this Report

Brady Shipman Martin (BSM) was appointed to prepare an Environmental Impact Assessment (EIA) Screening Report in relation to the proposed Local Authority Own Housing Development in accordance with the requirements of the 2000 Act and the 2001 Regulations (as outlined hereinafter).

## 1.2 Qualifications

This EIA Screening Report has been written by Namrata Kaile, Ecologist and Environmental Consultant with Brady Shipman Martin. She holds a Bachelor's Degree (BSc) in Life Sciences from University of Delhi and a Master's Degree (MSc) with distinction in Environmental Sciences from Trinity College Dublin. She is a full member of Chartered Institute of Ecology and Environmental Management (MCIEEM) and has been working professionally in the field of environmental consultancy for the last five years. Namrata is experienced in drafting and reviewing EIA Screening Reports, AA Screening Reports as well as in coordination of EIARs.

A technical review of this document has been completed by Senior Ecologist and Associate, Matthew Hague BSc MSc Adv. Dip. Plan. & Env. Law CEnv MCIEEM. Matthew is a highly experienced and qualified ecologist, with a master's degree in Ecosystem Conservation and Landscape Management. He has over 20 years of experience in ecological and environmental consultancy, across a wide range of sectors. Matthew is a Chartered Environmentalist (CEnv) and a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM). Matthew has also completed an Advanced Diploma in Planning and Environmental Law, at King's Inns and is a member of the Irish Environmental Law Association (IELA).

## 2 Background & Methodology

### 2.1 Legislation

The key legislative provisions of relevance to the EIA screening exercise are as follows:

- Directive 2014/52/EU amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (hereinafter the 'EIA Directive');
- Planning and Development Act 2000-2024 (hereinafter the 'PDA 2000'); and
- Planning and Development Regulations 2001-2024 (hereinafter the 'PDR 2001').

### 2.2 Guidelines

In the preparation of this document, regard has been had to the following guidance documents:

- Department of Housing, Planning and Local Government (DoHPLG) (2018). *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*.
- Environmental Protection Agency (EPA) (2022). *Guidelines on the Information to be Contained in Environmental Impact Assessment Reports*.
- European Commission (2017). *Environmental Impact Assessment of Projects – Guidance on Screening*.
- Office of the Planning Regulator (OPR) (2021). *OPR Practice Note PN02: Environmental Impact Assessment Screening*.

### 2.3 Legislative Context

The EIA Directive (Directive 85/337/EEC) came into force in 1985. It was amended in 1997, 2003 and 2009, subsequently codified by Directive 2011/92/EU, and amended by Directive 2014/52/EU. The EIA Directive is transposed into Irish legislation by the Planning and Development Act 2000, as amended (PDA 2000), and by the Planning and Development Regulations 2001, as amended (PDR 2001).

The Directive aims to ensure a high level of protection for the environment and human health, through the establishment of minimum requirements for environmental impact assessment (EIA) for the purposes of development consent for public and private developments that are likely to have significant effects on the environment.

Part 1 of Schedule 5 of the PDR 2001 lists the classes of development for which an EIA is a mandatory requirement. Part 2 of Schedule 5 sets specific thresholds for classes of development at or above which an EIA is also a mandatory requirement.

'Sub-threshold development' refers to development of a class listed in Part 2 of Schedule 5, that does not meet or exceed (i.e. is below) the stated threshold. These developments are subject to screening for the requirement for 'Sub-threshold EIA'.

Schedule 7 of the PDR 2001 sets out the criteria that must be considered in determining whether a sub-threshold project should be subject to EIA. Schedule 7A lists the information that the applicant must submit to the competent authority for the purposes of an EIA screening determination, i.e. the information that must be contained in the EIA Screening Report. This is a step-by-step process known as 'screening for EIA' (refer to **Figure 2.1**).

The objective of screening for EIA is to ascertain whether there is a real likelihood that a project's effects on the environment would be significant and, therefore, whether full EIA (and the preparation of an Environmental Impact Assessment Report (EIAR)) is required.

## 2.4 Approach to EIA Screening Process

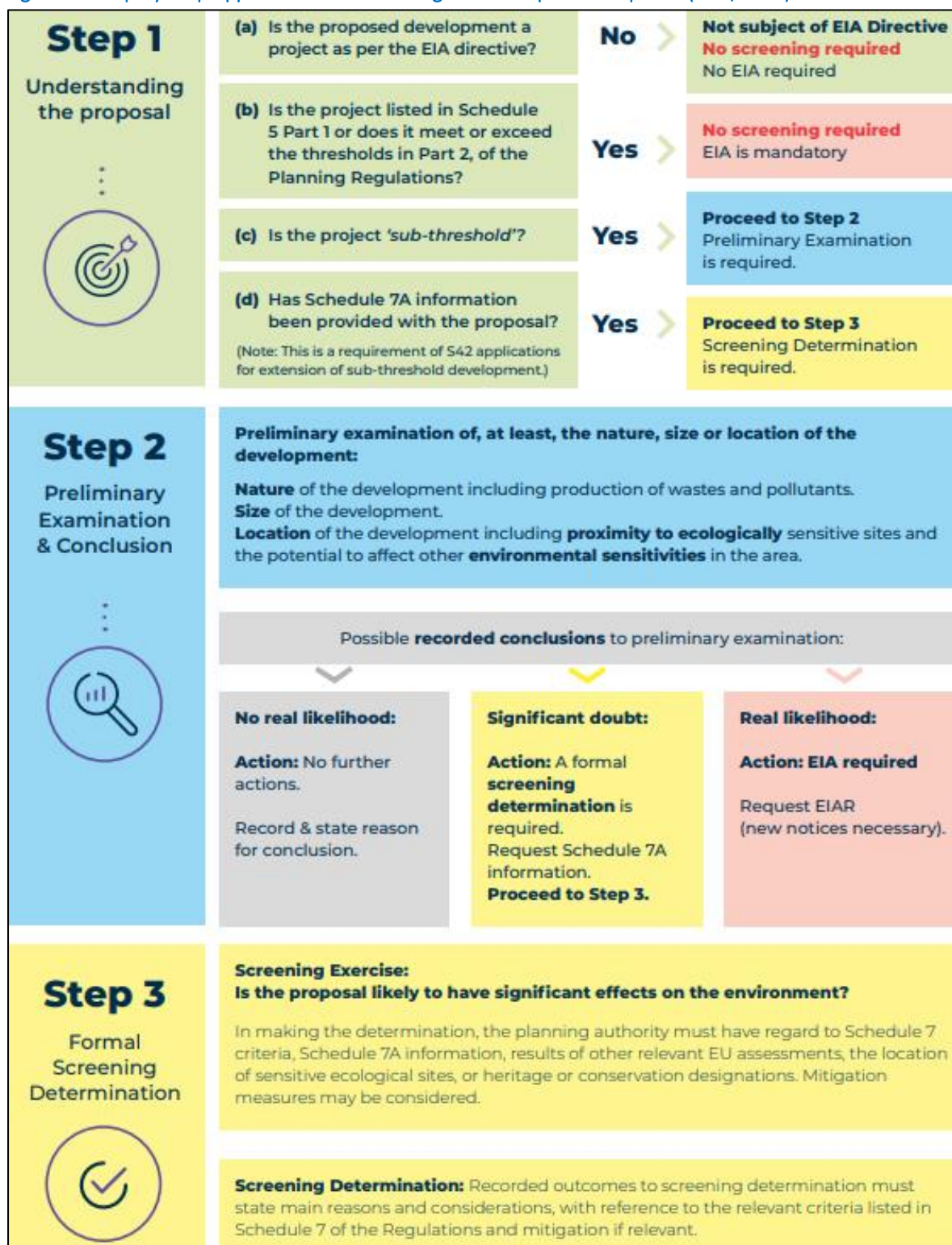
EIA Screening follows a three-step process (DoHPLG, 2018; OPR, 2021) – refer to **Figure 2.1**:

- Step 1: Pre-screening / Understanding the proposal / proposed development;
- Step 2: Preliminary examination and conclusion; and
- Step 3: Screening determination (by competent authority).

In order to assist the competent authority (Fingal County Council) to carry out the screening for EIA, this report provides the following information:

- A description of the Project for concluding, with reference to Part 1 and Part 2 of Schedule 5 of PDR 2001, if the proposal is a 'project', and if it is:
  - of a type where the requirement for EIA is mandatory, or
  - of a type and scale that meets or exceeds a stated threshold at or above which the requirement for EIA is mandatory;
- Consideration for the requirement for the proposal / proposed development to be subject to sub-threshold EIA, including the provision of information required and as set out in Schedule 7A of PDR 2001.

Figure 2.1 Step-by-Step Approach to EIA Screening for Development Proposals (OPR, 2021)



## 3 Understanding the Proposal / Proposed Development

### 3.1 Development Description

The proposed development consists of:

- The construction of 30 social housing units to include:
  - 5no. 3 bedroom two storey duplex apartments;
  - 1no. 3 bedroom three storey house;
  - 2no. 2 bedroom two storey houses;
  - 2no. 2 bedroom single storey apartments;
  - 4no. 2 bedroom 3 person single storey apartments;
  - 6no. 2 bedroom two storey duplex apartments;
  - 10no. 1 bedroom single storey apartments;
- The construction of ancillary structures to include:
  - ESB substation;
  - Switchroom;
  - Secure cycle storage rooms;
- Associated site works to include:
  - Demolition of 2no. existing cottages and associated ancillary structures on Station Road;
  - Erection of new boundary treatment to south, east and north boundaries;
  - New vehicular and pedestrian entrance from Station Road;
- Provision of:
  - 26no. vehicle parking spaces, of which 6no. provided with EV charging points
  - 54 no. residents bicycle parking spaces of which 4no. suitable for adapted cycles / cargo bikes
  - 16no. visitor bicycle parking spaces of which 4no. suitable for adapted cycles / cargo bikes

New landscaping, internal vehicular and pedestrian shared surface route, public lighting, site drainage works, ancillary site services and development works above and below ground.

Refer to **Figure 3.1** for the proposed site layout plan.



Figure 3.1 Proposed Ground Floor Plan (Source: Shay Cleary Architects, 2024)



## 3.2 Requirement for EIA

The proposed housing development comprises 30 residential units (houses, duplexes and apartments) on a site of c. 0.495 hectares.

The requirement for a proposed development to be subject to a mandatory EIA is established under Part 1 and Part 2 Schedule 5 of the 2001 Regulations. Consideration of the requirement for EIA is a step-by-step process known as ‘Screening for EIA’ (refer to **Figure 2.1**). The objective of screening for EIA is to ascertain whether there is a real likelihood that a project’s effects on the environment would be significant and, therefore, whether EIA (and the preparation of an Environmental Impact Assessment Report (EIAR)) is required.

Part 1 of Schedule 5 of the PDR 2001 lists classes of development for which by their nature EIA is a mandatory requirement. These classes of development relate to major industries and infrastructure projects and the proposed housing development does not come within a class or type of development set out under Part 1 of Schedule 5.

Part 2 of Schedule 5 sets out specific thresholds for classes of development at or above which EIA is also a mandatory requirement. Class 10 refers to Infrastructure Projects which includes:

10(b) (i) *Construction of more than 500 dwelling units.*

...and

10(b) (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.)*

In this instance the proposed housing development is of a class listed above and therefore is a project to which the EIA Directive applies. However, the proposed development does not meet or exceed the applicable stated thresholds (*i.e.* class 10(b)(i) - 500 dwelling units or class 10(b)(iv) - 10 hectares) and therefore EIA is not a mandatory requirement.

**Figure 3.2 Applicable Classes of Development for the purposes of Screening for the requirement for EIA**

Provision (Part 2 of Schedule 5 of PDR 2001)	Proposed Development	Pre-screening Assessment
Schedule 5, Part 2, paragraph 10(b)(i): <i>“Construction of more than 500 dwelling units.”</i>	30 housing units	<p><b>Requirement for Mandatory EIA -</b> The proposed development does not meet or exceed the stated threshold. Therefore, EIA is not a mandatory requirement.</p> <p><b>Requirement for Sub-threshold EIA -</b> The proposed development is of a class / type listed in this provision but being significantly below the stated threshold is considered to be ‘sub-threshold’. The proposal should be screened for the requirement for ‘sub-threshold EIA’</p>

Provision (Part 2 of Schedule 5 of PDR 2001)	Proposed Development	Pre-screening Assessment
<p>Schedule 5, Part 2, paragraph 10(b)(iv):</p> <p><i>“Urban development which would involve an area greater than <b>2 hectares</b> in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.”</i></p> <p><i>“(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)”</i></p>	<p>Site area of 0.495 ha located in “other parts of a built-up area”</p>	<p><b>Requirement for Mandatory EIA -</b></p> <p>The proposed development does not meet or exceed the stated threshold (i.e. 10ha in the case of other parts of a built-up area). Therefore, EIA is not a mandatory requirement.</p> <p><b>Sub-threshold development-</b></p> <p>The proposed development is of a class / type listed in this provision but is significantly below the stated threshold. The proposal should be screened for the requirement for ‘sub-threshold EIA’</p>
<p>Schedule 5, Part 2, paragraph 14:</p> <p>Paragraph 14:</p> <p><i>“Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.”</i></p>	<p>Clearance of the existing hard surfaces and bare ground along with the demolition of the 2 no. terrace cottages situated along Station Road, associated ancillary structures, demounting of existing telecoms tower and demolition of ancillary structure.</p>	<p><b>Requirement for EIA -</b></p> <p>The extent and scale of demolition is very small in the context of the urban location and, having regard to the criteria set out in Schedule 7, such works are unlikely to have significant effects on the environment.</p>

Although it does not meet or exceed the stated thresholds, the proposed development is of a class listed in Part 2 of Schedule 5 and as such is subject to a screening exercise (this report) for assessment of likely significant impacts on the environment and for the requirement for ‘sub-threshold EIA, where section 15 of Part 2 of Schedule 5 would apply:

15. *Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.*

Schedule 7 of the 2001 Regulations sets out the criteria that must be considered in determining whether a sub-threshold project should be subject to EIA. Schedule 7A lists the information that must be submitted to the competent authority for the purposes of making a determination on the requirement, or not, for the project to be subject to EIA (i.e. EIA Screening Determination).

Having regard to the process set out in **Figure 2.1**:

- the proposed development is a project as per the EIA Directive,
- the proposed development is not listed in Part 1 of Schedule 5, and it does not meet or exceed the thresholds for EIA in Part 2 of Schedule 5,
- the project is sub-threshold for EIA Step 1 (c), and

- the Schedule 7A information (this report) is being provided to allow a Screening Determination (Step 3) be made with reference to the Schedule 7 criteria, by the competent authority.

## 4 Screening for requirement for Sub-threshold EIA

### 4.1 Screening for 'Sub-threshold EIA'

This stage considers whether the proposal / proposed development should, or should not be, subject to the requirement for 'sub-threshold EIA' and the preparation of an EIAR.

It provides the information required of the applicant, as set out in Schedule 7A of PDR 2001, to allow the Competent Authority to carry out a preliminary examination of, at least, the nature, size or location of the development, (including proximity to ecologically sensitive sites and the potential to affect other environmental sensitivities in the area) and to make a determination as to whether there is a real likelihood of significant effects on the environment, as specified in Schedule 7A of the PDR 2001, and with reference to the criteria in Schedule 7 of the PDR 2001.

Schedule 7A of the PDR 2001 requires the applicant to provide:

- "1. A description of the proposed development, including in particular—
  - (a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and
  - (b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.*
- 2. A description of the aspects of the environment likely to be significantly affected by the proposed development.*
- 3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—
  - (a) the expected residues and emissions and the production of waste, where relevant, and
  - (b) the use of natural resources, in particular soil, land, water and biodiversity.*
- 4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.*

This information is provided in the following sections.

### 4.2 Description of the Proposed Development

An overview of the description of the proposed development is provided at **Section 3.1** of this report, and is also detailed in the following specific reports prepared for the proposed development:

- Stage 3B - Civils Basis of Design Strategy (Cundall, May 2024);
- Stage 3B - Structural Basis of Design Report (Cundall, May 2024);
- Stage 3B - MEP & Sustainability Basis of Design Report (Cundall, May 2024);
- Public Lighting Design Report (Cundall, December 2024);
- Site-specific Flood Risk Assessment (Cundall, December 2024);



- Preliminary Sunlight Daylight Analysis (Cundall, March 2024);
- Appropriate Assessment Report (Brady Shipman Martin, November 2024);
- Biodiversity Statement (Brady Shipman Martin, November 2024);
- Landscape Strategy (Bernard Seymour Landscape Architects, December 2024);
- Arborist Report (Arbor-Care Ltd Professional Consulting Tree Service, March 2024);
- Japanese Knotweed Management Plan (LK Group, July 2024);
- Architects Report and associated drawings (Shay Cleary Architects, December 2024);
- Cultural Heritage Impact Assessment (Archaeological Consultancy Services Unit, November 2023);
- Preliminary Construction & Demolition Waste Management Plan (TOBIN, July 2024);
- Preliminary Construction Environmental Management Plan (TOBIN, July 2024);
- Bat survey report (Wildlife Surveys Ltd (September 2024).

#### 4.2.1 Location of the Proposed Development

The proposed development is located at Station Road (R415), Kildare town, Co. Kildare, between Melitta Road (R413) to the north, Station Road (R415) to the west, Campion Crescent to the east and Dara Park Road to the south. There are existing residential developments surrounding the boundary of the proposed development site. Refer to **Figure 4.1**. The site is accessed via the Station Road. It is proposed to construct a new access point to the site from the R415, Station Road.

The site is not particularly sensitive to the environmental effects of development. There are no designated sites or surface water bodies on the site or in the immediate vicinity. However, the site is adjacent to existing residential developments in Kildare town centre.

**Figure 4.1** The site of the proposed development at Station Road, Kildare



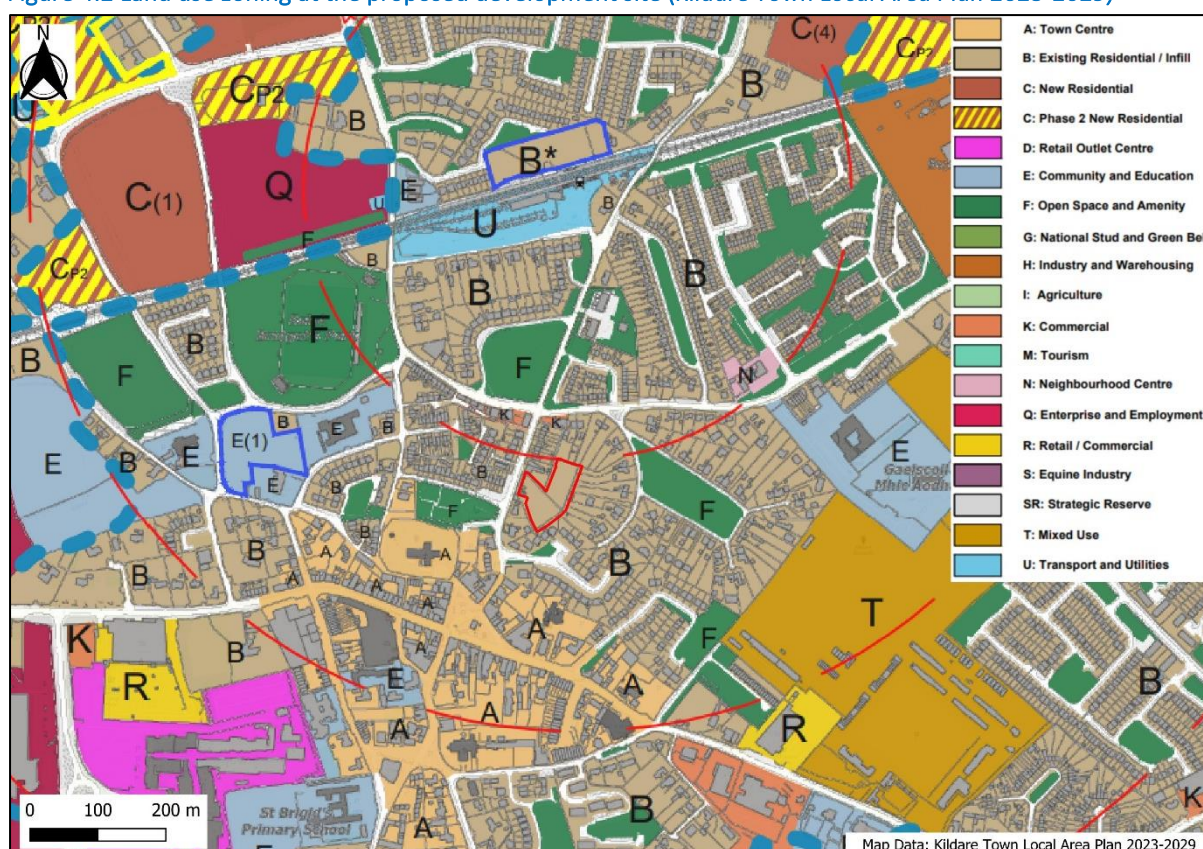
#### 4.2.2 Planning Context

Under the Kildare Town Local Area Plan 2023-2029, the site is zoned as 'Existing Residential/ Infill'- To protect and enhance the amenity of established residential communities and promote sustainable intensification. The surrounding area is also largely zoned as residential with pockets of open space & amenity. Refer to Figure 4.2.

The Kildare County Development Plan 2023 - 2029 states under Policy HO P9 to 'Promote the provision of social and affordable housing in accordance with the Council's Housing Strategy, Housing Need Demand Assessment and Government policy as outlined in the DHPLG Social Housing Strategy 2020...'

The proposed development site is located within a zone of archaeological potential and is directly adjacent to the 'Kildare Town Architectural Conservation Area'.

Figure 4.2 Land use zoning at the proposed development site (Kildare Town Local Area Plan 2023-2029)



#### 4.2.3 Surface Water Drainage

As per the Stage 3B Civils Basis of Design Report prepared by Cundall (2024), the proposed surface water drainage network will collect surface water runoff and convey it to the main attenuation features before discharging it through the vortex-controlled flow control device and separator arrangement.

Surface water runoff from the site's road network will be captured at source through the proposed porous paving surfacing on the carriageway with footways discharging to adjacent bio-retention zones, overflows to the main drainage network will also be provided. Porous pavement will collect surface water runoff from parking spaces as well. Surface water runoff will also be collected in tree catch pits, which will overflow into the main piped network. Surface water runoff from rooftops will be collected from green roofs and directed to the proposed surface water pipe network mainly through rainwater



butts installed at downpipe locations. Rain gardens will be provided in the green areas as a form of attenuation and biodiversity.

In accordance with the Greater Dublin Regional Code of Practice for Drainage (GDSDS) it is proposed to use Sustainable Urban Drainage Systems (SUDS) and Nature Based Systems (NBS) for managing stormwater for the proposed development. It is currently proposed to provide bio-retention areas/rain gardens and tree pits wherever possible throughout the site to help achieve a suitable NBS strategy. Green roofs will also be provided above each of the units. Permeable paving is currently proposed to the parking bays and shared surface carriageway which will provide sufficient attenuation and treatment. It is currently proposed to provide bio-retention areas wherever possible within the soft landscaped areas of the site. Tree pits are proposed wherever possible on the site and will be surrounded with a root protection barrier to ensure sufficient protection is provided to the roots and other services. Pending the proposed surface water drainage design if an attenuation tank is required, it is proposed that a Stormtech attenuation tank will be provided. The proposed surface water drainage network will collect surface water runoff and convey it to the main attenuation features before discharging it through the vortex-controlled flow control device and separator arrangement.

Attenuation volumes have been calculated based on an allowable outflow/greenfield runoff rate of 2.0 l/sec/ha.

#### **4.2.4 Foul Water Drainage**

As per the Stage 3B Civils Basis of Design Report prepared by Cundall (2024), the proposed foul drainage network for the site will comprise a series of 150mm and 225mm pipes where applicable. Each residential unit is to be serviced by individual 100mm diameter connections. A Confirmation of Feasibility (CoF) (CDS23008235) was received (December 2023), and it was noted that the foul sewer connection is feasible once approximately 90m of the existing 150mm gravity sewer in Station Road is upgraded to a 225mm pipe.

The estimated wastewater discharge from the proposed development was calculated following the UÉ Code of Practice for Water Infrastructure with an average daily domestic demand of 0.14 l/sec, average day/peak week demand of 0.18 l/sec, and a peak hour water demand of 0.88l/sec.

The foul and water drainage network for the proposed development has been designed in accordance with the following guidance documents, UE Code of Practice for Wastewater and Water Infrastructure, Department of the Environment's Recommendations for Site Development Works for Housing Areas, Department of the Environment's Building Regulations "Technical Guidance Document Part H Drainage and Waste Water Disposal", BS EN 752: 2008 Drain and Sewer Systems Outside Buildings, IS EN 12056: Part 2 (2000) Gravity Drainage Systems Inside Buildings.

#### **4.2.5 Water Supply**

As per the Stage 3B Civils Basis of Design Report prepared by Cundall (2024), the proposed water drainage network will consist of a 100mm diameter looped water main, generally along the site's pathways. The proposed water main layout and connections to existing public water mains will be designed in accordance with the UÉ Code of Practice for Water Infrastructure and Standard Details. Sluice Valves will be arranged in accordance with STD-W-02.

Individual houses will have their own connections (25mm O.D. PE pipe) to distribution water mains via service connections and meter/boundary boxes. Individual connections are to be installed in accordance with Irish Water Standard Detail STD-W-03. The proposed water main layout will be arranged such that all buildings are a maximum of 46.0m from a hydrant in accordance with the Department of the Environment's Building Regulations *"Technical Guidance Document Part B Fire Safety"*. Hydrants shall comply with the requirements of BS 750:2012 and shall be installed in accordance with Irish Water's Code of Practice and Standard Details. Individual houses will provide water storage in header tanks (in accordance with the requirements of Irish Water's Code of Practice) and include provision of water conservation measures such as dual flush water cisterns and low flow taps.

As per the CoF, it was determined that the water connection is feasible without any infrastructure upgrade work. It is proposed to connect up to the existing 6" (150mm) water main running along Station Road outside the proposed housing development.

#### **4.2.6 Site Specific Flood Risk Assessment**

A Site-Specific Flood Risk Assessment (SSFRA) Report has been prepared by Cundall (2024) as per the requirements of "The Planning System and Flood Risk Management Guidelines for Planning Authorities".

Following the flood risk assessment stages, it was determined that the Site is within Flood Zone C for Fluvial, Coastal, and Groundwater flooding as defined by the Guidelines. The housing development proposed is appropriate for the Site's flood zone category and land zoning.

To mitigate against pluvial flood risk the proposed drainage design will account for the 1 in 100-year event, plus 30% climate change and 10% urban creep factors, with suitable attenuation provisions provided on-site to ensure runoff is restricted to QBar or 2.0 L/sec/ha. In addition to this, finished floor levels throughout the site will be set a minimum of 500mm above the top water level of any attenuation structure and ground levels will fall away from the surrounding units to ensure during exceedance events there is no risk to any internal property flooding. Sustainable Drainage Systems and Nature Based Solutions will also be provided wherever possible throughout the site.

#### **4.2.7 Sustainability and Energy**

A Stage 3B MEP & Sustainability Basis of Design Report has been prepared by Cundall (May 2024) and it includes a description of the MEP and Sustainability basis of the design strategy for the proposed development.

The proposal includes for exhaust air heat pump-based Continuous Mechanical Extract Ventilation (CMEV) system and shall comply with the Building Regulations and follow the guidance in Technical Guidance Document Part F 2019. The electrical services for the site shall be as per all relevant standards, and in accordance with Safe Electric Requirements, i.e., IS EN 10101:2020 and Building Regulations - Technical Guidance Document M (2022) - Access and Use. Lighting installed shall be low energy LED lights

The report further notes that the development will comply with the building regulations requirements set out in the Technical Guidance Document Part L - Conservation of Fuel and Energy – Dwellings (2022).



The proposed dwellings will also be designed to meet the minimum BER target rating of A2, adhering to the EU Nearly Zero Energy Building (NZEB) Regulations.

To conform with Part L compliance, an adequate provision of renewable energy technologies will be provided to each dwelling. The provision of PV panel technologies will be examined in the detail design phase of the proposed development as an optional source of on-site generation.

#### 4.2.8 Utilities

A brief description of the proposed mechanical and electrical services has been set out within the MEP & Sustainability Basis of Design Report, prepared by Cundall (2024);

The proposed infrastructure includes ESB substations, mini pillars and 6 no. EV charging points. It is also proposed that ducting infrastructure will be provided to facilitate the future provision of electric vehicle charging to the remaining car parking spaces on site.

External street lighting will comprise of LED street lighting standard poles and will be provided in line with Kildare County Council requirements. Further information regarding the proposed public lighting design is set out within the Public Lighting Design Report, prepared by DIALux (2024).

#### 4.2.9 Daylight and Sunlight Analysis

A Preliminary Sunlight Daylight Analysis has been prepared by Cundall (2024) to assess the potential impact on sunlight and daylight of the proposed development on surrounding properties. The current design has been assessed according to the recommendations for daylight and sunlight in the BRE's '*Site Layout and Planning for Daylight and Sunlight – A guide to good practice*' (2022).

All amenity areas surrounding the proposed development are compliant with the BRE criteria with more than 50% of each area receiving more than 2 hours of sunshine on the required day of 21st March. It is noted that results with the new development are in the same order as those when calculated without the proposed development in place. The results confirms that all assessed comply with the BRE requirements for the Sunlight hours to the surrounding properties and generally complies with BRE recommendations for the Vertical Sky Component, with the report identifying a potential minor depreciation of available daylight when calculating the VSC for House No 4 as identified in the results section of the report. Further detailed analysis of this area will be carried out in future stages of the project.

#### 4.2.10 Biodiversity

The proposed development site is not under any wildlife or conservation designation. Furthermore, no rare, threatened or legally protected plant species, as listed in the *Irish Red Data Book 1 – Vascular Plants* (Curtis & McGough, 1988), the *Flora Protection Order, 2022* or the *EU Habitats Directive*, are known to occur within the site and none were recorded during the site visits carried out.

A stand (c. 466 m<sup>2</sup> or c. 1239m<sup>3</sup>) of Japanese knotweed (*Reynoutria japonica*), which is an invasive plant species listed on the Third Schedule of the Habitats Regulations, was recorded on site. This has been subject to a formal treatment regime since the autumn of 2022. The treatment will continue until it is certain that the plant has been entirely eradicated from the site. A Japanese Knotweed Management Plan has been prepared by LK Group (2024) which provides a description of recent survey, management

plan and method statement for the Japanese knotweed management within the proposed development site.

No rare habitats or habitats of any ecological value (i.e. International, National or County Importance, or Local Importance) are present, and there are no Key Ecological Receptors at the proposed development site.

The bat surveys undertaken in 2024 concluded that *the site is of importance to bat feeding, However, bats are not using the site for roosting despite the moderate to high bat roost potential of some of the trees onsite.*

Limited evidence of foxes was noted and no evidence of any protected species such as badger, otter (like bats, otters are protected under Article 12 of the Habitats Directive), amphibians or reptiles, or rare or protected plants was recorded during the survey carried out, and the habitats present are not suitable for such species. The site, in its current state, is of some local value for nesting birds.

There is no habitat on the site suitable for use, even on a very occasional basis, by any overwintering birds, such as pale-bellied Brent goose, or any other protected bird species listed as a Special Conservation Interest (SCI) in any European site within the Zone of Influence.

None of the habitats or features present on the site are Qualifying Interests/Special Conservation Interests in any European site within the Zone of Influence and none of these Qualifying Interests/Special Conservation Interests are present on the site. No evidence of any habitats or species with links to European sites was recorded during either the field surveys or desk study undertaken and no 'reservoir' type habitats (habitats which have the potential to support Qualifying Interest/Special Conservation Interest species in any European site) are present.

Overall, the site of the proposed development is of no more than Local (lower Value) importance, as defined by the ecological resource valuations presented in the National Roads Authority/Transport Infrastructure Ireland *Guidelines for Assessment of Ecological Impacts of National Road Schemes* (NRA/TII, 2009 (Rev. 2)).

An Arboriculture Impact Assessment Report has been prepared by Arbor Care which includes an assessment of the trees, their quality and value in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction. The report also provides an arboriculture impact assessment and a tree protection plan for the trees to be impacted by the proposed development. The report concludes that no trees of significance or of amenity value will be removed. It is proposed to remove 8 no. trees on site. It must be noted all trees on site are of low quality and have been left unmanaged for several years.

#### **4.2.11 Appropriate Assessment**

An Appropriate Assessment (AA) Screening Report has been prepared by Brady Shipman Martin in respect of the proposed development (refer to document submitted under separate cover). It has concluded that *the proposed residential development at Station Road, Kildare town, Co. Kildare, individually or in combination with another plan or project, will not have a significant effect on any European sites. This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.*

#### 4.2.12 Cultural Heritage

A Cultural Heritage Impact Assessment has been prepared by Archaeological Consultancy Services Unit (2023) for the proposed site. The report states that -

*The site contains no Recorded Monuments; however it is located within the zone of archaeological potential associated with Kildare Historic Town (KD022-029001-) and potentially adjacent to or within the ecclesiastical enclosure (KD022-029058-). The site is located outside of the Architectural Conservation Area for Kildare town and contains no Protected Structures as listed in the Kildare County Development Plan 2023 – 2029. Two buildings adjacent and to the north of the site are listed in the National Inventory of Architectural Heritage, Saint Conleth's House (NMI Reg. No. 11817117) and Kilmore House (NIAH Reg. No. 11817098).*

The report further concludes that -

*The assessment concludes that the site is of very high archaeological potential to contain previously unknown archaeological remains, including an outer enclosure boundary if present within the site, and archaeological activity associated with the monastic site due to the sites location and previously undisturbed nature. Any groundworks associated with the proposed development have the potential to impact upon archaeological remains if present. Furthermore, the row of buildings along Station Road could contain older fabric associated with buildings depicted at this location on the 1757 and 1798 maps.*

*It is recommended that any proposed development be subject to further archaeological mitigation and include:*

- test trenching in advance of any future development
- photographic record of the outside and inside of the cottages prior to demolition
- monitoring of demolition of the buildings in order to ensure preservation by record of any older fabric if present

*This should be carried out by an experienced, licence – eligible archaeologist in line with a method statement submitted to and approved by the Department of Housing, Local Government and Heritage.*

### 4.3 Schedule 7A Information and Schedule Criteria

The information required for the purposes of screening for EIA as set out in Schedule 7A of the PDR 2001 is provided in **Table 4.1**. The criteria set out in Schedule 7 of the PDR 2001 have also been considered in **Table 4.2**.

**Table 4.1 Provision of Information as required from Schedule 7A of PDR 2001**

A description of the proposed development, including in particular—	
(a)	a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works
The proposed local authority own development is located on a site of c.0.495ha at Station Road (R145), Kildare town, Co. Kildare. The proposed development presents an opportunity to provide much needed social housing units in a strategic urban infill location, utilising existing services and infrastructure, close to public transport links. As set out within the Architects Report (Shay Cleary Architects, 2024), the architectural design of the	

scheme complies with the 'Urban Design Standards Checklist' listed on Table 14.2 of Chapter 14 of the Kildare County Development Plan 2023-2029.

The proposed development seeks to construct 30 no. social housing units in a mix of apartment units, duplex units and two storey houses.

Private amenity space is provided for each unit which is achieved through the inclusion of a garden, patio or terrace. The development will provide for open space provision which will comprise of soft and hard landscaped areas. Dwellings will overlook the public open spaces ensuring good passive surveillance.

The development achieves a net density of 60 dwellings per hectare and provides for a diverse range of dwelling types and tenures. The proposed height and scale of the development has been carefully considered in order to protect the amenities of the neighbouring properties whilst creating high quality homes that are suitable for people at all stages of life.

In terms of parking, a total of 26 no. car parking spaces will be provided, 4 no. of which will be accessible spaces and 6 no. will be dedicated EV charging spaces. A total of 68 no. cycle spaces will be provided on site which will include 16 no. visitor spaces and 4 no. cargo/adopted cycle spaces. Necessary infrastructure to allow for future EV charging capabilities will be provided to all car parking spaces throughout the proposed development.

The proposed development includes for provision of associated site and infrastructural works including the provision of foul and surface water drainage and associated connections, Sustainable Urban Drainage Systems (SUDS) including porous paving, greens roofs, bio-retention planting/rain gardens and tree pits.

The proposed development also includes for all site enabling and development works, landscaping works, plant, storage, boundary treatments, ESB substations, lighting, servicing, signage, and all site development works above and below ground.

It is also proposed to construct a new pedestrian and vehicular access point to the site from the R415, Station Road.

In order to facilitate the build, it will be necessary to clear the existing site of vegetation, existing hard surfaces and bare ground along with the demolition of the 2 no. terrace cottages situated along Station Road, associated ancillary structures, demounting of existing telecoms tower and demolition of ancillary structure.

Also refer to Section 4.2 of this report.

**(b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected**

The subject site is characterised as a vacant, unmanaged site, with an existing terrace of unoccupied single storey cottages and associated outbuildings which front along Station Road. A telecoms mast and associated shed are also located within the site boundary. The site is mainly dominated by scrub with early mature trees present along the perimeter. Boundary conditions vary across the site, comprising stone walls, blockwork walls, embankments, wire mesh fencing, timber fencing, planted boundaries and metal fencing.

The site is well serviced by existing infrastructure and services. Re-development of this site, therefore, constitutes an efficient use of resources. It is consistent with the national and municipal policies of compact growth and urban consolidation, and avoids the environmental impacts associated with greenfield development

The proposed development is a public residential development project. It entails the provision of new housing in Kildare town, with associated public realm and all associated ancillary works. As such, it is not exceptional in the context of the immediate area, which features residential dwellings of a broadly similar nature and scale.

There are no watercourses on the site of the proposed development or in the immediate vicinity, and it is not feasible that pollutants could be directly discharged from the site of the proposed development to the surface water network. The nearest watercourse is the Tully stream c. 1.5km (linear distance) to the south on the other side of the M7 motorway. There is no surface water pathway to the Tully stream from the subject site. The Cloncumber stream flows c. 4.4km to the north-east and the Grand Canal Miltown Feeder is c. 5.2km to the north-east. There is no pathway to either of these water features from the subject site.

The proposed development site is located within the Barrow catchment (14), Barrow\_SC\_060 (14\_18) sub-catchments and Tully Stream\_010 river sub-basins. As per the WFD 2016-2021 status, the Tully Stream (IE\_EA\_14T020200) is of 'Poor' status and are 'At risk' for river waterbodies risk. As per the WFD 2016-2021 status, the Cloncumber stream (IE\_SE\_14C170200) is 'moderate' and the risk status is 'At risk'.

The site of the proposed development is not under any designation for nature conservation. There are no European sites within the immediate vicinity of the proposed development site in Kildare. The nearest Natura 2000 site is the Pollardstown Fen SAC, c. 4.8km to the north-east of the proposed development.

The Curragh Gravels West (IE\_SE\_G\_133) ground waterbody (GWB) underlies the proposed scheme. Pollardstown Fen SAC (c. 4.8km to the north-east of the site), a groundwater-dependent feature, is potentially sensitive to any changes in groundwater levels and water quality, including those caused by development at a distance. About 40 springs provide a continuous supply of water to the Fen, rising chiefly at its margins, along distinct seepage areas of mineral ground above the Fen level. The continual inflow of calcium-rich water from the south of the Fen, primarily from the Curragh, and from the limestone ground to the north, creates waterlogged conditions which lead to peat formation. There are layers of calcareous marl in this peat, reflecting inundation by calcium-rich water. However, the regional groundwater flow direction immediately south of Pollardstown Fen to be generally in a north-easterly direction towards the Fen<sup>1</sup>. The proposed development site is located within Kildare town where the groundwater flow is to the south-west.

As noted above, an AA Screening Report has been prepared in respect of the proposed development (refer to document submitted under separate cover), which has concluded *that the proposed development, individually or in combination with another plan or project, will not have a significant effect on any European sites. This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.* Therefore, for the purposes of this EIA screening determination, significant effects on European sites can also be excluded. Similarly, there is no likelihood of significant effects on any pNHA.

Under the Kildare Town Local Area Plan 2023-2029, the site is zoned as 'Existing Residential/ Infill' - *To protect and enhance the amenity of established residential communities and promote sustainable intensification.* The surrounding area is also largely zoned as residential with pockets of open space & amenity.

The *Kildare County Development Plan 2023 – 2029* provides a Landscape Character Assessment of the entire county council. It classifies 16 'Landscape Character Areas' for County Kildare. The site of the proposed development is located within 'Central Undulating lands' character area, which is categorised as having low sensitivity. There are no protected views identified in the Development Plan in the vicinity of the proposed development or that could be affected by the proposed development. There is a scenic route in the vicinity of the proposed development – view no. 03- Views across Curragh Plains, north and south, along R445, from the junction of R413/R445 to Colgan's Cut. However, this view is not in immediate vicinity of the site and will not be affected by the proposed development.

<sup>1</sup> Misstear, B.D.R., BROWN, L. AND DALY, D. (2008a) A methodology for making initial estimates of groundwater recharge from groundwater vulnerability mapping, Hydrogeology Journal

The proposed development site is located within a zone of archaeological potential and is directly adjacent to the 'Kildare Town Architectural Conservation Area'. As part of this application a Cultural Heritage Impact Assessment has been prepared by Archaeological Consultancy Services Unit (2023) to assess the archaeological potential of the subject site. Refer to Section 4.2.12.

Refer also to Section 4.2 of this report.

## 2. A description of the aspects of the environment likely to be significantly affected by the proposed development.

The subject site is located on a vacant infill site in an established built-up urban area in Kildare town.

While the following aspects of the environment have potential to be impacted – any potential impacts will be managed and mitigated as set out in detail in the Preliminary Construction Environmental Management Plan (TOBIN, 2024) and Preliminary Construction & Demolition Waste Management Plan (TOBIN, 2024) and no significant environmental impacts will occur.

**Biodiversity:** The proposed development is not in an area with a high sensitivity to the environmental effects of development of this nature and scale. The site of the proposed development predominantly comprises scrub, disturbed ground and artificial surfaces. The site of the proposed development is not under any environmental or ecological designation. There are no significant ecological sensitivities in the immediate environs.

As noted in Section 4.2.9, overall the site of the proposed development is of no more than Local (lower Value) importance, as defined by the ecological resource valuations presented in the National Roads Authority/Transport Infrastructure Ireland Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA/TII, 2009 (Rev. 2)).

The loss of existing features will not constitute a significant impact. The proposed landscape design will increase the quantum of vegetation on the site. It will incorporate planting of trees and shrubs that may be expected to offset the aforementioned losses. Additionally certain existing trees and hedgerows will be retained, where applicable. Considering the high urbanised and disturbed context at present, the proposed works are only expected to result in marginal change in this regard – with no significant ecological impacts likely to occur.

Also, refer to Section 4.2.10.

**Water:** There are no surface water features present on the site or in the immediate vicinity. The nearest mapped watercourse is the Tully stream c. 1.5km (linear distance) to the south on the other side of the M7 motorway. There is no surface water pathway to the Tully stream from the subject site. The Cloncumber stream flows c. 4.4km to the north-east and the Grand Canal Miltown Feeder is c. 5.2km to the north-east. There is no pathway to either of these water features from the subject site.

As noted above Pollardstown Fen SAC (c. 4.8km to the north-east of the site), a groundwater-dependant feature, is potentially sensitive to any changes in groundwater levels and water quality, including those caused by development at a distance. The subject site is not located within the groundwater catchment of Pollardstown fen and the interpreted groundwater flow in the area is in the opposite direction.

During the demolition and construction phase, standard good practice pollution control measures will be implemented, to ensure that no site run off will be directed to existing streams. In terms of surface water drainage, the proposed development will include SuDS features to manage operation surface water and to maintain water quality in the streams.

**Heritage:** The proposed development site is located within a zone of archaeological potential and is directly adjacent to the 'Kildare Town Architectural Conservation Area'. A Cultural Heritage Impact Assessment has

been prepared by Archaeological Consultancy Services Unit (2023) as a part of this application to assess the archaeological potential of the subject site. Refer to Section 4.2.12.

Adjoining Residential Areas: Established residential areas are located along the eastern, northern, southern and partially western boundary of the subject site. The immediate areas will experience visual impacts from the site development as well as have potential for impacts from dust and noise. Residential and related development of this nature is common in the surrounding area. Any potential impacts arising will be managed and mitigated by the Preliminary Construction Environmental Management Plan (TOBIN, 2024) and Preliminary Construction & Demolition Waste Management Plan (TOBIN, 2024).

During the operational phase, the proposed development may alter visual amenity due to the new features within the streetscape, changes in traffic flows, lighting, signage, new boundaries and landscape planting treatments. There is also the potential for permanent significant positive effects on public realm through proposed changes to the streetscape.

3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—  
(a) the expected residues and emissions and the production of waste, where relevant

The proposed works may be expected to involve noisy activities, dust-generating activities, construction traffic and machinery, and the generation of waste material for off-site disposal. Typical environmental effects are predicted, including elevated levels of noise, emissions of dust, direct and indirect greenhouse gas emissions, impacts on visual amenity, effects associated with construction traffic, etc. Generally speaking, these effects will be short-term in duration (lasting only as long as the proposed works) and reversible. There will be environmental risks associated with the presence of potential pollutants (e.g. hydrocarbons, solvents and cementitious materials) and typical site safety risks.

In order to facilitate the build, it will be necessary to clear the existing site of vegetation, existing hard surfaces and bare ground along with the demolition of the 2 no. terrace cottages situated along Station Road, associated ancillary structures, demounting of existing telecoms tower and demolition of ancillary structure. A Preliminary Construction & Demolition Waste Management Plan (TOBIN, 2024) has been prepared for the construction and demolition phase of the proposed development, in accordance with the *EPA Best Practice Guidelines for the Preparation of Resource & Waste Management Plans for Construction & Demolition Projects (2021)*.

There are no unusual aspects of the proposed development. Volumes of residues and waste generated during the demolition, construction and operational phases will be commensurate of development of this nature, scale and location and these will be managed and mitigated as set out in detail in the Preliminary Construction Environmental Management Plan (TOBIN, 2024) and Preliminary Construction & Demolition Waste Management Plan (TOBIN, 2024), and no significant environmental impacts will occur.

(b) the use of natural resources, in particular soil, land, water and biodiversity

The site is zoned for residential development in the Kildare County Development Plan 2023-2029 and as such residential development of the type proposed is envisaged for the lands and this zoning has been subject to Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) as part of the making of the development plan process.

The majority of the lands are currently undeveloped and local excavations will be required for infrastructure, foundations and services from which it may be necessary to export some excavated material for off-site disposal. This will be executed in accordance with the relevant legislative provisions. A Preliminary Construction Environmental Management Plan (TOBIN, 2024) and Preliminary Construction & Demolition Waste Management Plan (TOBIN, 2024) have been prepared for the proposed development.



During the operational phase, potable water from the public supply network will be consumed by residents. Confirmation of feasibility to provide both potable water and wastewater services to the proposed development have been received from Uisce Éireann. Refer to Section 4.2.3, 4.2.4 and 4.2.5.

The proposed landscaping has been designed to incorporate biodiversity enhancement measures and includes sustainable drainage systems. The proposed works will result in the removal of the majority of the habitats on the site, however the landscape design of the proposal seeks to consider the existing mature trees in neighbouring properties and to fortify the existing boundary condition with native hedgerow species. The loss of existing features will be mitigated by additional planting on site as per the landscape proposal.

There are no unusual aspects of the proposed development in this regard. Use of natural resources will be limited to standard / typical levels for development of this nature, scale and location and no significant environmental effects will arise as a result.

4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7

The information provided above has taken account of the criteria in Schedule 7 – refer to **Table 4.2**.

**Table 4.2 Criteria set out in Schedule 7 of the PDR 2001 and corresponding information in respect of the proposed development**

<p><b>1. Characteristics of proposed development</b> <i>The characteristics of proposed development, in particular—</i></p> <p><b>(a) the size and design of the whole of the proposed development,</b></p> <p>The proposed development provides for 30 residential units (houses, duplexes and apartments) together with associated site infrastructure, landscaping and open space and associated and ancillary development on an appropriately zoned site of c. 0.495ha</p> <p>The size and design of the proposed development are detailed in <b>Sections 4.2</b> and <b>Table 4.1</b> above.</p>
<p><b>(b) cumulation with other existing development and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the [PDA 2000] and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment,</b></p> <p>The subject site is situated within lands earmarked by the council for residential development in a built-up town centre location in Kildare town.</p> <p>The following sources were consulted to identify relevant other plans or projects:</p> <ul style="list-style-type: none"> <li>■ Kildare Town Local Area Plan 2023 – 2029 (Kildare County Council);</li> <li>■ Kildare County Development Plan 2023 – 2029;</li> <li>■ The National Planning Application database (<a href="http://www.myplan.ie">www.myplan.ie</a> – accessed December 2024);</li> <li>■ An Bord Pleanála database (<a href="http://www.pleanala.ie">www.pleanala.ie</a> – accessed December 2024); and</li> <li>■ EIA Portal (<a href="http://www.housinggov.ie/maps.arcgis.com">www.housinggov.ie/maps.arcgis.com</a> – accessed December 2024).</li> </ul> <p>Permitted and proposed projects in the immediate vicinity of the site were considered in terms of the potential for in-combination effects. No developments are proposed within the immediate vicinity of the site that would, in combination with the development under appraisal in this report, give rise to significant effects. This includes projects that are currently under construction, have recently been granted planning permission or are awaiting a decision, such as:</p> <ul style="list-style-type: none"> <li>■ KCC 181394, Lands at Nurney Road (R415), Greyabbey (townland), Kildare, Co. Kildare - Permission has been granted in June 2024 on the relative planning application. The development consists of the construction of 2 no. light industrial buildings of c.61,472 sq. m (for the purpose of timber frame/light gauge steel manufacturing) A) All site clearance and enabling works required to facilitate the</li> </ul>



development; B) Building A (Factory unit A); C) Building B (Factory unit B); D) Provision of yards and recycling areas, along with loading bays, waste compactor and gated access points, and 2 no. ESB substations, and the provision of 2 no. single storey security guard houses; E) Access to the unit will be provided via a revised entrance onto the R415 and the provision of 622 no. car parking spaces, parking for 80 trucks/trailers, and 622 no. bicycle spaces; F) The development includes landscaping, boundary treatments, photovoltaic panels at roof level, entrance barriers, site lighting, and all associated site development works, including underground foul and storm water drainage services and attenuation areas, internal drainage diversions, culverts and all ancillary works; G) The development also consists of the reprofiling of the subject site to include an increase of ground levels at the site by up to circa 3m.

- KCC 181394, Loughlione, Kildare, Co. Kildare. Permission has been granted in September 2023 on the relative planning application. The development consists of (a) Demolition of the existing dilapidated and disused single storey building. (b) Relocation of the existing entrance. (c) Erection of 6 no. office based industry, business, science and technology buildings, erection of 1 no. part office based industry, business, science and technology building - part amenity, leisure, and conference facility, all with associated signage. (d) Sloping roof feature with photovoltaic panels, having an overall height of approx. 14.5m on the south elevation of all buildings. (e) Provision for new road network throughout the site. (f) Provision for 200 carparking spaces. (g) Proposed landscaping, planting, and all associated site works. (h) New entrance with 1.8m high feature stone wall with associated wall mounted signage. (i) A new 1.8m wrought iron boundary fence with associated hedging to the north west boundary of the site (along the local roadside), a new 2m security fence to the eastern boundary of the site with associated planting, and additional planting to supplement the existing trees and shrubs along the southern boundary of the site, Bounded by the M7. (j) Erection of a signage structure at the main entrance.
- KCC 23102, Nurney Road and Monasterevin Road, Kildare Town, Co. Kildare. Whitelands East, Kildare Town, Co. Kildare; Permission has been granted in February 2024 on a proposed infrastructural development application. The development comprises of the construction of a section of the Outer Relief Road contained in the Kildare Town Local Area Plan that connects Monasterevin Road (R445) with Kildare Outlet Village Roundabout (KOV Roundabout) on the Nurney Road (R415), designed to tie into the road infrastructure permitted in Ref. 17/1261, with associated footpath and cycle paths; Road Connections north-south along the new Outer Relief Road to access future development land, with a new junction on the Monasterevin Road (R445) and associated improvements to public realm along frontage to accommodate sight lines, with boundary treatments and landscaping; Raised ground level within the defined site to facilitate gravity drainage; Provision of associated water supply and drainage services and ducting under roads, public lighting, landscaping and boundary treatments to all road perimeters.
- KCC 23895, Kildare Tourist Outlet Village, Nurney Road, Kildare Town, Co. Kildare; Permission and retention permission has been granted in February 2024 on the relative planning application. The development consists of retention permission for 6 no. existing food and beverage kiosk zones (434sqm gross area) including kiosks (total 49.7sqm gross floor area) with signage, adjacent seating and circulation areas. Planning permission is also sought for 2 no. additional food and beverage kiosk zones, including kiosks with signage, adjacent seating and circulation areas; resulting in a total of 8 no. kiosk zones of which only 6 no. zones will be operational at any one time.
- ABP 305007, Former McGee Barracks Site, Hospital Street, Kildare Town, Co. Kildare: Permission has been granted in October 2019 on a proposed Strategic Housing Development application. The development consists of the demolition of 17 no. existing buildings (including a range of former Barracks buildings, the Officers' Mess building and Water Tower Structure) and the construction of a development comprising of 375 no. residential units, a neighbourhood centre comprising of 3 no. single-storey retail units, a café (including gallery / exhibition area at mezzanine level), a two-storey

childcare facility and associated play area, all internal roads, car parking, pedestrian and cycle paths, public open space, and all associated site and infrastructural works on an application site of c. 11.35 ha.

- ABP 318401, Southgreen Road & Old Road, Kildare Town, Co. Kildare: Decision is awaited from the Bord on a proposed Large Scale Residential Development Application. The development consists of the construction of a new residential development of 168 no. units in a mixture of houses, apartments and duplex units ranging in height from 2 to 3 storeys together with a childcare facility of approx. 343.91 sqm. Each residential unit will be afforded with private open space in the form of a balcony in the case of the apartment & duplex units and a rear garden in the case of the housing units. Public open space is proposed in the form of large central play areas, outdoor seating and planting. A total of 203 no. car parking spaces (183 no. for residents, 11 no. for visitors and 9 no. for creche set down/drop off) are provided at surface level, including 3 no. accessible spaces, 2 no. bicycle/bin storage buildings (both single storey / 2.5m in height) are proposed to accommodate (a) 165 no. bicycle spaces (128 no. for residents 24 no. for visitors and 13 no. for creche staff and children) in the form of 3 no. bicycle storage areas (approx.. 66 sqm); and (b) 2 no. bin storage areas (approx. 17.9sqm). The development shall be served via a new vehicular access point from the Southgreen Road. New pedestrian and cyclist access points will be provided on to Southgreen Road, Old Road and the Southern Link Road from the site. A double-lane cycle track and footpath are also proposed along Southgreen Road adjacent to the proposed scheme. The associated site and infrastructural works include provision for water services; foul and surface drainage connections; attenuation proposals; permeable paving; all landscaping works; boundary treatment; internal roads and footpaths; electrical services and all associated site development works.
- ABP 304932, St Brigid's Park, Old Road, Kildare Town, County Kildare; Decision is awaited from the Bord on the relative planning application. The development comprises of; construction of 19m wide by 5m high precast concrete skills wall including a total of 800m<sup>2</sup> artificial playing surface, associated 2.4m high mesh fencing and 4 no. 12m high flood lighting columns, located to the south of the overall site. Construction of detached single storey steel frame/cladded gym building to the northern side of the existing clubhouse. Installation of 2 no. 28m wide by 13m high ball stops to existing training pitch which is located to the west of the overall site. Installation of lighting to the existing walking route around the perimeter of St. Brigid's Park, and all ancillary site works.

It is noted that the list of developments in this section is non-exhaustive. There are a wide variety of other applications and permissions in the area. However, minor developments, such as one-off housing, erection of signage and other minor structures and extensions, have been excluded due to the absence of potential for significant cumulative impacts. Lapsed and refused permissions have also been excluded.

The *Kildare County Development Plan 2023 – 2029* has a series of objectives intended to protect and enhance the natural environment. For example, the Plan contains significant objectives to protect and enhance green infrastructure within the county. It also includes policies for to protect water bodies and watercourses, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains, within the County from inappropriate development.

Furthermore, the zoning, policies and objectives set out in the *Kildare County Development Plan 2023 – 2029* are intended to protect the environment while encouraging development in appropriate areas. The proposed development complies with these objectives in the context of nature conservation.

The proposed development will not impact on the flow of water through the area, nor increase potential flood impacts. It is in compliance with all of the relevant Plan objectives.

Given the nature of the proposed development and the limited scale of other works in the surrounding area, there is no cumulation for the purposes of section 172(1A)(b) of the Act and/or development the subject of

any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment.
<i>(c) the nature of any associated demolition works,</i>
To facilitate the proposed scheme, it will be necessary to clear the existing site of vegetation, existing hard surfaces and bare ground along with the demolishment of the 2 no. terrace cottages situated along Station Road, associated ancillary structures, demounting of existing telecoms tower and demolition of ancillary structure.
<i>(d) the use of natural resources, in particular land, soil, water and biodiversity</i>
<p>The site is zoned for residential development in the Kildare County Development Plan 2023-2029 and as such residential development of the type proposed is envisaged for the lands and this zoning has been subject to Strategic Environmental Assessment (SEA) and Appropriate Assessment as part of the making of the development plan process.</p> <p>The majority of the lands are currently undeveloped and local excavations will be required for infrastructure, foundations and services from which it may be necessary to export some excavated material for off-site disposal. This will be executed in accordance with the relevant legislative provisions. A Preliminary Construction Environmental Management Plan (TOBIN, 2024) and Preliminary Construction &amp; Demolition Waste Management Plan (TOBIN, 2024) have been prepared for the proposed development.</p> <p>During the operational phase, potable water from the public supply network will be consumed by residents. Confirmation of feasibility to provide both potable water and wastewater services to the proposed development have been received from Uisce Éireann. Refer to Section 4.2.3, 4.2.4 and 4.2.5.</p> <p>The proposed landscaping has been designed to incorporate biodiversity enhancement measures and includes sustainable drainage systems. The proposed works will result in the removal of the majority of the habitats on the site, however the landscape design of the proposal seeks to consider the existing mature trees in neighbouring properties and to fortify the existing boundary condition with native hedgerow species. The loss of existing features will be mitigated by additional planting on site as per the landscape proposal.</p> <p>There are no unusual aspects of the proposed development in this regard. Use of natural resources will be limited to standard / typical levels for development of this nature, scale and location and no significant environmental effects will arise as a result.</p>
<i>(e) The production of waste</i>
<p>During the construction phase, waste material will be generated, requiring off-site disposal. Waste materials are likely to include demolition waste and excavated material. Waste material will be managed in accordance with the applicable legislative provisions.</p> <p>Any generation of residues or emissions and the production of waste will be typical of normal site development and construction activity and no unusual aspects are anticipated for the proposed development. The construction works will be managed in accordance with the Preliminary Construction Environmental Management Plan (TOBIN, 2024) and Preliminary Construction &amp; Demolition Waste Management Plan (TOBIN, 2024).</p> <p>There are no unusual aspects of the proposed development in this regard. Volumes of waste generated during the construction and operational phases will be commensurate of development of this nature, scale and location.</p>
<i>(f) pollution and nuisances,</i>
As detailed above, during the construction phase, there will be typical construction and demolition-related pollution risks and effects, e.g. generation of dust, elevated levels of noise, potential pollution risk associated with presence of hazardous substances (hydrocarbons, cementitious material, etc.). Standard good practice

construction pollution control measures will be implemented (as detailed in Preliminary Construction Environmental Management Plan (TOBIN, 2024) and Preliminary Construction & Demolition Waste Management Plan (TOBIN, 2024) and no significant environmental effects are predicted in this regard. Works will be limited to normal working hours in order to avoid / minimise potential nuisance.

During the operational phase, potential sources of pollution associated with the proposed development are principally (i) generation of municipal solid waste (addressed above) and (ii) generation of foul water. As detailed in Section 4.2.4, the foul and water drainage network for the proposed development has been designed in accordance with the following guidance documents, UE Code of Practice for Wastewater and Water Infrastructure, Department of the Environment's Recommendations for Site Development Works for Housing Areas, Department of the Environment's Building Regulations "Technical Guidance Document Part H Drainage and Waste Water Disposal", BS EN 752: 2008 Drain and Sewer Systems Outside Buildings, IS EN 12056: Part 2 (2000) Gravity Drainage Systems Inside Buildings. For the reasons detailed, no significant environmental effects are predicted in this regard.

No significant environmental effects will arise as a result of pollution and nuisances.

*(g) the risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge, and*

The proposed development is neither especially susceptible to the risk of major accidents and / or disasters, nor is it likely to cause or exacerbate such an event. No particular risks have been identified in this regard.

There are no Seveso sites in the vicinity of the proposed development, and no consultation distance for any such site overlaps with the proposed development.

As detailed in **Section 4.2.6**, above, a Site Specific Flood Risk Assessment has been prepared in respect of the proposed development, which has considered the flood risk associated with the proposed development. It has concluded that the housing development proposed is appropriate for the Site's flood zone category and land zoning.

*(h) the risks to human health (for example, due to water contamination or air pollution)*

The site of the proposed development has residential receptors present in the immediate vicinity. However, having regard to the nature and scale of the proposed development, no likely significant effects are predicted in this regard. Construction phase impacts will be managed and mitigated as set out in detail in the Preliminary Construction Environmental Management Plan (TOBIN, 2024), and no significant environmental impacts will occur.

**2. Location of proposed development**

*The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to—*

*(a) the existing and approved land use,*

Under the Kildare Town Local Area Plan 2023-2029 the site and its surrounds are zoned for residential use. For further details in relation to existing and approved land use, refer to **Section 4.2.2**, above.

*(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,*

The site of the proposed development is highly disturbed and is dominated by scrub vegetation, spoil, bare ground and hard/artificial surfaces. Ecologically the site is of (at most) local (lower value) importance. There are no protected habitats or rare / protected species of flora present on the site.

There are no surface water bodies or designated sites on the site or in the immediate vicinity. For further details, refer to **Section 4.3** above. The wider site of the proposed development is developed and urban in nature, having low sensitivity to the effects of development.

<i>(c) the absorption capacity of the natural environment, paying particular attention to the following areas:</i>
<i>(i) wetlands, riparian areas, river mouths;</i>
There are no wetlands, riparian areas or river mouths at the site of the proposed development or in the immediate vicinity that could be directly affected by the proposed development.
<i>(ii) coastal zones and the marine environment;</i>
The site of the proposed development is situated over c.55km (linear distance) from the coast. There are no direct impact pathways between the proposed development site and coastal zones or the marine environment.
<i>(iii) mountain and forest areas;</i>
There are no mountains or forest areas at the proposed development site or in the immediate vicinity that could be affected.
<i>(iv) nature reserves and parks;</i>
The nearest relevant statutory Nature Reserve to the proposed development site is at Pollardstown Fen which is approximately 4.8km to the north-east of the proposed development. There is no real likelihood of significant effects on any Nature Reserve or park resulting from the proposed development.
<i>(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;</i>
An Appropriate Assessment (AA) Screening Report has been prepared by Brady Shipman Martin in respect of the proposed development (refer to document submitted under separate cover). It has concluded <i>that the proposed development, individually or in combination with another plan or project, will not have a significant effect on any European sites. This assessment was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.</i> This assessment has also taken account of the potential for significant effects on nationally designated sites (NHA / pNHA).
<i>(vi) areas in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure;</i>
There are no such areas connected to the site that could be significantly affected by the proposed development.
<i>(vii) densely populated areas;</i>
Having regard to the nature and scale of the proposed development, it is considered that there is no real likelihood of significant effects in this regard.  The proposed development has been conceived to provide additional, much-needed housing stock in Kildare Town. Residential and related development of this nature is common in the surrounding area and any potential impacts arising will be managed and mitigated as set out in detail in the Preliminary Construction Environmental Management Plan (TOBIN, 2024).
<i>(viii) landscapes and sites of historical, cultural or archaeological significance.</i>
The proposed development site is located within a zone of archaeological potential and is directly adjacent to the 'Kildare Town Architectural Conservation Area'.  The proposed development site is located within a zone of archaeological potential and is directly adjacent to the 'Kildare Town Architectural Conservation Area'. A Cultural Heritage Impact Assessment (Archaeological Consultancy Services Unit, November 2023) has been undertaken as a part of this application to assess the archaeological potential of the subject site. In addition, the report details the required measures for the avoidance and / or mitigation of impacts on any features, currently unknown, which may be discovered during the works. Refer to Section 4.2.12
<b>3. Types and characteristics of potential impacts</b>

*The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in paragraph (b)(i)(I) to (V) of the definition of 'environmental impact assessment report' in section 171A of the [PDA 2000], taking into account—*

*(a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected),*

Regard has been had, in the preparation of this report, to the likely magnitude and spatial extent of impacts arising from the proposed development during the demolition, construction and operational phases. The likely impacts of the proposed development will not be unusual in these respects.

The spatial extent of the direct impacts of the proposed development (e.g. habitat loss, dust generation, elevated noise, etc.) will be limited to the site and / or the immediate environs (i.e. typically within 50 m). This is a densely populated urban area, with numerous residential receptors in the immediate area.

Additionally, there is the potential for indirect impacts further afield, e.g. due to the generation of greenhouse gas emissions, waste materials, wastewater and surface water.

This is a small sized development that, during the operational phase, will entail only a marginal change, in terms of environmental aspects and impacts, relative to the baseline.

*(b) the nature of the impact,*

Regard has been had, in the preparation of this report, to the likely nature of impacts arising from the proposed development during the demolition, construction and operational phases. The likely impacts of the proposed development will not be unusual in this respect.

These potential impacts will be managed and mitigated as set out in detail in the Preliminary Construction Environmental Management Plan (TOBIN, 2024), and no significant impacts will occur.

*(c) the transboundary nature of the impact,*

The site of the proposed development is not proximate to any other county boundaries or the boundary with Northern Ireland. Given the nature and location of the proposed development no transboundary impacts are likely to arise.

*(d) the intensity and complexity of the impact,*

Regard has been had, in the preparation of this report, to the likely intensity and complexity of impacts arising from the proposed development during the demolition, construction and operational phases. No impacts of unusual intensity or complexity are likely to arise.

These potential impacts will be managed and mitigated as set out in detail in the Preliminary Construction Environmental Management Plan (TOBIN, 2024), and no significant impacts will occur.

*(e) the probability of the impact,*

In accordance with the EPA (2022) criteria, regard has been had to the probability of impacts arising from the proposed development.

The development relates to a typical residential development and no unusual aspects or impacts of unusual intensity or complexity are likely to arise. Impacts arising are expected to be typical of the nature of impacts associated with normal suburban residential development.

It is probable that normal impacts associated with suburban residential development will arise, however, these will be managed and mitigated as set out in detail in the Preliminary Construction Environmental Management Plan (TOBIN, 2024), and no significant environmental impacts will occur.

*(f) the expected onset, duration, frequency and reversibility of the impact,*

In accordance with the EPA (2022) criteria, regard has been had to the likely onset, duration, frequency and reversibility of impacts arising from the proposed development. Generally speaking, demolition and construction phase impacts are predicted to be short-term in duration (lasting as long as the proposed works) and reversible; while effects of the operational phase are assumed to be permanent in duration.

Any construction phase impacts will be managed and mitigated as set out in detail in the Preliminary Construction Environmental Management Plan (TOBIN, 2024), and no significant impacts will occur.

*(g) the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the [PDA 2000] and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment, and*

The subject site is situated within lands earmarked by the council for residential development in a built-up town centre location in Kildare town.

Permitted and proposed projects in the immediate vicinity of the site were considered in terms of the potential for in-combination effects. There are no developments planned, permitted or under construction that will give rise to any significant effects on European sites in combination with the proposed development.

Considering the nature and scale of the proposed development, the localised and insignificant nature of the environmental effects predicted to occur as a result of the proposed development, and the nature of existing, permitted and proposed development in its environs, it is considered that significant in combination effects on European sites are not likely to occur.

Given the nature of the proposed development and the limited scale of other works in the surrounding area, there is no cumulation for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment. Also, refer to **Table 4.1**.

*(h) the possibility of effectively reducing the impact.*

No likely significant environmental impacts will arise, however, potential impacts associated with normal construction activities will arise. These potential impacts will be managed and reduced as set out in detail in the Preliminary Construction Environmental Management Plan (TOBIN, 2024). Implementation of the mitigation measures and adherence to the Construction and Environmental Management Plan prepared for the project will ensure that any potential residual impacts will be short term and negligible.

## 4.4 Article 103(1A)a Statement

In addition to the requirements of Schedule 7A (above), Article 103(1A)a of the Planning and Development Regulations 2001 (as amended) requires any further relevant information on the characteristics of the proposed development and its likely significant effects on the environment, including, where relevant, information on how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account.

All relevant assessments, including those pursuant to European Union legislation in relation to the environment have been addressed in Sections 4.2, 4.3 of this report. This includes, where relevant, assessments arising from the following:

- The Habitats Directive, The Birds Directive, the Ramsar Convention, the Bern Convention, and the Convention on the Conservation of Migratory Species of Wild Animals;



- The Landfill Directive, the Waste Framework Directive, the Urban Waste Water Collection and Treatment Directive;
- The Integrated Pollution Prevention and Control Directive, the Industrial Emissions Directive, the Seveso III Directive;
- The Environmental Noise Directive, Directive on Ambient Air Quality and Cleaner Air for Europe;
- The Drinking Water Directive, The Water Framework Directive;
- The Landscape Convention, and the Protocol amending the European Landscape Convention;
- Directive on the Promotion of the Use of Energy from Renewable Sources, the Regulation on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework, and the Regulation on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement;
- The Convention on the Protection of the Archaeological Heritage, the Convention for the Protection of the Architectural Heritage of Europe (Revised), the Convention on the Value of Cultural Heritage for Society; and
- The Directive on Public Access to Environmental Information.

## 5 Conclusion

It is considered that the proposed local authority own housing development would not be likely to have significant effects on the environment. The main reasons for this conclusion are as follows:

- The nature and scale of the site and the of the proposed development are significantly below the stated thresholds of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended) at or above which there is a mandatory requirement for EIA;
- The development is to be located on lands zoned for such land uses in the Kildare County Development Plan 2023-2029, which itself has been the subject to Strategic Environmental Assessment (SEA), Appropriate Assessment (AA) and to Strategic Flood Risk Assessment (SFRA);
- The nature of the proposed development is not unusual in the context of the receiving environment and is in keeping with the character of established residential surrounding the site. The proposed operational use of the proposed development is to provide 30 much-needed residential units and will comprise an improvement relative to the baseline in terms of residential amenity;
- The site clearance, demolition and construction phase is expected to give rise to minor, localised environmental effects that are typical of urban redevelopment projects of this nature;
- The scale of the proposed development is consistent with the prevailing skyline / building height profile in the receiving environment;
- The location of the proposed development on a previously disturbed site which is not particularly sensitive to the environmental effects of development of this nature and scale. There are no designated sites or surface water bodies on the site or in the immediate vicinity. The receiving environment is well populated, with residential receptors situated in close proximity; however, appropriate mitigation measures have been incorporated into the proposal in order to avoid / minimise impacts insofar as possible;
- The location of the proposed scheme outside of any sensitive location specified in Article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended);



- The measures proposed to avoid and prevent potential effects on the environment, including the measures identified in the Preliminary Construction and Environmental Management Plan (TOBIN, 2024);
- The measures proposed in the Cultural Heritage Impact Assessment has been prepared by Archaeological Consultancy Services Unit (November 2023) to mitigate any potential adverse impacts on potential / unknown heritage features;
- The likelihood of no significant environment effects arising as noted under Schedule 5, Part 2, paragraph 10(b)(i) and 10(b)(iv) of the Planning and Development Regulations 2001-2023;
- The information on the proposed scheme provided in accordance with Schedule 7A of the Planning and Development Regulations 2001 (as amended); and
- Having regard to the criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended).

Therefore, it is recommended that, having regard to the information set out above, the Competent Authority (Kildare County Council) may reach a screening determination that ***there is no real likelihood of significant effects arising as a result of the proposed development; and, therefore, that environmental impact assessment and the preparation of an environmental impact assessment report is not required.***

## 6 References

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- Teagasc (2023). *Teagasc Subsoil Map*.

## Appendix 1: EPA Environmental Impact Assessment Criteria

**Table A1.1** Criteria for characterising environmental effects (adapted from EPA, 2022)

Criterion	Definition
<b>Quality</b>	
Positive	A change which improves the quality of the environment
Neutral	No effects or effects that are imperceptible, within normal bounds of variation or within the margin of forecasting error
Negative	A change which reduces the quality of the environment
<b>Significance</b>	
Imperceptible	An effect capable of measurement but without significant consequences
Not significant	An effect which causes noticeable changes in the character of the environment but without significant consequences
Slight	An effect which causes noticeable changes in the character of the environment without affecting its sensitivities
Moderate	An effect that alters the character of the environment in a manner that is consistent with existing and emerging baseline trends
Significant	An effect which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment
Very significant	An effect which, by its character, magnitude, duration or intensity significantly alters most of a sensitive aspect of the environment
Profound	An effect which obliterates sensitive characteristics
<b>Extent and Context</b>	
Extent	Describe the size of the area, the number of sites, and the proportion of a population affected by an effect
Context	Describe whether the extent, duration, or frequency will conform or contrast with established (baseline) conditions
<b>Probability</b>	
Likely	Effects that can reasonably be expected to occur because of the planned project
Unlikely	The effects that can reasonably be expected not to occur because of the planned project
<b>Duration</b>	
Momentary	Effects lasting from seconds to minutes
Brief	Effects lasting less than a day
Temporary	Effects lasting less than a year
Short-term	Effects lasting one to seven years.
Medium-term	Effects lasting seven to fifteen years
Long-term	Effects lasting fifteen to sixty years
Permanent	Effects lasting over sixty years
<b>Reversibility and Frequency</b>	
Reversible	Effects that can be undone, for example through remediation or restoration
Frequency	Describe how often the effect will occur. (once, rarely, occasionally, frequently, constantly – or hourly, daily, weekly, monthly, annually)

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