



An
Bord
Pleanála

**S. 6(7) of Planning and
Development (Housing) and
Residential Tenancies Act 2016**

**Inspector's Report on
Recommended Opinion
ABP-305981-19**

Strategic Housing Development	416 no. dwellings and crèche
Location	Cornamaddy, Coosan, Athlone, Co. Westmeath
Planning Authority	Westmeath County Council
Prospective Applicant	Castlestar (Athlone) Limited
Date of Consultation Meeting	8 th January 2020
Date of Site Inspection	30 th December 2019
Inspector	Joanna Kelly

1.0 Introduction

Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

- 2.1 The development site is located in the townlands of Cornamagh, Clonbrusk and Coosan, approximately 2km north of the town centre of Athlone in County Westmeath. The lands comprise of agricultural fields of approximately 15.2 ha. The lands are located to the rear of Churchfields estate and existing rugby grounds which are accessed off the Coosan Road on the western side of the N55 Ballymahon Road.
- 2.2 The site has limited frontage onto the Coosan Road which links the N55 (Athlone to Ballymahon/Cavan Road) in the east to the Hillquarter/Castlequarter Road in the west. The 'Bounty' associated with rugby grounds is located to the south-east of the lands along Coosan Road. There is a neighbourhood centre located approx. 1km to the east of the lands which is accessed directly from the N55. This retail park contains inter alia, a 'supervalu', pharmacy, coffee shop.
- 2.3 The lands are approximately 1km south of the Lough Ree Special Area of Conservation, 2km to the northeast of the River Shannon Callows Special Area of Conservation and Middle Shannon Callows Special Protection Area.

3.0 Proposed Strategic Housing Development

3.1 It is proposed to construct 416 residential units on the site of c.15.2 ha gross. The proposal also provides for the construction of a crèche of approx. 545sq.m.

3.2 The following table provides the breakdown of unit types based on the description of the development proposed. The proposal contains 245 houses and 171 apartments.

Table 1: Residential Unit Types

Residential Mix	Residential Units	% Mix bed type
1 bed	33	8%
2 bed	116	28%
3 bed	238	57%
4 bed	29	7%
Total	416	100%

4.0 Planning History

The most relevant planning history pertaining to the site is as follows:

File Ref. No. 063244 / PL.224398 Permission granted on appeal in 2008 for the construction of 106 residential units and 1 no. crèche facility.

5.0 National and Local Planning Policy

5.1 National

5.1.1 Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority I am of the opinion, that the directly relevant section 28 Ministerial Guidelines are:

- ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’)
- ‘Sustainable Urban Housing: Design Standard for New Apartments, Guidelines for Planning Authorities, 2018’.
- ‘Design Manual for Urban Roads and Streets’ (DMURS)
- ‘The Planning System and Flood Risk Management’ (including the associated ‘Technical Appendices’)
- ‘Childcare Facilities – Guidelines for Planning Authorities’
- ‘Urban Development and Building Heights, Guidelines for Planning Authorities, 2018’

Other relevant national documents include:

- National Planning Framework: Ireland 2040 Our Plan
- Rebuilding Ireland: Action Plan for Housing and Homelessness, 2016
- Framework and Principles for the Protection of the Archaeological Heritage Department of Arts, Heritage, Gaeltacht and the Islands 1999.

5.2 Local

5.2.1 Westmeath County Development Plan 2014-2020

The Core Strategy is set out in chapter 2.

Chapter 4 deals with Housing and Chapter 14 sets out development management standards.

5.2.2 Athlone Town Development Plan 2014-2020

The subject lands have a land use zoning objective 'O-LZ1: to provide for residential development, associated services and to protect and improve residential amenity'. Approximately 6ha of land are also zoned 'O-LZ8 – To provide for, protect and improve the provision, attractiveness, accessibility and amenity value of public open space and amenity areas'.

There are a number of Roads Objectives contained in the plan including the provision of Cornamaddy – Coosan Link – O-TM20.

5.2.3 Cornamagh Local Area Plan 2009

The subject lands are located within the Cornamagh LAP study area. The planning authority indicate that this plan has been subsumed within the Athlone Town Development Plan.

6.0 **Forming of the Opinion**

Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the planning authority's submission and the discussions which took place during the tripartite consultation meeting. I will provide brief detail on each of these elements hereunder.

6.1 **Documentation Submitted**

6.1.1 The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning and Development (Housing) and Residential Tenancies Act 2016 and article 285 of the Planning and of the Planning and Development (Strategic Housing Development) Regulations 2017.

6.1.2 The information submitted included *inter alia*: a completed Application form and cover letter; details pertaining to section 247 process; A3 booklet; Natura Impact Statement; Environmental Impact Assessment Report; Engineering Services Report

Flood Risk Assessment; Landscape Design Statement; Traffic Impact Assessment and other plans and particulars.

6.1.3 I have reviewed and considered the documents and drawings submitted save for the EIAr.

6.2 Planning Authority Submission

6.2.1 In compliance with section 6(4)(b) of the Act of 2016 the planning authority for the area in which the proposed development is located, Westmeath County Council, submitted a note of their section 247 consultations with the prospective applicant and also submitted their opinions in relation to the proposal. These were received by An Bord Pleanála on 17th December 2019.

6.2.2 Westmeath County Council's opinion included the following matters:

- Development complies with national and regional policy.
- Development is consistent with the development objectives associated with the lands.
- Development will serve to deliver housing on strategically located site and will deliver 430m of the Cornamaddy to Coosan strategic road link.
- Proposal complies with the Cornamagh Local Area Plan.
- Proposed density is significantly higher than the recommended densities of the ATDP and LAP however is considered appropriate having regard to the context of the application lands and location of the site close to Athlone Town, schools and services.
- Planning Authority concerned about the appropriateness of locating 4 storey apartment blocks on an elevated part of the landholding addressing the Coosan Road.
- Preferable to see an increase in the number of detached dwellings and the number of 4 bed units. Concerned some units do not turn the corner effectively.
- Specific comments in respect of blocks of apartments are set out. Preferable to see balconies internalised.

- Concerns about the use of ecological ponds/wetlands.
- No objection to the proposed development from a water/waste water capacity perspective.
- Car parking acceptable.
- Phasing plan does not provide for strategic road within the phasing programme.
- No concerns identified regarding flooding
- View of planning authority that the proposal is substantially in compliance with the relevant objectives as set out in the Athlone Development Plan and the Cornamagh LAP.

Internal Reports:

Roads and Transportation Extensive discussion have been undertaken between the developer and the transportation section regards the proposed access from the Two-Mile Round Road and the assimilation of the Cornamaddy/Coosan Link Road. Recommendations are included.

Senior Executive Architect Layout well-considered. Costings re Part V excessive.

Water Services, Environment and Climate Change Applicant has applied an innovative approach in the creation of permanent constructed wetlands.

Senior Executive Engineer Re surface water infrastructure there are some discrepancies between the details outlined in the drawings submitted by the various disciplines of the design team. There has been no technical assessment of the flow design calculations. Re Roads, Infrastructure Parking exceeds that required in the Westmeath Development Plan. Mobility Management Plan not included. Report includes reference to other items raised.

6.3 Consultation Meeting

6.3.1 A Section 5 Consultation meeting took place at the offices of Westmeath County Council on 8th January 2020, commencing at 11.00 am. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting as follows:

- Development strategy for the site to include inter alia local planning policy provisions, urban design response, open space hierarchy/functionality, unit mix and type.
- Surface water management and flood risk to include AA considerations
- Traffic and Transportation including DMURS and connections to adjoining lands
- Any other matters

6.3.2 In relation to development strategy for the site to include inter alia local planning policy provisions and urban design response ABP representatives sought further elaboration/discussion on status of LAP, urban design response with regard to creation of attractive streetscapes/public realm, open space hierarchy, unit type and mix including future residential amenity and consideration to the number of units that could reasonable be considered dual aspect.

6.3.6 In relation to Surface water management and Flood Risk to include AA considerations, ABP representatives sought further elaboration/discussion on this issue.

6.3.7 In relation to Traffic and Transportation including DMURS and connections to adjoining lands ABP representatives sought further elaboration/discussion on this issue having regard to strategic transport objectives in the area, connectivity to adjoining lands and delivery of same and details in respect of special contributions to be sought.

6.3.7 In relation to AOB, ABP noted inter alia, that comments from internal departments should be further considered prior to application stage including Housing section

regarding Part V costs, justification for 10 year permission, services upgrade works as noted by Irish water.

6.3.8 Both the prospective applicant and the planning authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting ABP-305981-19' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

7.0 Conclusion and Recommendation

7.1 Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

7.2 I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy via the section 28 Ministerial Guidelines, and local policy via the statutory plan for the area.

7.3 Having regard to all of the above, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage as set out in the recommended Opinion below.

7.4 Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **requires further consideration and amendment** in order to constitute a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

7.5 I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the

specified information will assist the Board at application stage in its decision-making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

8.0 Recommended Opinion

8.1 An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

8.2 Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted **requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.**

8.3 In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

Urban Design Response

Further consideration and/or justification of the documents as they relate to the urban design response with particular regard to the creation of distinct neighbourhood areas within the overall site, the creation of active and aesthetically pleasing urban street frontages having particular regard to the site context and proposed changes in levels across the site.

Further consideration of the documents as they relate to the urban design of the proposed residential units and interface of the proposed apartment blocks with public realm areas to ensure a qualitative design response with optimal passive surveillance of streets and public realm areas. In this regard, consideration should be

given to the integration of the proposed development within the existing landscape having regard to the changes in topography access the lands.

Further consideration should be given to the creation of a hierarchy of open spaces with a greater sense of enclosure to the areas which serve as semi-private open space. The functionality of open spaces given the topographical changes across the lands should also be considered.

Further consideration of the quality of future residential amenity within the proposed apartments units including the size and configuration of apartment units, functionality and orientation of proposed balconies, and the external finishes proposed to apartment blocks. Consideration should also be given to provision of national guidelines in respect dual aspect apartments in particular SPPR4.

Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

8.4 Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. A contextual layout plan which indicates the layout of adjoining developments, photomontages and cross section at appropriate intervals for the proposed development including details of how the proposed development interfaces with contiguous lands and adjoining roads in particular Coosan Road.
2. Details which clarify/address concerns raised in respect of surface water management as set out in the planning authority's opinion.
3. All existing utilities that may traverse the site including any proposal to culvert/re-route/underground existing drains/utilities should be clearly identified on a site layout plan.

4. A site layout plan indicating pedestrian and cycle connections through the development lands to adjoining lands
 5. A construction waste management plan should be provided.
 6. A Building Life Cycle Report as per Section 6.13 of the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2018.
 7. A report identifying the demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand.
 8. A phasing plan for the proposed development.
 9. A site layout plan indicating all areas to be taken in charge.
 10. A public lighting scheme for the proposed development and clarity as to what if any public lighting is proposed along Coosan Road.
- 8.4 Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:
1. Irish Water
 2. The Minister for Culture, Heritage, and the Gaeltacht
 3. The Heritage Council
 4. An Taisce – the National Trust for Ireland
 5. Transport Infrastructure Ireland

6. Local Childcare Committee

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Joanna Kelly

Senior Planning Inspector

16th January 2019