



An
Bord
Pleanála

Inspector's Report ABP-303447-19

Development	Construction of 15 no. houses, an all-weather pitch and associated site works.
Location	Knocklong, Co. Limerick.
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	18/697
Applicant(s)	Al Fitzgerald
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party v. Grant
Appellant(s)	Ann Power
Observer(s)	Sampson Family
Date of Site Inspection	9 th April 2019
Inspector	Elaine Power

1.0 Site Location and Description

- 1.1. The subject site is located in the village of Knocklong, approx. 30km south east of Limerick City and 20km west of Tipperary Town.
- 1.2. The site has a stated area of 1.825ha and is irregular in shape. It forms part of a larger landholding within the ownership of the applicant. The overall landholding was previously in use as a creamery. Construction works are currently being carried out on the western section of the lands. The subject site is currently a greenfield.
- 1.3. The subject site is bound to the north by a terrace of 5 no. dwellings and Emly Road (R-515), to the south by a small residential estate, Railway Close, to the east by agricultural lands and to the west by residential dwellings, Limerick Road (R-513) and the construction site that is also within the ownership of the applicant.
- 1.4. Access to the site is currently from a construction entrance on the Emly Road (R-515). It is noted that a new access via Limerick Road (R-513) is currently under construction.

2.0 Proposed Development

2.1. *Application lodged on 6th July 2018*

- 2.1.1. The plans originally lodged for planning permission comprised the construction of 15 no. houses. The houses were two-storey and comprised 14 no. 3-bed, semi-detached houses and 1 no. 3-bed, detached house. The layout comprised a row of 11 no. houses along the southern boundary of the site, with 2 no pairs of semi-detached houses located at a 90-degree angle to the row of houses. Driveways were provided to the front of each dwelling with 2 no. car parking spaces each. The houses were traditional style with gable ended roofs, with a pitched roof feature on the front elevation.
- 2.1.2. An all-weather pitch was proposed along the northern boundary of the site with 3 no. additional areas of public open space. Open Space A was located in the centre of the site, Open Space B was located along the eastern boundary of the site, adjacent

to House Number 14, and 'Open Space C' was located in the south west section of the site between House Numbers 2 and 3.

- 2.1.3. Access to the site was proposed via a previously approved internal access road via Limerick Road (R513), which is currently under construction. The layout of the site allowed for access to future potential development lands, located to the east of the site.
- 2.1.4. The submission to the Planning Authority included a Design Statement and a Sustainability Statement.

2.2. ***Further Information lodged on 27th November 2018***

- 2.2.1. In response to the further information request an alternative scheme was submitted. The layout also accommodated 15 no. houses. The house types comprised 2 no. detached, 6 no. semi-detached and 7 no. terraced dwellings. 11 no. houses (Houses 1-5 and 10-15) are two-storey, 3-bed houses. These houses are traditional style with gable ended roofs. 4 no. houses (Houses 6-9) comprise a terrace of 2-bedroom dormer style bungalows.
- 2.2.2. The geometry of the internal access road was altered as part of the revised scheme which provided for staggered building lines. Driveways were provided to the front of 11 no. dwellings with communal on-street parking provided to the front of 4 no. terraced dwellings. In addition, 4 no. on-street visitor car parking spaces were proposed along the northern section of the internal access road.
- 2.2.3. The all-weather pitch was omitted and 3 no. areas of open space were provided. 'Open Space A' was located in the centre of the development. 'Open Space B' was located along the northern boundary with the R513 and was connected to 'Open Space A'. A smaller area of open space was also provided in the south-western section of the site, between House Number 2 and 3.
- 2.2.4. Documentation submitted with the response included a Stage 1 Road Safety Audit, a copy of the pre-connection agreement from Irish Water, a Foul and Storm Sewer Report and a lighting layout.

2.2.5. Revised public notices were advertised on the 1st December 2018.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Permission was granted subject to 36 no. conditions. The relevant conditions are noted below:

- **Condition no. 1:** Clarified that permission was granted for the revised scheme.
- **Condition no. 5:** omitted Houses 13, 14 and 15 and replaced them with 2 no. detached houses, the details of which are to be agreed with the Planning Authority.
- **Condition no 16:** Required boundary treatments to be agreed with the Planning Authority.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The initial Area Planners report (28th August 2018) raised concerns regarding the proposed development and recommended that 16 no. items of further information be sought which related to the following: -

- Letter of consent from adjoining land owner to ensure sightlines as previously proposed (reg. ref. 16/270) are achieved.
- A Road Safety Audit.
- Redesign of the scheme to provide a greater mix of house types.
- The proposed all weather pitch is premature, alternative uses to be considered.
- Evidence of a pre-connection agreement from Irish Water. Details of the WWTP serving the site.
- Details of the locations of manhole in accordance with Irish Waters specifications.
- Topographical survey required to determine the location of an existing foul sewer.
- Details of all wayleaves on the site.

- Details of car parking arrangements, the internal footpath and uncontrolled crossing points.
- Surface water proposals.
- Public lighting proposals.
- Details of proposed recreational facilities.

The final report by the Area Planner (19th December 2018) recommended that, subject to alterations, which included the omission of 3 no. houses and their replacement with 2 no. detached houses, permission should be granted subject to 36 no. conditions.

3.2.2. **Other Technical Reports**

Environmental Services (15th August 2018) recommended that conditions relating to waste management be attached to any grant of permission

Fire Authority – No objection

3.3. **Prescribed Bodies**

The initial report from Irish Water (6th July 2018) recommended that further information be sought regarding the following: -

- A pre-connection agreement is required;
- Knocklong Waste Water Treatment Plant is overloaded at present;
- There is a foul sewer running under the site; and
- Connections to the Water and Waste Water Infrastructure is subject to constraints of the Irish Water Capital Investment Programme

The final report (18th December 2018) recommended that permission be granted subject to conditions and again noted that proposed connections to the Water and Waste Water Infrastructure are subject to the constraints of the Irish Water Capital Investment Programme.

3.4. **Third Party Observations**

Two third-party submissions were received from (1) Ann Power and (2) The Sampson Family which raise the following concerns: -

- The 5 no. terraced houses along Emly Road are protected structures. It is proposed to demolish the rear laneway wall which is within the curtilage of protected structures. This issue has not been addressed in the application.
- The site is historically associated with the former Maypole Creamery and the Old Knocklong Creamery and is located within an Architectural Conservation Area. There are original structures retained on site and the development should complement these.
- The development will result in the loss of views for existing properties.
- The style and design of the houses is not in keeping with the local area.
- The proximity of Houses 10-15 to existing properties will result in overlooking.
- The proposed layout will obstruct vehicular access to the laneway to the side and rear of the 5 no. terraced houses on Emly Road.
- The development will negatively impact on the existing drainage and sewer infrastructure in the area. There are concerns regarding ground stability. Up-to-date infrastructure drawings have not been included.
- The development will overload the foul sewer network.
- The additional vehicular movements onto a heavily trafficked route will result in a traffic hazard.
- The development is out of character with the village and will result in the loss of green space.
- There are a number of vacant properties in the village. Therefore, there is no requirement for additional houses.
- The development description is incorrect as it does not include the demolition of a building.

4.0 **Planning History**

4.1. There are a number of previous planning applications on the overall site within the applicant's ownership. The relevant planning histories are summarised below.

Reg. Ref. 16/270 – Permission was granted in 2016 for amendments and modifications to previously approved scheme, Reg. Ref. 09/1131 (extended under 15/7038). The works included (a) the demolition of a disused creamery building, (b) incorporation of a portion of the site into an adjoining mixed-use site, (c) rearrangements of internal roads and car parking layouts and (d) outline permission for a two-storey retail unit. This application relates to the overall site within the applicant's ownership, which incorporates the subject site.

Reg. Ref. 09/1131 – Permission was granted in 2010 for (a) the restoration and conversion of the old creamery building into a retail unit and 2 no. apartments, (b) the conversion of an existing workshop building into 4 no. retail units, (c) the retention of an office building and (d) access arrangements, car parking and site works. This application relates to the overall site within the applicant's ownership, which incorporates the subject site. An Extension of Duration (Reg. Ref. 15/7038) was granted in 2015.

Reg. Ref. 08/1371 – Permission was refused in 2008 for the construction of 40 no. houses, 3 no. retail units and 2 no. offices. This application relates to the overall site within the applicant's ownership, which incorporates the subject site. The 3 no. reasons for refusal related to the (1) design and layout and lack of permeability, (2) traffic safety due to limited sightlines and (3) lack of capacity in the sewage network.

Reg. Ref. 04/3317 – Permission was granted in 2005 for the construction of 47 no. houses. This application relates to the overall site within the applicant's ownership, which incorporates the subject site.

PL13.205738 (Reg. Ref. 03/1210) – Permission was refused on appeal in 2004 for the construction of 45 no. houses in 3 no. phases. This application relates to the overall site within the applicant's ownership, which incorporates the subject site. The reason for refusal related to a traffic hazard, due to the restricted visibility at the entrance onto Emly Road (R515).

5.0 Policy and Context

5.1. Limerick County Development Plan 2010 – 2016 (Extended)

The settlement strategy identifies the village of Knocklong as Tier 5 - a small village with a range of infrastructural, social and community facilities. Appendix 1 provides additional details regarding the village of Knocklong. It states that the village had a population of 239 persons in 2006. There is a combined public sewer system in Knocklong which has poor capacity and there is limited assimilative capacity in the receiving water.

The relevant Policies and Objectives of the Limerick County Development Plan are set out below.

- Policy CP 04 - Settlement hierarchy
- Policy CP 05 - Zoned lands
- Policy CP 08 – Design
- Policy SS P10 - Sustainable development of tier 5 settlements.
- Objective SS O1: Scale of development within tiers 2-6
- Objective SS O2: Design of development within tiers 2-6
- Objective SS O3: Capacity of town/ village to absorb development
- Objective SS O4: Sequential growth of settlements
- Objective SS O5: Prevention of urban sprawl
- Objective SS O6: Compliance with other guidelines
- Objective SS O8: Infrastructure in all settlements
- Objective SS O14: Development within tier 5 settlements
- Policy HOU P 3: High Quality Living Environment
- Policy HOU P 6: Existing Residential Areas
- Objective HOU O1: Density of Residential Developments.
- Objective IN O29: Water Services and Settlement strategy
- Chapter 10 – Development Management Guidelines is also relevant

5.2. *National Planning Framework (2018)*

5.3.1 The relevant policies of the National Planning Framework which relate to creating high quality urban places and increasing residential densities in appropriate locations are set out below.

- Policy Objective 4
- Policy Objective 6
- Policy Objective 11
- Policy Objective 33
- Policy Objective 35

5.3. **National Guidance**

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Area (2009).
- Urban Design Manual, A Best Practice (DOEHLG, 2009)
- Design Manual for Urban Roads and Streets DMURS (2013)

5.4. **Natural Heritage Designations**

There are no relevant designated areas within the immediate vicinity of the site.

5.5. **EIA Screening**

5.5.1. Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded. An EIA - Preliminary Examination form has been completed and a screening determination is not required.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

A third-party appeal was submitted by Ann Power, whose property is located to the north of the subject site on Emly Road. The issues raised are summarised below: -

- The proposed location of the northern boundary wall would obstruct vehicular access to the existing laneway located to the side and rear of the 5 no.

terraced houses on Emly Road. Particular concerns is raised regarding access for emergency vehicles. A drawing showing the existing and proposed boundary wall has been submitted.

- The 5 no. terraced houses along Emly Road are Protected Structures. It is proposed to demolish the rear boundary wall of the laneway, which is within the curtilage of protected structures. This issue has not been addressed.
- The site is within an Architectural Conservation Area. This issue has not been addressed.
- The development is out of character with the village and would be visually obtrusive from the village centre.
- The development would result in the loss of views for existing properties
- The proximity of Houses 10-15 to existing properties will result in overlooking.
- The development would negatively impact on the existing drainage and sewer infrastructure in the area. These issues have not been adequately addressed. Up-to-date infrastructure drawings have not been submitted.
- The additional vehicular movements onto a heavily trafficked route would result in a traffic hazard.
- There are a number of vacant properties in the village. There is no requirement for additional houses.
- The development description is incorrect as it does not include the demolition of a building.

6.2. Applicant Response

6.2.1. The response is summarised below.

- The layout of the scheme has been misinterpreted. It is proposed to widen the access laneway to the side and rear of the existing houses on Emly Road by 1m. Therefore, it will not obstruct vehicular movements, in fact, it will improve access arrangements. With regard to access for emergency vehicles it is stated that they would not use the laneway at the side and rear of the terrace as the houses front directly onto a regional road, which would be utilised in an emergency.
- The architectural merit of the terrace of 5 no. houses on Emly Road is acknowledged, however, they are not protected structures. It is noted that

they are recorded in the National Inventory of Architectural Heritage (NIAH). However, the proposed development will not impact on and does not include any works to a protected structure. It is also noted that the site is not located within an Architectural Conservation Area.

- The scheme, which is located in the centre of an existing village, has been designed to ensure that there are no negative impacts on existing residential amenities. Houses 10-15 are sited at a right angle to the houses on Emly Road and do not overlook these properties.
- With regard to the stability of the site and drainage concerns raised the applicant has stated that this is untrue. There are no issues of concern on the site. It is noted that the site is located approx. 5m above a stream located to the north east of the site. Due to the topography of the site drainage is not an issue. A revised drawing has been submitted with the appeal which shows the location of the stream.
- Neither the Planning Authority or Irish Water have an objection to a connection to the waste water treatment plant. It is considered that the site watermain layout and the sewerage layout drawings were misinterpreted. The plans are not out-of-date. They were prepared on the most up to date site layout plan and submitted by way of further information on the 27th November 2018.
- The development will not result in a traffic hazard. The scheme comprises only 15 no. houses and 90m sightlines have been provided in both directions. A Road Safety Audit has been carried out for the scheme. In addition the Planning Authority has confirmed that the estimated level of traffic can be accommodated on the surrounding road network.
- There is not an oversupply of housing in Knocklong. There are a very limited number of houses for sale in the village, some of which are in very poor condition. There has been no speculative housing built in the village for a number of years and there is a requirement for 3-bed semi-detached properties. The provision of additional houses will make local services in the village more viable.
- It is clarified that the proposed works do not include any demolition.

6.3. **Planning Authority Response**

None

6.4. **Observation**

An observation was submitted by the Sampson Family, whose property is located to the west of the subject site. The issues raised are summarised below: -

- The site is historically associated with the former Maypole Creamery and the Old Knocklong Creamery and is located within an Architectural Conservation Area. There are original structures on site and the development should complement these. The observers' property, Maypole Cottage, located to the west of the subject site is a protected structure. There are a number of protected structures which adjoin the site. If the site is developed the context of the protected structures will be lost.
- An Bord Pleanála previously refused permission for development on the subject site (Reg. Ref. 08/1371, Reg. Ref. 03/1220 and Reg. Ref. 09/1131).
- Clarity is required regarding the boundary treatment for Houses 1 and 2 which adjoin the observers' property. There is also conflicting information regarding the house types provided at Houses 1 and 2. It is unclear if they are single or two-storey. There are concerns of overlooking from Houses 1 and 2 if they are two-storey.
- The sewerage system is overloaded and does not have capacity for additional housing. There are concerns that the proposed development will result in leakage or flooding to surrounding dwellings.
- If the levels of the site are raised surrounding properties would be liable to flooding.
- The local road network experiences heavy traffic at peak periods. The proposed development cannot be accommodated and would result in a traffic hazard.
- A detailed account of the services and facilities that are unavailable in the village have also been noted.
- There are concerns regarding the removal of asbestos from the Creamery building.

6.5. Further Responses

The Applicant

6.5.1. The Applicant has responded to the Observation by the Sampson Family and included additional drawings. The submission is summarised below: -

- A drawing from Limerick City and County Council's Conservation Officer has been submitted, which shows that there are no protected structures within or adjoining the subject site. The drawing shows that 1 no. building within the site (a warehouse) and 10 no. properties adjoining the subject site are on the NIAH. In consultation with the Local Authorities Conservation Officer an additional building within the site, which was previously in use as an office associated with the creamery, has recently been renovated to ensure its preservation.
- The development has been designed to minimise the impact on adjoining properties and the proportions of the house types reflect the existing character of the village.
- Clarity has been provided around the planning history of the site. In particular, it is noted that permission was granted for Reg. Ref. 09/1131 and permission was previously granted for 47 no. houses on the overall site (Reg. Ref. 04/3317).
- It is intended to provide high quality boundary walls within the site. Photographs have been included with the submission, which show the poor condition of some of the existing boundary walls. The new walls will be constructed with salvaged brick from the site. There are no houses proposed adjoining the observers house, as shown on drawing no. 1511-29-43 of the submission.
- Both Irish Water and the Planning Authority have confirmed that there is capacity in the waste water treatment plant. Wastewater proposals will not result in a detrimental impact on adjoining properties.
- The proposed development will not result in a traffic hazard.
- Permission was granted in 2000 (Reg. Ref. 00/416) for 2 no houses. These are the last houses to have been constructed in the village, almost 20 years ago. The village has recently lost a number of services (post office and a

childcare facility). Additional houses and population is required to ensure the viability of the village.

- All asbestos on the site has been removed by specialists and all documentation relating to its removal is available from the Planning Authority.

6.5.2. Condition 5 omitted Houses 13, 14 and 15 and replaced them with 2 no. detached houses, the details of which are to be agreed with the Planning Authority. The applicant considers that permission for 15 no. houses, as submitted by way of further information, should be permitted on site.

The Sampson Family

6.5.3. The observers, the Sampson Family, have submitted 2 no. responses to the Applicants response to the appeal and observation. The detailed submissions reiterate concerns raised in the observation and notes the followings:-

- The proposed widening of the laneway, which adjoins the site to the north, will require the demolition of an existing boundary wall.
- Condition no. 10 attached to the grant of permission requires the provision of 2m high boundary walls to the rear of all existing neighbours. There is already a wall to the rear of the observer's house (Maypole Cottage) therefore there is no requirement for a wall. Clarity is required as to which walls are to be demolished and retained.
- Residents of Emly Road previously had a pedestrian access to the site and allotments. A drawing has been submitted which shows the location of the allotments.
- There have been substantial changes to the development by way of further information, and there were only two weeks' notice to make observations to the revised scheme. The alterations have caused confusion.
- A list of 7 no. properties located within and adjoining the site are recorded in the NIAH and a statutory process to place these buildings on the record of protected structures will begin at the end of the year (2019). The proposed development and the construction on site will negatively impact on these structures.

- Clarity is required over which building on site received a financial grant aid from the Planning Authority.
- Tourism uses could be facilitated in Knocklong. A brief history of the creamery during the War of Independency has been provided.
- Due to the location of a natural spring on site there were a variety of species on the site, including bats, frogs, hawks, jackdaws when the site was in use as a creamery. A drawing has been submitted showing the location of the spring.
- The character and history of Knocklong is unique and the style and design of the proposed development is not in keeping with the village.
- There is no community gain with the development.
- Clarity is required regarding the potential future development plans to the east of the site.
- Concerns are raised over the previously approved retail units on site and their impact on the village.
- It is noted that a connection agreement has been provided by Irish Water however as no upgrade of the waste water treatment plant has taken place there are concerns that the proposed development will result in leaking and flooding of adjoining properties. Permission was previously refused (Reg. Ref. 09/1131) due to a lack of sewer capacity.
- Additional tests are required to determine the presence of asbestos on the canopy of the creamery building.

7.0 **Assessment**

7.1. **Introduction**

7.1.1. This appeal refers to the proposed development of 14 no. houses, as granted by the Planning Authority on the 20th December 2019. The following assessment focuses on that proposal, with reference to the original scheme and the scheme submitted as further information, where appropriate.

7.1.2. The main issues in this appeal relate to protected structures, residential and visual amenities, water services and traffic. Appropriate Assessment requirements are also

considered. I am satisfied that no other substantial planning issues arise. The main issues can be dealt with under the following headings:

- Protected Structures
- Residential and Visual Amenities.
- Water Services.
- Traffic.
- Appropriate Assessment.

7.2. ***Protected Structures***

7.2.1. Concerns have been raised in the appeal and observation that the proposed development will negatively impact on the setting of existing protected structures, both within and adjoining the site. It is stated that the terrace of 5 no. houses to the north of the site and 1 no. dwelling to west of the site are protected structures. It is also stated that Knocklong village is designated as an Architectural Conservation Area.

7.2.2. The Limerick County Development Plan 2010-2016 (as extended) sets out details of all protected structures and Architectural Conservation Areas in the County. There are no protected structures within or adjoining the site. However, buildings both within and adjoining the site are listed on the NIAH. In addition, the village of Knocklong is not located in an Architectural Conservation Area.

7.2.3. It is noted that an office building within the site has recently been renovated, in consultation with the Local Authorities Conservation Officer, to ensure its preservation.

7.3. ***Residential and Visual Amenity***

The Planning Authority decided to grant permission for a revised scheme of 14 no. houses (5 no. detached, 6 no. semi-detached and 4 no. terraced dwellings) centred around an area of open space. 10 no. houses are traditional two-storey style dwellings. The terrace of 4 no. dwellings, located in the south east section of the site, are dormer style bungalows. The geometry of the internal access road allows for staggered building lines and, in my opinion, the development is a natural extension

to the previously approved mixed-use scheme (Reg. Ref. 16/270 and Reg. Ref. 09/1131) in the western section of the overall site.

- 7.3.1. Knocklong is identified as a Tier 5 settlement. Objective SS O1 states that generally a maximum of 10-12 units should be provided per residential scheme in Tier 5 settlements. Objective SS O14 of the Development Plan sets out guidance for residential development in Tier 5 Settlements. It notes that the scale of new schemes should be in proportion to the pattern and grain of existing development and should enhance the existing village character and create or strengthen a sense of identity and distinctiveness for the settlement.
- 7.3.2. The proposed scheme has a density of 8 units per hectare. It is an objective of the National Planning Framework to increase residential densities in appropriate locations to avoid the trend towards predominantly low-density commuter-driven developments. In addition, Section 6.9 of the Sustainable Residential Development in Urban Areas, 2009 recommends a density of between 30-40+ dwellings per hectare, within centrally located sites, in a smaller town or village. Objective HOU O1 of the Development Plan encourages increased densities in accordance with the Sustainable Residential Development in Urban Areas, 2009 which contribute to the enhancement of a village.
- 7.3.3. Having regard to the location of the site to the village centre of Knocklong it is considered that a higher density could be achieved on the site. However, having regard to the generous area of open space provided, the office and retail development currently under construction, to the west of the subject site, Objective SS O14 and the existing pattern of development in Knocklong, it is my view that the proposed density and layout is acceptable in this instance.
- 7.3.4. Concerns have been raised by both the appellant and the observer regarding the proximity of the proposed houses to the site boundaries, in particular along the north and west boundaries, and the potential negative impacts on existing residential amenities, in terms of overlooking.

- 7.3.5. Houses 1, 2 and 3, which are located along the western boundary of the site, are two-storey houses, approx. 8.8m in height. The rear building line of Houses 1 and 2 are located approx. 13m from the western boundary of the site, with an adjoining property, and approx. 22m from the house. The side (western) elevation of House 3 is located approx. 3m from the western boundary, with an adjoining house, and approx. 22m from the house. Having regard to separation distances it is considered that subject to the first-floor window of House 3, which serves a landing area, being permanently obscured with opaque glazing, the development would not result in undue overlooking of the existing property to the west of the site.
- 7.3.6. House 15 which is located adjacent to an area of open space along the northern boundary of the site is a two-storey house with approx. 8.8m in height. The front building line of the house is located approx. 13m from the laneway to the rear of properties on Emly Road and approx. 23m from the rear building line of the houses. Having regard to the separation distances it is considered that the development would not result in undue overlooking of the existing properties to the north of the site.
- 7.3.7. Concerns were also raised that the proposed development is out of character with the area and would have a negative impact on the existing visual amenities of the village. The site is not subject to any landscape designations for natural heritage or scenic amenity. It was previously in use as a creamery with associated buildings. These buildings have been retained on the site and are currently being renovated to provide office and retail accommodation. Having regard to the scale and design of the development and the existing pattern of development, which includes a residential scheme of 12 no. houses 'Railway Close' to the south of the subject site, it is my view that the proposed development would not be out of character with the village or have a negative impact on the visual amenities of the area.

7.4. **Water Services.**

- 7.4.1. Concerns have been raised that the sewerage and drainage network is not suitable to accommodate the proposed development.

- 7.4.2. The site is not subject to flooding. Details of the proposed attenuation area and discharge of surface water to the public system have been provided in the Foul and Storm Sewers report, submitted as further information. The Planning Authority's Area Engineer raised no concerns regarding the drainage proposals for the site. Having regard to the information submitted I am satisfied that the proposed arrangements are sufficient to cater for surface water relating to the site.
- 7.4.3. It is noted that a pre-connection agreement from Irish Water was submitted by way of further information. The initial submission from Irish Water noted that the Knocklong Waste Water Treatment Plant (WWTP) was overloaded. Their final submission states that proposed connections to the Water and Waste Water Infrastructure are subject to the constraints of the Irish Water Capital Investment Programme.
- 7.4.4. The Planning Authority did not raise any concerns regarding the capacity of the WWTP.
- 7.4.5. No details of the WWTP have been submitted with the application, however it is noted that Limerick County Council applied for a Waste Water Discharge Certificate of Authorisation for Knocklong in 2011. The associated EPA Inspectors report on the application is attached. It notes that the Knocklong WWTP has a population equivalent (p.e.) of 468 and is at capacity. The WWTP discharges to the Camoge River.
- 7.4.6. The information available indicates that the existing WWTP is at capacity. In this context, it is considered that to allow 14 no. additional connections to an overloaded system would exacerbate an already unsatisfactory situation and would impact on the quality of the discharge to the River Camoge. In my opinion the treatment plant should be upgraded prior to any additional loadings being permitted.
- 7.4.7. Having regard to the deficiencies in the existing public waste water treatment plant in Knocklong, there is a potential for waste water discharges from the treatment plant to impact on water quality. The proposed development would therefore be prejudicial to

public health. It is, therefore, recommended that the appeal be upheld with regard to the potential impact on water quality and permission be refused on this basis.

7.5. **Traffic.**

- 7.5.1. Concerns have also been raised in the appeal and observation that the additional vehicular movements generated by the proposed development would negatively impact on the capacity of the surrounding road network and would result in a traffic hazard.
- 7.5.2. Access to the development is proposed from an internal road via a previously approved access onto Limerick Road (R513). The road is approx. 5.5m in width with approx. 1.8m wide footpaths on either side. Drawing no. 1511-29-31, submitted by way of further information, shows the provision of driveways for 11 no. houses and 4 no. on-street communal spaces to serve the dormer bungalow style houses located in the south east section of the site. An additional 4 no. visitor car parking spaces have been provided along the northern section of the internal road. A vehicular link to a potential future development site has been provided along the eastern boundary of the site.
- 7.5.3. Having regard to the limited number of trips potentially generated by the proposed scheme, it is considered that the development is unlikely to have a significant impact on the capacity of the surrounding road network. Any queuing which does occur due to traffic flows on Limerick Road will be within the site and will not impact on the road network. In conclusion, I do not consider the proposal would result in a traffic hazard or generate any road safety issues. Therefore, permission should not be refused on traffic related issues.

7.6. **Appropriate Assessment.**

- 7.6.1. Having regard to the nature and small scale of the proposed development and the distance from the nearest European site, 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 permission be refused for the reasons stated in the attached schedule.

9.0 Reasons and Considerations

1. It is considered that the proposed development would be premature by reference to the existing deficiencies in the Knocklong Waste Water Treatment Plant with the potential for indirect impacts on the water quality of the River Camoge. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

Elaine Power
Planning Inspector

13th May 2019