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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Offaly County Council**

**Planning Register Reference Number: PL2/21/463**

**APPEAL** by Joseph Doorley care of Tom Phillips and Associates, Town Planning Consultants of 80 Harcourt Street, Dublin against the decision made on the 18<sup>th</sup> day of November, 2021 by Offaly County Council to refuse permission.

**Proposed Development:** (i) the construction of 99 number residential dwellings comprising of; eight number one-bedroom apartments (Types A1 , A2), six number two-bedroom terrace houses (Types B2, B4), seven number three-bedroom detached houses (Types C, D1, D2), 26 number three-bedroom semi-detached houses (Types E, F2), 40 number four-bedroom semi-detached houses (Types G, H1, H2), eight number five-bedroom detached houses (Types I, J1, J2), four number five-bedroom semi-detached houses (Types K, L2), with each dwelling to include option for solar panel on roof slope; (ii) provision of a crèche facility total area 390 square metres — catering for a maximum of 50 children and 30 car parking spaces; (iii) provision of private amenity space and two number curtilage car parking spaces for each dwelling; (iv) landscaped public open space; (v) associated boundary treatments; (vi) public lighting layout; (vii) ESB unit substation; (viii) distributor road from the existing roundabout and spur road at Ardan Road (R421) and distributor road to the Southern boundary of the application site and associated surface water drainage connection via a wayleave to the existing surface water network adjacent to the roundabout at Ardan Road; (ix)

surface water connection to the existing watercourse south of the development; (x) wastewater connection to the existing wastewater sewer at Ardan Road (R421) to the west of the development; (xi) water supply connection via a wayleave to the existing water network adjacent to the roundabout at Ardan Road (R421); (xii) SuDS drainage and all associated site development works necessary to facilitate the development at Ardan Road, Ardan, Tullamore, County Offaly as amended by the revised public notices received by the planning authority on the 22<sup>nd</sup> day of October, 2021 which included a revised Site Layout Plan and a reduction in the number of residential units from 99 to 97 units.

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

1. The proposed development is located in an area where the stated zoning objective in the Offaly County Development Plan 2021-2027, is for Business or Technology Park. The purpose of this objective is to facilitate large scale employment in a sequential manner to promote sustainable compact growth in tandem with the delivery of infrastructure and enabling services.

It is an objective of the Council (LUZO-15) to support the development of Strategic Employment Zones at Ardan Road to cater for the expansion of Midland Regional Hospital Tullamore and its continued development as a Teaching/ University Hospital, and/or a Med or Bio Technology Park with linkages to the Hospital.

Having regard to the stated zoning objective for the area and objective LUZO-15 which seeks to protect the subject lands for strategic employment, the proposed development would materially contravene the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The Guidelines for Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual, A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May, 2009, includes key criteria for housing development, and the Design Manual for Urban Roads and Streets (DMURS) provides further guidance on the design and layout of streets in terms of the creation of a sense of place.

The dominance of vehicular movement considerations in the layout design, and the failure to achieve an acceptable density of dwelling units, are contrary to the provisions of the development plan and the guidelines supporting it. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board

Dated this 12<sup>th</sup> day of April 2022

