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# RESPONSE TO ISSUES RAISED DURING PRE-APPLICATION CONSULTATION

In respect of

**PROPOSED RESIDENTIAL DEVELOPMENT AT KILBELIN, NEWBRIDGE,  
COUNTY KILDARE**

Prepared on behalf of

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20<sup>th</sup> July 2018



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## 1.0 INTRODUCTION

This Response Report addresses issues raised by An Bord Pleanála (ABP) and *Kildare County Council (KCC)* during the pre-application consultation stage of the subject SHD application. Specifically, it outlines how the Applicant has addressed the issues highlighted in the ABP Opinion of 9<sup>th</sup> May 2018. In addition, items raised in Kildare County Council's (KCC) pre-application S.6 (4)(b) report are addressed, along with any other matters discussed during the tripartite pre-application consultation meeting of 23<sup>rd</sup> April 2018.

## 2.0 RESPONSE TO ISSUES RAISED BY ABP

In its Opinion of 9<sup>th</sup> May 2018, *ABP* stated that the documentation submitted as part of pre-application consultation required further consideration and amendment in order to constitute a reasonable basis for an SHD application. Specifically, it required that the following issues be addressed:

1. Roads Layout and LAP Objective SRO 5(a)
2. Surface Water Drainage and Flood Risk
3. Wastewater Treatment
4. Residential Density and Housing Mix

These are addressed in detail below.

### 2.1 Roads Layout and LAP Objective SRO (5)(a)

#### 2.1.1 ABP's Requirement:

*"Further consideration/justification of the documents as they relate to the roads layout and LAP objective RO 5(a), to include (i) indicative layout for the interaction between the proposed roads layout and the new bridge over the River Liffey; (ii) details of related ground levels, embankments, pedestrian connections, landscaping etc. (iii) proposals for the treatment of the relevant area of the site in any intervening period prior to the construction of the River Liffey bridge and in the event that the development of SRO 5(a) does not take place; (iv) details of proposed signalised 4 arm junction where SRO 5(a) meets the R416 including VRU crossing facilities and (v) visitor car parking provision. This consideration should have regard to, inter alia, the 'Design Manual for Urban Roads and Streets', in particular the need to provide a clear hierarchy of streets and the recommendations of DMURS with regard to parking layouts. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development."*

#### 2.1.2 Applicant's Response

In response to the above requirement, the applicant has prepared an indicative layout for the interaction between the roads layout proposed in this development and any future provision of a bridge over the River Liffey in accordance with SRO 5 of the Newbridge Local Area Plan (2013-2019). Please refer to *Drawing No. 162044-2003 – 'Preliminary Alignment of Newbridge Southern Relief Road'*, prepared by DBFL and contained within this planning submission. We note that the alignment developed generally compiles with the indicative route / alignment shown for SRO 5 on Map 2 of the Newbridge Local Area Plan (2013-2019). DBFL drawing No. 162044-2003 presents the preliminary vertical and horizontal alignment of



any future extension of the Southern Relief Road to the east over the River Liffey. At the request of Kildare County Council during preplanning consultations this preliminary alignment was extended across lands to the north to tie in with the existing roundabout on a constructed section of the Southern Relief Road at Great Connell. It is noted that any future bridge will be situated on lands not within the control of the applicant.

In addition, landscaping and architectural drawings contained within this planning pack also take into account the potential future provision of an extension to the SRR over the River Liffey. A sizeable reserved splay area is indicated on all relevant site plan drawings indicating the area within which a future road and bridge could be accommodated, and is predicated on the location of the movement objective SRO 5(a) in the LAP.

Furthermore, landscaping drawings also indicate the reserved area for the future SRR and detail the treatment of this reserved land by this proposal, showing that it can be successfully absorbed into the landscaping of the project until such time as future development of the SRR/Bridge are required. As indicated on the landscaping drawings, it is proposed that a mixture of wildflower meadow and grass is provided in the indicative location of the future road. As such this area will form a seamless part of the overall linear park in the interim period between the development being built and the bridge being delivered or should the bridge not be delivered.

With regard to the provision of the proposed signalised 4 arm junction where SRO 5 meets the R416, the details of this including proposed crossing facilities can be referenced on *Drawing No. 2007 – ‘Proposed Junction Layout’*, prepared by DBFL and contained within this planning submission.

In terms of parking, a total of 701 no. spaces are proposed in the development. As detailed on JFA’s ‘Site Plan’ Drawing No. P-S-R-001, the proposed parking schedule for all residential units is in accordance with the standards outlined in the *Kildare County Development Plan (2017-2023)*. Of the total number of car spaces, some 47 no. visitor spaces are provided. Given the proximity of the development to Newbridge Town Centre and its accessibility to both public transport links and pedestrian and cycling routes in the form of the Liffey Linear Park (to which the subject proposal will link), it is believed that this is an adequate provision of car parking spaces.

DMURS has influenced the overall roads / street layout and design of the scheme. Evidence of compliance with DMURS is contained within the Infrastructural Design Report and Relevant drawings, prepared by DBFL and contained within this application submission. Details of the street hierarchy proposed are included on DBFL Drawing No. 162044 – 2004 ‘*Road Hierarchy and Pedestrian Linkage Drawing*’.

## **2.2 Surface Water Drainage and Flood Risk**

### **2.2.1 ABP’s Requirement:**

*“Further consideration of the documents as they relate to drainage and flood risk including SUDS measures and site specific flood risk, to include a Justification Test if necessary and consideration of (i) the CFRAMS future climate change scenario and (ii) potential impacts of flood mitigation measures on the River Liffey. Future drainage of the Southern Relief Road should be factored into proposed drainage design. This consideration and justification should have regard to the Kildare County Development Plan 2017-2023, the Newbridge Local Area*



*Plan 2013-2019, and the 'The Planning System and the Flood Risk Management Guidelines for Planning Authorities' (2009). The further consideration of this issue may require amendments to the documents and/or design proposals submitted."*

### **2.2.2 Applicant's Response**

In response to the above requirement, an updated *Site Specific Flood Risk Assessment* has been prepared by DBFL. This updated assessment includes a Justification Test for the isolated development areas within Flood Zones A/B, provision of compensatory flood storage for these minor encroachments into Zones A/B, an assessment of the potential impact of climate change on the flood risk profile of the site, and the potential impacts of flood mitigation measures on the River Liffey.

In addition, please refer to Chapter 10 (Hydrology) of the enclosed EIAR for further detail in relation to the impacts of the development on the River Liffey and the flooding characteristics of the site. We confirm that the drainage design of the subject proposal incorporates the drainage requirements of the future SRR and bridge. Full details of the developments proposed surface water drainage design are included in DBFL's updated Infrastructure Design Report and Site Services Drawings 162044-3001 and 3002. We also note that further discussions have taken place between DBFL and Kildare County Council Water Services Section as recommended by An Bord Pleanála during the Section 5 Consultation to agree their comments on Flood Risk and Surface Water.

## **2.3 Wastewater Treatment**

### **2.3.1 ABP's Requirement:**

*"Further consideration/justification of the documents as they relate to the proposed wastewater treatment. This consideration should have regard to phasing and connection to the Upper Liffey Valley Regional Sewerage Scheme. Clarity is to be provided concerning the delivery of wastewater infrastructure required to secure the proposed development, including works to the Upper Liffey Valley Regional Sewerage Scheme. The documents should provide details of necessary upgrade works to the Scheme to include, inter alia: what works exactly are required; who is to deliver the works; the status of any planning and other consents required to deliver the infrastructure; the timelines involved in the delivery of the required infrastructure in the context of the proposed strategic housing development. The prospective applicant is advised that any application for development prior to obtaining o consents for the wastewater infrastructure may be considered premature. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development."*

### **2.3.2 Applicant's Response**

Firstly we note that Irish Water have provided a Confirmation of Feasibility for the proposed development as per Appendix D of DBFLs Infrastructure Design Report. This confirmation from Irish Water notes that '*subject to a valid connection agreement being put in place, your proposed connection to the Irish Water network can be facilitated*'. Therefore it is clear that Irish Water are satisfied that a connection to their network can be facilitated within the lifetime of a permission for this this proposal. This approach is consistent with the



Department of Housing, Planning and Local Government 'Water Services Guidelines to Planning Authorities' dated January 2018.

With regard to the provision of adequate water services infrastructure on site, DBFL have surveyed the existing infrastructure in the area and provided estimates of the anticipated infrastructural demands of the proposed development. As per standard Irish Water Procedures it is proposed that the phasing of development will be agreed with Irish Water during their Connection Agreement process (in line with available capacity / temporary measures provided in the existing / proposed foul drainage network, progress of the *Upper Liffey Valley Contract 2A Sewerage Scheme* etc.).

In response to the request by An Bord Pleanála for further consideration/justification of the documents as they relate to the proposed wastewater treatment DBFL have engaged with Irish Water. A summary of responses to the various queries sought by An Bord Pleanála are included in a technical note presented in Appendix H of DBFL's Infrastructure Design Report. This technical note summarises the status of Newbridge Eastern Interceptor Sewer Project (ULVRSS Contract 2A Network), the planning status of its various elements and its timeline / programme. It also includes details of a potential interim solution(s) for development to progress in tandem with the delivery programme for Contract 2A. These would of course be matters for agreement with Irish Water as part of their Connection Agreement process. Irish Water have noted that the Newbridge Eastern Interceptor Sewer Project Contract 2A (Network) is a 'priority scheme' and that the improvement works were urgently needed because the treatment plant at Oberstown in Naas has already been specifically referenced in infringement proceedings by the EU against Ireland in the Court of Justice of the EU.

Details of DBFL's surveys and assessments of the impacts of the development are located in their Infrastructure Design Report and Chapter 10 of the EIAR (Hydrology) enclosed with this application submission.

## **2.4 Residential Density and Housing Mix**

### **2.4.1 ABP's Requirement**

*"Further consideration/justification of the documents as they relate to the proposed residential density and housing mix. This consideration should have regard to, inter alia, the "Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas", the settlement strategy of the Kildare County Development Plan 2017-2023 and the Newbridge Local Area Plan 2013-2019. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development."*

### **2.4.2 Applicant's Response**

In response to concerns expressed by ABP in relation to the proposed density of the development, a redesign of the scheme was undertaken following the tripartite meeting. This redesign resulted in the provision of 2 no. apartment blocks at the north east of the site comprising some 48 no. apartment units resulting in an increase of some 28 no. units over that previously proposed at pre-planning stage. This results in an increase in net density from 35 no. units per hectare to 39 no. units per hectare. We consider this strikes an appropriate



balance in achieving sustainable development whilst also respecting the established character of the area and the site's location at the edge of Newbridge. Further, it is noted that the viability of the proposal is a critical consideration.

In addition, a Housing Needs Assessment was undertaken by Future Analytics Consulting (enclosed). This assessment examines the housing market in the local area, detailing the levels of demand and supply of residential units in the area. Furthermore, this assessment details the demographic profile of the area and projects the future population growth and subsequent housing requirement of the Newbridge area.

### **3.0 RESPONSE TO ISSUES RAISED BY KCC**

In addition to the issues raised by ABP in their Opinion dated 9<sup>th</sup> May 2018, we note that Kildare County Council's S.6(4)(b) submission documents to the Board address various items of detail. We address these issues below.

#### **3.1 Residential Mix and Demand**

KCC requested that a Statement of Housing Mix be submitted, which should demonstrate a need for such accommodation, based on local demand and the demographic profile of the area.

##### **3.1.1 Applicant's Response**

*A Housing Needs Assessment* was undertaken by *Future Analytics Consulting* and is included within this application submission. This assessment examines the housing market in the local area, detailing the levels of demand and supply of residential units in the area. Furthermore, this assessment details the demographic profile of the area and projects the future population growth and subsequent housing requirement of the Newbridge area. It concludes that as a result of Newbridge's anticipated population growth and existing demand, a minimum of 2,111 no. additional housing units will be required in the period up to 2028.

#### **3.2 Layout and Roads**

KCC expressed concerns in relation to the proposed site layout submitted at pre-planning stage. These concerns related specifically to the provision of units backing onto stretches of the proposed/future southern relief road, to the provision of speed ramps and to the provision of roads within the open space zoning.

##### **3.2.1 Applicant's Response**

Some 10 no. units originally proposed at the north east of the site, backing on to the proposed southern relief road have now been removed and replaced with 2 no. three storey apartment blocks. In addition, speed ramps have been removed from the development and in their place chicanes and cul de sacs are proposed to be installed in order to calm and control traffic in a design-led manner.



With respect to roads within the open space zoning, it is respectfully submitted that these are set at the very edge of the latter – at a meeting point between the residential and open space zones. This approach was taken in order to maximise residential density in the interest of the proper planning and sustainable development of the area.

The number of housing units achievable (and residential density) would be significantly reduced were roads to be completely pulled away from the open space zone area. We would also note that Open Space zoning does not preclude the provision of roads; and that the proposed layout represents an appropriate balance between respecting the riverside amenity; providing a generous landscaped linear park; and achieving a viable development at a sustainable density.

### **3.3 Housing Design**

KCC expressed concerns regarding side elevations visible from the public road, and the impact of 'E Type' dwellings on the amenity of properties they back onto. In addition, KCC expressed concern regarding the variety achieved in the design. Furthermore, the Council queried whether there were suitable housing options for older persons or those with impaired mobility.

#### **3.3.1 Applicant's Response**

Houses located at junctions have active frontages along all elevations facing public roads to ensure passive surveillance is achieved. 'E Type' dwellings are separated from properties to their rear by generously sized rear gardens.

With regard to housing design and variety, the proposed scheme provides a mix of three different high quality design options for each of the nine house types in order to ensure variety. High quality brick and render finishes are proposed for all house type options. These design options provide a distinctive character to the development.

The introduction of 48 no. apartment units at the northern end of the development also further contributes to the mix of unit types and sizes, and will support a greater diversity of household type. The higher densities at this end of the site reflect the relative proximity of this portion of the site to the urban core of Newbridge and in so doing present a legible progression of urban scale.

The provision of these apartments (all provided with lift access) and the provision of 6 no. own door apartment units contained within the 3 no. maisonette blocks also ensures that a large number of the units are suitable for older persons and persons with impaired mobility.

### **3.4 Part V**

We note that Kildare County Council's Housing Department considered that the proposal was generally acceptable and noted that costs were to be agreed prior to lodgement. It is noted that the Part V proposals have since been amended to provide for some 34 no. units (10% of the total proposed units). These units are dispersed across the development and include a range of different house types including 1, 2 and 3 bed units.



We confirm that the applicant has liaised with KCC in this regard, and that a letter of agreement in principle in respect of the Part V units from KCC is included with the application.

### 3.5 Recycling Facilities

KCC noted that no recycling facilities were provided on site. In response, the applicant can confirm that they are amenable to a condition to provide these facilities and proposes that the cemetery car park adjacent to Athgarvan Road would provide a suitably accessible location for both the subject proposal and the wider community in the area and will prevent unnecessary through traffic associated with such facilities.

### 3.6 Lighting Plan

KCC requested that a lighting plan should be developed for the entire site including the Southern Relief Road (SRR). Please refer to the Lighting Design drawings and Report prepared by Fallon Design and enclosed with this application. It is noted that the lighting design has been developed in conjunction with the advice of the consultant ecologist on the Project and has been expressly designed to avoid impact on sensitive fauna.

### 3.7 Crèche / Playground

As requested by KCC, details of the crèche boundary have been provided. This boundary consists of a 800mm high brick wall and 1200mm high railing. This boundary treatment ensures that a degree of balance is achieved between a desire to ensure the privacy and security of children attending the crèche and also to maintain views of Kilbelin House from Athgarvan Road.

In addition, as requested by KCC, details of materials and equipment used in the public playground and crèche outdoor play area are also referenced on *Mitchell + Associates'* Landscaping Drawings enclosed with this submission.

### 3.8 Landscaping Details

In response to a request for greater detail regarding landscaping elements, an arboricultural survey has been prepared which references proposed tree species and rootzone treatment.

It was also proposed by KCC that a '*centrally located public open space should be provided*'. In this regard, it is believed that the pocket parks located in the centre of the development are sufficient given the generous provision of public open space in the form of the landscaped linear park surrounding the development area and comprising some 6.9ha. Any further provision of open space within the developable area of the site would undermine efforts to achieve maximum densities in an accessible urban location.

### 3.9 Biodiversity

KCC requested that an *Ecological Impact Assessment* be undertaken in relation to the development. This has been done in the form of a comprehensive EIAR Biodiversity chapter



(Chapter No. 7). In accordance with KCC's other requirements, this chapter contains a bat survey of Kilbelin House, an invasive species survey, and addresses the measures proposed to avoid contamination of the River Liffey .

Furthermore, as per KCC's request, an *Appropriate Assessment* and a *Construction Management Plan* are also enclosed within this application submission.

### 3.10 Archaeology and Heritage

In accordance with KCC's request for an *Archaeological Impact Assessment* to be undertaken, please refer to Chapter No.5 of the enclosed EIAR which identifies and describes known and potential archaeological or cultural heritage constraints within and/or immediately adjacent to the site.

With regard to Kilbelin House, the issue of whether the subject site should be subject to historical landscape assessment also arose in the Heritage Officer's Report. It is noted that the subject site is not, nor has it ever been part of a designed historical landscape – it is agricultural grazing land.

In this regard we also refer the Board to the *Architectural, Archaeological and Cultural Heritage Chapter* (Chapter No.5 of the EIAR), which confirms that the current dwelling on site dates from the mid-19<sup>th</sup> Century and that the townland name pre-dates that of '*Kilbelin House*' (i.e. the house name post-dates the townland name) and that the house was preceded by other dwellings in the general vicinity on the landholding. Further it is noted that the Ordnance Survey 25-inch map of 1907-1909 records the site as open pastureland with associated farm complex and '*Kilbelin House*'. Prior to this, the 1<sup>st</sup> Edition OS Map (1839) recorded the site as four separate fields.

### 3.11 Water Services

Concerns were expressed by KCC in relation to the provision of adequate water services infrastructure on site. In this regard, DBFL have surveyed the existing water services infrastructure in the area and provided estimates of the anticipated infrastructural demands of the proposed development. It is proposed that a phasing of development is to be agreed with *Irish Water* during the connection agreement process (in line with available capacity in the existing foul drainage network, progress of the *Upper Liffey Valley Sewerage Scheme* etc.).

Details of DBFL's surveys and assessments of the impacts of the development are located in Chapter No. 10 of the EIAR (*Hydrology*) and in the *Infrastructure Design Report* enclosed with this application submission.

### 3.12 Flood Risk Assessment

In terms of information KCC requested greater detail in respect of retaining structures, which was proposed at pre-planning stage. This element of the development has since been omitted from the proposals as alternative attenuation systems and level changes are now proposed to accommodate 1% and 0.1% AEP pluvial events. Detailed information in this regard is contained within the *Site Specific Flood Risk Assessment* and the *Infrastructure Design Report*, respectively.



In addition, KCC also requested that a Justification Test be carried out in respect of the Flood Zone B sections of the site. This Justification Test is contained within the *Site Specific Flood Risk Assessment*, prepared by DBFL.

#### 4.0 RESPONSE TO ISSUES RAISED DURING TRIPARTITE MEETING

During the Tripartite meeting, discussion was had regarding the nature and extent of the subject project and the need or otherwise to assess any future bridge over the River Liffey and the cumulative impacts of the subject proposal and any such future development. In this regard ABP is referred to the definition of “Project” as set out in Article 1(2) of the EIA Directive:

*“the execution of construction works or of other installations or schemes,*

*other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources’ (2011/92/EU as amended by 2014/52/EU Article1(2))”*

For the avoidance of doubt, the “project” in the instant case is that set out in the statutory notices and described in the EIAR. The subject proposal does not require a bridge over the River Liffey for its implementation; nor does it require the full completion of the SRR. That section of the SRR proposed as part of this project is fully sufficient to serve the access and transport needs of the development. It is further noted that lands abutting the north of the site adjacent to the River Liffey are not within the Applicant’s control. Notwithstanding this, the subject proposal is ‘future-proofed’ insofar as a reservation has been set aside to facilitate the implementation of SRO (5)(a). The comprehensive landscaping proposals included as part of the subject project ensure that the reserved area will function in the intervening period without the final road and bridge and blend seamlessly into the wider landscaped linear park. Further, strategically located tree planting ensure that in a “with bridge” scenario that views from the subject site will be well screened. These measures have been integrated in the interests of due diligence and notwithstanding that there is currently no proposal for a bridge / final section of the SRR, and therefore no “project” in this regard exists.

At the request of KCC, the applicant has provided indicative designs of any future bridge in order to demonstrate the viability of linkages with the subject project. However, it is reiterated that the subject proposal does not require this remaining section of SRR nor the bridge for its implementation. Further, the lands associated with the latter are not within the applicant’s control.

For information purposes, and to demonstrate that the subject proposal has had full regard to a “with bridge” scenario in the future (given the SRO 5(A) road objective in the LAP); and to illustrate that the design and layout of the proposal is fully consistent with such a scenario, photomontages have been prepared illustrating views from within the proposal with an indicative bridge in place. These are contained in the 3D Design Bureau’s Photomontages and CGI booklet included in this application. We reiterate that these are purely indicative, and are separate from the LVIA undertaken as part of the EIAR for the project.



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## **5.0 OTHER ISSUES**

In addition to the items outlined above, we note that ABP's Opinion required that the following be submitted with an application

1. Full details of proposed Liffey Valley Park pedestrian connection & any associated letters of consent

We confirm that the full details of the proposed pedestrian connection are enclosed in Drawing No. 2005 – 'Athgarvan Road Alignment Sheet 1', prepared by DBFL. We also confirm enclosure of correspondence from Mr. Ray Cribbin, The Gables, Kilbelin, Newbridge.

2. AA Screening (particularly consideration of potential impacts on Pollardstown Fen SAC (Site Code 000639)

We confirm that this has been prepared by Altemar Consulting Ltd and is appended in this application package.

3. Arboricultural Assessment & Tree Protection Strategy

We confirm that an Arboricultural Assessment and Tree Protection Strategy has been prepared by Mr. Ciaran Keating and is appended in this application package.

## **6.0 CONCLUSION**

We consider that all issues that have been raised during pre-application consultation have been successfully addressed in the proposal now before the Board.

The subject proposal represents the opportunity to deliver a significant quantum of much needed housing in Newbridge as well as a substantial public amenity in the form of the landscaped linear park and the pedestrian / cyclist connection with the existing Liffey Linear Park.