

COMHAIRLE CONTAE CHILL DARA

KILDARE COUNTY COUNCIL

Record of Executive Business and Chief Executive's Orders

**Planning and Development Act 2000 (as amended) – Part XI
Planning and Development Regulations 2001 (as amended) – Part 8**

Oldtown Mill Residential Development

Environmental Impact Assessment (EIA) Screening Determination

Pursuant to the requirements of the above, Kildare County Council is proposing to construct 60 no. residential units, including 40 no. houses and 20 no. apartments in Oldtown Mill in Celbridge, Co. Kildare.

The site comprises former agricultural fields that have since been used for the disposal of spoil overrun with colonizing vegetation. The overall site is defined by a mature hedge field boundary with some mature trees to the north and west. The southern portion of the site is level, however, there is a large mound of spoil material at the western end and a degree of standing water. A metal gate and wire fencing with intermittent hedgerow planting defines the interface between the site and the existing housing areas to the east.

The proposed development includes:

- i. 60 no. residential units including 40 no. houses and 20 no. apartments comprising 20 no. one bed units; 15 no. two bed units; 21 no. three bed units; and 4 no. four bed units; with renewable energy design measures (which may be provided externally) for each housing unit.
- ii. Rear garden sheds serving the residential units.
- iii. Landscaping works including provision of (a) open space and kick about areas; (b) natural play features; and (c) new pedestrian and cycle connections.
- iv. Associated site and infrastructural works including provision for (a) 2 no. ESB substations and switch rooms; (b) car and bicycle parking; (d) public lighting; (e) bin storage; (f) temporary construction signage; (g) estate signage; and (h) varied site boundary treatment comprising walls and fencing; and
- v. all associated site development works, including removal of existing spoil from the site in advance of construction works.

Having regard to EIA Directive 2011/92/EU as amended by Directive 2014/52/EU (the EIA Directive), the guidance contained in: "*Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development*" (published by the Department of Environment, Heritage and Local Government in 2003); "*Environmental Impact - Assessment of Projects - Guidance on Screening*" (published by the European Commission in 2017); "*Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*" (published by the Department of Housing, Planning and Local Government in 2018); and on the basis of an examination of the Part 8 drawings and documents, Kildare County Council, as the Competent Authority, determines that the

proposed residential development in Oldtown Mill Celbridge, individually, and in combination with other plans and projects, does not require an Environmental Impact Assessment.

Full consideration is given to the EIA Directive and in particular to Annex I, II and III of that Directive, which set out requirements for mandatory and sub-threshold EIA.

As the proposed development is sub-threshold, it has, therefore, been assessed on a case-by-case basis in accordance with the criteria for determining whether or not a development would or would not be likely to have significant effects on the environment as outlined within Annex III of the EIA Directive.

Having regard to the foregoing and in particular:

- The size and design of the whole project;
- Cumulation with other existing and/or proposed projects;
- The use of natural resources, in particular land, soil, water and biodiversity;
- The production of waste;
- Pollution and nuisance;
- 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 risk to human health (for example due to water contamination or air pollution).

It is considered that the environmental effects arising from the proposed project will generally be localised and minor in nature. It is considered that the proposed development is not likely to give rise to significant environmental impacts and does not require an Environmental Impact Assessment Report to be prepared or an Environmental Impact Assessment to be conducted.



Kehinde Oluwatosin
Senior Executive Planner
06/03/2024



Aoife Brangan
A/SP
06/03/24



6/3/2024

ORDER: That Kildare County Council as the Competent Authority hereby makes a determination that the proposed residential development in Oldtown Mill Celbridge, would not be likely to have significant effects on the environment and that the proposed project does not require an Environmental Impact Assessment.

Date: 7th March 2024



Chief Executive

COMHAIRLE CONTAE CHILL DARA

KILDARE COUNTY COUNCIL

Record of Executive Business and Chief Executive's Orders

Planning and Development Act 2000 (as amended) – Part XAB
Planning and Development Regulations 2001 (as amended) – Part 8

Oldtown Mill Residential Development

Appropriate Assessment (AA) Screening Determination

Pursuant to the requirements of the above, Kildare County Council is proposing to construct 60 no. residential units, including 40 no. houses and 20 no. apartments in Oldtown Mill in Celbridge, Co. Kildare.

The site comprises former agricultural fields that have since been used for the disposal of spoil overrun with colonizing vegetation. The overall site is defined by a mature hedge field boundary with some mature trees to the north and west. The southern portion of the site is level, however, there is a large mound of spoil material at the western end and a degree of standing water. A metal gate and wire fencing with intermittent hedgerow planting defines the interface between the site and the existing housing areas to the east.

The proposed development includes:

- i. 60 no. residential units including 40 no. houses and 20 no. apartments comprising 20 no. one bed units; 15 no. two bed units; 21 no. three bed units; and 4 no. four bed units; with renewable energy design measures (which may be provided externally) for each housing unit.
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- iv. Associated site and infrastructural works including provision for (a) 2 no. ESB substations and switch rooms; (b) car and bicycle parking; (d) public lighting; (e) bin storage; (f) temporary construction signage; (g) estate signage; and (h) varied site boundary treatment comprising walls and fencing; and
- v. all associated site development works, including removal of existing spoil from the site in advance of construction works.

A description of the proposed development has been provided in the Section 2 of the Screening for Appropriate Assessment Report prepared by NM Ecology Ltd forming part of the Part 8 application.

Having regard to Article 6(3) of the Habitats Directive and Part XAB of the Planning and Development Act 2000 (as amended), the guidance contained in the document entitled "*Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities*" (published by the Department of Environment, Heritage and Local Government in 2009) and following an examination of the objective information provided in the Screening for Appropriate Assessment report (the Screening Report) prepared by NM Ecology Ltd, on behalf of Kildare County Council, as the Competent Authority, determines that the proposed residential development in Oldtown Mill Celbridge, Co. Kildare, individually or in combination with other plans and projects, does not have the potential to give rise

to likely significant effects on European sites, their conservation objectives or integrity, and therefore does not require an Appropriate Assessment.

Key points in the determination – The nearest European site to the Proposed Development is the Poulaphouca Reservoir SPA (004063), which is located approximately 18km north of the subject site. There are no other European Sites close to the proposed development. There is no connectivity to any other European sites within or outside the guideline 15km potential Zone of Influence. The consideration of all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the Proposed Development have been carried out in the AA Screening, prepared by NM Ecology Ltd, on behalf of Kildare County Council.

No risks to the conservation objectives of any other Natura 2000 sites are considered likely due to one or more of the following, lack of ecological or landscape connectivity between the proposed works areas and the designated area, significant buffer between the proposed works area and the designated area, the nature of the site's conservation objectives, no impact or change to the management of the designated area or; and no change to chemical or physiological condition of the designated site as a result of the proposed development.

Works are not proposed within or near European site. No direct or indirect connectivity exists from the project works areas to any European site. Given the lack of any potential connectivity and given the location of the works and the nature and scale any construction related impacts that the proposed project could potentially generate, it is considered that the proposed project will not result in any effects on any European sites.

It is therefore highly improbable that a project of this nature and scale will have any measurable impact on the qualifying interests of Natura 2000 sites.

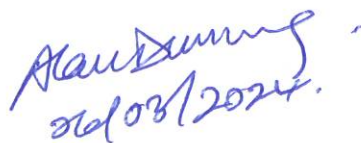
Therefore, a Stage 2: Appropriate Assessment will not be required to inform the project appraisal either alone or in combination with other plans or projects, with respect to any Natura 2000 sites and their Conservation Objectives.



Kehinde Oluwatosin
Senior Executive Planner
06/03/2024



Aoife Brangan
A/SP
06/03/24



Handwritten signature and date: 06/03/2024

ORDER: That Kildare County Council as the Competent Authority, having considered the Screening for Appropriate Assessment Report, prepared by NM Ecology Ltd on behalf of Kildare County Council, makes a determination that a Stage 2: Appropriate Assessment will not be required to inform the proposed residential development in Oldtown Mill Celbridge, either alone or in combination with other plans or projects, with respect to any Natura 2000 sites and their Conservation Objectives.

Date: 7th March 2024



Chief Executive