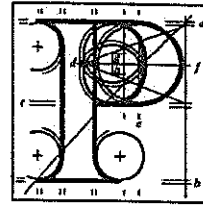


Our Case Number: ABP-317767-23



An
Bord
Pleanála

Sinead O'Reilly
13 Templemills Cottages
Ardclough Road
Celbridge
Co. Kildare

Date: 29 September 2023

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

Dear Sir / Madam,

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

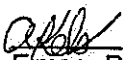
As there is no fee associated with submissions for this application type, a refund of €50 will be issued to you under separate cover.

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

If you have any queries in relation to the matter please contact the undersigned officer of the Board at laps@pleanala.ie

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

Yours faithfully,


AP Eimear Reilly
Executive Officer
Direct Line: 01-8737184

AA02

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Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Sinead O'Reilly,
13 Templemills Cottages,
Ardclough Road,
Celbridge,
Co. Kildare

An Bord Pleanála,
64 Marlborough Street,
Dublin 1,
D01 V902

27 Sep 2023

Re Case No.; JP09.317767

Dear Sir/Madame,

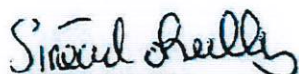
Please find below enclosed my observations on the proposed development at Newtown Road / Ardclough Road, Newtown, Celbridge Co. Kildare, for the "Proposed Construction of 39 residential units, widening of Pausdeen Bridge, and all associated site works".

While I agree with the development of residential housing for the community in Celbridge, and that such housing is greatly needed, the proposed development is of overall poor quality resulting in negative implications for proper planning and sustainable development in the area concerned, has not properly considered the setting and lands within which it sits, has not properly considered the ecology, has not addressed Annex II protected species on the Applicant's lands, and includes studies within the Natura Impact Statement (NIS) over two years ago on which the basis to inform the design and application is outdated, and so will have unknown effects on the environment and a European site.

I propose the Applicant should reconsider the quality of the proposed development as to the density of the development, the provision of higher quality public and private open spaces for the future residents, including that of the F2 zoned lands, properly address the site ecology, and address the need for safer access from the village centre to the subject site.

I have further set out below, the grounds on which I believe the proposed development is of poor quality and the application should be invalidated, and if in the opinion of the Bord, the application is valid, permission should be refused;

Yours Faithfully,


Sinead O'Reilly.

Consent letters, Ownership of Lands and Red / Blue line Boundaries:

1. The full extent of ownership of the lands on which the proposed Pausdeen bridge widening is not indicated on drawing number 210303-03-001, for which a consent letter has been included with the application by Damien O'Sullivan. The bridge widening is identified as part of the proposed development and therefore part of the subject site. Damien O'Sullivan's full or any landholding is not indicated as a blue line on the submitted site plans as required, and so the application should be invalidated.
2. The proposed pedestrian crossing on the main public road is not indicated within the red line boundary, and so the red line boundary does not include all the proposed works and the application should be invalidated.
3. The proposed utilities connections to the main public road as they leave the subject site is not indicated within the red line boundary, and so the red line boundary does not include all the proposed works and the application should be invalidated.
4. The proposed storm water discharge pipe to the Liffey leaves the subject site and crosses land zoned F2 'recreational amenity and open space' is not indicated within the red line boundary, and so the red line boundary does not include all the proposed works and the application should be invalidated.

Statutory Public Notices;

5. The erected and indicated site notice is inadequate to conform with the requirements of section 19(1)(c) and suggested 19(3) of the Planning and Development Regulations, as there is no site notice at the Pausdeen Bridge which is a significant element of the proposed development and separate to the landholding adjoining the public road to that of the proposed development. The single site notice is inadequate to properly inform the public of the proposed development as those members of the public who may have an interest in the proposed development in the area of the bridge, may not see the site notice at the entrance to the main development site further along the Ardclough road, and so the application should be invalidated.

Public Road Safety, Pedestrian and Cycle Connections

6. The proposed uncontrolled pedestrian crossing indicated on drawing 210303-03-003 will be dangerous. There are insufficient traffic calming measures on this road and it would be inappropriate and unsafe to provide for an uncontrolled crossing as indicated. There are a series of ramps at the recent residential development further south on the Ardclough Rd (ABP Case ref: 305886) however these ramps do not exceed the wheelbase width of most vehicles and so are ineffective at slowing vehicular traffic. There are painted red false ramps at the Cottages at Templemills, and these are also ineffective at calming traffic.
7. The drawing 210303-03-012 does not address the connectivity at the proposed alterations to the Pausdeen bridge.
8. The proposal to widen the Pausdeen bridge will have the effect of encouraging faster vehicle speeds approaching the subject site.
9. The proposal to widen the Pausdeen bridge appears to be to provide for safer pedestrian travel along the Ardclough road in the vicinity of the subject site. This proposal does not consider the full pedestrian route required from the subject site to

the village of Celbridge, and or the Irish Rail station at Hazelhatch. To travel by foot to either destination, there are significant deficiencies in footpath widths at two locations; Dwelling at 'Abbyside' (Fig. 1) , approximately 900m north of the subject site along the Ardclough Road, and from 'The Grove' housing estate past the 'Abbey National School 1891' (Fig. 4) to the pedestrian crossing at the Liffey bridge at 'Hawthorn Cottage', a stretch of 290 metres. Pedestrians frequently step out on to the road in both locations to pass other pedestrians, push-chairs or cycles. The footpath from the subject site to Celbridge is very frequently used by children cycling unaccompanied to school.

- a. At Abbyside house (53.33305,-6.54486), the footpath is less than 1m in width, unprotected, on a sharp bend at a narrowing of the road. Vehicles frequently mount the kerb at speed here to avoid collision with oncoming vehicles.
- b. From the Grove to the Liffey bridge pedestrian crossing, there is 290 metres of narrow unprotected footpath, in places less than 1m in width. The road frequently floods here also.
- c. Further development on the Ardclough road in Celbridge without providing for;
 - i. Traffic calming;
 - ii. Cycle segregation;
 - iii. Safe width pedestrian footpaths;the absence of which will result in significantly increased risk of injury or fatality along the Ardclough road.



Fig 1

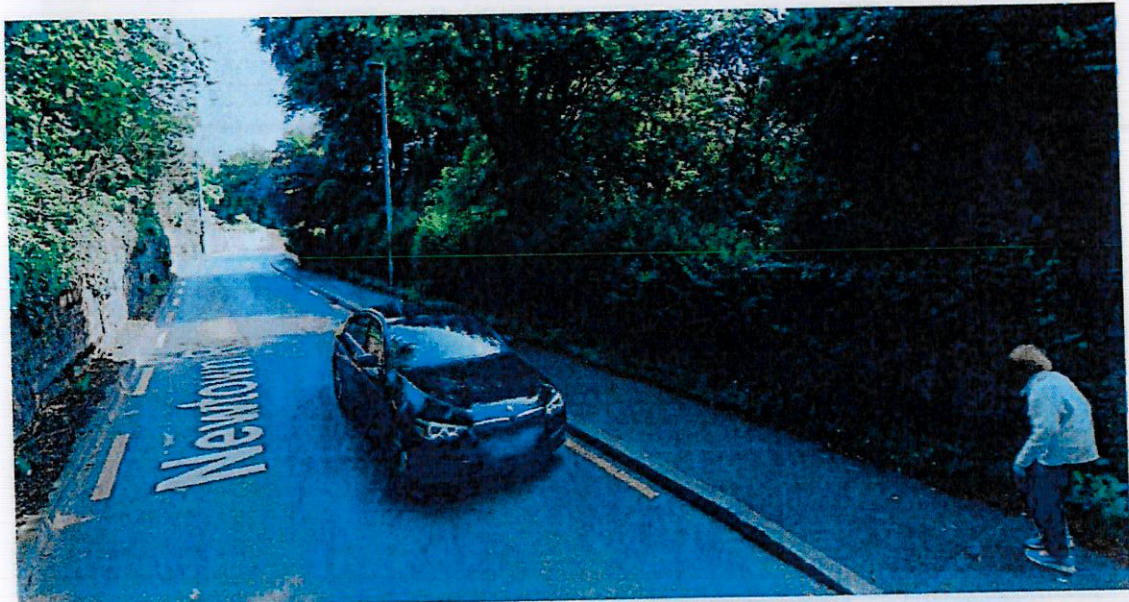


Fig 2: Looking north approaching the narrowing road and sharp bend

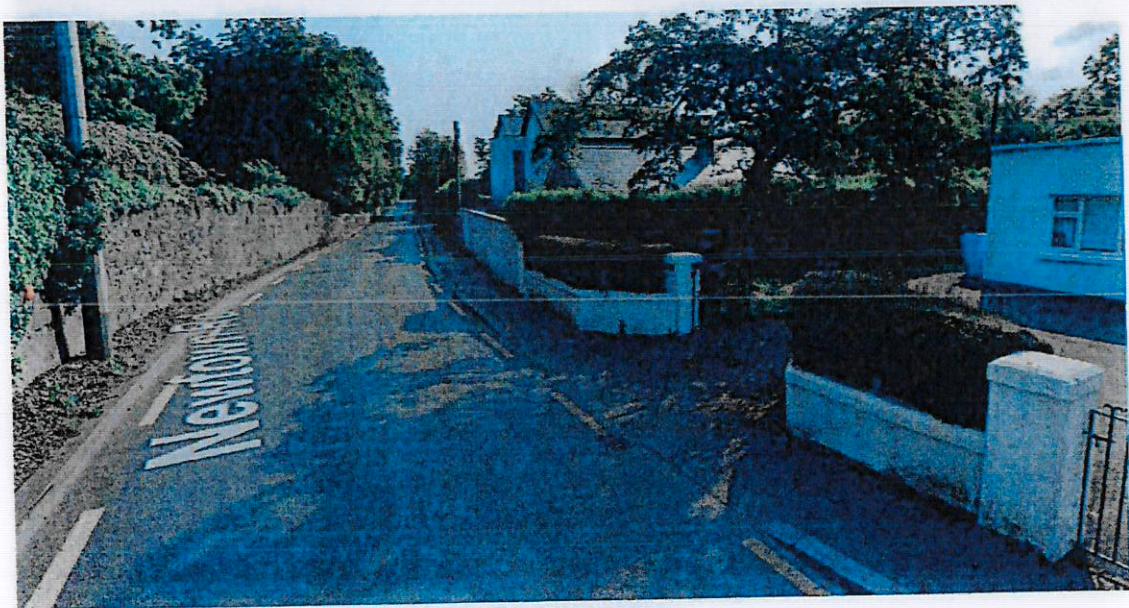


Fig 3: Abbyside house, looking north toward Celbridge



Fig 4: 290m long narrow path from The Grove to Dublin Road Liffey bridge.

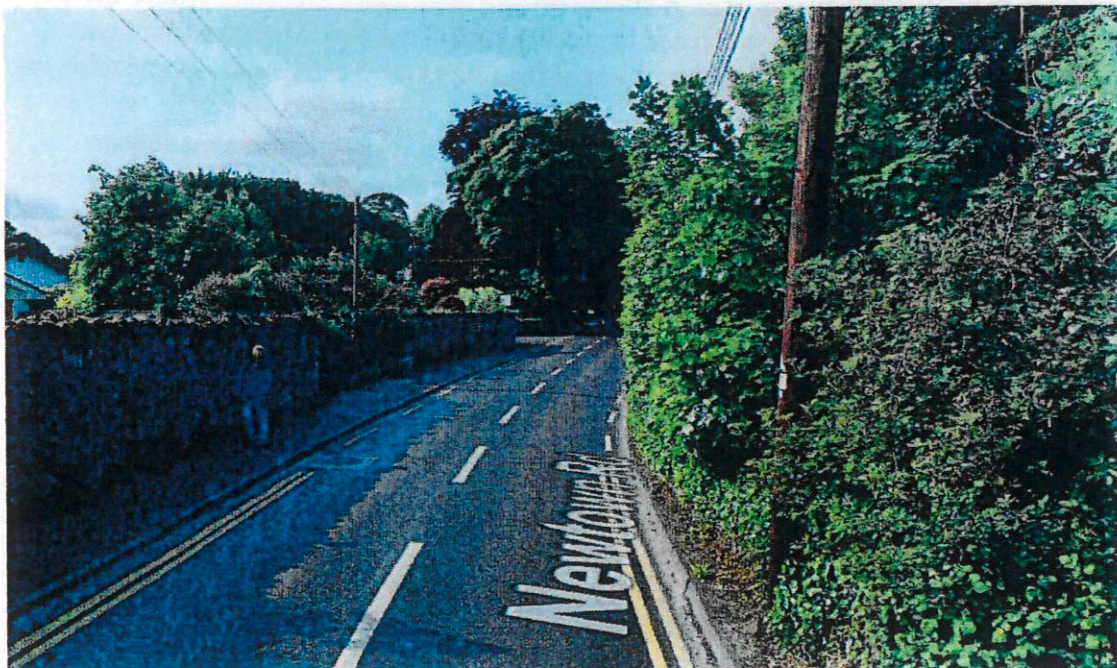


Fig 5: Looking south from Liffey bridge at Dublin Road toward The Grove.

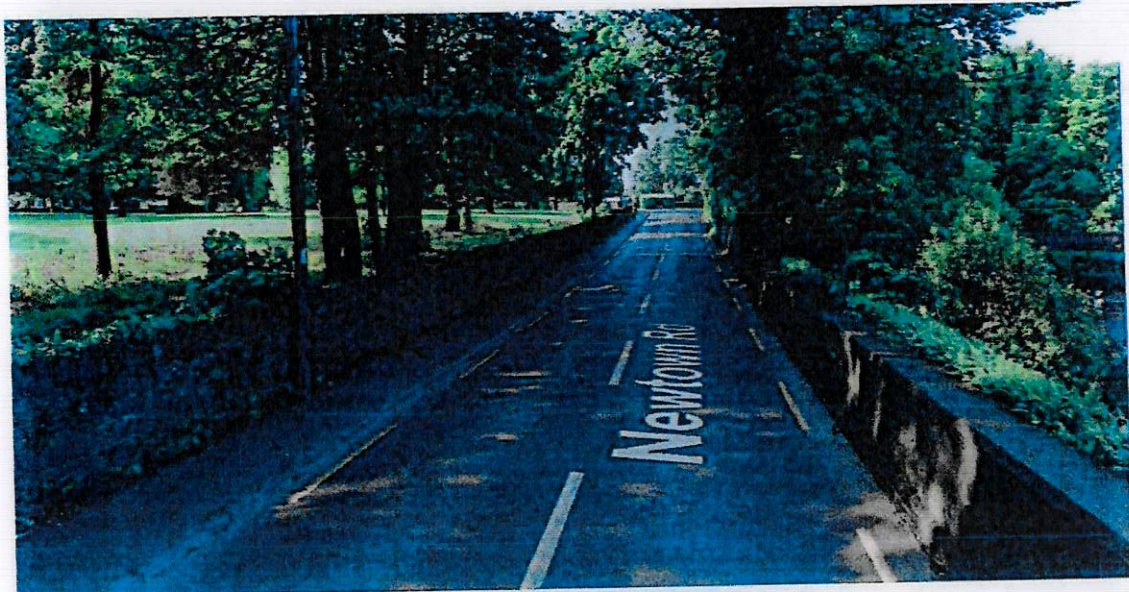


Fig 6: Looking south from Abbey School toward The Grove

Design Statement;

10. Page 12 states it is an 8-10 minute walk over 1.5km to the town centre. It is 1.7km from the subject site to the Dublin road Liffey bridge. It is an 18-23 minute walk to the town centre. (Fig 7.)
11. Page 38 of the Design Report states that dwellings will achieve energy compliance with the use of air to water heat pumps. These pumps are not indicated on the visual imagery or any of the architectural drawings submitted; either these pumps will be wall mounted at high level (being visual clutter) or ground mounted in private open spaces, reducing the measured area of private open space available. Where there are three storey buildings, this could be a considerable quantity of air to water heat pumps, which is a significant element of the proposed development not provided for in the application drawings.
12. The design statement does not address the clustering of three storey buildings backing on to each-other in the centre of the proposed development, and how private open space will not be overlooked by adjacent and opposite properties.
13. The design statement does not address the shadow casting from the three storey buildings over the private open spaces.
14. The proposed development is a significant distance from any public transport or shops for groceries, which reality, conflicts with the language of the design statement;
 - a. 1.7km to the bus stop at the Abbey Lodge pub, north along Ardclough road;
 - b. 2.9km south via the 'Lords Road' shortest route to Irish Rail station at Hazelhatch along which there are no pedestrian foot paths, no public lighting and dangerous bends in the public road;
 - c. 3.3km north via Simmonstown Manor to Irish Rail station at Hazelhatch
 - d. 2km to the nearest shop, SuperValu, (2.2km to Tesco Express, 2.7km to Lidl).

The combination of distance, lack of public proximate transport and inadequate safe pedestrian travel makes this an unsafe and impractical proposed development for future occupants, particularly for public housing where financial means of occupants may limit vehicular travel, and where the studies submitted with the application do not take account of the vehicular impact of the various residential developments in and around Celbridge over the past two years.



Fig 7. 1.7km to village centre

Cycles, Pedestrian and Vehicular Movement within the subject site;

- 15. No segregation is shown between cycles and pedestrian entry to the proposed development or within the site.
- 16. Proposed Vehicular Parking;
 - a. Parking space 36 will not have adequate reverse turning and manoeuvring area.

- b. Parking space 72 to 77 will not have adequate reverse turning and manoeuvring area, and there is no pedestrian paving or at grade link shown between these spaces and the adjacent dwellings.

Electric Vehicle Charging

17. The proposal does not propose any electric vehicle charging infrastructure, which will result in cables trailed from dwellings across paving to vehicles. Is it not clear if the proposed ESB connection accounts for the electrical load for required EV charging.

Parking and pedestrian exit from vehicles;

18. There is inadequate proposed and indicated hardstanding and pedestrian paving links from parking to dwellings, which will result in pedestrians walking on the roadway (spaces 53 to 64, and 45 to 52), and having to step up across raised kerbs and lawns (spaces 45 to 52, and 72 to 77), further resulting in degradation of the proposed soft landscaping. Such approach does not comply with Part M of the Building Regulations and good practice.
19. There is no hardstanding area indicated adjacent to end parking spaces which bookend parking runs (spaces 45-52), which will result in either people exiting vehicles on to a kerb and grass and soil, or extending the hardstanding at the construction stage; any further hardstanding will not have been included in surface area drainage calculations, public open space calculations, the indicated parking hardstanding is inadequate, and the practicalities of constructing these will result in a significant increase in paved areas and hardstanding, which will undermine the basis of the surface water drainage calculations.
20. It will not be possible to safely manoeuvre a vehicle in to parking space 75, and all vehicles in spaces 72 to 77 will either need to reverse enter or exit via the adjacent hammer-head, which from the furthestmost spaces is a significant distance. This will result in a very unsafe area for pedestrians. This area is also noted to be a 'Homezone'.
21. Parking spaces 7 and 8 reversing on a corner will be unsafe.

Public Open Space:

22. Further to above, to construct safe and compliant internal roads and parking spaces, the proposed hardstanding and paved areas will likely increase in area, resulting in an inadequate provision of public open space; the tables on drawing number 210303-03-009, indicate a buffer of 9.73 sq.m above the 15% open space requirement. The 15% open space area is very unlikely to be realised should the proposed development be approved according to the plans and particulars submitted, contrary to the minimum requirement for public open space.
23. The 4 number locations of cycle parking spaces indicated on drawing number 210303-03-012 "Connectivity" is not indicated clearly on the public open space drawing 210303-03-009, and it is not clear if these are included in the measurements of public open space, which may result in a further reduction of the area below the required 15%.
24. The 'Homezone' areas are unclear as to the intended use. They are effectively roads and parking. It is not a quality open space for play or safe area for use by homeowners for anything other than vehicular parking and road use.

25. The open spaces and 'kick-about' area indicated is inadequate for children's play. As can be seen in the recent residential development further south along the Ardclough road (ABP Case ref: 305886) children's cycles and toys are left on the internal road network. Quality open space and children's play areas are needed to prevent children using the internal road network, and provide quality areas for children to play safely.
26. There is no attempt to address the land zone F2 which adjacent to the subject site and is within the landholding of the Applicant, and within the policy objectives of Kildare County Council.

Private Open Space:

27. The division of rear garden private open space is indicated as concrete block wall on drawing 210303-03-006 Boundary Details. The boundary wall treatment indicated on landscape drawing 21612-2-112 is block wall, 2m high. It is unclear if these are to be rendered according to the requirements of the Development Plan.
28. Type 1 Boundary wall on drawing 210303-03-006 is indicated as being constructed on the centre of the boundary. Has consent been obtained from the adjoining 5 number landholders and or dwelling occupiers to construct a wall across the shared boundary rather than fully within the subject site boundary?

Storm water run-off

29. The proposed development does not sufficiently address the infiltration of hydrocarbons from parking and road areas to the existing hydrology, Pausdeen stream, and River Liffey. The engineering report at section 4.4.4.3 notes a petrol inceptor will be installed to "ensure a certain level of treatment".
30. The proposed dry-swale in the Tobin Engineering report is not indicated on the site layout plan or landscape plans (page 12).
31. The proposed storm water run-off in the Tobin Engineering report and drawing 11162-2010 is to direct stormwater from permeable paving to the river Liffey. These works to provide the storm water pipe run through land use zoning F2 strategic open space. This element of the proposed development is not included within the red-line boundary, does not extend the necessary Nautura Impact Statement study area and for this reason the application should be invalidated. If not invalidated, refused.

Foul connection

32. The proposed foul water connection to foul main is indicated across the Ardclough Road, and is not included within the red line boundary, and for this reason the application should be invalidated.

Ecology Impact Assessment (EIA)

33. Page 23 and 24 of the EIA note that bat surveys were undertaken in August 2021, two years prior to the application submission. Given the noted deteriorating condition of the existing dwelling, it is not possible to say with any level of confidence that there are no roosting bats in or around the existing dwelling at present and the time of the application, given the extensive lapse of time between

the survey and the present. I observe extensive bat activity daily at my dwelling, approximately 260m downstream of the subject site.

34. The EIA notes at page 7 and page 8, the connection to the Rye Water Valley/Carton SAC (Site code: 001398), Rye Water Valley/Carton pNHA (Site code: 001398), and the Liffey Valley pNHA (Site code:000128), as connected via flood risk to the subject site. The EIA does not address the direct water flow connection downstream of the Pausdeen stream on which development is proposed, or the stormwater discharge pipe direct in to the Liffey, although addresses the Pausdeen stream direct connection later in the report under 'mitigation measures' during construction activities. The Storm water discharge to the Liffey is not addressed.
35. Ecology Impact Conclusion;
- a. There are Annex II protected species at this location of the river Liffey (Otter, Salmon). There are also bats, eel, crayfish, moorhen, heron, kingfisher, egret and other species at this location on the river. No studies appear to have been undertaken to adequately address the impact on ecology, and the storm water run-off and construction management plans appear wholly inadequate, and, completed two years prior to this application.
 - b. The application should be refused, on the grounds that the NIS study area does not cover the proposed development area, and the NIS have not addressed the effects of the proposed development on the environment and a European site.

Celbridge LAP Policy Objectives;

36. **Land use zoning F2** "To preserve, provide for and improve recreational amenity, open space and green infrastructure networks".
- a. Within the landholding, and under which part of the proposed development traverses land use zone F2 Strategic Open Space; The development does not address the LAP objective across these lands and development, and has incorrectly limited the red line to within the land use zone C New Residential to avoid the F2 zoning, despite part of the development being shown in the F2 zone.
37. **MT01.8** – "To require new housing developments to deliver filtered or full permeability to adjoining development in so far as is possible and, in the case of adjoining greenfield sites, to ensure the potential for such provision is addressed".
- a. Page 13 of the Design Report, entitled Connectivity with the Landscape describes the opportunity provided by the adjacent Liffey valley landscape, and "*Stitching together and "bringing-in" the river and landscape into the site is aimed to offer the opportunity for a better-connected public realm between living communities, landscape and the town as a whole*". The site is fenced on the side of the river, and does not do anything to address the local landscape or the town, or provide any better connected public realm or access to the town, and does not address policy MTO1.8.
38. **MT03.7** All new developments to comply with the Kildare Local Authorities Noise Action Plan 2013 and amendments, and the National Cycle Manual (Now the Cycle Design manual, CDM).

- a. The proposed development does not conform to the recommendations of the NCM or CDM. There are no proposed segregated cycle lanes or any cycle lanes within the proposed development or to the village centre.
- b. There is no proposed infrastructure to conform to the guidance in the CDM at section 4.2.9 "Cycling in Mixed Traffic".
- c. There is no universal access cycle parking spaces identified.
- d. The proposed cycle stands, unsheltered and without CCTV or enclosures will likely encourage anti-social behaviour and theft. It is unlikely these cycle parking stands will be utilised. Is it expected that residents will park cycles here rather than within the secure area of their own dwellings and or private open space, and if not, it is highly unlikely these will be utilised by visitors.

39. MTO4.1 (a) Parking in accordance with the County Development Plan.

- a. As the proposed parking meets the minimum requirements of the Development plan per housing mix, there is no provision for visitor parking, and visitors will likely park on landscaped areas or on the internal road network, potentially blocking emergency services vehicles and providing an unsafe internal road network.

40. INFO2.4 "All applicant[s] shall demonstrate that proposals will not negatively impact on the status of a water body".

- a. This has not been shown in the proposed development particulars, and to the contrary, it is proposed to discharge storm water to the Liffey with minimal filtration, to a waterbody with Annex II protected species; Otter and Salmon present.

41. Celbridge LAP Policy Conclusion

- a. The proposed development does not comply with the requirements for public open space, does not have an adequately resolved safe internal road network and parking spaces, and has not complied with the requirements of the LAP to show no adverse effect on the Liffey waterbody, and so will have adverse effects for proper planning and sustainable development in the area.

End.