



An
Bord
Pleanála

Inspector's Report PL25M.247784

Development	Demolition of a house and construction of a new 2/3 storey building consisting of 7 Apartments and all associated site works.
Location	Tarmon, Dublin Road, Athlone, County Westmeath.
Planning Authority	Westmeath County Council.
Planning Authority Reg. Ref.	16/7138.
Applicant	Eoin Egan.
Type of Application	Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party -v- Refusal
Appellant	Eoin Egan.
Observers	Adrian and Brigid Turner.
Date of Site Inspection	8 th March, 2017.
Inspector	Paul Caprani.

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1.0 Introduction

- 1.1. PL25M.247784 relates to a first party appeal against the decision of Westmeath County Council to issue notification to refuse planning permission for the demolition of a house and the construction of a new two-storey/part three-storey building consisting of 7 apartments at a site on the Old Dublin Road on the eastern outskirts of Athlone. Planning permission was refused for the 7 apartments for four reasons relating to (a) inadequate sightlines at the proposed entrance resulting in a traffic hazard, (b) inadequate off-road parking facilities, (c) design reasons and (d) that the proposal will provide a poor standard of residential amenity for future occupants of the proposed development. An observation was also submitted objecting to the proposed development and supporting the decision of the Planning Authority.

2.0 Site Location and Description

- 2.1. The subject site is located on the southern side of the Old Dublin Road (R446) approximately 2 kilometres to the south-east of Athlone Town Centre. The site is roughly rectangular in shape and covers a site area of 0.1 hectares. The eastern portion of the site currently contains a large detached single-storey cottage with a driveway incorporating a direct access onto the Old Dublin Road. The adjoining lands to the west which form part of the subject site are currently undeveloped and is not put to any economic use save for a small area that is used for growing vegetables. A narrow laneway/road 'The Derries Road' runs along the western boundary of the site. This road leads to a complex of former agricultural and equine sheds and stables which are located to the rear/back of the site.
- 2.2. The site is bounded by a low boundary wall. There is little landscaping around the existing boundary with the exception of a low trimmed hedge around the existing dwelling on the eastern part of the site. A large sycamore tree is located centrally within the site. Lands to the immediate east of the site accommodate a line of individual dwellinghouses facing northwards onto the Dublin Road. A public house is located on lands on the north side of the Dublin Road directly opposite the site. To the north of the pub there are a number of three-storey apartment blocks set back

from the Dublin Road. The overall area is characterised by a mixture of suburban detached dwellings, commercial / institutional land uses with older single-storey houses set out on generous plots. Athlone Institute of Technology is located on lands further to the north-east of the subject site.

3.0 Proposed Development

3.1. Planning permission is sought for a part two/part three-storey block of apartments on the subject site. Three units are proposed to be constructed at ground floor level with a vehicular entrance and archway between Units 2 and 3 providing direct access from parking to the rear of the building to the Dublin Road. The archway provides access to seven car parking spaces, including one disabled space to the rear of the apartment block. Two pockets of private open space are provided on either side of the car parking spaces in the south-west and south-eastern corner of the site. Incidental areas of private open space are also provided around the perimeter of the site ranging between 1.5 and 5.8 metres in width.

3.2. At first and second floor level it is proposed to provide an additional four apartments. In the case of Units 4 and 5 on the western portion of the building at the corner of the Dublin Road and Derries Road, the apartments are provided over two levels (first and second floor). Each of the units above ground level incorporate balconies on the southern elevation (7 square metres) with the exception of Unit 4 which accommodates a balcony (8 square metres) on the western elevation. In terms of the schedule of accommodation the units accommodate the following:

Unit No.	Floor Area (m ²)	No of Bedrooms	Storage Area (m ²)
1	75	2	6
2	47	1	3
3	49	1	3.5
4	130	3	9
5	81	2	6.4
6	56	1	3.2
7	55	1	6

- 3.3. The two-storey element of the proposed block rises to a height of just over 6 metres while the three-storey element rises to a height of 9.5 metres. The building is to incorporate a flat roof. In terms of external finishes, the main external finishes comprise of a selected stone cladding and a colour render nap plaster finish. The northern and western elevation of Unit No. 4 incorporates a projecting element clad in timber. The proposed apartment block is to connect to public water supply and foul sewer mains.

4.0 **Planning Authority's Decision**

The Planning Authority refused permission for the proposed development for four reasons. These are set out in full below.

1. In the absence of satisfactory justification to the contrary, it is considered that the proposed intensification of an access onto the public road at this location, where sightlines are restricted, would endanger public safety by reason of a traffic hazard because of the additional traffic turning movements and car parking which would be generated by it. The development if permitted would therefore pose a serious risk to traffic safety and would be contrary to the proper planning and sustainable development of the area.
2. The plans and particulars submitted do not provide for adequate off-road parking facilities to serve the development. The development if permitted would be contrary to Section 14.9.2. Car Parking Standards contained within the Development Plan, would interfere with the free flow of traffic and endanger public safety by reason of an obstruction to road users, would set an undesirable precedent for similar developments of this type in the future and would therefore be contrary to the proper planning and sustainable development of the area.
3. It is considered that the proposed development by reason of its scale, design and form would appear out of character and incongruous with adjoining and nearby properties and the established pattern of development in the area and would detrimentally impact on the amenities of adjoining properties. The proposed development would detract from the streetscape at this location, would contravene the provisions of the Athlone Town Development Plan and

would therefore be contrary to the proper planning and sustainable development of the area.

4. Having regard to the proposed layout, it is considered that the development proposed would provide a poor standard of residential amenity for the potential future occupants by reason of deficiencies in private open space and usable communal open space. The proposed development would therefore materially contravene Policy P-RLD3 and P-POS1 of the Athlone Development Plan and would be contrary to the proper planning and sustainable development of the area.

4.1. **Documentation Submitted**

The application was submitted on 11th October, 2016.

A planning report was submitted with the application setting out details of the overall design together with compliance with development standards set out in both the development plan and national guidelines as they relate to apartments. The report also assesses the proposal against the urban design criteria and design principles set out in the Urban Design Manual (2009).

4.2. **Internal Reports**

A report from the **Senior Assistant Chief Officer** states that the application will require a Fire Safety Certificate under the Building Control Act of 1990.

A report from the **Housing Department** states that the proposal would appear to be exempt from the requirements of Part V as per Section 36 of the Regeneration and Housing Act 2015.

A report from the **HSE** states that there is no objection from a public health viewpoint subject to the incorporation of five conditions.

A letter of objection was submitted by the current observers, the contents of which have been read the noted.

A report from the **Road Engineer** recommends that planning permission be refused for two reasons relating to inadequate sightlines. It would be the Planning Authority's preference that a vehicular access to any proposed development on site would be on to the L40215 (the Derries Road) as the proposed access onto the R446 is in close

proximity to the existing junction and limiting access to the L40215 will provide a safer option. In the interests of public safety, the current application is deemed not to be acceptable. Secondly, it is stated that the application does not comply with Section 14.9.2 in respect of car parking standards.

The **Planner's Report** notes the planning history associated with the subject site (see below) and notes that there were no pre-planning discussions in respect of the current application. The report also sets out the policy context making specific reference to the policies and provisions contained in the Athlone Development Plan 2014 – 2020. Reference is also made to the policies and provisions contained in the Sustainable Residential Development Guidelines in Urban Areas.

It is considered that the proposed development will not give rise to any appropriate assessment issues or flooding issues.

In terms of assessment, the planning report reiterates concerns expressed in the Area Engineer's report in respect of sightlines and car parking.

In terms of density, it is stated that notwithstanding the standards set out in the Sustainable Residential Development Guidelines, concern is expressed regarding the proposed density of the site giving the established pattern of development within the immediate vicinity. It is stated that a balance has to be achieved between the reasonable protection of amenities and privacy of adjoining dwellings and the protection of established character and the need to provide residential infill. It is also considered that the applicant has not addressed the potential impacts which the development will have on existing houses in the vicinity. It is considered that the proposal will seriously detract from residential amenities of adjoining properties by reason of overshadowing.

In terms of the design, it is considered that the proposal has not fully considered the inter-relationship of the site with its surrounding areas particularly in the context of existing single-storey dwellings in the vicinity. It is considered that the design and form of the proposal would adversely affect the existing character and form of the area. It is considered that the proposed development is not based on good design principles and the proposal would not integrate with the streetscape.

In terms of material finishes, it is considered that the stone cladding is not acceptable and it should be replaced with natural stone. Furthermore, it is stated that the

proposed development would set an undesirable precedent for similar type development in the area. It is therefore recommended that planning permission be refused for the proposed development.

In its decision dated 1st December, 2016 Westmeath County Council issued notification to refuse planning permission for the four reasons referred to above.

5.0 Planning History

Partial details of two applications are contained on file. Under Reg. Ref. 15/7136, Westmeath County Council refused permission for the construction of a new part three-storey/part two-storey dwellinghouse connecting to public services and ancillary site works. The proposed dwellinghouse was 365 square metres and comprised of 7 bedrooms all of which contained en-suite accommodation. Planning permission was refused for two reasons relating to inappropriate scale, design and form which is out of character with the adjoining nearby properties and the general established pattern of development in the area which would result in a visually obtrusive design solution. And that the proposed development would impact on the amenity of adjoining properties and does not comply with the stated development control objectives and standards set out in the Athlone Development Plan.

Drawings associated with an earlier application Reg. Ref. 07/3128 are also contained on file. This application is similar to the current application before the Board in that planning permission was sought for a part 2 and part 3 storey development accommodating 7 apartments. The drawings indicate that in terms of layout, the proposal is not dissimilar to the development currently before the Board. Westmeath County Council granted permission for the proposed development on 17th of December 2007. It appears that the decision was not subject to any appeal.

6.0 Grounds of Appeal

The grounds of appeal outline the planning history associated with the site and also set out details of relevant government and planning policy.

- In relation to the first reason for refusal, it is stated that the Dublin Road at this location is relatively straight. Sightlines are achievable in each direction from

the site entrance. The building is set back 11 metres from the centre of the road and the sightlines at this location are considered to be acceptable. The infill development of 7 dwellings is considered to be modest in accordance with the planning policy for minimum residential density. The scale of the development will generate very low levels of traffic.

- With regard to car parking provision it is stated that Section 14.9.2 relates to car parking standards and it is a requirement for one car parking space per dwelling. The proposal therefore accords with the car parking standards. If the Board consider it appropriate the applicants will reduce the overall number of units by one.
- In relation to the third reason for refusal, which relates to the design, it is stated that the design of the building is considered to be appropriate and does not impact on adjoining buildings. The proposed part two and part three-storey building is in compliance with the development control standards set out in the Athlone Development Plan and is in keeping with the character of the area. The Planning Authority have completely failed to acknowledge that there is an existing planning permission for 7 dwellings on site.
- In relation to the last reason for refusal, it is considered that the open space is provided in accordance with the development plan and national policy for apartments. All dwellings have access to private communal open space. The site coverage is low at 24%. The total communal open space at 395 square metres is compliant with standards. Balconies are provided for each of the dwellings.

The remainder of the submission sets out details of the proposed development in terms of its compliance with Development Management Standards. The submission reiterates the issues covered in the original planning report submitted with the application to the Planning Authority.

6.1. Appeal Responses

- 6.2. It appears that Westmeath County Council have not submitted a response to the grounds of appeal.

7.0 Observations

7.1. An observation was received from the resident of the adjoining property to the immediate east of the subject site. The observation raises the following concerns in respect of the proposed development.

- It is considered that the mass and volume of the proposed building is severely out of context with existing developments in the area which are for the most part single-storey dwellings.
- If allowed, the proposal will set a unwelcome precedent for future developments at this location.
- The proposed development is too large and intense for the size of the site which results in an adequate communal open space and car parking.
- Access to the proposed site is inappropriate coming directly onto the public road and is located adjacent to a busy junction. Furthermore, there is a bar and nightclub directly opposite the site and there is a student accommodation block in the vicinity which provides for up to 90 full-time students. The Athlone Institute of Technology also intensifies traffic on this public road. The Derries Lane which also connects to the access road serving the site provides access for approximately 14 dwellings as well as catering for stables.
- The proposed parking does not cater for the turning of vehicles.
- The proposed development is located approximately 0.8 kilometres from Athlone Town and can be considered to be a suburb of the town where no public amenities exists. The restriction of car parking provision will lead to cars being forced to park along the public roads and footpaths adjoining the site.

8.0 Development Plan Provision

8.1. The site is governed by the policies and provisions contained in the Athlone Town Development Plan 2014 – 2020. The subject site is zoned “existing residential”. The zoning objective is to provide for residential development and associated services and to protect and improve residential amenity. Figure 3.1 of the development plan

sets out criteria for determining the suitability of housing in an urban area. These include the following tests (taken from the NSS).

- Asset Test – are there existing community resources such as schools etc. with spare capacity?
- Carrying Capacity Test – is the environmental setting capable of absorbing development in terms of drainage etc?
- Transport Test – is there potential for reinforcing usage of public transport, walking and cycling?
- Economic Test – is the potential to ensure integration between the location of housing and employment?
- Character Test – will the proposal reinforce a sense of place and character?
- Integration Test – will the proposal aid an integrated approach to catering for the housing needs of all sections of society?

The following policies are relevant.

P-SR1 – To support the principle of sequential development in assessing all new residential development proposals, whereby areas closer to the centre of the town including underutilised brownfield sites will be chosen for development in the first instance to promote a sustainable pattern of development.

P-SR2 – To encourage and promote the development of underutilised infill and backland development in the town subject to development criteria being met. In terms of density for new development in the case of town centre brownfield sites a density of up to 35 units per hectare will be permitted.

P-RLD1 – Seeks to achieve an attractive and sustainable development and create high standards of design, layout and landscaping for new housing developments.

P-RLD3 – Seeks to require that appropriate provision is made for amenity and public open space as an integral part of new residential or extensions to existing developments.

In terms of apartments Section 3.14 states within Athlone the provision of apartment schemes may be considered in appropriate locations or where a significant demand for smaller units of accommodation is evident. Regard shall be had to the

Sustainable Urban Housing: Design Standards for Apartments – Guidelines for Planning Authorities in the overall design and layout of apartments developments. Reference shall also be made to development standards in relation to room sizes, communal and private open space outlined in Section 12.9.13 of the Plan. Policy P-8PT2 seeks to ensure that all apartments provide adequate facilities for the storage, separation and collection of waste (organic and recyclable and landfill waste) and to ensure the on-going operation of these facilities.

Car parking standards are set out in Table 12.11 of the Development Plan. For residential developments of 1 or 2+ bedrooms a minimum of one space must be provided per unit.

Development Management Guidelines for Residential Development are set out in Section 12.9 of the Development Plan. Table 12.2 contains indicative plot ratios in outer suburban areas close to public transport a plot ratio of 0.35 to 0.5 will be permitted. Internal standards for apartments are set out in Section 12.9.13. The overall apartment floor area are as follows:

One bedroomed apartment – 45 square metres.

Two bedroomed apartment – 73 square metres.

Three bedroomed apartment – 90 square metres.

In terms of private open space provision a minimum of 10 square metres of private open space shall be provided for one bedroomed apartments. In the case of two to three bedroomed apartments a minimum of 15 to 20 square metres of private open space should be provided. A shortfall of provision may be made up in the form of communal open space.

8.2. Guidelines for Planning Authorities - Sustainable Residential Development in Urban Areas

Chapter 5 of this document sets out guidance in relation to new residential development. In terms of appropriate locations for infill development the following guidance is provided in relation to inner suburban/infill development. The provision of additional dwellings within inner suburban areas of towns and cities approximate to existing or due to be improved public transport corridors has the revitalising effect on areas by utilising the capacity of existing social and physical infrastructure. In

residential areas whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill. The design approach should be based on the recognition of the need to protect amenities of directly adjoining neighbours and the general character of the area and its amenities i.e. views, architectural quality, civic design etc.

In terms of density standards in terms of edge of centre sites it is stated that the emphasis will be on achieving successful transition from central areas to areas at the edge of a smaller town or village concerned. Development of such sites tend to be predominantly residential in character and given the transitional nature of such sites densities to a range of 20 to 35 dwellings per hectare will be appropriate and can include a wide variety of house types from detached dwellings to terraced and apartment type accommodation.

9.0 Planning Assessment

I have read the entire contents of the file, have had particular regard to the Planning Authority's reasons for refusal, and the grounds of appeal submitted on foot of these reasons for refusal and have visited the site in question. I consider the pertinent issues in determining the current application and appeal before the Board are as follows:

- Principle of Development
- Traffic Considerations
- Design, Scale and Form
- Impact on Residential Amenity

9.1. Principle of Development

The Board will note that the subject site is zoned for residential development therefore the land use proposed comprising of 7 apartments would be an acceptable land use principle.

A more difficult question arises in respect of whether or not the proposed development is in accordance with the existing residential character of the area. I consider that the subject site is located in an area which can be described as an area in transition. Traditionally the area comprised of residential houses located on individual plots fronting onto the Old Dublin Road. The area has evolved as a peri-urban/suburban area on the periphery of Athlone Town Centre. The area however is changing, a major catalyst in driving this change is the location of Athlone Institute of Technology which is located further along the Dublin Road approximately half a kilometre further east of the subject site. This has resulted in the recent development of new residential apartment blocks in the vicinity of the subject site including the provision of three storey apartment blocks on lands directly north of the site and also the provision of student accommodation above a neighbourhood centre facility c.150 metres further east of the subject site.

So on the one hand it could be reasonably argued that the proposed apartment block does not sit comfortably with the established residential form within the immediate vicinity of the subject site i.e. the provision of traditional single-storey and two-storey detached dwellings immediately surrounding the site. On the other hand it is clear that the land use context is changing with the provision of small scale residential apartment blocks primarily for student accommodation in the vicinity of the Institute of Technology.

In general terms I would consider that overall the proposed development would comply with the urban design criteria set out in the Urban Design Manual in the context of:

- It relates well to the evolving context of the area in terms of providing higher residential density development in the vicinity of Athlone Town Centre and more particularly in the vicinity of Athlone Institute of Technology (AIT).
- In terms of connections the proposed development is well connected with the neighbourhood that surrounds it and is in close proximity to local services and within walking/cycling distance of Athlone Town Centre and AIT.
- The development provides a variety of units ranging from 1 to 3 bedrooms.
- I consider that the proposed development represents an efficient use of lands utilising an infill site which is serviced in terms of infrastructure.

- With regard to distinctiveness of layout, the public realm, together with privacy and amenity, parking and detailed design; these issues are explored in more detail below.

In conclusion however I consider that a proposed apartment development at this location might be acceptable in principle subject to qualitative safeguards.

9.2. Traffic Considerations

The first two reasons of the Planning Authority's notification to refuse planning permission related to traffic considerations. Firstly, it is argued that sightlines at the proposed access are deemed to be restricted and would endanger public safety by reason of a traffic hazard. Secondly, it is argued that the development is contrary to Section 14.9.2 which sets out car parking standards in the current development plan.

With regard to the first reason for refusal, I do not consider that sightlines are restricted in either direction at the proposed entrance to the site. I refer the Board to the photographs attached which indicate that the subject site is located along a section of a road which incorporates straight alignment where adequate sightlines in both directions can be achieved. The site is also located within a within a 50 kmph limit. Notwithstanding this point, it was apparent from my site inspection that the Dublin Road is a heavily trafficked road providing access to both the N6/M6 and the N62 further east and south-east of the application site. Traffic generated by the Institute of Technology also contributes substantially to traffic volumes in the area. During my site inspection I noted that traffic attempting to gain access to the road experienced queuing times particularly while attempting to turn right onto the roadway.

I note the Road Engineer's report which suggests that it would be more appropriate than any access serving the subject site would be located on the Derries Road along the western boundary of the site rather than accessing onto the main Dublin Road. The Derries Road is quite narrow (see photographs attached). Vehicles, particularly large vehicles, entering the subject site may experience some problems in terms of manoeuvring within the narrow confines of the Derries Road. However, utilising the Derries Road would in my view be more appropriate in traffic management terms as it would channel all new traffic onto existing junctions thereby reducing the

proliferation of new or intensified accesses along this section of the Old Dublin Road (R446). Having regard to the fact that the western boundary of the site runs along the Common Boundary with the Derries Road it is possible that any new development on the site could incorporate a small setback in order to provide a road alignment of a more appropriate width to allow vehicles use the existing junction at the Derries Road.

Furthermore, the provision of a vehicular access off the western boundary of the site onto the Derries Road would not only have the advantage of channelling all traffic to and from the site onto an existing junction but would also eliminate the need for an archway/entry lane on the front elevation which in my considered opinion would be more advantageous in terms of urban design. I would share the Planning Authority's concerns in replicating a new access onto this busy regional route within 25 metres of an existing junction is in appropriate in terms of traffic safety and managing road capacity. I would therefore conclude that the proposed access arrangements are less than ideal from a traffic safety point of view and as such would constitute a traffic hazard.

With regard to the issue of car parking, I have consulted Table 12.11 of the Athlone Development Plan which sets out car parking standards. I note that in the case of all residential units (2+ bedrooms and 1 bedrooms) that a minimum of one space per residential unit is required in the town council area. The applicant in this instance proposes to provide seven spaces and as such is providing one space per residential unit. In my view the applicant has fully complied with the car parking standards and therefore refusal of planning permission for this reason is not appropriate in my view.

9.3. Design, Scale and Form

I am generally satisfied that the scale and form of the proposed apartment block is appropriate. The provision of a 2/3 storey unit is acceptable have regard to my arguments set out previously above in respect of the evolving context and character of the area. There can be little doubt that the area in which the site is located is evolving from a low density outer-suburban type area to a higher density area in close proximity to Athlone Town Centre and AIT. The Board will be aware that there is a precedent for apartment units in the immediate area. In this regard I refer to the

three storey residential blocks located to the rear of 'The Tack Room' Public House located directly opposite the site and also the three storey mixed use development on lands c.150 metres to the east of the subject site.

Notwithstanding this point, the Board will note that the proposed density standards in this instance equate to approximately 70 units per hectare (7 units on 0.1 hectares). This is considerably in excess of the standards set out in the development plan and the standards set out in the Guidelines for Planning Authority on Sustainable Residential Development in Urban Areas. In the case of infill developments an edge of centre site (such as the subject site) densities in the range of 20 to 35 dwellings per hectares would be appropriate. Therefore, while the overall size and form of the proposed apartment block may be acceptable in this instance, the density of units is considerably in excess of the recommended standards set out in both the development plan and national guidelines. A reduction in the number of units would in my view have consequential benefits in terms of providing more generous living accommodation and a reduction in car parking requirements which in turn could provide more private amenity space within the overall design.

In conclusion therefore I consider that the overall size and scale of the building on the subject site is acceptable. However, the reduction in the number of units within the scheme may be more beneficial in amenity terms.

9.4. Impact on Residential Amenity

I note the contents of the observation submitted by the owners of the adjoining dwelling to the east. It expresses concerns that the proposed development would have an unacceptable impact on residential amenity. The adjoining dwellinghouse to the east incorporates a single storey garage along the common boundary with the subject site. The proposed eastern elevation does not incorporate any windows on its eastern elevation which would directly overlook the subject site. The rear elevation of the proposed development incorporates balcony windows facing southwards towards the residential property and stables to the south. However, separation distances are in the order of 30 to 35 metres between the balconies and the front elevation of the dwelling to the south. These separation distances are acceptable in my view and will not give rise to any undue overlooking.

In terms of overshadowing the two storey element of the proposed apartment block is located adjacent to the observers dwelling. This two storey element rises to a height of just over 6 metres above ground level. The existing single storey dwellinghouse rises to a ridge height of 6 metres above ground level. I consider that the proposed apartment block will have no greater adverse impact on the adjoining property than the existing single storey cottage on the subject site.

In terms of open space provision, the proposed development incorporates small areas of incidental open space surrounding the proposed apartment block with two pockets of open space c.50 square metres to 80 square metres in the south-western and south-eastern corners of the site respectively. Having regard to the modest dimensions of the site it would not be possible or appropriate in my view to provide anything other than incidental open space having regard to the modest dimensions of the site and the need to ensure that the site is developed in a way that facilitates the efficient use of zoned and serviced land. Nevertheless, a reduction in the number of units within the overall floorspace of the building would necessitate fewer car parking spaces which would in turn offer a scope to provide open space which is not confined to residual areas located in the corner of the overall layout.

In terms of the size of the apartment units provided, I acknowledge that the units comply with the minimum overall apartment floor areas as set out in Table 12.4 of the Development Plan (albeit in the case of Units 1 – 3 they are marginally above the minimum requirements set out in the Plan). I reiterate that the reduction in the number of units within the overall footprint of the building would provide more enhanced apartment sizes for the future occupants of any development on site.

In conclusion therefore, I consider the impact in terms of residential amenity on existing and future occupants to be on the whole acceptable. However, there is scope in my view with the reduction in the number of apartments in order to comply with density standards set out in the Plan that the amenity provision particularly in terms of future occupants could be somewhat proved.

10.0 Conclusions and Recommendations

- 10.1. Arising from my assessment above I consider that the subject site is suitable for a modest apartment type development on the subject site. However, I would consider it appropriate that the overall units to be provided within any apartment development should comply with the density standards set out in national guidelines and the current development plan. I further consider that the overall size and scale of the building proposed on site would not have a significant adverse effect on existing residential amenity in the area. While the proposed development meets the minimum standards set out in the development plan in respect of open space provision, car parking and floor areas etc., I consider that a reduction in the density in terms of the number of units provided would provide greater scope for enhancing the living environment of future occupants in terms of more spacious apartment sizes and the provision of more usable open space which could provide a more central feature within the overall layout.
- 10.2. In terms of traffic I would have concerns that the existing access arrangements are not the most suitable for the site in question. Having regard to the traffic volumes on the R446 it would be more appropriate in my view that any vehicular access configuration serving the site would be located along the western boundary and accessing onto the Derries Road in order to minimise the proliferation of accesses onto the busy R446 Regional Route. I do not consider that this issue could be dealt with adequately by way of condition as it would involve and necessitate a significant reconfiguration of the proposed development. I therefore recommend that planning permission be refused for the proposed development for a single reason relating to traffic.

11.0 Appropriate Assessment

The nearest European site to the appeal site are the River Shannon Callows SAC (Site Code: 000216) and Middle Shannon Callows SPA (Site Code: 004096) both of which are located at their nearest point just over 1.5 kilometres to the west of the subject site and the Crosswood Bog SAC (Site Code: 002337) which at its nearest point is located approximately 1.75 kilometres to the east of the subject site. Having regard to the nature and scale of the proposed development and the nature of the

receiving environment together with the proximity to the nearest European sites no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with others plans and projects on a European site.

12.0 Decision

Refuse planning permission for the proposed development based on the reasons and considerations set out below.

13.0 Reasons and Considerations

It is considered that the intensification of traffic movements generated by the proposed development onto the busy and heavily trafficked route R446 would tend to create serious traffic congestion and would endanger public safety by reason of a traffic hazard which would lead to the conflict between road users, that is vehicular traffic, pedestrians and cyclists. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Paul Caprani,
Senior Planning Inspector.

05th April, 2017.