



An
Bord
Pleanála

Inspector's Supplementary Report ABP-305587-19

Development	Construction of 64 residential units and all associated site works and connection to existing services. This application includes a Natura Impact Statement (NIS).
Location	Baunoge, Loughrea, Co. Galway.
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	181860
Applicant(s)	Jardonnelle Ltd
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Elaine Gough
Observer(s)	None
Date of Site Inspection	30 th December 2019
Inspector	Irené McCormack

Report to be read in conjunction with Inspector's report of 1st February 2020

Introduction

- 1.1. I refer to my previous report and recommendation to the Board dated 1st February 2020 in respect of the proposed development which relates to the construction of 64 residential units, associated site works and connection to existing services at Baunoge, Loughrea, Co. Galway.
- 1.2. I note that the Board decided to defer consideration of the case and issue a section 137 notice to the parties with regard the design and layout of the scheme, in particular, compliance with the "Urban Design Manual – a Best Practice Guide" issued by the Department of the Environment, Heritage and Local Government (2009), to accompany the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the Design Manual for Urban Roads and Streets (DMURS).
- 1.3. On 18th February 2020 a notice under section 137 of the Planning and Development Act 2000 (as amended) issued to the parties to the appeal giving last date for receipt of responses as being on or before 9th March 2020. A response was received from the applicant on 6th March 2020. No response was received from the appellant or Galway County Council.
- 1.4. At a meeting held on 22nd April 2020 the Board deferred the case to direct that the applicants submission be circulated to the other parties for their comments under section 131 of the Planning and Development Act 2000 (as amended) and revised public notices to issue. The applicant was requested under section 142 (4) of the of the Planning and Development Act 2000 (as amended) to publish a revised "newspaper notice", in addition to the erection of a new site notice. As per the applicant's correspondence dated 15th June 2020 a revised newspaper notice was published on 12th June 2020 and a revised site notice erected on 12th June 2020. The public notices stipulated the five-week period for submissions.
- 1.5. In accordance with section 131 of the Planning and Development Act 2000 (as amended) the applicant and Galway County Council were requested to make submissions or observations on or before the 20th July 2020.

1.6. No response was received from Galway County Council

2.0 **First Party Submission in response to section 137 notice to the parties.**

2.1. A submission was received from the applicant on 6th March 2020. The submission was accompanied by revised drawings and sets out the following:

- The scheme was designed to assimilate into the existing development noting the Eastern Relief Road (Corridor) 'Figure 1' of the Loughrea Local Area Plan which splits the housing development in two and that the site rises sharply to the north and south of this corridor. It is further stated that the FFL of the existing houses in Banogue vary substantially reflecting steep rises and large unsightly retaining walls.
- It is argued that the site was challenging due to the incline in the ground levels and the protection of the existing mature trees on site. It is set out that the first objective was to address and provide connectivity and the front of the scheme was dictated by the existing building line and FFL and reflect a uniform streetscape.
- Further to the Boards comments it is proposed to:
 - Alter the layout to reduce the FFL of houses 38-56 by 2 metres, thereby reduce their impact. It is further stated that the retention of the mature trees will provide a screen for houses 34-56 when viewed from the western approach.
 - Omit house no. and 11 and no. 37 and increase the width of the north-south pedestrian link to 7 metres with enhanced landscaping.
 - Revise the design of house 10,12 and 36 to reflect dual aspect.
 - Face the exposed 1.8m high boundary walls of houses 10, 12, 36, 23 and 24 in local stone.
 - Provide a sloped landscaped retaining wall to the northern amenity area to provide a portion of level landscaped area.
 - Enhance the amenity area to the south to include opening the culvert in sections with metal checker plates.

- It is set out that the road network and its west to east orientation is the only way to access the zoned lands to the north at a comfortable gradient that complies with TII guidelines and this dictated that design layout for the houses. It is also set out that the orientation of the houses will provide maximum solar gain with no overshadowing.
- It is further argued that the objectives of DMURS do not apply as Loughrea does not have any public transport service nor does it have any vibrant streets.

3.0 Third Party Submission in response to section 137 notice and applicant's submission of 6th March 2020.

3.1. A submission was received from the appellant on 19th July 2020 and 20th July 2020. The combined submissions from the appellant set out the following:

- It is set out that residents are disappointed that concerns raised regarding increased traffic were not questioned.
- Noting a number of residential developments currently under way in the town it is set out that there is overdevelopment in the town.
- Referencing the applicant's submission, it is set out that Loughrea has four different public bus services. It is further stated that it is unacceptable to state that Loughrea does not have any vibrant streets.
- It is set out that the response fails to address the poor-quality residential design and the new plan is a similar design and would not be compatible with the current design of the Baunoge estate.
- The "high quality" amenity area is just a picnic area some trees and a path. Also, the increased walkway width to 7m is a major anti-social concern.
- The development would result in one of the largest residential developments in Loughrea and will lead to unacceptable disturbances.
- The proposal to reduce the FFL of the dwellings to the rear does not address the visual prominence. The middle section should be reduced. The existing estate is established at varying levels and cannot be compared to the proposed development.

- Lack of ancillary services including childcare noted.
- The long straight roads will lead to increased speed.
- There is no evidence that the Eastern Relief Roads will be completed as such the development will continue to be accessed via the entrance serving the Baunoge Estate.

4.0 **Assessment**

4.1. The Board deferred consideration of the case and issued a section 137 notice to the parties with regard the following:

- The “Urban Design Manual – a Best Practice Guide” issued by the Department of the Environment, Heritage and Local Government (2009), to accompany the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas includes key criteria such as context, connections, inclusivity, variety and distinctiveness. It is considered that the development as proposed results in a poor quality of residential design that is substandard in its scale and layout and fails to provide high quality usable open spaces. Furthermore, the proposed layout fails to adequately address the site topography resulting is a visually prominent development. The development might, therefore be, be contrary to these Ministerial Guidelines and to the proper planning and sustainable development of the area.
- It is considered that the internal road layout is unimaginative and, by reason of the lengthy stretches of straight roads, lack of adequate supervised pedestrian permeability to the existing residential estate, would be on material conflict with the principle and design concepts set out in the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment Community and Local Government in March 2013. The proposed development might, therefore, be contrary to the proper planning and sustainable development of the area.

4.2. The response from the applicant includes further alterations to the existing site topography, the omission of two units to provide for the widening of the north-south pedestrian pathway and the inclusion of a retaining wall in the northern open space

to create a portion of level area and additional landscaping proposals. I note no cross-section drawings have been submitted as part of the applicant's response.

- 4.3. The applicant argues that the design and layout was dictated by the site topography and the adjoining pattern of development. Whilst I accept the challenging topography of the site, I do not agree that the layout is reflective of the adjoining pattern of development. Furthermore, I do not consider the amendments proposed adequately address the concerns raised by the Board and the linear nature of the layout and corresponding road layout, the provision of rear access alleyways, terraced public and private amenity spaces and the extensive manipulation of the site topography which the applicant has not proposed to alter contrary to the Urban Design Manual – a Best Practice Guide” issued by the Department of the Environment, Heritage and Local Government (2009), to accompany the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and Design Manual for Urban Roads and Streets (DMURS).
- 4.4. Whilst I note the layout includes pedestrian connectivity to the adjoining development and indicative future access to lands to the north no attempt has been made to integrate the scheme with the existing development and the development layout reads as an independent development. The layout of the development has not altered significantly and the widening of the pedestrian north-south path to 7 metres is unacceptable as this remain an enclosed area, the quality of the northern open space area remains questionable in so far as the response was not accompanied by revised cross-sections and/or topographical survey. Similarly, the 2 metre reduction in FFL combined with the two storey design of the dwellings to the north of the site does not reduce the visual impact in my view, in so far as the FFL of the houses to the south in some case are lower by 5-9 metres.
- 4.5. The applicant argues that the objectives of DMURS do not apply as Loughrea does not have any public transport service nor does it have any vibrant streets. The appellant set out that this is not the case, I agree. Furthermore, a key principle of the Urban Design Manual and DMURS is incorporating potential connections within schemes to adjoining lands as best practice layout design relevant to a specific scheme in conjunction with the wider urban areas in which they are located.

- 4.5.1. The general layout has not been altered and the extensive manipulation of the landscape to accommodate any development is a wholly unacceptable approach in the context of proper planning and sustainable development. Section 6.8 of the Sustainable Residential Development in Urban Areas Guidelines, 2009 sets out design principles to be considered in the layout and design of residential schemes to include making a positive contribution to its surroundings and take the best advantage of its location through the use of site topography, levels, views, context, landscape, design orientation to optimise sustainability.
- 4.6. As per my previous assessment, I consider no attempt has been made create a sense of place or community as per the relevant guidelines. In terms of visual amenity, the layout does not address the topography of the site and the linear layout reflects visual monotony. The landscaping plan submitted with the planning application does nothing to alleviate these concerns. I consider that the development as proposed results in a poor design layout that is unimaginative and substandard in its design and layout, resulting in a visually prominent development that fails to provide high quality usable open spaces and fails to facilitate adequate and appropriate natural surveillance of pathways.
- 4.7. I note the issues raised by the appellant in terms of traffic and childcare. I have had regard to these matters as part of my previous assessment.

Conclusions

I have read and considered all written submissions received by the Board in respect of this appeal and I hereby advise that permission be refused for the following reasons:

1. The “Urban Design Manual – a Best Practice Guide” issued by the Department of the Environment, Heritage and Local Government (2009), to accompany the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas includes key criteria such as context, connections, inclusivity, variety and distinctiveness. It is considered that the development as proposed results in a poor quality of residential design that is substandard in its scale and layout and fails to provide high quality usable open spaces. Furthermore, the proposed layout fails to adequately address the site topography resulting is a visually prominent development. The

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

2. It is considered that the internal road layout is unimaginative and, by reason of the lengthy stretches of straight roads, lack of adequate supervised pedestrian permeability to the existing residential estate, would be in material conflict with the principle and design concepts set out in the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the 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.

Irené McCormack
Planning Inspector

8th September 2020