



An
Bord
Pleanála

Inspector's Report ABP-305237-19.

| | |
|-------------------------------------|--|
| Development | Construction of 74 no. residential units and all associated ancillary development works. |
| Location | Abbey Farm, Inislounaght and Ballingarrane, Cahir Road, Clonmel County Tipperary. |
| Planning Authority | Tipperary County Council. |
| Planning Authority Reg. Ref. | 18/601378. |
| Applicant(s) | Meldon Ltd. |
| Type of Application | Permission. |
| Planning Authority Decision | Grant Permission |
| Type of Appeal | Third Party v decision to grant |
| Appellant | Conal O'Reilly. |
| Observer | None. |
| Date of Site Inspection | 31 st October, 2019. |
| Inspector | A. Considine |

1.0 Site Location and Description

- 1.1. The site is located to the south west of the town of Clonmel, and to the south of the R707 adjacent to a residential area. The railway line lies to the north of the site with the subject site approximately 170m from the Ballingarrane Roundabout on the Frank Drohan Rd, the N2. To the north of the site, there is an established retail commercial development, Poppyfield Retail park and the Clonmel Park Hotel with residential property lying immediately to the east. The subject site lies approximately 2km to the west of the town centre of Clonmel, Co. Tipperary. The site itself, is a greenfield, edge of town site, currently in agricultural use.
- 1.2. The wider area adjacent to the site include a variety of uses including low to medium density residential to the east, together with commercial uses to the north. Adjacent residential estates include a mix of detached and semi-detached houses and there is a large pre-school facility at the proposed entrance to the site. Clonmel Railway Station is located approximately 3km to the north east of the site.
- 1.3. The site has a stated site area of 3.101ha and has a road frontage of approximately 40m with access to the site located off the main road and from the existing estate roads in the vicinity. The shape of the site is rectangular, long and linear.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of 74 no. residential units and all associated ancillary development works including connection to all public services, vehicular and pedestrian access, parking, footpaths, drainage, landscaping and amenity areas all at Abbey Farm, Inislounaght and Ballingarrane, Cahir Road, Clonmel County Tipperary.
- 2.2. The development proposes a variety of detached, semi-detached and terraced houses comprising 4 no. 2 bedroom houses, 55 no. 3 bedroom houses and 15 no. 4 bedroomed houses. The floor area of the houses range from 81.4m² to 172.6m². The proposed site layout also provides for car parking and public open space. The house designs provide for two storey dwelling with a variety of materials to include nap plaster finishes, brick finishes, with slate roofs and uPVC windows. Soffits will be white uPVC and fascias, gutters and downpipes will be black uPVC.

2.3. A number of reports and documents were submitted in support of the proposed development including:

- Relevant Plans and Particulars
- Planning & Design Statement
- Design Statement
- Development Impact Assessment
- Infrastructure Report
- Junction Capacity Assessment
- Part V Proposal
- Part V Agreement in Principle

Following the submission of the response to the FI request, the applicant sought to address the issues raised and submitted the following documents:

- Traffic and Transport Assessment
- Outdoor Lighting Report and Lighting Layout drawing
- Infrastructure Report
- Site Boundary Treatment Plan

3.0 **Planning Authority Decision**

3.1. **Decision**

Following the submission of response to the further information request, the Planning Authority decided to grant planning permission for the proposed development, subject to 23 conditions.

3.2. **Planning Authority Reports**

██████████ Planning Report

The Planning Officers initial report considered the proposed development in terms of the requirements of the Development Plan, the density and dwelling mix, design &

residential amenity, visual impact and landscaping, public open spaces, roads and traffic issues as well as the comments and submissions from internal departments and external bodies, including third party objectors. The report also includes AA and EIA Screening.

The report recommends that FI is sought with regard to a number of issues including as follows:

- Traffic and Traffic issues
- Water service issues including surface water, water pressure issues
- Boundary treatments

Following receipt of the response to the FI request, the final planners report notes that the issues raised have been dealt with or can be dealt with by condition. The report acknowledges the third-party submissions. The report recommends that permission be granted.

Other Technical Reports

Road Design Office: Report notes that while there will be an impact, the existing roundabout will have sufficient capacity following the new development. There is no commentary in the traffic assessment regarding the impact on the Ballingarrane Roundabout and potential queuing at the R707 Cahir Road leg approach during peak hours. Clarification is required to explain the discrepancy between the Trip Generation Flows from the existing residential development and those from the proposed development. In addition, the development potential of adjacent lands to the west should also be assessed in terms of traffic onto the Cahir Road. Further information is required.

Following the submission of the response to the FI request, a further report was submitted by the Road Design Engineer. The report noted that issues raised have been addressed and concludes that the Roads Capital Office has no objections to the proposed development.

Tipperary Childcare Committee: No objections to the proposed development.

Housing Department: Part V agreement in principle is in place.

Clonmel Town Engineer: The report, having no objection in principle, recommends that further information be sought in relation to a number of issues including landscaping, heights of boundary walls, location of public lighting, traffic calming measures and road widths, car parking, surface water design layout and surface water hydrocarbon treatment, location of road gullies and finished floor levels.

Following the submission of the response to the FI request, a further report was submitted by the Area Engineer. The report noted that all of the issues raised have been addressed except for some surface water issues and the finished floor levels of the houses. These issues are summarised as follows:

- The applicant is requested to demonstrate as to how they intend to control the discharge from the surface water manhole S.01 to 13.4 litres/sec.
- Finished floor levels should be at least 225mm higher than the road levels directly outside each of the houses.

Housing Department: Part V Agreement in Principle is in place.

Prescribed Bodies

Gas Networks Ireland: No comment.

Iarnrod Eireann: Recommends conditions to be included in any grant of permission relating to surface water discharge onto the railway property, light spill onto the tracks, any services required to cross railway property must be the subject of a licence and all works on or adjacent to the railway are required to meet the terms of the Railway Safety Act, 2005.

Following the submission of the response to the FI request, a further report was submitted by Iarnrod Eireann advising no further observations or recommendations.

Irish Water: No objection but notes that planning will be required for the water booster kiosk at the entrance to the existing Gort na Manach Estate – to be sought in a separate application.

Third Party Observations

There are 23 third party submissions in relation to the proposed development. Issues raised are summarised as follows:

- Water pressure in the area is already very poor and often cuts out leaving residents without water or heating. The additional houses will put further strain on the services.
- Roads and traffic safety issues relating to the potential to access the site via an existing cul-de-sac in the existing estate. The layout needs to be changed to eliminate the potential link to the existing cul-de-sac.
- There have been a number of accidents on the roundabout in front of the estate. The proposed development will exacerbate this issue.
- Accuracy of the data submitted in the Preliminary Traffic Assessment is questioned. The timing of the survey is also raised as a concern, as it was conducted during the summer and doesn't give a true reflection of the traffic in the immediate vicinity.
- Impacts on property values in Gort na Manach, Fan Aoibhinn and Abbey Meadows.
- Impacts on privacy of existing houses.
- Loss of views of the Knockmealdown Mountains and the Countryside.
- Additional houses and trees will block sunlight into existing back gardens.
- Previous permission on the site was for 64 houses not 74.
- The proposed location of Part V houses is questioned.
- Issues with public notices raised.
- Increase in noise and traffic would impact existing residential amenities.
- Inadequate footpath infrastructure and pedestrian safety issues
- The developer does not clearly outline development plans for the future development of adjoining lands.
- Issues raised regarding the process and the limited resources of the public who are not familiar with the system.
- There was no consultation with the local community.

- Density of the proposed development does not reflect that of existing residential developments in the area.
- Questions raised regarding the location of the proposed localised pressure booking and will the existing residential estate benefit from it. Also, questions as to whether the pipe arrangements proposed fully align with the IW code of practice.
- No shadow analysis provided.
- Questions if the development complies with DMURS.
- Previously permitted layout is more favourable.

Following the submission of the response to the further information request, 6 further objections / submissions were received by Tipperary County Council. The issues raised are summarised as follows:

- The proposal is not in compliance with proper planning and does not comply with many of the guidelines in national and local documents.
- Local schools are at capacity and are not within walking distance of the site.
- Public transport is limited and the two bus stops referred to by the applicant are not in use. Bus Eireann will not stop at them.
- Housing density remains too high.
- Issues raised regarding the lack of integration of Part V units.

4.0 Planning History

The following is the relevant planning history pertaining to the subject site:

P.A. Reg. Ref. 06/550178: Permission granted in June 2018 for the construction of 65 no. dwellings. An extension of the appropriate period was granted in 2012, which expired in April, 2017.

Planning history of adjacent sites:

Gort na Managh estate:

P.A. Reg. Ref. 05/550043: Permission granted for the construction of 72 houses and a childcare facility, complete with external works and site development

works, the proposed development will be accessed from the Poppyfield Roundabout and will comprise 9 detached two storey 5 bedroom houses, 27 detached two storey 4 bedroom houses, 26 semi-detached two storey 4 bedroom houses, 10 detached dormer type 4 bedroom houses and a single storey childcare facility, all at Abbey Farm, Inishlounaght, Cahir Road, Clonmel

P.A. Reg. Ref. 06/550110: Permission granted to retain and complete single storey extension to the rear of Houses Nos. 7, 17, 21 and 22 in development under construction, (Reference no. 05/43- 72 houses and a childcare facility). The extension will be single storey and will comprise a sunroom / conservatory accessed from the dining area in each house at "Gort na Managh", Cahir Road, Clonmel, Co. Tipperary

P.A. Reg. Ref. 07/550107: Permission granted to alter the layout and proposed house types on part of the site and to incorporate the total number of houses from 72 to 74, existing planning permission ref. no. 05/43. The proposed changes are to the Cul-de-Sac at the southern end of the site and will include the following: omit 9 No. Houses Nos. 53 - 60 inclusive and No. 72 (4 No. 3 bedroom single storey houses Type 53b) and 5 no. 4 bedroom dormer type house Type 54Dr/54DRH) Re Number Houses Nos. 61-71 inclusive as Nos 62-72, Add back 11 No. Houses to be numbered 53 - 61 inclusive and Nos. 73-74 (4 No 2 storey Semi Detached 3 Bedroom House Type 3TA1 / 3TA1H) 5 No. 2 storey detached 4 bedroom house type 54C1 / 54C1H, 2 no. 2 storey detached 5 bedroom House Type 55C1/55C1H) Changes to external works and to site development works will also be included all at Gort na Managh, Abbey Farm, Cahir Road , Inislounaght, Clonmel

P.A. Reg. Ref. 09/550028: Permission granted to construct single storey extension to the rear of Houses Nos. 53, 54, 55, 56, 57, 60 and 61 in their development under construction (planning ref. 05/43, 72 houses and a Childcare facility) and ref. no. 07/107. The extensions will be single storey and will comprise a sunroom / conservatory accessed from the dining area in each house all at Gort na Managh, Abbey Farm, Cahir Road , Inislounaght, Clonmel.

Undeveloped area to the south of Gort na Managh and Fan Aoibhinn estates:

P.A. Reg. Ref. 17/601211: Permission refused to extend the duration of planning permission PL ref 07/550107 on the basis that the proposal did not satisfy

the requirements of Section 42(1A)(a)(ii)(IV)(B) of the Planning and Development Act and substantial works were not carried out.

P.A. Reg. Ref. 19/600097: Permission granted for the completion of infrastructural work commenced under previous Permissions Nos. 05/43 and 07/107 and to construct 22 no. two-storey houses complete with external works and site development works, on their site. The development will include 10 no. detached 4-bedroom houses; 8 no. semi-detached 4-bedroom houses and 4 no. semi-detached 3-bedroom houses and will represent completion of the final phase of Gort na Manach all at Gort na Managh, Abbey Farm, Cahir Road, Inislounaght, Clonmel.

5.0 Policy Context

National Policy / Guidelines

5.1. Sustainable Residential Development in Urban areas, Guidelines (DoEHLG, 2009):

These statutory guidelines update and revise the 1999 Guidelines for Planning Authorities on Residential. The objective is to produce high quality – and crucially – sustainable developments:

- quality homes and neighbourhoods,
- places where people actually want to live, to work and to raise families, and
- places that work – and will continue to work - and not just for us, but for our children and for our children’s children.

The guidelines promote the principle of higher densities in urban areas as indicated in the preceding guidelines and it remains Government policy to promote sustainable patterns of urban settlement, particularly higher residential densities in locations which are, or will be, served by public transport under the *Transport 21* programme.

Section 5.6 of the guidelines suggest that there should be no upper limit on the number dwellings permitted that may be provided within any town or city centre site, subject to the following safeguards:

- compliance with the policies and standards of public and private open space adopted by development plans;
- avoidance of undue adverse impact on the amenities of existing or future adjoining neighbours;
- good internal space standards of development;
- conformity with any vision of the urban form of the town or city as expressed in development plans, particularly in relation to height or massing;
- recognition of the desirability of preserving protected buildings and their settings and of preserving or enhancing the character or appearance of an Architectural Conservation Area; and
- compliance with plot ratio and site coverage standards adopted in development plans.

5.2. **Design Manual for Urban Roads and Streets (DEMURS), DoTTS, March 2013**

In terms of the design of the proposed development, including the entrance and access to the site, it is a requirement that they be considered against the Design Manual for Urban Roads and Streets (DEMURS), DoTTS, March 2013. This Manual replaces DMRB in respect of all urban roads and streets and it does not differentiate between public and private urban streets, where a 60kph speed limit or less applies. The implementation of DMURS is obligatory and divergence from same requires written consent from relevant sanctioning authority (NRA, NTA or DTT&S). The Manual seeks to address street design within urban areas (i.e. cities, towns and villages) and it sets out an integrated design approach.

5.3. **Development Plan**

█ The Clonmel and Environs Development Plan, 2013, as varied is the relevant policy document pertaining to the subject site. The western boundary of the subject site comprises the zoned boundary limits of the town of Clonmel.

The site is located within an area zoned 02 'New Residential' where it is the stated objective 'to provide for new residential development.' This zoning extends to the south of the subject site and to the south of the existing residential estate, Gort na

Manach and Fan Aoibhinn, to the east. Further south the zoning is 10 'Environs', with the stated objective 'to protect lands for the future expansion of Clonmel.'

The lands immediately to the east of the site, including the existing residential estates as mentioned above, is zoned 01 'Residential' where it is the stated objective 'to preserve and enhance existing residential amenity including avoiding excessive overlooking, reduction in general safety and the reduction in the general usability and security of existing public and private amenity space.'

Chapter 6 of the plan deals with Housing and Section 6.3 relates to New Residential Development. Section 6.4 deals with layout, density and design of new residential development where 'the successful integration of new housing development with its surround context is one of the most important elements in fostering sustainable neighbourhoods and sustainable patterns of movement.' The Plan places emphasis on the design of houses together with open space, roads, footpaths and linkages with existing facilities and services. The following policies are considered relevant:

- Policy HSG 2: New Residential Development is relevant and states that 'It is the policy of the Council to facilitate sustainable residential development on new residentially zoned lands subject to the policies and relevant criteria set out in this Plan being satisfied. Where Part V of the Planning and Development Acts 2000 – 2013 applies the application must also be supported by a Development Impact Assessment (DIA) (see Section 9).'
- Policy HSG 3: Urban Densities states that 'it is the policy of the Council to encourage a range of densities and housing types and styles having regard to neighbouring developments, the urban form of the town and the objectives of proper planning and sustainable development in order to provide a balanced pattern of house types throughout the town and within developments.'
- Policy HSG 4: Residential Amenity state that 'it is the policy of the Council to seek the provision and suitable management of Local Area's for Play and Local Equipped Areas for Play in new residential developments in accordance with the criteria set out under Chapter 9 Development Management. All new residential development will be required to comply with the amenity/open space standards set out under Chapter 9 Development Management.'

Chapter 9 of the Plan deals with Development Management Guidelines where Section 9.9 deals with Multi Unit Residential Developments and Section 9.10 Development Impact Assessments.

5.4. Natural Heritage Designations

The nearest Natura 2000 site is the Lower River Suir SAC (Site Code 002137) located c 565m south of the site.

The Marfield Lake pNHA (Site Code 001981) lies approximately 615m to the west.

5.5. Environmental Impact Assessment

Having regard to the nature of the subject site, together with the scale of the proposed development, 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 at preliminary examination and a screening determination is not required.

6.0 The Appeal

This is a third party appeal from Mr. Conal O'Reilly against the decision of the Planning Authority to grant permission for the proposed development.

6.1. Grounds of Appeal

The grounds of appeal are similar to those issues raised during the PAs assessment of the proposed development and can be summarised as follows:

- The principle of the development is welcome but would be greatly improved by the better integration of Part V housing by dispersal through the development and the lowering of housing density on the site which would improve the development and have less of an impact on neighbouring developments who share the same entrance on the Poppyfields roundabout.

It is requested that the Board take the above suggestions on board.

6.2. Applicant Response

A response to the third-party appeal by Mr. O'Reilly, was submitted by McCutcheon Halley Planning Consultants, on behalf of the applicants, may be summarised as follows:

- The locating and selection of Part V houses was in accordance with the requirements of the PA.
- The proposed density is above the requirements of the Council but below the national requirements. The SEP considered the density acceptable.

In addition to the above, the First Party makes the following submission:

- The bus service referred to in the response to FI request relates to a local bus service operated by a private operator. The service operates Monday to Friday.
- The frequency of trains to and from Clonmel Station is outside the control of the applicant.
- There was no requirement to develop a LEAP (Local Equipped Areas for Play).
- While the site is located 3km from the town centre, it is identified as an outer suburban / greenfield site and is zoned for residential purposes.

It is requested that the Board support and grant permission for the development.

6.3. Planning Authority Response

The Planning Authority submitted a response to the third party appeal. The submission is summarised as follows:

- The PA considers the location and distribution of Part V dwellings as acceptable.
- The PA considers that the density of the proposed development is appropriate for the site having regard to the edge of town location, the prevailing density and character of this location and the availability of services. The proposed development achieves an appropriate balance between the guided density in

the Clonmel & Environs Development Plan 2013 and national guidance / standards.

It is requested that the decision of the PA to grant permission be upheld.

6.4. **Observations**

None received.

7.0 **Assessment**

Having undertaken a site visit and having regard to the relevant policies pertaining to the subject site, the nature of existing uses on and in the vicinity of the site, the nature and scale of the proposed development and the nature of existing and permitted development in the immediate vicinity of the site, I consider that the main issues pertaining to the proposed development can be assessed under the following headings:

1. Principle of development
2. Compliance with National Guidelines & Standards, the Development Plan & General Development Standards
3. Roads & Traffic
4. Water Services
5. Other Issues
6. Appropriate Assessment

7.1. **Principle of development**

█ The proposed development site is located within the settlement boundary of the town of Clonmel in South County Tipperary. The site is zoned New Residential in the Clonmel and Environs Development Plan and this zoning objective is 'to provide for residential development.' The proposed development seeks planning permission for the construction of 74 houses on a site which covers 3.101ha. Having regard to the nature of the proposed development, together with the location of the subject site on the outer limits of the town, I am generally satisfied that in principle, there is no

objection to a residential development at this site. Site issues in relation to design and layout are however required to be considered in advance of a positive decision issuing. These issues are discussed further below.

7.2. Compliance with National Guidelines & Standards, the Development Plan & General Development Standards:

Sustainable Residential Development in Urban Areas (DoEHLG, 2009)

The site the subject of this appeal is located within the development boundary of the town of Clonmel, Co. Tipperary. The site can connect to public services and, as such the principle of development at this location is considered acceptable and in compliance with the general thrust of national guidelines and strategies. The 2009 guidelines continue to support the principles of higher densities on appropriate sites in towns and cities and in this regard, I consider that it is reasonable to support the development potential of the subject site in accordance with said guidelines.

The development proposes the construction of 74 residential units on a site covering approximately 3.101ha and in terms of the recommendations of the Guidelines, the density at 23.65 units per hectare is considered low. The Board will note that the applicant has indicated that the proposed density exceeds the 18 units/ha stipulated density of the Clonmel & Environs Development Plan. While I acknowledge these requirements, the national guidelines recommend a density of between 35-50 houses per ha and that developments at net densities of less than 30 dwellings per hectare should generally be discouraged in the interests of land efficiency, particularly on sites in excess of 0.5ha. In this regard, I consider that the development with such a low density on the subject site might reasonably be considered inappropriately low and would not constitute sustainable development in principle.

I also have reservations regarding the proposed site layout having regard to planning permission, P.A. Reg. Ref. 19/600097. Permission has been granted for the construction of 22 no. two-storey houses on the lands to the south of the existing residential estate and to the east of the southern area of the current appeal site. My reservations relate to the current zoning afforded to the area and the location of the town development boundaries, which corresponds with the western boundary of the

current appeal site. The current site layout affords potential to access the lands to the west, but not to the south. I note that the permitted development for the 22 houses, provides for a potential access to the lands to the south and I note that these lands do not appear to be within the ownership of either the current appellant or the applicant associated with the adjacent permission. In the event of a grant of planning permission, I consider that this issue of access / permeability should be addressed.

The development comprises a development two storey houses providing for a mix of detached, semi-detached and terraced houses comprising 4 no. 2 bedroom houses, 55 no. 3 bedroom houses and 15 no. 4 bed roomed houses. No single storey houses area proposed and the unit types proposed are as follows:

| Unit type | Number | % |
|-----------|--------|-------|
| 2 bed | 4 | 5.4% |
| 3 bed | 55 | 74.3% |
| 4 bed | 15 | 20.3% |

I am satisfied that the proposed mix of house types is acceptable.

The objective of the Sustainable Residential Development in Urban Areas guidelines is to produce high quality, and crucially, sustainable developments. Section 5.6 of the guidelines provides certain safeguards with regard to such urban developments to deal with both existing and future residents the area of the proposed development. Said safeguards are detailed above in Section 5.1 of this report and I consider it reasonable to address the proposed development against same.

a) *Compliance with the policies and standards of public and private open space adopted by development plans;*

- In terms of private open space, the Board will note that proposed development layout, as permitted, provides for rear gardens ranging in depth of between 7.5m and 12.69m with each of the houses have private open space in the form of rear gardens. I would consider that the private open space provision is adequate.
- With regard to public open space, the proposal as permitted, provides for 2 areas of open space to be located throughout the development.

The areas include a large area to the north (front) of the site and two linked areas located centrally and to the south of the site. The total area of public open space proposed amounts to 4,962m², equating to approximately 16% of the total site area. The Development Plan requires at least 15% public open space for multi-unit residential schemes.

- Having regard to the shape of the subject site, I am generally satisfied that the proposed open space layout is an acceptable and the development has the potential to provide for a play area and kickabout area which would be overlooked by the proposed houses. Overall, I am satisfied that the proposed open space provision is acceptable in principle.

b) Avoidance of undue adverse impact on the amenities of existing or future adjoining neighbours;

- Having regard to the location and nature of the proposed development, the principle of the development is considered acceptable. I have discussed the open space provisions above, and overall, I would be satisfied that the residential amenities of future residents of the development have been considered.
- I note that the site has been zoned for residential purposes and therefore, the proposed residential use is considered acceptable at this location. Having regard to the nature of the site and its location within the development boundaries of the town of Clonmel, I am generally satisfied that the development is acceptable and will not have any significant adverse impacts on the amenities of future residents or adjoining neighbours and uses.
- However, the Board will note my concerns regarding the lands to the south of the site which are also zoned for residential purposes and are located within the Development boundaries of Clonmel, while the lands to the west are not. The proposed site layout provides for access to the lands to the west, but not to the south.

- Issues arising in terms of potential conflicts with neighbours include roads and traffic issues, which will be addressed further below, as well as the potential for existing uses to affect the residential amenities of future residents.

c) *Good internal space standards of development;*

The proposed development does not propose apartments.

d) *Conformity with any vision of the urban form of the town or city as expressed in development plans, particularly in relation to height or massing;*

- Given the nature of the proposed development, together with the zoning afforded to the subject site, I am satisfied that the development is considered as being acceptable in principle. I do consider however, that the density of the development is very low for the location, and if permitted in its current form, would not adequately conform to the national guidelines.

- However, I acknowledge the location of the site on the edge of the towns development boundaries, together with the density, layout and character of existing residential development in the area which may support lowering the density of development. I remain concerned however, that such a reduction in recommended density would result in the unsustainable use of zoned and serviced lands.

- I am generally satisfied that the height and massing of the houses proposed adequately reflect those of the existing residential developments in the vicinity and can be considered acceptable.

e) *Recognition of the desirability of preserving protected buildings and their settings and of preserving or enhancing the character or appearance of an Architectural Conservation Area;*

Not relevant in this instance as there is no protected structure or Architectural Conservation Area within the subject site.

f) *Compliance with plot ratio and site coverage standards adopted in development plans.*

The Clonmel & Environs Development Plan does not provide specific guidance in terms of plot ratio and site coverage. I have discussed concerns in relation to density above and conclude that the density proposed is significantly below the recommended 35-50 units per hectare and in this regard, I am not satisfied that the proposed development is acceptable in terms of site coverage, plot ratio and density.

It is acknowledged that national guidelines encourage the provision of higher density development within urban areas in order to use serviced lands in a sustainable manner, but regard has to be given to the existing nature of development in the vicinity of the subject site as well as the nature and scale of the surrounding area and existing residential estates and other land uses. The development proposes 74 residential units on zoned lands which are considered edge of town and in the vicinity of existing residential estates which might be considered as having a low density. Overall, while I consider that the principle of the proposed development is acceptable, given the location of the subject site in proximity to the town centre of Clonmel, the density should be higher.

7.3. **Roads & Traffic:**

Access to the subject site is proposed over the existing road network in the vicinity, and ultimately, off Cahir Road to the north of the site over the existing Gort na Manach residential estate road. The Board will note that a primary concern of third-parties relate to roads and traffic issues and the potential impact of the development utilising the access. In addition, concerns are raised at the potential for the development to remove an existing cul-de-sac area of the established residential estate by the installation of a through road, linking with the existing roads of Gort na Manach. It is submitted that the existing road network is incapable of accommodating the level of traffic the development, if permitted would generate and would impact on the existing entrance used by the existing residents.

In terms of the design of the proposed development, including the entrance and access to the site, it is a requirement that they be considered against the Design

Manual for Urban Roads and Streets (DMURS), DoTTS, March 2013. This Manual replaces DMRB in respect of all urban roads and streets and it does not differentiate between public and private urban streets, where a 60kph speed limit or less applies. The DMURS provides radically new design principles and standards from DMRB. The implementation of DMURS is obligatory and divergence from same requires written consent from relevant sanctioning authority (NRA, NTA or DTT&S) and is applicable in the case at hand. The Manual seeks to address street design within urban areas (i.e. cities, towns and villages). It sets out an integrated design approach. What this means is that the design must be:

- a) Influenced by the type of place in which the street is located, and
- b) Balance the needs of all users.

DMURS sets out a road user priority hierarchy as follows:

- 1 Pedestrians;
- 2 cyclists
- 3 public transport
- 4 car user.

The key design principles for roads include –

- Integrated streets to promote higher permeability & legibility;
- Multi-functional, place-based, self-regulations streets for needs of all users;
- Measuring of street quality on the basis of quality of the pedestrian environment
- Plan-led, multidisciplinary approach to design.
- The importance of this design approach is dependent upon site context, but also on road type - local, arterial or link. The DMURS defines a hierarchy of places based on place-context and place-value, with centres (such as town and district centres) having highest place-value. Places with higher context / place-value require:
 - Greater levels of connectivity;

- Higher quality design solutions that highlight place;
- Catering for and promotion of higher levels of pedestrian movement;
- A higher level of integration between users to calm traffic and increase ease of movement for vulnerable users.

DMURS provides detailed standards for appropriate road widths - 2.5m to 3m per lane on local streets and a 3.25m standard for arterial and link route lanes, junction geometry - greatly restricted corner radii to slow traffic speed and improve ease of pedestrian crossing, junction design - omit left turn slips and staggered crossings etc. and requires that roads are not up designed above their speed limit. In terms of the above requirements of DMURS, I would accept that the applicant has sought to design the internal roads of the proposed estate to ensure compliance, with road widths of between 5-5.5m. I also note the requirements of the Roads Engineer to provide a 6m wide carriageway. I consider that the design standards were appropriately applied in the layout of the development, with regard given to the priority hierarchy and pedestrian connectivity, and it is noted that the proposed footpaths, at 1.8-2m comply with DMURS.

In terms of the above, I consider that the Council request for 6m wide roadways is excessive, having regard to the number of residential units proposed and noting the response to the FI request, which advises compliance with DMURS in this regard. Should the Board be minded to grant permission in this instance, I would recommend a condition be included to provide for internal road widths at a maximum of 5-5.5m as proposed. In addition and having regard to my previous concerns in relation to the low density of the proposed development, I consider that the proposal would require a full redesign to both increase density, ensure connectivity to zoned lands to the south and to ensure full compliance with DMURS. Therefore, I would consider that further information should be requested, and the proposed development be re-advertised, in the event of a grant of permission.

The applicant submitted a Transport & Transport Assessment in support of the development. The TTA report seeks to assess and evaluate the likely impact of the proposed development on the existing road network in the vicinity of the site and includes a consideration of future potential development of zoned lands that may rely

on the Poppyfield Roundabout. The Assessment includes a methodology, describes the existing environment, provides details of the existing public transport, pedestrian / cycle facilities and existing traffic patterns as well as considering the future development potential of the area. In terms of future development potential, the Traffic & Transport Assessment provides for strategic development, commercial and new residential development. Section 5 of the assessment considers traffic flows and estimates the future traffic implications arising from the traffic generated by the proposed development and its impact on the surrounding road network.

The TIA undertakes a traffic assessment of the proposed development on the local road network. The potential traffic generated by the proposed development has been calculated using TRICS and the figures are presented in Chapter 5 of the submitted report. An analysis of three junctions, using PICADY software, including the roundabout and a priority T-Junction, is also presented in the report. The Assessment concludes that the development can be accommodated and that the proposed entrance will operate within capacity in the design years assessed.

In terms of parking, the Board will note that the proposed development provides for 2 car parking spaces per residential unit, plus 26 additional visitor spaces located across the development. In terms of the Clonmel & Environs Development Plan parking requirements, the development requires as follows:

Multi Residential Unit Development

| | | |
|--------------------------|--------------------|------------------|
| 1 or 2 bed dwellings: | 1 per unit | 4 proposed = 4 |
| 3 bed or more dwellings: | 2 per unit | 70 proposed = 70 |
| Visitor spaces: | 2 per 5 units = 15 | 26 proposed = 26 |

In light of the above, I am satisfied that the development provides adequate car parking to service the proposed development in accordance with the Development Plan.

The proposed construction phase of the development has the potential to give rise to some impacts to existing road users. However, I am satisfied that these impacts are generally temporary in nature. In terms of general roads and traffic issues, and acknowledging the third-party submissions in this regard, I am satisfied, based on the information submitted to date, including reports from the District Engineer, the

requirements of the Design Manual for Urban Roads and Streets, the existing residential developments in the area and the potential impact of the proposed development and the traffic generated by same on the local road network, that the proposed development would not result in a significant traffic hazard for existing residents or businesses in the area. In addition, I am satisfied that the development, if permitted, would not contribute significantly to traffic congestion within the local road network and would not adversely affect the existing residential amenities of the wider area or the carrying capacity of the local road network by reason of the additional traffic resulting from the proposed development.

7.4. Water Services

The proposed development will connect to existing services which serve the wider area. Irish Water advised no objection to the proposed development but notes that planning will be required for the construction of a water booster kiosk at the entrance to the existing Gort na Manach Estate. The response to the further information request advises that the booster kiosk will be developed at the entrance to the Gort na Manach estate to address water pressure issues in the existing estate as well as the proposed 74 houses. This booster will be taken in charge by Irish Water following construction. As an aside, the Board will note that planning permission has been granted for an additional 22 houses to the south of Gort na Manach. In the event of a grant of planning permission, this booster kiosk should have capacity to accommodate these permitted houses. The development will connect to the public water supply via a 100mm watermain, with metered connections to all houses.

The proposed development will connect to the existing Clonmel waste water treatment plant, which is a facility designed to cater for a population of 80,000. The public system, which discharges to the River Suir to the east of the town of Clonmel, appears to have adequate capacity to accommodate the proposed development.

In terms of surface water management, the Board will note that the applicant has stated that a Stormwater Management Plan will be applied to surface water discharging into sewers and adjacent watercourses. Control of runoff to Greenfield levels, will employ hydraulic controls to restrict attenuated flows using a flood storage detention tank. The attenuation tank is designed for a 100 year storm event with a capacity of 600m³ and a restricted outlet of 13.4l/sec. The details submitted provide

for proposals to deal with surface water, in addition to the attenuation tank, and including a Conder petrol interceptor which includes a silt storage capacity.

The District Engineer for Clonmel raised concerns in relation to surface water issues and finished floor level issues. It is raised as a concern that the finished floor levels should be at least 225mm higher than road levels directly outside each house. In response, the applicant advises that the stormwater network for the development has been designed such that all surface water runoff will be drained away from the site. It is also submitted that climate change has been accounted for in the design. I consider that adequate information has been submitted in relation to water services, in order to facilitate a decision being made. Subject to compliance with conditions of planning permission, I consider that the proposed development is acceptable in principle in terms of water services.

7.5. Other Issues

Part V

The Board will note that the appellant has raised concerns in relation to the provision of Part V houses within the development. In particular, it is a concern that the proposed Part V units are not appropriately integrated throughout the site, rather, it is considered that the location of the units gives the impression that the units are deliberately segregated from the rest of the development.

I have noted this concern but would consider that the Council is best placed to decide what accommodation is required to be provided for the town of Clonmel. In terms of compliance with Part V, the applicant proposes to transfer seven units, comprising four 2-bed and three 3-bed houses, in order to satisfy their obligations with regard to Part V under Section 96(3)(b)(iv) of the Planning & Development Act, 2000 as amended. I have no objections in this regard, and an appropriate condition should be attached to any grant of planning permission.

Development Contributions

The subject development is liable to pay development contribution, a condition to this effect should be included in any grant of planning permission.

7.6. **Appropriate Assessment**

Having regard to the nature and scale of the proposed development and the nature of the receiving environment, and notwithstanding the proximity of the site to the Lower River Suir SAC (Site Code 002137), 565m to the south of the site, I am satisfied that 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. The Board will note that I have no objection in principle to the redevelopment of this edge of settlement, zoned site in the town of Clonmel. I am generally satisfied that the site is suitable for a residential development and that the adjoining road network can appropriately accommodate the development without undue impacts for existing road users. While I acknowledge the concerns raised by third parties in relation to the servicing of the site, I am satisfied that subject to compliance with appropriate conditions and Irish Water requirements, the proposed development is acceptable in principle.
- 8.2. However, I have raised concerns in term of the low density of the development and I consider that if permitted in its current form, it would represent an inappropriate form of development which would result in an inappropriate scale of development on this serviced site. In addition, I am concerned regarding the proposed layout and the lack of connectivity to the remaining area of zoned lands to the south. In this regard, I recommend that permission should be refused for the development as proposed for the reasons and considerations as set out below.

9.0 Reasons and Considerations

Having regard to:

- the location of the site within the development boundaries of the town of Clonmel,
- the pattern of development in the area,
- the land use zoning pertaining to the site and the objectives for such land as set out in the Clonmel and Environs Development Plan, 2013 as varied,

it is considered that the proposed development, in terms of the density proposed and the layout which excludes connectivity to zoned land, would represent an inappropriate development response for the site resulting in an unsustainable use of serviced land in the town. As such the proposed development would be contrary to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, issued by the Department of Environment, Heritage and Local Government in May 2009, which seek to promote higher densities in urban areas and sustainable patterns of urban development, and to the Design Manual for Urban Roads and Streets issued by the Department of Department of Transport, Tourism and Sport and the Department of Environment, Community and Local Government in March 2013.

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

A. Considine

Planning Inspector

19th November 2019