

## KILDARE COUNTY COUNCIL



### PLANNING DEPARTMENT

Report prepared in accordance with Part XI of the Planning and Development Act 2000, as amended and Part 8 of the Planning and Development Regulations 2001 as amended

Development proposed by, on behalf of, or in partnership with Local Authority

*Report for submission to the members, prepared in accordance with Part XI, Section 179, Sub-section (3)(a) and (3)(b) of the Planning and Development Act 2000 as amended.*

**PI Ref P8 2017/006**

<b>Type of Development:</b>	35 no. residential units
<b>Site address</b>	Flinter's Field, Athy, Co. Kildare
<b>Development proposed by:</b>	Housing Department
<b>Display period:</b>	Advertised in the Leinster Leader 2 <sup>nd</sup> May 2017  Part 8 site notices were fixed at the site on 4 <sup>th</sup> May 2017  Display period from 4 <sup>th</sup> May 2017 - 16 <sup>th</sup> June 2017 (inclusive)  Submissions/observations due by 3 <sup>rd</sup> July 2017
<b>Submissions/observations</b>	Submissions received from internal Council Departments and prescribed bodies - details set out below.  2 no. third party submissions received – details set out below.

### Site location & context

The site of the proposed development is located in the townland of Townspark, Reban West on greenfield lands adjoining the existing housing development at Flinter's Field, north west of Athy Town Centre. The irregularly shaped site has a stated area of 1.9534 ha and is bounded to the west by the line of the Grand Canal, to the north by existing two storey dwellings at Flinter's Close, to the south by existing housing at St. Dominic's Park and to the east by existing housing at Cardington Court. Access to the site is currently via the existing vehicular serving Flinter's Field adjacent to Athy Fire Station. A pedestrian walkway to Woodstock Street is currently available via the north eastern site boundary, in proximity to an existing community childcare facility. The area is predominantly residential in character.



Site location

### Description of the proposed development

The proposed development comprises the following elements:

- 35 residential units as follows:
  - 12 no. two bed, 5 end of terrace and 7 mid-terrace, two storey houses
  - 18 no. three bed houses, 11 semi-detached, 3 end of terrace, and 4 mid terrace, two storey houses
  - 5 no. four bed, 1 no. detached and 1 no. semi-detached, 2 no. end of terrace, two storey houses, all with accessible ground floor bedroom and bathroom and 1 no detached fully accessible bungalow
- all associated site-works including:
  - renewable energy design measures for each unit,
  - construction of footpath, roads, car parking spaces,
  - street lighting,
  - ducting for utilities,
  - landscaping including new natural children's play area,
  - pedestrian/cycle connection to Canal side path,
  - formation of new connections to existing public foul and surface water drainage and existing utilities

- underground surface water attenuation;
- improvements to pedestrian link to Woodstock Street;
- temporary construction signage;
- estate signage;
- site boundary treatment, comprising walls and fences;



*Proposed site layout*

### Supporting Documents

The proposal is accompanied by the required plans and particulars. In addition, a number of documents have been included, namely:

- Planning and Design Statement by Respond! Housing Association.
- An Engineering Report including Flood Risk Assessment by Malone O'Regan Consulting Engineers.
- Appropriate Assessment Screening report by NEO Environmental
- Report on the Submissions Received by the Architectural Services Department

### Referrals

The proposal was referred to a number of internal departments and prescribed bodies. Details of the referrals are set out hereunder.

### Internal Kildare County Council

**Environment:** No objection - recommendations  
**Water Services:** No objection – recommendations  
**Transportation:** No objection – recommendations  
**EHO:** No objection – recommendations  
**Fire Service:** No objection – recommendations  
**Heritage Officer:** No objection - recommendations

**Community/Culture  
Municipal District Engineer**

**No comments received  
No comments received**

### **Prescribed Bodies**

**Inland Fisheries Ireland** – no objections – suggests mitigation measures during construction.

**Department of Arts, Heritage, Regional, Rural Gaeltacht Affairs** 2 no. submissions were received. No objections – suggest measures to be undertaken prior to and during construction.

**Irish Water** – no objections – recommendations

The following made no response to the development referred:

An Comhairle Ealaíon (The Arts Council)

An Taisce

Bord Fáilte Éireann

Department of Housing, Planning, Community and Local Government

Department of Transport, Sports and Tourism.

Environmental Protection Agency – no comments or objections received.

ESB

Heritage Council

Eastern and Midland Regional Assembly.

Office of Public Works – no comments or objections received.

Waterways Ireland.

### **Response of the Housing Section to the reports received from internal Kildare County Council Departments and Prescribed Bodies**

The Housing Section has prepared a detailed report on the submissions received (detailed in Appendix 2 attached) and has given an undertaking that the issues/comments raised therein will be addressed by their incorporation into the contract documents for the construction and management of the proposed development.

### **Third Party Submissions/Observations**

Submissions received from the following persons:

Emmet McDonagh, 10 Bleach Road, Dun Brinn, Athy. Issues raised include:

- Garda to enforce Criminal Justice (Theft and Fraud Offences) Act 2001
- The road on Woodstock Street is to be repaired.
- At least 20 houses be offered to service providers Garda, teachers, Shop owners and other service providers for the town
- Garda numbers to increase to required level and quality control is enforced on Garda
- Quality control is enforced in public sector.

Anita Danagher, 9 Dooley Terrace, Athy. Issues raised include:

- No objection to the principle of houses on the site;
- Objects to the entrance / exit road between the crèche and training centre due to level of trucks, increase in noise, impact of headlights during shorter winter days;
- If road is left as a road after the development is finished, there will be an increase in noise and light disturbance.

### **Response from Housing Section to the third party submissions**

#### **Response from Housing to issues raised by Emmet McDonagh:**

It is indicated by the Housing Section that the matters raised in the submission by Emmet McDonagh are not planning matters under the scope of the application. With regard to the repair of Woodstock Street, it is indicated that it is the intention of the Council Maintenance section to assess the need for repairs to Woodstock Street in 2018, however this is outside the scope of the proposed development.

#### **Response from Housing to issues raised by Anita Danagher:**

It is indicated by Housing Section that it is proposed to widen the existing pedestrian link and upgrade with a new hardstanding surface. It is indicated that for the duration of the works only, the existing pedestrian link will be used for construction traffic and that construction hours will be confined to restricted hours. It is indicated that there may be some non-disruptive, non intrusive construction works may take place outside the confined hours. It is indicated that the pedestrian link will be reinstated to pedestrian/cycle traffic only, once the scheme is completed.

***Refer to Appendix 2 (attached) for detail of submissions/observations and Housing Department Response.***

### **Relevant Development Plan Provisions**

#### **County Development Plan 2017 – 2023**

The Council's policies relating to housing development is detailed in Chapter 4 of the County Development Plan 2017 – 2023.

The Housing Section has prepared a detailed report outlining how the proposed development complies with the provisions of the Chapter 4 of the County Development Plan 2017-2023, including:

- Secure the implementation of the Housing Strategy
- Increasing the stock of social housing within the County
- Promote social integration
- Build and support the delivery of new housing appropriate to the needs of the County
- Meet the County's housing need for social housing provision
- Work in partnership with statutory and voluntary agencies in addressing the needs and requirements for housing
- Ensure appropriate mix of housing is achieved
- Support the development of sustainable communities

- Have regard to Quality Housing for Sustainable Communities – Design Guidelines
- Housing densities
- Quality design and layout
- Design statements for 10 or more residential units
- Mix of dwelling types and housing mix
- Specific needs housing
- Private and semi-private open space
- Public open space

Having examined the provisions of the County Development Plan 2017 – 2023 it is considered that compliance with the relevant provisions has been achieved in this instance.

### **Athy Town Development Plan 2012 – 2018**

The site is within the development boundary of the Athy Town Development 2012 – 2018. The site of the proposed development is zoned both Objective B Existing Residential and Infill and C New Residential. The intention of these zoning objectives are as follows:

*Objective B: “To protect and enhance the existing residential amenity, to provide for appropriate infill residential development, to provide for new and improved ancillary services”.*

*Objective C: “To provide for new residential development, associated residential services and community facilities”.*

The Housing Section has prepared a detailed report outlining how the proposed development complies with the provisions of the Athy Town Local Area Plan 2012 – 2018, including

- Zoning
- Phasing
- Housing Strategy
- Sustainable residential development and urban design principles
- Density
- Housing mix
- Community development
- Housing objectives

Having examined the provisions of the Athy Town Development Plan 2012 – 2018 it is considered that that compliance with the relevant provisions has been achieved in this instance.

### **Assessment/Evaluation**

The proposed development comprises 35 no. residential units in the following composition:

- 12 no. two bed, 5 end of terrace and 7 mid–terrace, two storey houses;
- 18 no. three bed houses, 11 semi-detached, 3 end of terrace, and 4 mid terrace, two storey houses;

- 5 no. four bed, 1 no. detached and 1 no. semi-detached, 2 no. end of terrace, two storey houses, all with accessible ground floor bedroom and bathroom and 1 no detached fully accessible bungalow

The site has a stated area of 1.9534ha. The density of the scheme is c.20 units per ha.

Proposed finishes include a mix of selected brick and painted sand/cement render, with concrete roof tiles to roof. Solar panels PV panels are also proposed for each unit. There is no significant difference between the height of the proposed dwellings and the dwellings located in the vicinity. It is not considered that there is a significant visual impact arising due to the proposed development.

The layout of the scheme is largely acceptable. However, house numbers 31 to 34 do not appear to have car parking located within their curtilage. Parking for 8 no. cars is proposed off site close to open space area 2. Whilst there is a pedestrian only walkway to the front of these houses, it will be necessary for the development to be managed in such a way as to ensure that the walkway does not become blocked by indiscriminate parking, thereby reducing permeability within the site.

Apart from where already indicated, off-street car parking for 2 cars has been provided for most of the dwellings, with additional car-parking spaces provided for visitors throughout the scheme and close to areas of public open space. In general, car parking and cycle parking within the scheme is considered to be acceptable.

Public open space provision of 26% of the site area is proposed in a number of pockets throughout the site. There is a large pocket of open space located along the western boundary of the site, which includes a natural play area and pedestrian and cycle connectivity within the space and also to the Canal via a lockable gate system. Other pockets of space are smaller. All public spaces are passively supervised by existing and proposed dwellings. Private open space provision is provided for each unit in the form of private rear garden area. Space is also available within the front curtilage of each dwelling. It is considered that the public and private open space provision is acceptable. Storage for bins is provided within the curtilage of each dwelling.

Landscaping proposals include retaining existing vegetation and additional tree / hedge and shrub planting throughout the scheme. All rear gardens will be provided with an amenity lawn mix grass seed. The proposed natural play area comprises a range of features and equipment suitable for a range of ages. The landscaping proposals are considered to be generous and of benefit to the wider Flinter's Field community. It is also considered that the natural playground should be in place prior to occupation of the units.

Boundary treatment is in the form of 1.8m wall and post and timber panel fencing to rear/between houses. A 2.1m concrete block wall, rendered where visible from the public road. A 1.5m high bow top metal railing is proposed for

the area adjacent to the Canal. A 1.1m bow top metal railing is proposed for a number of semi-private areas throughout the site. It is considered that the proposed boundary treatment is acceptable.

It is evident that the overall scheme has had the benefit of a significant architectural input and is designed both in terms of layout and house design to be creative and modern and will enhance the overall visual appearance of the area. The layout of the scheme also enhances the passive supervision of the public open space which is appropriate and desirable in all housing schemes.

There are existing recycling banks on site. It would not appear that there is provision for their relocation. These should be relocated to an appropriate location elsewhere on the site to be passively supervised.

The report prepared by the Housing Section details the purpose of the proposed development and advises that there are in excess of 7,000 applicants on the Kildare County Council social housing list. As part of the Rebuilding Ireland Action Plan for Housing and Homelessness, Pillar Two identifies the local authority's role in the delivery of social housing to address the current housing crisis. The proposed development will assist Kildare County Council in fulfilling the objective of the Government's Action Plan. Furthermore the unit mix is based on the current housing need identified for Kildare.

#### **Appropriate Assessment (The Natura 2000 Network i.e. Special Areas of Conservation)**

An Appropriate Assessment Screening Report has been completed for the proposed development (See Appendix 1 attached). The Screening Report, prepared in conjunction with the County Heritage Officer, concludes that the proposed development, individually or in combination with other plans or projects, will not adversely affect the integrity of the site or any designated site of the Natura 2000 network. The Heritage Officer recommends that all environmental control measures identified in Appendix B of the Appropriate Assessment Screening Report (supplementary report dated 13<sup>th</sup> July 2017), prepared by Neo Environmental, are implemented in the proposed development.

#### **Heritage (Archaeological & Architectural)**

The closest SMR site is KD 035-021 – Anglo Norman Masonry Castle which is also a Protected Structure known as Woodstock Castle is located c. 350m east of the site.

The development can be permitted subject to pre-commencement testing and mitigation measures at the site as per referral submission from Dept Arts, Heritage, Regional, Rural and Gaeltacht Affairs dated 6<sup>th</sup> July 2017.

#### **Conclusion**

Having regard to:

- The provisions of the Kildare County Development Plan 2017 – 2023;
- The provisions of the Athy Town Development Plan 2012 – 2018;



- Kildare County Council internal departmental reports;
- Prescribed Bodies reports;
- Third Party Submissions;
- The AA Screening report;
- The existing adjoining residential use;
- The nature and extent of the proposed development;
- The recommendations set out below;

It is considered that the proposal is:

- in accordance with the provisions of the Kildare County Development Plan 2017 – 2023
- in accordance with the provisions of the Athy Town Development Plan 2012 – 2018
- and would therefore be in accordance with the proper planning and sustainable development of the area.

### **Recommendation**

It is recommended to the Mayor and Members of the Athy Municipal District that the proposed development be proceeded with subject to the recommendations set out below.

### **Recommendations:**

1. The proposed development shall be carried out in accordance with the plans and particulars placed on public display on 4<sup>th</sup> May 2017, and updated AA Screening Report dated 13/07/2017, except where altered or amended by the following recommendations.
2. The public footpath/walkway to Woodstock Street in front of Houses 31-35 shall not be used as a parking area for any motorised vehicles. The area shall be kept clear at all times to ensure active permeability to Woodstock Street.
3. The existing recycling banks shall be relocated to a new location within the site and shall be provided in a location which is passively supervised.
4. The natural play area shall be laid out and constructed prior to the occupation of the dwellings.
5. Final details regarding pedestrian facilities, public lighting, car parking, lighting etc raised by the Transportation Department in its Report and responded to by the Housing Department in its report on submissions, (included as Appendix 2 of this Report), shall be agreed prior to commencement of development.
6. Final details regarding the requirements of the Council's Environment and Water Services Departments, Kildare County Fire Service, Environmental Health Officer and of Irish Water, as identified in their submissions and responded to by the Housing Department in its report on submissions,

(included as Appendix 2 of this Report), shall be agreed prior to commencement of development.

7. All necessary measures shall be taken, to ensure comprehensive protection of local aquatic ecological integrity. This shall be addressed by the incorporation, into the contract documents for the construction and management of the proposed development, of the relevant issues/comments/recommendations raised by Inland Fisheries Ireland.

8. All Environmental Control Measures identified in Appendix B of the Appropriate Assessment Screening Report shall be incorporated into the contract documentation for the construction and management of the proposed development.

9. All necessary measures shall be taken to ensure the protection of archaeological heritage. This shall be addressed by the incorporation, into the contract documents for the construction and management of the proposed development, of the relevant issues/comments/recommendations raised by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

10. The cultural heritage of Flinter's Field shall be recognised in the naming of the proposed development.

11. A minimum of 1,000 litres/min of water shall be available in the mains at 2 bar pressure for fire fighting purposes.

12. All metal boundary railings shall be powder coated.

13. All boundary walls visible from public view shall be rendered or faced with selected brick.

14. In the interests of residential amenity the hours of construction activities on the site shall be restricted from Monday to Friday 08.00 - 18.00, Saturday 08.00 - 13.00 or as agreed with the Planning Department. No building activity shall be undertaken on Sundays and Bank Holidays under any circumstances.

**Fiona Breen**  
**Executive Planner**

19/7/17

Michael Kenny  
Senior Planner  
19/7/17

J. Mc Donnell  
D/CE  
19.07.17

# APPENDIX 1

## Planning Authority APPROPRIATE ASSESSMENT SCREENING REPORT



## APPROPRIATE ASSESSMENT SCREENING REPORT AND CONCLUSION STATEMENT

### (A) Project Details

<b>Planning File Ref</b>	Part 8 Development 2017/006
<b>Applicant name</b>	Kildare County Council
<b>Development Location</b>	Flinter's Field, Athy
<b>Site size</b>	1.9ha
<b>Application accompanied by an EIS (Yes/NO)</b>	No
<b>Distance from Natura 2000 site in km</b>	300m west of River Barrow / Nore SAC
<b>Description of the project/proposed development</b> 35 no. houses and all associated site works.	

### (B) Identification of Natura 2000 sites which may be impacted by the proposed development

		Yes/No
		If answer is yes, identify list name of Natura 2000 site likely to be impacted.
<b>1</b>	<b>Impacts on sites designated for freshwater habitats or species.</b>  <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh lake	<i>Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?</i>  <div style="text-align: center;">Yes</div>
<b>2</b>	<b>Impacts on sites designated for wetland habitats - bogs, fens, marshes and heath.</b>  <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake	<i>Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats (bog, marsh, fen or heath), or within 1 km of same?</i>  <div style="text-align: center;">Yes</div>
<b>3</b>	<b>Impacts on designated</b>	<i>Is the development within a</i>  <div style="text-align: center;">No</div>

	<b>terrestrial habitats.</b>  <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Cartron Valley, Pollardstown Fen, Ballynafagh Lake	<i>Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?</i>	
<b>4</b>	<b>Impacts on birds in SPAs</b>  <u>Sites to consider:</u> Poulaphouca Reservoir	<i>Is the development within a Special Protection Area, or within 5 km of same?</i>	No

**Conclusion:**

If the answer to all of the above is **No**, significant impacts can be ruled out for habitats and bird species.

No further assessment in relation to habitats or birds is required.

If the answer is **Yes** refer to the relevant sections of **C**.

<b>(C) Identification of Potential Impacts on Habitats and Birds.</b>		
<b>1</b>	<b>Impacts on designated rivers, streams, lakes and fresh water dependant habitats and species.</b>  <i>Answer the following if the answer to question 1 in table B was YES</i>  <i>Does the development involve any of the following:</i>	
1.1	Works within the boundary of a Special Area of Conservation excluding small extensions/alterations to existing buildings.	<b>No</b>
1.2	Discharge to surface water or groundwater within 5km of SAC.	<b>No</b>
1.3	Abstraction from surface water or groundwater within 5km of SAC.	<b>No</b>
1.4	Removal of topsoil within 500m of watercourses	<b>Yes</b> <i>(excavation only)</i>
1.5	Infilling or raising of ground levels within 100m of watercourses	<b>No</b>
1.6	Construction of drainage ditches within 1km of SAC.	<b>No</b>
1.7	Installation of waste water treatment systems; percolation areas; septic tanks within 500 m of watercourses	<b>No</b>
1.8	Construction within a floodplain or within an area liable to flood	<b>No</b>
1.9	Crossing or culverting of rivers or streams within 5km of SAC	<b>No</b>
1.10	Storage of chemicals, hydrocarbons or organic	<b>No</b>

	wastes within 1km of a watercourse	
1.11	Development of a large scale which involves the production of an EIS	<b>No</b>
1.12	Development of quarries/mines	<b>No</b>
1.13	Development of windfarms	<b>No</b>
1.14	Development of pumped hydro electric stations	<b>No</b>
1.15	Construction of roads or other infrastructure on peat habitats within 1km rivers, streams, lakes and fresh water dependant habitats	<b>No</b>
<b>2</b>	<p align="center"><b>Impacts on designated wetlands - bogs, fens, marshes and heath.</b></p> <p align="center"><i>Answer the following if the answer to question 2 in table B was YES</i></p> <p align="center"><i>Does the development involve any of the following:</i></p>	
2.1	Works within the boundary of a Special Area of Conservation excluding small extensions/alterations to existing buildings.	<b>No</b>
2.2	Construction of roads or other infrastructure on peat habitats within 1km of bog, marsh, fen or heath habitat within a Natura 2000 site	<b>No</b>
2.3	Development of a large scale within 1km of bog, marsh, fen or heath habitat within a Natura 2000 site which involves the production of an EIS	<b>No</b>

**(F) RELEVANT ADVICE RECEIVED**

**Documentation reviewed for making of this statement. Attached**

**AA Screening Report prepared by Applicant's qualified consultant, NEO Environmental**

**Persons/Bodies consulted with for the making of this statement.**

**County Heritage Officer**

**(G) SCREENING CONCLUSION STATEMENT**

*Selected relevant category for project assessed by ticking box.*

<b>1</b>	AA is not required because the project is directly connected with/necessary to the conservation management of the site	
<b>2</b>	No potential significant affects/AA is not required	<b>X</b>
<b>3</b>	Significant effects are certain, likely or uncertain.	

	Seek a Natura Impact Statement Reject proposal. (Reject if potentially damaging/inappropriate)	
<b>Justify why it falls into relevant category above (based on information in above tables)</b>		
Having regard to the nature of the proposed development alongside the details and environmental control measures set out in the AA screening report prepared by NEO Environmental, it is considered that the proposed development will not adversely affect the integrity of the SAC and other sites within the Natura 2000 network.		
<b>Name:</b>	Fiona Breen	
<b>Position</b>	Executive Planner	

Speed  
 Michael Kenny  
 19/7/17.





**APPENDIX 2**

**SUBMISSIONS REPORT**  
**PREPARED BY HOUSING SECTION**



Submission Received From	Date received	Submission	Housing Department Comments
<p>1. Donnachadh Byrne, Inland Fisheries Ireland, 3044 Lake Drive, Citywest Business Campus Dublin 24</p>	<p>21/06/2017</p>	<p>The Grand Canal, which borders the site of this proposed development joins the Barrow SAC a short distance downstream. The Barrow River is an important Spring Salmon fishery. The Barrow system supports several species listed in Annex II of the Habitats Directive including Salmon, River Lamprey, Sea Lamprey, Fresh Pearl Mussel and Otter. Much of the main channel of the Barrow River is a candidate Special Area for Conservation (SAC) under the European Habitats Directive. The river Barrow in Athy supports a variety of fish species in Athy including Salmon, Trout, Eel, Pike, Bream, Perch and Rudd. While there is limited Salmonid spawning and nursery habitat in Athy, a significant proportion of the Salmon population of the Barrow River migrates through the Barrow at Athy (adult Salmon swimming upstream to spawning grounds with post spawning fish and juvenile smolts migrating to sea). We would draw you attention to the NPWS Wildlife Manual no 21 "The status and distribution of lamprey in the river Barrow SAC which states that 'The presence of Juvenile sea lamprey in the Acore and Fusheoge indicates that adult sea lamprey can navigate or circumvent the major weirs on the main stem the Barrow', The same report highlighted populations of Lampetra throughout the Barrow catchment. The Barrow River and its tributaries are also likely to support population of the freshwater Crayfish (Austropotamobius pallipes) at this location.</p>	<p>The Housing Department note this submission.</p> <p>The Housing Department will include conditions in the contract for construction of the proposed development which will incorporate best practice and include restrictions set out in this submission in relation to the delivery delivery and storage and use of oils and fuels including the refueling of machinery on the site, minimizing discharges of silt/suspended solids or other to waters, the disposal of hazardous wastes during construction/operations phase and during any landscaping works.</p> <p>Conditions will be set down by Kildare County Council Environment department also deal with the house keeping of the site including surface water treatment , storage of materials and waste management</p>

		<p>The following comments are of a general nature and made regarding mitigating measures which should be employed during elements of the construction phase which have the potential to impact the aquatic environment. Uncured concrete can kill fish and macroinvertebrates by altering the pH of the water and extreme care should be observed when working with cement / concrete in the vicinity of watercourses. All oils and fuels used during the construction phase should be stored in secure bunded areas, and particular care and attention should be taken during refuelling and maintenance operations on plant and equipment. One of the potential impacts of infrastructural programmes is the discharge of silt-laden waters to fisheries streams from newly developed sites at which earth moving and excavation works are ongoing. Silt can clog salmonid spawning beds, juvenile salmonids are particularly sensitive to siltation of gill structures. Similarly plant and macroinvertebrate communities can literally be blanketed over, and this can lead to loss or degradation of valuable habitat. It is important to incorporate best practices into construction methods and strategies to minimize discharges of salt/ suspended solids to waters</p> <p>Our concerns include:</p> <ol style="list-style-type: none"> <li>1. Systems should be put in place to ensure that there shall be no discharge of suspended solids or any other deleterious matter to watercourses during the construction phase and during any landscaping work.</li> <li>2. Given the proximity of the River, the pollution threat from concrete and concrete / cement washings is significant. Good housekeeping is of the utmost importance while using concrete or cement near</li> </ol>	<p>Conditions set out by Kildare County council water Services deal with the treatment of discharges of surface water and waste water from the site and will form part of the conditions for this development</p>
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<p>2. Aidan Murray, Senior Executive Engineer, Environment Department, Kildare County Council</p>	<p>21/06/2017</p>	<p>watercourses.</p> <ol style="list-style-type: none"> <li>3. All fuel &amp; oil tanks must be adequately bundled</li> <li>4. Fuels, oils, greases and hydraulic fluids must be stored in bundled compounds well away from the watercourse.</li> <li>5. Refuelling of machinery must be carried out in bundled areas</li> <li>6. All waste oil, empty oil containers and other hazardous wastes are disposed of in conjunction with the requirements of the Waste Management Act 1996</li> </ol>	
<p>No objection with conditions;:</p> <ol style="list-style-type: none"> <li>1. All fuel sewage and soiled water shall discharge to the public foul sewer system.</li> <li>2. Only clean, uncontaminated surface water shall discharge to the surface water system.</li> <li>3. All surface water from the carpark areas shall pass through adequately sized and sited petrol/oil interceptor(s) before being discharged to the surface water system.</li> <li>4. All over ground oil, chemical storage tanks(s) shall be adequately bundled to protect against spillage. Bunding shall be impermeable and capable of retaining a volume equal to 1.1 times the capacity of the largest tank. Filling and off-take points shall be located within the bundled area(s)</li> <li>5. Applicant shall use "Best Practicable Means" to prevent/minimize noise and dust emissions during the construction phase of the development, through the provision and proper maintenance, use and operation of all machinery,</li> </ol>		<p>The Housing Department will ensure conditions as set out will be incorporated into the contract documents for the construction and management of the proposed development.</p>	

	<p>all to the satisfaction of the Planning Authority.</p>	<p>6. All solid household waste from the development shall be offered for collection to a waste contractor in possession of a valid waste collection permit either under the Waste Management (Collection Permit) Regulations 2001 or the Waste Management (collection permit) Regulations 2007 and the Waste Management (Collection Permit) (Amendment) Regulations, 2008 whichever may be relevant. Alternatively the householder may bring household waste to an appropriate civic amenity facility or recycling centre. <b>No burning of waste is permitted.</b> (The householder may wish to make use of an on-site compost bin for suitable wastes and where a dry recyclable bin collection service is available is should be utilized) Please Contact the Environment section, Kildare County Council for further information.</p> <p>7. Prior to the commencement of development, the developer shall submit a formal Project Waste Management Plan for Construction and Demolition for the Local Authority for agreement prior to the Commencement Notice stage. This plan shall, inter alia, include the information recommended in section 3.2 ,3.3 and 3.4 of the document titled "Best practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects" published by the Department of the Environment, Heritage and Local Government (July 2006). The plan shall also contain at a minimum the (i)waste types, including their EWC (European Waste Catalogue) codes and corresponding description, (ii)volumes of each waste type expected to arise during construction and demolition, (iii)how those wastes are</p>
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		<p>intended to be stored prior to their collection and (iv) the name of the authorized waste contractors intended to be used for the collection of each waste type, their waste collection permit numbers and the name and permit numbers of the authorized waste sites intended to be used in the conjunction with the development. Reason: In the interests of the reduction and best practice management of construction and demolition waste from the proposed development.</p> <p>8. Appropriate pollution prevention measures should be implemented during the construction phase to prevent contamination of nearby waterways.</p>	
<p>3. John McGowan Water section, Kildare County Council</p>	<p>12/06/17</p>	<p>No objection with conditions;.</p> <p><b>Surface Water</b></p> <p><b>No Objection</b> to the proposed development subject to the following conditions:</p> <p>1. Only foul sewage and soiled water from the development shall be discharged to the public foul sewer. <b>REASON:</b> In the interests of public health and to ensure proper development</p> <p>2. Only clean uncontaminated surface water from the development shall be discharged to the surface water system: <b>REASON:</b> To avoid pollution and to ensure proper development.</p> <p>3. The surface water drainage system, which shall incorporate the use of sustainable Drainage Systems (SuDS) facilities, shall be designed and constructed as follows:</p> <p>i. With a 20% climate change factor applied appropriately in</p>	<p>The Housing Department will ensure conditions as set out will be incorporated into the contract documents for construction and management of the proposed development</p>

		<p>the design, and :</p> <p>ii. Maximising the amount of run-off dealt with by SuDS measures including infiltration to ground where feasible thus reducing the size of pipes and storage volume, and</p> <p>iii in accordance with:</p> <p>a) current versions of BRE Digest 365 and other relevant industry standards, and :</p> <p>b) the requirements of the Greater Dublin Strategic Drainage Study(GSDSDS) and ;</p> <p>c) the IW publication 'Wastewater Infrastructure Standard Details' IW-CDS-5030-01 August 2016 and 'Recommendations for Site Development Works for Housing Areas' DoELG October 1998.</p> <p>With particular attention given to safe attention storage, infiltration devices including permeable paving, trenches or green areas should <b>not give</b> rise to ponding of surface water especially where soils have low permeability and sewer location in roadways and separation from structures. eg. Walls</p> <p><b>REASON;</b> To ensure proper servicing of the development and prevent flooding.</p> <p>4. The surface water drainage system including the attenuation shall be maintained by the developer in accordance with industry best practice until such time as it is taken in charge.</p> <p><b>REASON ;</b> To ensure proper servicing of the development.</p> <p><u>Water and Waste Water:</u>  <b>IRISH WATER; Standard Conditions</b>  Irish Water has no objection to the proposal based on the plans and particulars included in the planning application:</p> <p>1)Where the applicant proposes to connect to a public water/wastewater network operated by IW, the applicant must</p>	
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		<p>sign a connection agreement with IW prior to the commencement of the development and adhere to the standards and conditions set out in that agreement:</p> <p>2) In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the water and Waste Water Infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.</p>	
<p>4. George Willoughby , Senior Executive Engineer, Roads and Transportation Department, Kildare County Council</p>	<p>02/07/2017</p>	<p>Vehicular access to the site will be via Flinters Place in the northern corner of the site. A separate pedestrian link to Woodstock Street to the northeast of the site is also proposed. The proposed road layout will also allow for a possible road linkage in the Southern corner of the site</p> <p>Car parking should be in accordance with CH17 of the Kildare County development plan 2017 – 2023, visitors car parking and cycle parking should be provided, car parking bays should be accessible</p> <p>Road footpaths, turning areas and corner radii at junctions should be designed and constructed in accordance with the DMURS standards within the development</p> <p>We would recommend a minimum estate road width of 5.5m and a minimum footpath width of 2m</p> <p>Turning areas must be capable of accommodating a refuse and fire tender and we note that a swept path analysis “Autotrack” has been carried out to check the turning</p>	<p>The Housing Department will ensure conditions as set out will be incorporated into the contract documents for the construction and management of the proposed development.</p>

		<p>movements of a Refuse Truck</p> <p>Public lighting should be in accordance with the KCC public lighting policy document and should include an assessment of existing lighting in the area of the proposed development. Landscaping should not interfere with the public lighting and public lighting columns should be located at the back of the footpaths</p> <p>Landscaping should not interfere with public lighting and public lighting columns should be located at the back of footpaths</p> <p>Access facilities for Vulnerable Road Users should be examined to comply with the DRUMS requirements for permeability and connectivity</p> <p>It is noted that a separate pedestrian link to Woodstock Street to the northeast of the site is proposed which should have public lighting in accordance with the KCC Public lighting policy document</p> <p>Speed limit Signs should be installed within the estate comprising RUS 044 30 km/h speed limit signs and warning signs "Children at Play" at frequent intervals throughout the residential estate</p> <p>A stage 1/2 Road Safety Audit should be carried out by an independent approved and certified Auditor for the proposed development and the infrastructure works. The RSA recommendations shall be incorporated into the detailed design.</p>	
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<p>5. Emmet McDonagh 10 Bleach Road, Dun Brinn, Athy Co Kildare</p>	<p>03/07/2017</p>	<p>The introduction to the submission raises broad issues not directly related to this proposed social housing development including house prices , unemployment , anti-social behavior , and false Government statistics</p> <p>Mr McDonagh states that he only agrees to the housing development with the following conditions:</p> <ol style="list-style-type: none"> <li>1. Garda are to enforce Criminal Justice (Theft and Fraud Offences) Act 2001.</li> <li>2. The road on Woodstock Street is repaired.</li> <li>3. At least 20 houses be offered to services providers Garda, teachers, shop owners and other service providers for the town</li> <li>4. Garda numbers to increase to required level and quality control is enforced on Garda</li> <li>5. Quality control is enforced in public sector.</li> </ol>	<p>Mr McDonagh raises 5 issues. Issues 1-5 do not come within the scope of this Part 8 proposal.</p> <p>Re Item 2: It is the intention of the Council Maintenance section to assess the need for repairs to Woodstock Street in 2018 however, this is outside the scope of this development.</p>
<p>6. Anita Danagher, 9 Dooley Terrace, Athy, Co. Kildare.</p>	<p>03/07/2017</p>	<p>The submissions states that they do not object to the proposed housing units but rather raises concerns regarding the existing pedestrian link and its use for vehicular traffic.</p>	<p>It is proposed to widen the existing pedestrian link and to upgrade with a new hard standing surface and lighting.</p>

		<p>The submission states that they live opposite this link and are concerned that there will be an increase in noise levels and the shining of light in to their living room windows (during winter months).</p> <p>The submission also raised concerns about the link being left open for vehicular traffic upon completion of the works.</p>	<p>For the duration of the works (only) the existing pedestrian link will be used temporarily for construction traffic as an alternative route and to reduce the impact of traffic on the existing residential areas.</p> <p>Please note that construction will generally be confined to between the hours of 08.00am and 18.00p.m. Monday to Fridays and 08.00am to 13.00p.m. on Saturdays with no construction on Sundays and Bank Holidays.</p> <p>However, in the interest of progressing the project in an efficient manner some non-disruptive and non-intrusive construction works may be completed outside these hours.</p> <p>Upon completion of the works, the pedestrian link will be reinstated for pedestrian and cycle traffic only.</p>
<p>7. Department of Arts , Heritage , Rural , Regional and Gaeltacht Affairs</p>	<p>03/07/2017</p>	<p>Due to the scale of the proposed development, it is this Department's recommendation that pre-development testing as described below should be carried out on site. A report of the testing should be submitted as further information. This will enable the department of Arts, Heritage, Regional Rural and Gaeltacht Affairs, and the planning Authority to formulate an informed archaeological recommendation before planning decision is taken</p>	<p>This initial submission from the Department of Arts , Heritage Regional and Rural and Gaeltacht Affairs was subsequently revised to the submission below received on 5<sup>th</sup> July 2017</p>

**Archaeological Impact Assessment should be compiled as follows:**

1. The applicant is required to engage the services of a suitable qualified archaeologist to carry out an archaeological assessment of the development site. No sub-surface work should be undertaken in the absence of the archaeologist without his/her express consent.
2. The archaeologist should carry out any relevant documentary research and inspect the site. Test trenches shall be excavated at locations chosen by the archaeologist, having consulted the site drawings.
3. The archaeologist is required to notify the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs in writing at least four weeks prior to the commencement of site preparations. This will allow the archaeologist sufficient time to obtain a licence to carry out the work.
4. Having completed the work, the archaeologist should submit a written report to the planning Authority and to the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs in advance of in Situ, preservation by record (excavation) or monitoring may be required
5. It should be born in mind that, if significant archaeological remains are found, Refusal might still be recommended, and / or further monitoring or excavation required. No decision should be made on this application until the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs and the planning Authority has had the opportunity to evaluate the Archaeological Assessment. The Department of Arts Heritage, Regional, Rural and Gaeltacht Affairs will forward a recommendation based on the Archaeological to the planning Authority

<p>Revised submission from Dept of Arts Heritage, Rural regional and Gaeltacht Affairs</p>	<p>06/07/17</p>	<p>No objection subject to the following :  Given the size of the development, the Department confirms that it is appropriate that archaeological assessment of impact of the proposed development be undertaken. However it would be acceptable that this be carried out as a condition or term of approval under Part 8 rather than in advance of Part 8 approval subject to the following :</p> <ol style="list-style-type: none"> <li>1. Proposal for archaeological assessment shall be prepared by a suitably qualified and experience professional archaeologist and agreed with the National Monuments Service</li> <li>2. Reports on all aspects or phases of the archaeological assessment will be submitted to the National Monuments service.</li> <li>3. In the event that any archaeological sites, monuments or features are identified as a result of such assessment or in the course of development work, all works which might impact on them shall be deferred or shall cease pending agreement with the National Monuments services as to how to deal with them, weather by preservation in – situ or by full archaeological excavation and recording</li> <li>4. All costs of archaeological assessment and any archaeological mitigation work shall be the responsibility of the local authority.</li> </ol>	<p>The Housing Department note that the issue of Archeological Assessment can now be dealt with prior to commencement of development rather than prior to a planning decision being made.</p> <p>Note re item 4 The Housing Department notes that the costs are a project cost and shall be borne by Respond housing Association.</p>
<p>8. Celina Barrett  Kildare County Council  Fire Service  Newbridge  Co Kildare</p>	<p>04/07/2017</p>	<p>No Objection Stated The following Comments submitted:  1. All electrical work must be to E.T.C.I Standard and certified  2. All dwellings should have a fire alarm system in accordance with the most recent version of IS 3218  3. A minimum of 1,000 liters / min of water is to be</p>	<p>The Housing Department will ensure that conditions as set out will be incorporated into the contract documents for the construction and management of the proposed development.</p>

		<p>available in the mains at 2 bar pressure for fire fighters</p> <ol style="list-style-type: none"> <li>4. Hydrants should be provided such that no house is more than 46 meters from a hydrant measured along a hose route.</li> <li>5. All hydrants are to be in boxes to B.S 750 and the top of any hydrant is to be no more than 200mm below cover level</li> <li>6. All hydrants are to be marked in accordance with BS 3251 (all covers shall be painted yellow with road marking paint and with a unique identification number on the underside)</li> <li>7. No hydrant is to be placed in a roadway. If placed in a grassed area it should have a 200 mm concrete surround, level with ground. Hydrants should preferably be in the center of footpaths, away from gateways</li> </ol>	<p>The Housing Department note that this submission contains all best practice guidance and these cited standards will be adhered to.</p>
<p>9. Hilary Mallen. Environmental Health Officer.</p>	<p>04/07/2017</p>	<p>No Objection Stated The following Comments submitted:</p> <ol style="list-style-type: none"> <li>1. During the construction phase all measures must be taken to prevent nuisance to the residents in adjacent properties from, noise and dust.</li> <li>2. Construction must be confined to between the hours of 08.00am and 18.00p.m. Monday to Fridays and 08.00am to 13.00p.m. on Saturdays there should be no construction on Sundays and Bank Holidays.</li> <li>3. Prior to and during the construction phase the area must be baited for rodents to prevent fugitive infestations in adjacent properties.</li> </ol>	<p>The Housing Department will ensure that conditions as set out will be incorporated into the contract documents for the construction and management of the proposed development. Please note that construction will generally be confined to the hours as stated, however in the interest of progressing the project in an efficient manner some non-disruptive and non-intrusive construction works may be completed outside these hours.</p>

