



An
Bord
Pleanála

Inspector's Report PL09.249030

Development	4 no. all weather tennis courts with seasonal air dome, outdoor play area, athletics track & soccer pitch, community & sports building, parking & lighting.
Location	Monasterevin, Co. Kildare
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	17/587
Applicant(s)	St. Eimhin's Lawn Tennis Club & Others
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	St. Eimhin's Lawn Tennis Club & Others
Observer(s)	Trevor Kavanagh & Brid Reardon
Date of Site Inspection	26 th October 2017
Inspector	Ciara Kellett

1.0 Site Location and Description

- 1.1. The site is located on the northern side of Monasterevin, Co. Kildare. It is a large site c. 4.57Ha bounded to the east, south and west by residential housing estates, and immediately bounds the Kildare railway line along its northern boundary. The Monasterevin Train Station overlooks the site. The Grand Canal bisects the railway line c.150m from the site to the north-west, and the River Barrow is c. 400m to the west.
- 1.2. The site is currently made up of two parcels of land roughly rectangular in shape and fenced off from each other. The larger parcel which abuts the railway line is used for grazing horses, and the southern parcel is currently in use as a sports ground with a small structure for a clubhouse in the very south-west corner of the site. There is an existing green space to the south of the site which provides for ad-hoc parking when the pitch is in use. Currently pedestrians have full access from a number of the cul-de-sacs in St. Evin's housing development, and the area is used by pedestrians as a means to access the schools and shops on Togher Road and Drogheda Street.
- 1.3. The site is generally an infill/backland location which is flat with no defining features. There are large trees and hedgerows along the north-west boundary with St. Mary's Lane and some hedgerows and shrubbery along the boundary with St. Evin's Park housing estate to the north-east.
- 1.4. Appendix A includes maps and photos.

2.0 Proposed Development

- 2.1. The development is for sports facilities for a number of different types of sports. It is described as: a) 4 no. International Tennis Federation (ITF) all weather Tennis Courts with associated seasonal Air-Dome and associated ITF Professional Court Sports Lighting including 12m masts and associated walls/fencing. The Air-Dome is indicated as being 10.5m high, b) Construction of 2 no. ITF Mini Practice Tennis Courts with practice walls/padel Tennis Courts with full sports lighting 10m high, c) Children's outdoor Play Area and wall/fencing, d) general site fencing and general site security fencing, walls and netting, landscaping and external LED lighting and facilities, e) Construction of an Athletic Track and high grade soccer pitch with

associated facilities and service/ storage areas, f) construction of multi-level, multi-purpose community and sports building to include large multi-purpose hall to cater for badminton, indoor tennis, 5 a side soccer, basketball, squash courts, gym fitness area, club rooms, changing areas and other multi-functional facilities, g) construction of new external roads/ramps/paving/public viewing and various pedestrian/vehicle gates, h) new bus parking and car parking and adjustment of vehicle entrance and road to the site (Togher Road) and demolition of existing structures, i) flood lighting, j) maintenance store, k) 2 no. all-weather 5-a-side soccer pitches and refurbishment of existing pitch, l) signage, m) Provision of controlled pedestrian access to St. Mary's Lane and St. Evin's Park and provision for later controlled pedestrian access to the rail station.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse permission for 5 reasons (summarised).

- 1. The proposal by reason of its design, scale and mass constitutes considerable and unacceptable over development of the site surrounded by residential development. Proposal would seriously injure residential amenities and depreciate property values.*
- 2. Proposal would injure residential amenities by reason of lighting overspill, noise and intensification of use and traffic accessing the site.*
- 3. Proposal would adversely affect the protected structure of Togher House contrary to policies PS1 and PS2.*
- 4. Proposal risks creating serious traffic congestion – no TIA submitted.*
- 5. Proposal is in an area at risk of flooding – no site specific FRA submitted.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner considers the key planning issues are: Development Proposal Overview; Siting, Design and Visual Impact; Architectural and Natural Heritage; Site

Permeability; Traffic/Transportation Issues; and, Flood Risk. In summary, the report states:

- Site is zoned for Open Space and Amenity Facilities and is currently in the ownership of Kildare County Council.
- Considers the principle of development is acceptable.
- Notes proximity of development to residences.
- Notes proposed multi-purpose hall comprises a floor area of 7,445sq.m over two floors and basement, with a ridge height of 14.26m. Notes planning permission was granted in 2008 for a similar style development but it was for the northern portion of the site and for a much smaller building with a floor area of 2,412sq.m, with a maximum ridge height of 9.4m over two storeys.
- Considers design, scale and mass of the multi-purpose hall excessive in the established residential and backland context of the infill site. The inflatable dome would add to the scale during inclement weather.
- The viewing area includes raised terraces and 30 floodlights. Notes there is a lack of explanation accompanying the drawings regarding the effects of the proposed lighting.
- Notes no information is provided about the maximum number of people the proposed development would accommodate if operating at night.
- Submits that while the Planning Authority encourages the provision of sports and recreation facilities within the town and in close proximity to public transport links and good permeability, given the infill and restricted nature of the site there are serious concerns that the scale, mass and design would seriously injure the residential amenity of the area by way of light overspill, glare, noise and interference (errant balls landing in private open space).
- Considers a fundamental redesign incorporating a significant reduction in size is required.
- Considers that the significant intensification of use on the subject site would generate a high number of visitors, and would have serious impacts on the safety and function of Togher Road entrance in particular. Notes poor

condition of roadway with open drain running alongside. Significant concerns raised by Transportation Department and Area Engineer. Notes no TIA accompanied the application. Notes shortfall of 179 car parking spaces – lack of parking will cause overspill into residential areas.

- Notes protected structure, Togher House, is located immediately adjacent to the southern boundary of the proposed tennis courts. Notes extensive tree coverage surrounding Togher House, but considers the scale and design of the Clubhouse and floodlighting etc. would impact upon the visual integrity and setting.
- The site is currently very permeable with the exception of the northern boundary. Notes access gates are proposed and fences erected between the lands and a number of the cul-de-sacs at St. Evins Park. Considers this will impede desire lines and reduce permeability within the site as a whole. Notes that no information has been provided on the proposed '*controlled pedestrian access points*' and how they will operate.
- Site is located in an area that requires development proposals to be subject to site specific flood risk assessment. No such assessment is provided.
- States that the Council support and encourage the development of such facilities within the town, and appropriate to the site and requirements of the population. Considers the proposal represents a regional scale development to service a wider population range, and that there are serious concerns with the ability of this site to absorb the size and nature of the proposed development. Considers proposal fails to have sufficient regard to the receiving environment.
- Planner recommends refusal.

The decision was in accordance with the Planner's recommendation.

3.2.2. Other Technical Reports

- **Area Engineer:** Further Information requested.
- **Environment:** No objection subject to conditions.
- **Transportation:** Further information requested.

- **EHO:** No objection subject to conditions.
- **CFO:** No objection subject to conditions.
- **Water Services:** No objection subject to conditions.
- **Conservation Officer:** No report on file
- **Heritage Officer:** No objection and no conditions.

3.3. Prescribed Bodies

- **Irish Water:** No objection subject to conditions.
- **Iarnrod Eireann:** Report received includes 16 items of information
- **Transport Infrastructure Ireland (TII):** No comment
- **National Roads Design Office:** No impact anticipated on national road network.

3.4. Third Party Observations

There were 22 submissions, mostly objecting to the development. A number sought to commend the proposal but expressed concerns with the provision of controlled access onto St. Evins Park. Other concerns raised included: light spill, nets affecting views/sunshine, landscaping, size of facility – 3 clubs already and much smaller population to surrounding towns, road infrastructure, query funding source and if money runs out will site be left as an eye sore, noise, privacy and security, access to St. Mary's Lane and further parking congestion, emergency service access on congested streets, concerns over trees and woodlands, access to St. Evins park, lack of parking and overspill, no applicant identified, proposal requires EIA, no consultation, removal of green area, traffic, tree preservation around Togher House, queried if there was a bar/function room, negative visual impact on area, screening for AA, Crèche located at proposed entrance from Togher Road, and 3 schools off Togher Road.

4.0 Planning History

- **KCC Reg. Ref. 08/760:** Permission granted in December 2008 for the development of a full size soccer pitch with lighting, 2 no. 5-a-side pitches, 3 no. tennis courts, athletics track, main building to include hall, dressing rooms etc. on northern parcel of subject land.
- **PL09.223400, KCC Reg. Ref. 06/1339:** Outline permission was granted for the above development by the Board in September 2007, following the Council's decision to refuse permission.

5.0 Policy Context

5.1. Monasterevin Local Area Plan 2016 - 2022

The site is located within the LAP boundary. Chapter 3 refers to the Town Function and Role, Chapter 6 refers to Policies and Objectives, and Chapter 7 to Land Use Zoning.

Map 1 identifies that the site is zoned 'F – Open Space and Amenity'.

Community/Recreational/Sports Buildings, Park/Playground, and Playing Fields are all permitted in principle in this zoning.

Chapter 3 of Part A of the Plan refers to the Town Function and Role. It notes that the population of Monasterevin was 3,710 in the 2011 census.

Chapter 6 in Part B under Recreation, Amenity and Open Space notes that '*Lands have been designated for open space and amenity throughout the town and along the River Barrow and Grand Canal*'.

Under Movement and Transport, **policy MT7** states:

To ensure that the design and layout of new developments enables, facilitates and encourages the use of sustainable travel modes.

With respect to Pedestrian and Cycle Network **policy PC2** states:

To seek to retain and improve existing pedestrian/cyclist links and connectivity between areas of the town. In particular to identify areas where linkages may be formalised and improved.

With respect to Parking, **policy PK1** states:

To ensure that all new development contains an adequate level of vehicular and bicycle parking provision in accordance with the policies and standards outlined in Chapter 19 of the Kildare County Development Plan 2011- 2017 (or as may be amended).

Map 2 indicates town centre streetscape improvement works running between both parcels of land and connecting St. Evins to the Grand Canal.

Map 3 indicates that the north-east portion of the site is located in an area where development proposals are to be subject of a site specific Flood Risk Assessment, appropriate to the type and scale of the development being proposed.

Section 6.14.2 refers to Community. **Policy C1** states:

To support and facilitate the improvement of health centres, local clinics, nursing homes, Garda service, community facilities and sports facilities in Monasterevin.

Table 14 lists Protected Structures. Togher House which is to the south-west of the site is listed 3 times: B21-05A Gates/Railings/Walls, B21-05 House, and B21-19 House. **Policy BH4** states:

To protect and preserve those built heritage items listed in Table 14 and shown on Maps 4(A) and 4(B) of this Local Area Plan.

Section 6.19 refers to Recreation, Amenity and Open Spaces. **Policy AR1** states:

To cooperate with local sports organizations in the provision of community sports facilities and active recreational spaces and to facilitate the development of additional recreational facilities to meet the demands of the residents of the town.

5.2. Kildare County Development Plan 2017 – 2023

Development Management Standards are referred to in Chapter 17 of the Plan.

Table 17.9 refers to Car Parking Standards. The table states that for a stadium, 1 space is required per 3 seats, 15 spaces per playing pitch, and 1 space per 15sq.m of gymnasium/recreation centre.

5.3. **Natural Heritage Designations**

The site is c.400m to the east of the River Barrow and River Nore SAC (Site Code 002162).

6.0 **The Appeal**

6.1. **Grounds of Appeal**

Consultants on behalf of the applicant have submitted a first party appeal against the decision of the Planning Authority to refuse permission. In summary, it states:

- Submit that application has not been assessed correctly and the scale of the development has been misinterpreted, nor was the applicant provided an opportunity to address the concerns through Further Information, considering that a similar development was previously granted permission.
- States that several groups and clubs have come together to combine their efforts and resources. The Local Area Plan reaffirmed the use of the site for Open Space and Amenity.
- The proposal has the strong backing of the community.
- Monasterevin Soccer Club have a 100 year lease on a large portion of the site. The facility will be a community facility; it is not a commercial facility.
- Masterplan as proposed will fully complete the site and project. States that the project will be realised in different phases and that there is substantial money to build phase 1 of the proposal.
- Advantage of the site is that it is located in the town, adjacent to public roads and the Rail Station, and within walking distance of a number of houses and the town centre which must be taken into account when considering parking.
- Refer to lighting and state that the design is in accordance with “Guidance Notes for the reduction of Light Pollution” produced by the Institute of Light Engineers UK.
- Provide specific responses to Refusal Reasons:

- **Overdevelopment:** Consider there is more than enough room to accommodate everything that is needed and keep site coverage to a minimum of 6%. Considers Planner's Report contains inaccuracies. Main Building is 4,500sq.m not 7.450sq.m – planning application form did include a typo. Floor area is dictated to by the size of a tennis or basketball court. Does not consider the building to be that tall at 3 storeys and comments that there are other 3 storey buildings in Monasterevin. States that the planning report failed to consider that the soccer club is active on site already.
- Does not agree that site is “backland” as it is accessed from Togher Road and adjoins other public roads. It is an underused site in a very important area of the town.
- Considers the design to be an “above average” design. It is not a shed and responds to its site and surroundings.
- **Injurious to Residential Amenity:** Refers to controlled access and considers that it makes sense and follows closely the LAP recommendations. Explains what controlled access means – it is open to the public from 7am until 11pm. Reference is made to other developments around the country.
- Do not agree that development will depreciate property values.
- Consider light spill is blown out of proportion and provide examples where there is no overspill.
- Noise – state there will be noise but nothing significant.
- Attach a drawing showing walking distances.
- Consider that the building will not block light or overlook other residences.
- **Impact on Protected Structure:** As Conservation Architects, Consultants cannot see how an adverse impact can be possible. The main building is 75m from Togher House and no development is proposed within the curtilage. Togher House and St. Mary's Church are well screened by numerous trees.
- **Traffic Impact:** The proposal will have some impact on the area. Note Planning Authority want a traffic survey of current usage. Submit that the Planning Authority already have this information and could share it and clients

would have carried out additional surveys if requested within the normal Further Information stage. There was not enough time as part of the appeal. Include a copy of typical usage and note peak times will be outside school times. State that Togher Road is a good wide urban road and has significant capacity. Clients happy to consider further traffic calming on Togher Road. Expect most people to walk or cycle. Expect connection to railway station to be built at some stage once agreement has been reached with Irish Rail.

- Consider that drops offs will be involved and the number of car parking spaces is more than adequate. Travelling teams and supporters will generally arrive by bus. If there are larger events a traffic and event management plan would be put in place. Consider there is a large amount of parking available elsewhere in the town.
- **Flooding:** A small part of the site is included within a flood zone. Consider that there is an error on the map and area in map is to be a field with a running track added – no building is proposed in this area. Hence risk is low. Proposal will include SUDS compliant surfaces.
- Consider that a Flood Risk Assessment if necessary can be carried out and dealt with by way of condition.
- Concludes that as clients are a non-profit community based group it is unreasonable that they would submit every piece of information. The normal Further Information process is used to flush out any information that is required.
- Refer to Planning Report stating that proposal is too big for Monasterevin, and respond by stating that clubs already exist they just need proper facilities. Refer to population increase and why a long term plan is needed.

6.2. Planning Authority Response

The Planning Authority responded to the appeal by the First party. In summary it states:

- Acknowledge need for additional sporting facilities to serve Monasterevin and have a range of policies to promote provision of such facilities.

- Reiterate view that the site is not suitable for the scale and intensity of development proposed. Application has taken no account of existing constrained context of the area.
- Refute claims by applicant that the site is not a 'backland' site. The site has no independent road frontage and is accessed off a laneway. Backland development is described as such in the Kildare County Development Plan 2017 – 2023. Site was described as such in an Inspector's Report (PL09.223400).
- Refers to other facilities in towns across Ireland as referenced by applicant. Consider that such comparisons are not appropriate examples as the context and scale bear no relation to the attributes of the subject site.
- Considers built form is still far in excess of that granted by the Board in PL09.223400 even with typo amended.
- Appeal does not address in any way the comments made by the Transportation Department, in particular the lack of a traffic and transport assessment and the need for a Stage 1 and Stage 2 Road Safety Audit. Scale of development has not been properly examined or fully thought through.
- Shortfall of 176 car parking spaces indicates the intensity of the proposal. It is unacceptable to state that there is a large amount of parking elsewhere in the town. No reference is made to the key issue raised in the Planner's Report that no information has been provided on the maximum number of people that could be accommodated at capacity.
- Request that the Board uphold the decision of the Planning Authority to refuse permission.

6.3. Observations

An observation was submitted by Trevor Kavanagh and Brid Reardon, residents on St. Mary's Lane, accompanied with photos of cars parked at various times of the week. In summary, it states:

- Submission relates to the Provision of Controlled Pedestrian Access onto St. Mary's Lane.

- Wholly support development in principle but request that access gate onto St. Mary's Lane is removed due to Health and Safety concerns.
- Concerned that provision of access would lead to further parking congestion in an already overcrowded street, particularly around Mass times and other events in the church.
- Concern with emergency vehicle access.
- Concern with how access will affect the existing green areas and the mature trees.

7.0 Assessment

The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Design, Scale and Mass of Proposal
- Residential Amenities
- Impact on Protected Structure
- Traffic, Car Parking and Permeability
- Flood Risk
- Appropriate Assessment

7.1. Design, Scale and Mass of Proposal

The Planning Authority refused permission for 5 reasons, the first being due to its design, scale and mass which was considered to constitute unacceptable overdevelopment of the site.

- 7.1.1. I note that there is reference in the documentation to a Masterplan and of the development being built in phases. No information has been provided with respect to what each phase would constitute, and no timeframe has been indicated for the build out of the entire facility. However, no request for a planning permission that exceeds

the normal 5 years has been sought, therefore the assumption is that this development will be constructed within the standard 5 year life of a planning permission.

- 7.1.2. The Planning Authority consider that the proposal is more typical of a regional scale development akin to a similar development, the Watershed, in Kilkenny City which the applicant refers to (amongst others). As noted by the Planning Authority and the applicant, Kilkenny has a population more than five times that of Monasterevin. The subject proposal incorporates a substantial number of different facilities for different sports, and I consider that it is a facility of a regional scale. While there is no specific limit on the type or scale of community or sports developments referred to in the Development Plan, I consider that this proposal is overdevelopment of this backland area.

The site is undoubtedly a backland site and entails the challenges often associated with development of backland sites. It has no direct road frontage and is surrounded on all sides – it is substantially landlocked. The only vehicular access is through a laneway off Togher Road running between two housing estates – Togher Woods and Togher Grove. I am of the opinion that the scale proposed would result in overdevelopment and be unsuitable for this backland site.

- 7.1.3. The site is surrounded on three sides by modest scale single and two storey residential dwellings. The main ‘built’ element of the proposal is the clubhouse, however the seasonal air dome over the tennis courts would present as a ‘structure’ when in use.

The housing estate Togher Wood is the closest to the clubhouse, and house no’s. 11 and 12 lie just south of the proposed building. Dwellings to the east in St. Evins Park will be within 50m of the clubhouse. The apartment block on St. Mary’s Lane will be closest to the air dome when in use.

The clubhouse comprises two storeys and a basement and at its highest point is 14.267m above ground. The applicant has provided perspective views of the clubhouse within the drawings. I consider that the development as proposed presents a high quality modern design with interesting features and materials proposed, including burgundy red cladding panels and ‘empty’ openings in the vertical wall at roof level. However, having regard to the location just 50m from St.

Evins Park and Togher Wood residential developments, I have concerns that it would have an overbearing effect on those dwellings and would be visually dominant having regard to the colours and materials proposed, in this particular backland location surrounded by residential dwellings.

I acknowledge the applicant's rationale and ambition for the size of the clubhouse, however, I consider that it is too large for this backland site and by reason of its scale and mass would injure the visual amenities of the existing dwellings.

- 7.1.4. The air dome is indicated as being 10.5m high when in use. No images have been provided with respect to how it will look when in use. The drawing indicates that it will be PVC with a protective foil cover. This element will be seen from St. Mary's Lane and potentially from the protected structure Togher House. I noted during my site visit that Togher House is surrounded by a large number of tall mature trees, and it is not possible to accurately state that it would have a negative impact on the views to or from Togher House. I am satisfied that the existing tall mature trees surrounding Togher House and along the boundary with St. Mary's Lane would provide sufficient screening. I will address the proposed pedestrian entrance at St. Mary's Lane below, but I would recommend that should the Board consider granting permission, the existing mature trees are maintained and protected at all times during construction, having regard to the important role they would play in screening the air dome.

In conclusion, I acknowledge the high quality architectural design of the proposal but I consider that the scale, mass and materials proposed are not suitable for this backland site. In essence, the proposal has failed to respond adequately to its external receiving environment.

7.2. Residential Amenities

The second reason for refusal related to injury to residential amenities by reason of lighting overspill, noise and intensification of use and traffic accessing the site.

- 7.2.1. There is a substantial number of flood lights proposed by virtue of the external pitches, tennis courts and athletics track. Floodlighting poles range in height from 10m to 12m to 18m high. Floodlighting can be designed to minimise light spill and a detailed lighting plan accompanied the application. However, the facility will be lit up at various times of the year and this will be a new feature in the locality.

- 7.2.2. Noise issues are a concern particularly having regard to the close proximity to residential dwellings. The southern parcel of land is currently being used as a football pitch, however there are no floodlights and it is likely to be used during day time hours only. The scale of the proposal as well as the variety of sports being played both indoors and outdoors, will result in far more people availing of the facilities which could potentially lead to noise concerns. The floodlights will enable sports activities to continue after dark and the indoor areas provide for use late into the evening. This will result in noise concerns for residents as people come and go, as well as during the outdoor sporting activity itself. No information has been provided with respect to the potential for the clubhouse to host events at night time. A condition could be appended to the permission, should the Board consider granting permission, to restrict events in the clubhouse or to limit opening hours.
- 7.2.3. I will address traffic in more detail below, but with respect to impact on residential amenities specifically, I consider that there is likely to be more people availing of the facility and therefore more cars accessing the site. It is likely that due to the shortfall in parking spaces within the site, parking will occur in the surrounding residential areas with occupants availing of the proposed pedestrian accesses. This will impact on residential amenities of the surrounding residential developments.
- 7.2.4. In conclusion, I consider that the proposal will have a seriously injurious impact on the residential amenities of the surrounding dwellings. The applicant has failed to have due regard to the surrounding external receiving environment.

7.3. Impact on Protected Structure

The third reason for refusal related to the impact on the protected structure Togher House. Togher House is located to the west of the southern parcel and to the south of the northern parcel of land. It is surrounded by many mature tall trees on all boundaries and is unlikely to be seriously negatively impacted by the proposed development.

7.4. Traffic, Car Parking and Permeability

The fourth reason for refusal related to traffic. A Traffic and Transport Assessment did not accompany the application. The applicant stated that this could have been

addressed if a Further Information request had issued from the Planning Authority. The applicant states that they were not in a position to provide an assessment as part of the appeal given the relatively short timeframes involved.

7.4.1. I accept that a specific and detailed transport assessment may not be possible in the short timeframe for the appeal. However, no information has been provided to assist the Board assess the traffic impact with respect to expected numbers in attendance, or what could be the maximum capacity should all facilities be fully utilised at once. This is a concerning omission as there is only one vehicular entrance proposed for this large scale facility. I accept that it is a town centre location and therefore ideally placed to attract pedestrian and cyclists to the facility, but it is likely to attract people from outside of Monasterevin given the scale of the facility. Togher Road is already a busy road and without information indicating traffic or numbers of people expected, it is not possible to assess the impact.

7.4.2. The Planning Authority state that there is a 176 car parking space shortfall when assessed against the requirements of the Development Plan. The applicant in response to the appeal states that there is plenty of car parking available around the town, and in the case of large events they will put in place an event management system.

As noted above no information has been provided in terms of the expected numbers of people or frequency of large scale events to enable any sort of traffic assessment to take place. Therefore, it is not possible to assess the adequacy of the proposed parking to be provided within the development. I fully accept that it is a town centre location and therefore a reduction in the number of spaces as required by the Development Plan should be permitted, however, I do not consider it acceptable to rely on other parking around the town for overspill. I do not consider this proposal accords with policy PK1 which seeks to ensure that all new development contains an adequate level of vehicular and bicycle parking provision.

7.4.3. One of the concerns expressed by a number of the objectors is in relation to restrictions on permeability for the residents of St. Evins Park, and the opening up of pedestrian accesses in other areas.

I consider this to be a major concern, particularly in relation to prohibiting access from St. Evins Park. During my site visit I noted clearly defined 'desire lines' through

the southern portion of the site, albeit informal, and I witnessed numerous school children and others walking between St. Evins Park and Togher Road. Without this permeability, residents would have a circuitous route onto Drogheda Road and around to Togher Road. I note that the applicant provided clarity that the gates would only be locked from 11pm – 7am, however, the residents currently have full 24 hour access with no gates or fences in place. I do not consider this impact on permeability acceptable and recommend that in the event the Board consider granting permission, a complete redesign with respect to the permeability of the site is submitted. As it is currently designed, I consider it is not in accordance with policy PC2 which seeks to retain and improve existing pedestrian/cyclist links and connectivity between areas of the town and in particular to identify areas where linkages may be formalised and improved.

The opposite viewpoint is expressed by the residents on St. Mary's Lane. There is no access into the field currently from the lane. They express concerns that a pedestrian gate would lead to users parking cars along the lane which is already congested, and availing of the pedestrian access proposed at that point. I agree with the residents' concerns. Again because no information has been provided with respect to expected numbers, it is likely that overspill of parking will occur, and it will occur in places like St. Mary's Lane.

However, if the parking situation is resolved, I consider that a pedestrian entrance at various points around the site is appropriate to maximise ease of pedestrian access and improve permeability.

I note that an access is proposed to the train station to the north. This would appear to be subject to agreements with Irish Rail. This is to be commended as it will encourage users to travel via railway, however, no information has been provided with respect to safety and further information is required to establish the practicalities of this entrance.

- 7.4.4. In conclusion, having regard to the information on the file, I am not satisfied that the Board can assess the traffic impact of the subject proposal. I accept that a reduction in the required number of car parking spaces could be justified having regard to its town centre location, however, I consider that there is a significant shortfall of spaces which could lead to parking elsewhere in the town, causing serious injury to

residential amenities. Consequently, it is not in accordance with policy PK1 of the Local Area Plan. The proposal to limit the current permeability of the site for the residents of St. Evins Park is unacceptable in my opinion, and contrary to policy PC2 which seeks to improve permeability throughout the town.

7.5. Flood Risk Assessment

The north-east portion of the site is located within an area identified by the Local Area Plan as requiring a Flood Risk Assessment. I accept the applicant's assertion that there are no buildings proposed in this location and that SUDS compliant surfaces will be used throughout. However, based on the information on the file, it is not possible to assess the potential impact. The site is currently a greenfield, and no specific information is provided to adequately demonstrate that flooding will not occur as a result of this development, either within or external to the development.

7.6. Appropriate Assessment

Having regard to the nature and scale of development proposed and to the nature of the receiving environment, namely an urban and fully serviced location, 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 other plans or projects on a European site.

8.0 Recommendation

8.1. I recommend that planning permission should be refused permission, for the reasons and considerations as set out below.

9.0 Reasons and Considerations

1. The proposed development, because of its scale, massing and bulk, and inadequate road frontage, constitutes inappropriate backland development which would seriously injure the amenities of property in the vicinity by reason of proximity, overlooking, and additional traffic movements

generated, and accordingly would be contrary to the proper planning and sustainable development of the area.

2. It is considered that the car parking provision for the proposed development and, in particular the lack of sufficient on-site car parking spaces, would be seriously deficient and would be inadequate to cater for the parking demand generated by the proposed development, thereby leading to conditions which would be prejudicial to public safety by reason of traffic hazard on the public roads in the vicinity, result in on-street parking, and which would tend to create serious traffic congestion.
3. Having regard to the permeability of the site and in particular, the use of this site for pedestrian access between St. Evins Park and Togher road, it is considered that the proposed development would seriously injure the residential amenity of existing residents by reason of loss of permeability and connectivity, contrary to policy PC2 of the Monasterevin Local Area Plan 2016 - 2022. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
4. The proposed development is partly in an area which is deemed to be at risk of flooding, by reference to the current Development Plan for the area and the documentation on file. Having regard to the provisions of the Development Plan in relation to development proposals in areas at risk of flooding, it is considered that, in the absence of adequate information relating to the risk of flooding, analysis of such risk, and appropriate mitigating measures to address any risk, the proposed development would be contrary to the proper planning and sustainable development of the area.

Ciara Kellett
Senior Planning Inspector

13/11/17