



**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.*

<b>Type of Development</b>	Residential
<b>Site Location</b>	The former HSE Dispensary site, Carbury, Co. Kildare, W91 VF24
<b>Development proposed by</b>	Housing
<b>Display period</b>	Advertised in the Leinster Leader and Kildare Nationalist published on the 30 <sup>th</sup> July 2024.  Public display period 31/07/24 to 12/09/24  Submissions or observations with respect to the proposed development dealing with the proper planning and sustainable developments of the area in which the developments would be situated may be made in writing to on or before 4.00p.m. on the 12/09/2024
<b>Submissions/observations</b>	4 No. submissions received.  A Report on the submissions is included in Appendix B. A list of people who made submissions/observations is provided in Appendix C

Part 8 Reference Number	P8 2024-13
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**SITE LOCATION & CONTEXT**

The proposed site is located to the south of Carbury village neighbouring agricultural lands to the east and south with the R402 regional route also to the south and existing residential units of Carbury village to the west and north.



*Fig 1: Site Location (Google maps)*

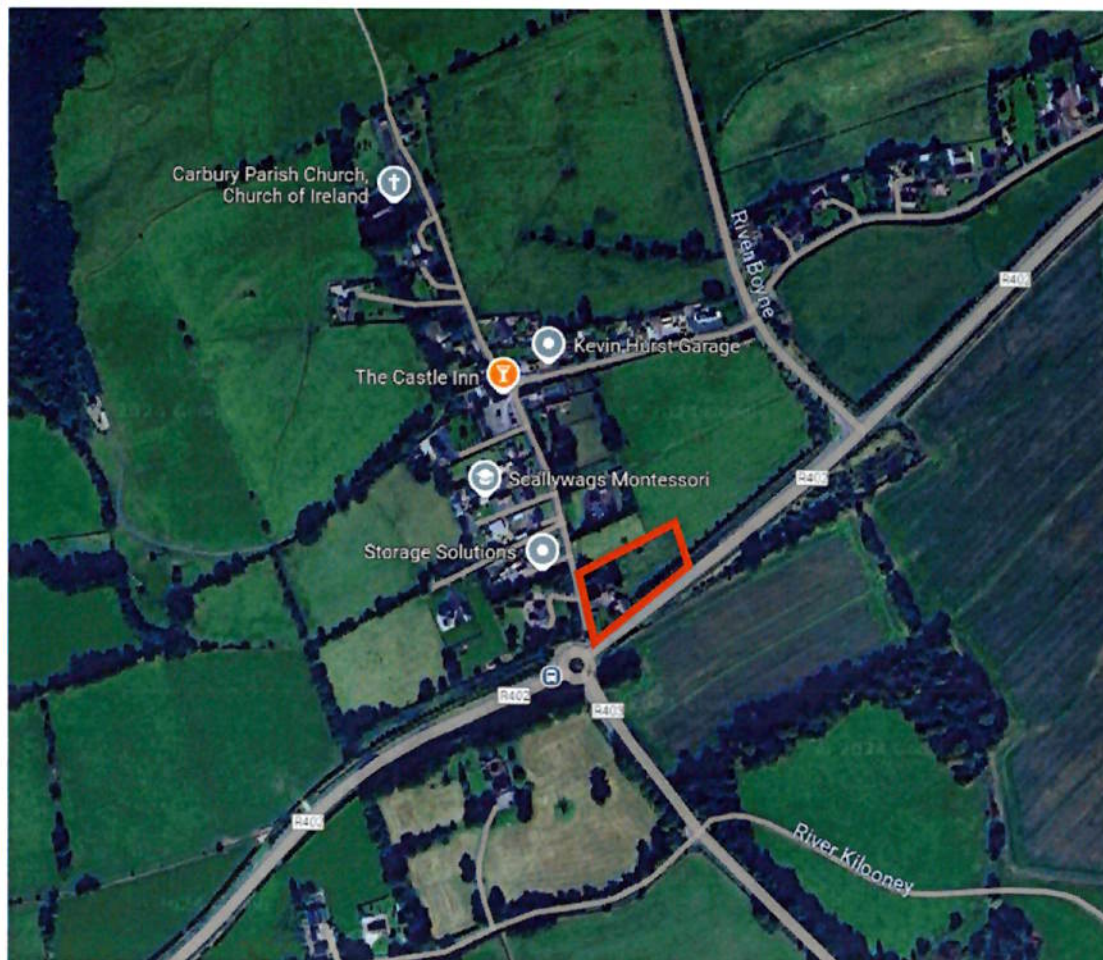


Figure 2: Site Location (Wider Context Google Maps)

## 2. DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development will provide 5 no. social houses and a new carpark to service an existing Community Facility at the former HSE Dispensary site, Carbury, Co. Kildare and comprises of the following:

- demolition of existing 30sqm single storey flat roof service building on the northeastern side of the community facility,
- demolition of existing 8 sqm single storey flat roof wc on the northeastern side of the existing smaller building on site,
- demolition of parts of the site boundaries / entrance walls and removal of the existing septic tank. The construction of replacement site boundaries and combined site entrance, to include the removal of some existing trees and overgrowth,
- construction of four new terraced units over two floors, comprising of 3 no. two bed dwellings and 1 no. three bed dwelling,
- refurbishment and internal alterations of existing single storey building onsite into a one bed dwelling,
- construction of a new car park, vehicular access, and pedestrian paths to service the existing community facility,

- all associated site-works including new site boundaries, combined site entrance and associated tying in with existing road and path network, new landscaping (private, semi-private & public open space), site drainage, new foul water treatment plant to service the 5 dwellings and existing community facility, private car parking, public lighting, ancillary site services and development works above and below ground.

The proposed 5 no. dwellings will be occupied by persons complying with Local Need requirements as set out in Table 3.4 of the Kildare County Development Plan 2023-2029.

### **3. SUPPORTING DOCUMENTS**

The proposal is accompanied by the required plans and particulars which include the following:

- A design Architectural Statement
- Ecology AA Screening Report & Determination
- Ecology EIA Screening Report & Determination
- Hyrdological Assessment
- Drainage Percolation Report
- Consulting Engineers Report for Water Supply, Wastewater and a Stormwater Management Plan
- Landscape Masterplan

### **4. REFERRALS AND CONSULTATIONS**

The referrals and consultation process has been summarised by the Architects Department and an appropriate response to submissions and issues raised is contained in Appendix B of this report.

#### 4.1 Submissions

4 no. submissions were received during the display period. The issues raised in the submissions are outlined and a response to the issues made are contained within the report in Appendix B of this report.

#### 4.2 Prescribed Bodies

The Part 8 proposal was referred to 13 no. prescribed bodies and 14 internal departments. The issues raised in the submissions are outlined and a response to the issues made are contained within the report in Appendix B of this report. Only one submission was received from Uisce Eireann.

#### 4.3 Internal KCC Reports Received

The Part 8 proposal was referred to relevant internal departments of Kildare County Council. The issues raised in the submissions are outlined and a response to the issues made are contained within the report in Appendix B of this report. Submissions were received from the following:

- *Fire Services: No Objection subject to conditions*
- *Public Realm: No Objection*

### **5. PLANNING HISTORY**

No recent planning history on the subject lands.

## 6. BUILT AND NATURAL HERITAGE

<b>Built Heritage</b>	The subject site does not contain or adjoin a protected structure or listed monuments. Newberry Hall is located to the south of the subject site and separated by the R402 regional road.
<b>Archaeological Heritage</b>	The subject site is not located within a zone of Archaeological potential.
<b>Natural Heritage</b>	The subject lands fall under the category of the Northwestern Lowlands and within a Low Landscape sensitivity area. Carbury Bog NHA is situated c. 578m from the subject lands.

## 7. POLICY CONTEXT

### 7.1 National Planning Framework

The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of Ireland out to the year 2040. It identifies "Enhanced Amenities and Heritage" as a national strategic outcome (NSO) which will require investment in well-designed public realm, which includes public spaces, parks and streets, as well as recreational infrastructure. This is linked to and must integrate with our built, cultural and natural heritage, which has intrinsic value in defining the character of urban and rural areas and adding to their attractiveness and sense of place. It also identifies Access to Quality Childcare, Education and Health Services as a NSO and requires good access to a range of quality education and health services, relative to the scale of a region, city, town, neighbourhood or community is a defining characteristic of attractive, successful and competitive places. Compact, smart growth in urban areas and strong and stable rural communities will enable the enhanced and effective provision of a range of accessible services.

### 7.2 Regional Spatial and Economic Strategy

The RSES replaced the Regional Planning Guidelines for the Greater Dublin Area. The RSES provides regional level strategic planning and economic policy in support of the implementation of the NPF and provide a greater level of focus around the National Policy Objectives and National Strategic Outcomes of the NPF. The RSES identifies Regional Strategic Objective Creative Places which seeks to enhance and integrate and protect our arts, culture and heritage assets to promote creative places and heritage led regeneration.

### 7.3 Kildare County Development Plan 2023-2029

*The following chapters were considered in the assessment of this Part 8 Development.*

*Chapter 2 Core Strategy and Settlement Strategy*

*Chapter 3 Housing*

*Chapter 10 Community Infrastructure and Creative Places*

*Chapter 11 Built and Cultural Heritage*  
*Chapter 12 Biodiversity and Green Infrastructure*  
*Chapter 13 Landscape, Recreation and Amenity*  
*Chapter 14 Urban Design, Placemaking and Regeneration*  
*Chapter 15 Development Management Standards*  
*Volume 2 Village Plans and Rural Settlements*

## 7. ASSESSMENT OF PROPOSED DEVELOPMENT

### 7.1 Principle of Development

Carbury is identified as a Rural Node within Volume 2 of the County Development Plan 2023. The overall objective of Volume 2 is to:

- (i) support the sustainable growth of our small towns, villages and settlements,
- (ii) support appropriate local employment opportunities and economic activity,
- (iii) build on each areas unique character and natural assets

The subject lands are not zoned within any statutory plan or framework and therefore must be considered rural. It is noted that this has been acknowledged as part of the advertised and statement that the proposed the proposed 5 no. dwellings will be occupied by persons complying with Local Need requirements as set out in Table 3.4 of the Kildare County Development Plan 2023-2029.

Given the location of the subject lands, the potential for consolidation of the settlement/Rural node of Carbury alongside the re-use of the former HSE dispensary lands and buildings it is considered that the proposed development is acceptable in principle.

### 7.2 Environmental Impact Assessment

An EIA Screening Report was prepared by MacCabe Durney Barnes to assist the relevant authority (Kildare County Council) in forming an opinion as to whether or not the Proposed Scheme should be subject to Environmental Impact Assessment (EIA) and if so whether an Environmental Impact Assessment Report (EIAR) should be prepared in respect of it. The screening process included an assessment of the details of the Proposed Scheme with reference to the relevant EIA legislation including the Planning & Development Regulations 2001 (as amended by Planning and Development Regulations 2015), the EIA Directive 2011/92/EU (as amended by Directive 2014/52/EU) and relevant EU Guidance including Interpretation of definitions of project categories of annex I and II of the EIA Directive, EU, 2015 and Environmental Impact Assessment of Projects Guidance on Screening, EU, 2017.

The overall conclusion of the screening exercise was that there should be no specific requirement for a full Environmental Impact Assessment of the Proposed Scheme As there is no requirement for an Environmental Impact Assessment Report to be carried out for the Part 8 proposal, there is no

requirement for an Environmental Impact Assessment to be prepared by the Planning Authority.

### 7.3 Appropriate Assessment

An Appropriate Assessment Screening Report was prepared by NMECOLOGY Ltd to assist the relevant authority (Kildare County Council) in forming an opinion as to whether or not the Proposed Scheme requires a Natura Impact Assessment. The Appropriate Assessment (AA) Screening Report was carried out in accordance with the document 'Assessment of plans and projects significantly affecting Natura 2000 sites: methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC' (Oxford Brooks University, 2001) with the requirements of Article 6 of the EU Habitats Directive (Directive 92/43/EEC). This report and any contributory fieldwork were carried out in accordance with guidelines given by the Department of Environment, Heritage and Local Government (2009, amended 2010). The process is given in Articles 6(3) and 6(4) of the Habitats Directive and is commonly referred to as 'Appropriate Assessments' (which in fact refers to Stage 2 in the sequence under the Habitats Directive Article 6 assessment). Article 6 of the Habitats Directive sets out provisions which govern the conservation and management of Natura 2000 sites. Article 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment.

The AA Screening Report concluded that no impacts are likely as a result of the Proposed Scheme on the conservation objectives or overall integrity of any Natura 2000 Site and accordingly Appropriate Assessment is not required. The Appropriate Assessment Screening of the Planning Authority is attached in Appendix A of this report.

### 7.4 Scheme Design and Layout

The subject lands are located within a cul de sac formed as part of the realignment works for the R402 regional road with the immediate area predominantly characterised by single storey/low profile dwellings.

The proposed development involves the re-purposing of a single storey building on site to residential use with a further 4 no. single storey/low profile dormer bungalows to the rear fronting onto a shared access drive and landscape open space area. Individual car parking is provided to the front of each dwelling. The dormer design of the proposed new dwellings is considered to be in keeping with the existing community building to the south of the site.

Overall the design and layout is considered to be acceptable and in keeping with the pattern of development in this area. While it is unclear from the site layout plan, how bin storage will be incorporated into the scheme for units 3,4 and 5 this issue can be dealt with through detailed design.



*Figure 3: CGI Image extract*

### 7.5 Public Realm and Open Space

From a public realm perspective, it is considered that the overall proposed redevelopment of the subject lands will enhance the public realm within this rural node with enhancements proposed along the northwestern boundary through the addition of a new open space area/play area fronting onto the local road and complementing the existing open space area to the front of the community building. The proposal will also facilitate a more formalised car parking arrangements and new bicycle parking for the existing community centre building.

The design finishes proposed are also considered to be in keeping with the pattern of development in this area and will further enhance the public realm.

In addition to the above the proposed development provides 50% of the sites area as public amenity space to be used by the new residents, the users of the community facility and the existing residents of Carbury.

### 7.6 Dwelling design

From a design perspective the proposed development can be considered in two parts:

- A) The re-purposing of the former dispensary building providing for a 1-bedroom dwelling and
  - B) The provision of 3 no. 2 bedroom dwellings and 1 no. 3 bed end of terrace dwelling.
- A) The proposed works to the former dispensary building involve minor demolition works with the removal of a chimney and a single storey flat roof extension to the side. Alongside refurbishing the existing building, a new aluminium canopy is proposed at the entrance while a large living space



window opening is provided. It is considered that the proposed works are acceptable and provide for an aesthetically pleasing re-design of this building.



*Figure 4: CGI Extract refurbishment and enhancement of former dispensary building*

B) The proposed 4 no. dwellings to the rear of the former dispensary building are also considered to be acceptable from a design perspective within this rural node.



*Figure 5: CGI Extract front elevation of proposed new housing, boundary treatments and common spaces.*

**Design Standards:** The drawing details include an assessment against the Standards of the Quality Housing for Sustainable Communities: Design Guidelines and the Kildare County Development Plan 2023-2029. In all cases the proposed developments meets or exceeds the requirements set out in both standards as set out in the tables included with drawings numbered 22008-P-2100, 2105 and 2110.

## **8. CONCLUSION**

Having regard to:

- The provisions of the Kildare County Development Plan 2023 - 2029
- Kildare County Council's internal departmental reports and Prescribed Bodies reports,
- The EIAR Screening Report,
- The AA Screening Report,
- Appendix B Submissions Report and the responses to the items/issues raised,
- Appendix C List of people who made public submissions,
- The location of the proposed development,
- The nature and extent of the proposed development and
- The recommendation set out below.

It is considered that the proposed scheme would be in accordance with the provisions of the Kildare County Development Plan 2023 - 2029 and would therefore be in accordance with the proper planning and sustainable development of the area.

## 9. RECOMMENDATION

It is recommended to the Mayor and Members of the Clane- Maynooth Municipal District, that the proposed Part 8 be proceeded with, subject to the modifications set out below.

The proposed Part 8 shall be carried out in accordance with the plans and particulars placed on public display from the 31/07/2024 to the 29/08/2024, including the restriction that the proposed 5 no. dwellings will be occupied by persons complying with Local Need Requirements as set out in Table 3.4 of the Kildare County Development Plan 2023-2029 and shall be subject to the following:

1. The requirements as outlined in response to submissions from the Public Realm Team as part of the Detailed Design stage.
2. Details of suitable bin storage shall be incorporated into the overall design for units 3,4 and 5.
3. The proposed surface water drainage system shall be designed in terms of incorporating appropriate Sustainable Drainage Systems (SuDS). The scheme shall comply with the Kildare County Development Sustainable Drainage Systems (SuDS) Guidance Document and incorporate a sequence of SuDS techniques that work together in a Management Train to control the flow, volume and frequency of run-off as well as preventing or treating pollution as water flows through the development.
4. Prior to the commencement of development, the applicant shall prepare a Construction and Demolition Resource Waste Management Plan (RWMP) in accordance with Appendix C of the "EPA Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021)" including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness, these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development.
5. The permitted hours of operation during the construction phase and for construction related collections and deliveries shall be between 08:00hrs to 18:00hrs Monday to Friday and 08:00hrs to 14:00hrs on Saturdays. Work is not permitted on Sundays and on public holidays.
6. Noise Control. The following noise limits shall apply to construction activities: 70 dB(A) (LAeq 1 hour) between 08:00 hours and 18:00 hours Monday to Friday inclusive (excluding bank holidays) and between 08:00 hours and 13:00 hours on Saturdays when measured at any noise sensitive location in the vicinity of the site. Sound levels shall not exceed 45 dB(A) (LAeq 1 hour) at any other time following completion of the site

development works.

7. No spoil, dirt, debris or other materials shall be deposited on the public road network, its footpaths and verges by machinery or vehicles travelling to or from the development site during the construction phase. The Developer shall arrange for vehicles leaving the site to be kept clean, and for road sweeping by mechanical sweeper to take place as required.
8. No surface water runoff from the development shall discharge onto the public road network, its footpath and verges and the development shall not impair existing land or road drainage.
9. Waste/Refuse Facilities: Suitable and sufficient refuse facilities including recycling facilities and waste segregation must be provided for the storage of waste material.
10. The proposed external finish of development and public realm palette of materials shall be agreed in writing with the Planning Authority at Detailed Design Stage.
11. Details of the Naming Proposal shall be submitted and agreed in writing with the Planning Department.

Signed:



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S. Willoughby

Senior Planner

25/10/24



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Gabriel Conlon  
Senior Executive Officer  
25/10/2024



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Sonya Kavanagh  
Chief Executive  
25/10/2024

**APPENDIX A  
 APPROPRIATE ASSESSMENT SCREENING REPORT/EIAR SREENING  
 REPORT**



**APPROPRIATE ASSESSMENT SCREENING REPORT  
 AND  
 CONCLUSION STATEMENT**

<b>(A) Project Details</b>		
<b>Part 8 Reference Number</b>	P8 2024-13	
<b>Development Proposed by</b>	KCC Housing Department	
<b>Development Location</b>	The former HSE Dispensary site, Carbury, Co. Kildare, W91 VF24	
<b>Site size</b>	0.5ha	
<b>Application accompanied by an EIS (Yes/NO)</b>	No	
<b>Distance from Natura 2000 site in km</b>	The Long Derries, Edenderry SAC is c.5.3km to the south west of the subject site.	
5 no. social houses and a new carpark to service an existing Community Facility at the former HSE Dispensary site, Carbury, Co. Kildare.		
<b>(B) Identification of Natura 2000 sites which may be impacted by the proposed development</b>		
		Yes/No If answer is yes, identify list name of Natura 2000 site likely to be impacted.
<b>1</b>	Impacts on sites designated for freshwater habitats or species.  Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh lake.	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?  No

2	Impacts on sites designated for wetland habitats - bogs, fens, marshes and heath.  Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake.	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?	No
3	Impacts on designated terrestrial habitats.  Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh Lake.	Is the development within a Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?	No
4	Impacts on birds in SPAs  Sites to consider: Poulaphouca Reservoir	Is the development within a Special Protection Area, or within 5 km of same?	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>(G) SCREENING CONCLUSION STATEMENT</b>		
Selected relevant category for project assessed by ticking box.		
1	AA is not required because the project is directly connected with/necessary to the conservation management of the site.	
2	No potential significant affects/AA is not required.	X
3	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement. Reject proposal. (Reject if potentially damaging/inappropriate).	
Justify why it falls into relevant category above (based on information in above tables)		
Having regard to the proximity of the nearest SACs and given the location, nature and extent of the proposed development it is not considered there would be potential for significant effects on the European sites network.		
Name:	Stephen Willoughby	
Position:	Senior Planner	
Date:	25/10/24	

# ENVIRONMENTAL IMPACT ASSESSMENT SCREENING REPORT



## STAGE 1: PRE-SCREENING

*For use when establishing if the proposal is a 'sub-threshold development' requiring Preliminary Examination*

<b>Planning Register Reference:</b>	P8 2024-13	
<b>Development Description Summary:</b>	5 no. social houses and a new carpark to service an existing Community Facility at the former HSE Dispensary site, Carbury, Co. Kildare.	
<b>Was a Screening Determination carried out under Section 176A-C:</b>	Yes, no further action required	
<b>Part A. Is the development a project listed in Schedule 5, Part 1, of the Planning &amp; Development Regs 2001 (as amended)?</b>		
<input type="checkbox"/>	Yes, specify class: <i>[insert class here]</i>	EIA is mandatory No Screening required CS1
<input checked="" type="checkbox"/>	No	Proceed to <b>Part B</b>
<b>Part B. Does the development comprise a project listed in Schedule 5, Part 2, of the Planning &amp; Development Regulations 2001 (as amended) and does it meet/exceed the thresholds?</b>		
<input type="checkbox"/>	Yes the project is listed in Schedule 5, Part 2 <b>and</b> meets/exceeds the threshold, specify class (including threshold): <i>[Insert class &amp; threshold here]</i>	EIA is mandatory No Screening required CS1
<input checked="" type="checkbox"/>	No, the development is not a project of a type listed in Schedule 5, Part 2	No Screening required CS2
<input type="checkbox"/>	Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> : <i>[Insert class &amp; threshold here]</i>	Proceed to <b>Part C</b>
<b>PART C. Has Schedule 7A information/screening report been submitted?</b>		
<input type="checkbox"/>	Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
<input type="checkbox"/>	No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required Proceed to Stage 2
<b>Name:</b>	Stephen Willoughby	
<b>Position:</b>	Senior Planner	
<b>Date:</b>	25/10/24	

**APPENDIX B  
SUBMISSIONS REPORT**



Submissions / observations received in connection with Part 8 Ref: P82024\_13

Submission Received From	Date received	Submission / Observation	Housing Department Comments
Public Representatives N/A		No submissions were received from public representatives	
Kildare County Council Internal Departments			
Fire Services	16-09-2024	Further to the above Part 8 development, Kildare Fire Service has no objection to this planning application.	<i>Housing acknowledge that Fire Services have no objection to this proposal.</i>
Public Realm	12-09-2024	<p><b>Assessment</b></p> <p>The Strategic Projects and Public Realm (SPPR) team welcome the proposed development at the former HSE Dispensary in Carbury. SPRR have reviewed the drawings and particulars of the Part 8 consultation for the above noted development and have the following observations/ comments.</p> <ul style="list-style-type: none"> <li>There are no works proposed to the public realm of Main Street as part of this development, however there is the redevelopment of the proposed car park.</li> </ul> <p>Permeable Paving/SuDS</p>	<i>Housing acknowledge that Public Realm welcome the proposed development.</i>

		<ul style="list-style-type: none"> <li>Additional permeable paving should be incorporated where feasible in the Home Zone area, the pedestrian link to the community building and car parking areas.</li> </ul> <p><b>Materials and Finishes</b></p> <ul style="list-style-type: none"> <li>It is recommended that specific materials, finish, details, boundary treatments, lighting and signage of the proposed works should be agreed with Planning Department / SPPR at detail design stage.</li> </ul>	<p>The Housing Department will ensure that additional permeable paving where possible will be incorporated in the Home Zone area, the pedestrian link to the community building and car parking areas.</p> <p>The Housing Department will ensure that specific materials, finish, details, boundary treatments, lighting and signage of the proposed works will be agreed with Planning Department / SPPR at detail design stage.</p>
<p><b>Prescribed Bodies</b></p> <p>Uisce Éireann</p>	<p>30-08-2024</p>	<p>Uisce Éireann's Recommendation: No Objection in Principle.</p> <p>Uisce Éireann is a statutory consultee under the Planning and Development Act 2000 (as amended). Uisce Éireann's job is to deliver the highest quality drinking water to taps every day and ensure that wastewater is properly treated and safely returned to the environment. To ensure the satisfactory completion of a development, any permission, approval, or consent granted pursuant to the Planning and Development Act 2000 (as amended) that requires a new connection(s) to water services should include a condition that requires the applicant or developer to enter into a connection agreement(s) with Uisce Éireann prior to the commencement of development. Any person discharging trade effluent to a sewer, must have a Trade Effluent Licence issued</p>	<p>Housing acknowledges that Uisce Éireann have no objection to this proposal in Principle. All criteria set out by Uisce Éireann will be fully complied with.</p>

		<p>pursuant to section 16 of the Local Government (Water Pollution) Act, 1977 (as amended). Trade effluent is defined in the Local Government (Water Pollution) Act, 1977 (as amended). Please accept this submission in respect to the above-referenced planning application. Uisce Éireann (UE) has reviewed the plans and particulars submitted with the application and have the following observation(s). Uisce Éireann's Assessment/Observation(s): The applicant has engaged with Uisce Éireann via a Pre-Connection Enquiry and Uisce Éireann can confirm that a Confirmation of Feasibility has been issued to the applicant advising that (water/ wastewater) connection(s) are feasible. Uisce Éireann respectfully requests any grant of permission be conditioned as follows; The applicant shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement. Uisce Éireann's Standard Condition(s): The applicant shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement. All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice. Uisce Éireann does not permit Build Over of its assets. Where the applicant proposes to build over or divert existing water or wastewater services the applicant shall have received written Confirmation of Feasibility</p>	
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		(COF) of Diversion(s) from Uisce Éireann prior to any works commencing. Reason: To provide adequate water and wastewater facilities.	
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**APPENDIX C  
LIST OF PERSONS WHO MADE SUBMISSIONS/OBSERVATIONS**

Submission Received From	Date received	Submission / Observation	Housing Department Comments
<p><b>Public Submissions</b> Billy &amp; Sinead Grogan</p>	<p>29-08-2024</p>	<p>Whilst we have no objection in principle to the redevelopment of the subject site or indeed the introduction of housing onto the site, we wish to have our concerns regarding the specific design and layout of the redevelopment taken into consideration during the decision-making process.</p> <p>We set out our concerns hereunder:</p> <ol style="list-style-type: none"> <li>Future Development of Lands</li> </ol> <p>The proposed redevelopment consists of 4 no. dwellings with a north/south aspect and for which the rear gardens have only a 7m depth. Best practice for rear back gardens is a minimum of 11m, which allows for directly opposing first floor windows to be a minimum of 22m apart. In this instance the minimum standards have not been met, which results in the proposed dwellings and therefore first floor windows being very close to the mutual boundary.</p> <p>The implication of the foregoing is that the proposed development would unduly impact the future development of our lands, thereby devaluing our lands.</p> <ol style="list-style-type: none"> <li>Over-development of Subject Site</li> </ol>	<p>Housing acknowledges that the complainant has no objection in principle to the redevelopment of the subject site or the introduction of housing onto the site and only have concerns regarding specific design and layout issues.</p> <p><b>Response 1:</b> Distances of proposed buildings from boundaries are dealt with on a case-by-case basis and the 11m referred to in the submission is only a general rule. Also, currently there is no development on the neighbouring site and no first floor windows are within 22m of proposed development. The rear garden spaces provided are in excess of the minimum requirements as set out in Kildare County Development Plan 2023 – 2029.</p> <p>1 bed unit, min required 48m<sup>2</sup>, 50 m<sup>2</sup> provided.  2 bed unit, min required 55m<sup>2</sup>, 63 m<sup>2</sup> to 97 m<sup>2</sup> provided.      3 bed unit, min required 60m<sup>2</sup>, 80 m<sup>2</sup> provided.</p> <p>The follow are extracts from chapter 15 of the Kildare County Development Plan 2023 – 2029.</p> <p>15.6.7 Private Open Spaces – Gardens, Terraces, Balconies.  Exceptions may be permissible in relation to redevelopment of brownfield / regeneration sites. Flexibility will be</p>

	<p>The subject site embraces the need for in-depth, compact development, which is in keeping with the requisite legislation in terms of compact development and sustainability. However, given the regional road set back required on site, the existing structures and their situation on the lands, and the proposal to place the 4 no. new houses so close to the mutual site boundary, it is considered that the subject redevelopment represents the over-development of a site which has considerable land use constraints.</p> <p>In addition, the existing village typology consists of single houses on individual sites, so the proposed redevelopment of the site is out of character with the prevailing characteristics of the existing built environment. The proposed redevelopment therefore, would result in the new residential units being concentrated into a small portion of the site alongside the mutual site boundary and would represent the overdevelopment of a site in an area characterised by low density development.</p> <p>3. Services and Amenities</p> <p>The subject site is in a rural village setting which does not benefit from a wastewater treatment plant which services the area or any meaningful local services, not even a corner shop. In terms of compact development, the proposal is unusual in that in-depth compact housing development is encouraged in areas which have the availability of services to cater for the</p>	<p>considered for well designed development proposals. Reductions will be considered for single storey developments and / or innovative schemes where it can be demonstrated that adequate levels of privacy, natural lighting, and sunlight can be achieved. <i>The proposed development in no way devalues surround properties and does not pose any negative impact on the development of neighbouring properties.</i></p> <p><b>Response 2:</b> <i>The proposed development has a density of 10 units per hectare. Table 3.1 of the Kildare County Development Plan 2023 -2029 states the general density parameters in rural settlements is 15 units per ha with lower density in some cases. The proposed development falls below the parameters as set out in the current development plan.</i></p> <p><b>Response 3:</b> <i>The proposed development is providing its own wastewater treatment plant while also allowing for additional capacity to allow for a new connection from the existing community facility. Thus, providing a safe wastewater treatment plant to current standards. The proposed development is within walking distance of all amenities Carbury has to offer while also is</i></p>
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	<p>needs of future residents and the capability to absorb the population increases in terms of services, amenities and infrastructure. It is not considered that the proposed development is located in an area where the requisite facilities and services exist to benefit and sustain additional residential development. In addition, without the requisite investment in infrastructure to support further development in the village, it is considered that the proposed redevelopment is premature pending the development of a network of services and facilities required to support future residents.</p> <p><b>Conclusion</b></p> <p>Having regard to the foregoing it is considered that:</p> <ul style="list-style-type: none"> <li>The proposed design is inappropriate to the site context and fails to achieve a suitable balance between the desire to redevelop the site and respect the adjoining future development potential of our lands to the north;</li> <li>The proposed development fails to respect the established built form and character of the village;</li> <li>We have serious concerns regarding the suitability of the site for the density of the residential development proposed which is at odds with the prevailing character, layout and density in the village;</li> <li>The design of the proposed site is governed by the site constraints (existing building line, regional</li> </ul>	<p>adjacent to public transport links providing access to local towns and villages and the wider country.</p>
	<p><b>Response to Conclusion</b></p> <ul style="list-style-type: none"> <li>The proposed development does not pose any negative impact on the development of neighbouring properties.</li> <li>The proposed development is in keeping with the built environment of the north west of the county of Kildare. Material finishes and scale of the proposed development are all in keeping with the character of the site and the surrounding village.</li> <li>The proposed development has a density of 10 units per hectare. This is lower than the permitted density of 15 units per ha as set out in table 3.1 of the Kildare County Development Plan 2023 -2029 for rural settlements.</li> <li>The proposed development provides 50% of the sites area as public amenity space to be</li> </ul>	



		<p>road set-back and WWTS), resulting in a very restricted site layout and design; and</p> <ul style="list-style-type: none"> <li>The lack of services and amenities available to the development and to future residents;</li> </ul> <p>would result in the inappropriate redevelopment of a site in a small, un-serviced village with limited public transport, no amenities, and typified by a low-density pattern of development predominantly characterised by detached houses and would devalue and detract from the future in-depth development of our lands adjoining to the north and should therefore be refused planning permission.</p>	<p>used by the new residents, the users of the community facility and the existing residents of Carbury. The proposed development has provided in excess of all minimum standards as set out in the Kildare County Development Plan in order to provide quality living accommodation and all to an appropriate human scale to Carbury.</p> <ul style="list-style-type: none"> <li>The proposed development is providing its own wastewater treatment plant while also allowing for additional capacity for a new connection from the existing community facility. The site has access to all other public services. There is a public transport link adjacent to the site. The proposed development has a lower density than permitted in this area and will in no way undermine a similar low density scheme on neighbouring sites if permitted in the future.</li> </ul>
Aidan Finegan	23-07-2024	<p>Revised Submission.</p> <p>Dear Sir/Madam,</p> <p>Following receipt of a letter from Kildare County Council dated 25/07/2024, outlining the incorrect erecting of the site notice at the proposed residential infill scheme on the brown field site at the former HSE Dispensary site in Carbury, Co. Kildare and sharing details of the re-launch process from 31/07/2024, I respectfully re-submit observations (Points 1 to 5, removing points 6 &amp; 7) that have not been considered based on documentation available under the current</p>	

<p>planning application. The observations herein are requested to be addressed by Kildare County Council as part of the planning considerations for this residential scheme which is proposed to provide 5 no. social houses and a new carpark to service existing Community Facility at Carbury Village.</p> <p>1. The original proposed development outlined in the EIA Screening Report involved demolishing the existing single storey dispensary building to make way for the construction of 4 no. social residential units. It is acknowledged that the revised proposed development is to provide 5 no. social houses, and now retains the existing dispensary building, referred to as Building A in planning application documents, which protects Cultural Heritage at the site location via the 'Retro-fit First' strategy aligning with the objectives under KCC's Development Plan 2023-2029. The proposed site layout "has been developed to create a terrace of homes behind the retained single storey dispensary building and the site is framed by the existing two buildings that face onto the road."</p> <p>The terraced development in the way currently proposed as per the Proposed Site Plan will however overlook adjacent residential properties resulting in a loss of privacy. The single storey neighbouring residential property to the west will be overlooked and development in the way proposed will without doubt result in view obstruction at the horizon to the east and resulting reduction of morning sunlight. The proposed terraced development crosses the existing</p>	<p><b>Response 1.</b> <i>The proposed terraced dwellings have been sited to provide a safe open and inviting access from the community facility to the shared amenity space to the east of the site while also providing access, parking and private amenity space to residential units. Moving the terraced dwellings towards the community facility will only cause congestion in this area of the site and detract from the quality of the space proposed. The current location of the terraced dwellings will have very little impact on views and no impact on light to the dwelling of the complainant considering the location of the existing trees to be retained in the dispensary site and their heavily planted front boundary.</i></p>	
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	<p><b>Response 2.</b> Five units would not be considered an intensification of social housing in Carbury, an area that is in no way dense with social housing. As part of the Kildare County Development plan 2023 - 2029 a Housing Need and Demand Assessment &amp; Housing Strategy was carried out. Resulting from the information gathered within this assessment it was concluded that the Carbury site was not the most suitable location for Affordable Housing. The Housing Section of Kildare County Council fully complies with its obligations to provide housing and has provided the required percentage of Affordable Housing and Cost Rental Housing in other areas of the County where there is a greater demand. The five units proposed will only be occupied by people from the community on the housing waiting list in compliance with the requirements of table 3.4 of the Kildare Development Plan, thus allowing the opportunity for people from the community to stay in their community.</p>
<p>line of sight of Building A i.e., the proposed development is not in line with the gable end wall of existing Building A which introduces full ridge height view obstruction for adjacent residential accommodation owners to the west of the proposed site. The figures at Annex A illustrates the current view and the introduced view obstruction from the viewpoint of the residential property to the west.</p> <p>A revision to the proposed development is requested to consider moving the proposed development so that the rear wall of the terraced development as proposed, is moved in line with exterior gable end wall of the proposed House Type 1 (existing Building A) at the northern side of the site, see Annex B for illustrative purposes only.</p> <p>Adaption of this change request will reduce the view obstruction and morning sunlight obstruction from the full ridge height of the proposed terraced development to instead align with the height of the proposed Boundary Type 6 wall standing at 2m high. NOTE: Point 4 below is also to be taken into consideration with respect to Boundary Type 6 wall design and construction.</p> <p>2. Project Ireland 2040: National Framework Planning (NFP) as per Section 3.4.1 of Chapter 3 Housing of KCC Development Plans outlines that the NFP warns against the intensification of social housing in areas that are already dense with social housing and advocates for the development of diverse</p>	

	<p>neighbourhoods with a balance of public and private housing to create healthy communities. The NFP states that "in addition to the significant investment in social housing we also need to ensure that more affordable homes are built for sale or rent, particularly in our cities, towns and villages, enabling people to choose to live within their communities and closer to where they work."</p> <p>Furthermore, Section 3.4 Strategy of KCC's Development Plan 2023-2029, outlines that "Providing for the right quantity of appropriate housing in the right locations that are accessible and affordable for all residents of the county through the implementation and delivery of the Housing Strategy and Housing Need &amp; Demand Assessment (HNDA)." Under Section 3.12 Social, Affordable Purchase and Cost Rental Housing of KCC's Development Plan 2023-2029, it is acknowledged that 'the Housing Strategy and HNDA are the key planning mechanisms for the delivery of new affordable housing and sustainable communities.'</p> <p>The brownfield site development in the way currently proposed does not consider the above referenced NFP warnings or development considerations that enable people to choose to live within their communities, nor does it align with the broader Strategy under KCC's Development Plan 2023-2029, for delivery of new affordable housing and sustainable communities.</p>	
<p><b>Response 3.</b> <i>The Play Area is located to the front of the site to invite / encourage younger members of the public, younger users of the community facility and the residences of the new development to integrate in a shared play space. Placing the Play Area to the rear of the site may limit its use and may fail to promote social engagement as intended.</i></p> <p><b>Response 4.</b> <i>The use of brick and wet pebble dashed block walls are in keeping with the materials already in place on the dispensary site to tie the whole development together with the existing community facility. Both material finishes have historical importance in the Carbury area such as Carbury House and Newberry Hall. A wet pebble dash finish is used on the majority of the original dwellings in Carbury as opposed to a napp plaster finish used on more recently constructed homes.</i></p>		

	<p>It is clear under Section 3.5 Housing Strategy and Section 3.12 Social, Affordable Purchase and Cost Rental Housing of KCC's Development Plan 2023-2029 that KCC's objective is to meet the county's housing need for social housing and affordable housing provision under Policies HO P3 and HO P9, however, this proposed development at Carbury Village exceeds the 20% social housing support allocation strategy, given the remainder is not currently proposed to be used for affordable purchase, cost rental or both (First Home / Share Equity Scheme), or a combination of affordable and social housing, in accordance with the Affordable Housing Act 2021 and Part V of the Planning and Development Act 2000 (as amended).</p> <p>The proposed brownfield site development does not currently align with i) Policies HO P3 and HO pg outlined above or ii) Objectives HO 09, HO 039, HO 040, HO 041 &amp; HO 042 of Section 3.12 Social, Affordable Purchase and Cost Rental Housing of KCC's Development Plan 2023- 2029.</p> <p>3. To make consideration for noise abatement to the front of the site, in proximity of the proposed single bed House Type 1 and adjacent properties, I request that the outlined new PLAY AREA as per the Landscape Masterplan is relocated to the rear of the site, to sit adjacent to the KICKABOUT area. The</p>	<p><b>Response 5.</b> This planning application is for five dwellings. The traffic associated with the proposed development will not increase the traffic within the village in any significant way. The Community Facility is already in place and the relocation of the existing car park on site will in no way cause an increase in traffic to the facility. The Roads Section of Kildare County Council have assessed the proposal and have not requested a traffic management assessment to be carried out.</p>
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	<p>NATURAL REGENERATION AREA as proposed should also be extended to take under consideration the abovementioned PLAY AREA re-location.</p> <p>4. Notwithstanding the references made in the Design Statement document related to use of materials, with reference to the Section titled Design Rationale, "Materials are used judiciously to enhance the sense of identity and place and create a sense of place in keeping with the character of the village", and the Section titled Overview which makes reference to proposed development design "respecting the scale, massing, and material context of Kildare", based on the Landscape Masterplan document, it is apparent that the Brick to be used throughout and on external boundary walls does not align with "the character of the village", despite material adhering to material context of Kildare. Proposed amendment to the use of stone material to tie in with i) existing site boundary "stone" walls along regional road (R402), and ii) existing site entrance stone piers to the west. For avoidance of doubt, the proposed Boundary Type 3 and Boundary Type 6 (high block wall rendered) are not in keeping with the abovementioned stone used in the area; I request for use of stone on boundary walls on all sides to align with existing stone walls in place throughout the village (revising the proposed Landscape Masterplan drawing for walls to the West, North and East boundaries).</p>
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