



An
Bord
Pleanála

Inspector's Report ABP-306116-19.

Development

Planning permission is sought for site works to facilitate the proposed development to include excavation and general site preparation works, removal of existing foundation on-site, use of existing entrance serving Coola Lawns along with associated access roads and footpaths to facilitate vehicular and pedestrian access, provision of a residential development comprising 36 no. dwelling units in total, provision of associated landscaping, boundaries, all associated site works and services.

Location

Lands adjoining 'Coola Lawns', Mullingar Road, Kilbeggan, County Westmeath.

Planning Authority

Westmeath County Council.

Planning Authority Reg. Ref.

19/6206.

Applicant(s)

Brennan & McCann Developments (Coola) Ltd.

Type of Application

Planning Permission.

Planning Authority Decision

Grant with conditions.

Type of Appeal

Third Party

Appellant

Coola Lawns Residents Association.

Observers

Kilbeggan Preservation &
Development Association.

Date of Site Inspection

14th day of March, 2020.

Inspector

Patricia-Marie Young

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1.0 Site Location and Description

- 1.1. The L-shaped appeal site, which has a stated area of 1.002ha, is located on the eastern side of the R389 (Mullingar Road) on the north eastern fringes of the settlement of Kilbeggan, c0.2km to the north east of Main Street, as the bird would fly, in County Westmeath.
- 1.2. The site is setback from the R389 by way of linear green space. This space contains a section of public footpath. Access to the site is via an agricultural gate that is setback from the roadside edge by an entrance drive. To the immediate north of this entrance along the roadside boundary is a low stone wall which is also bound by a restricted in width footpath.
- 1.3. The irregular shaped site adjoins the northern side of a completed portion of the Coola Lawns residential scheme. This completed portion of the scheme contains 12 no. 2-storey semi-detached dwellings and its T-shaped internal access road also finishes with a cul-de-sac spur along the southernmost stretches of the western boundary of the site.
- 1.4. The site is bound on its north-eastern and south-eastern boundaries by a watercourse. This watercourse appears to drain to the River Brosna which is located in close proximity to the north and west of the site. Immediately adjoining these boundaries is open pastureland. To the north-east of the R389 there are a number of sporadic one-off detached dwellings. Directly opposite there is a detached dwelling that is currently under construction as well as an existing vernacular 2-storey detached dwelling house which aligns with the regional road. To the south west of the site land use becomes more varied though of medium to low density containing mainly residential but also a mixture of other land uses including commercial and retail.
- 1.5. The main area of the site is unkept with evidence of previous ground works including but not limited to foundations and partially constructed access ways. A section of the site which runs alongside the rear of No.s 27 to 30 Coola Lawns consists of a maintained green area. This appears to be the main open space provision associated with the completed portion of the Coola Lawns residential scheme. The ground levels of this open space are more elevated than that of the main area of the site.

2.0 Proposed Development

2.1. Planning permission is sought for site works to facilitate the excavation and general site preparation works, removal of existing foundation on-site, use of existing entrance serving Coola Lawns along with associated access roads and footpaths to facilitate vehicular and pedestrian access, provision of a residential development comprising 36 no. units in total as follows:

- House type A - 10 No. 1 Bed/2-person apartment units;
- House type B - 10 No. 2 Bed/4-person duplex units;
- House type C - 4 No. 3 Bed/5-person semi-detached dwellings;
- House type D - 4 No. 2 Bed/4-person semi-detached dwellings;
- House type E - 4 No. 2 Bed/4-person terrace dwellings;
- House type F - 2 No. 3 Bed/5-person terrace dwellings;
- House type G - 2 No. 3Bed/5-person terrace dwellings (dual-frontage),

Together with the provision of associated garden areas and in-curtilage works for each dwelling proposed which I note includes boundary fencing and boundary walls as required, provision of residential communal open space areas to include all hard and soft landscaping works within the site which includes public lighting, public seating, planting works, a children's play area, bicycle storage and boundary treatment, associated site works to facilitate site drainage with provision of an attenuation system, connection to the foul sewer network with upgrade works to the existing foul pumping station, water connections and ESB connections.

2.2. The initial application is accompanied by the following documentation:

- Part V proposal and agreement.
- Planning Statement.
- Building Lifecycle Report.
- Design & Concept Statement.

2.3. On the 17th day of October, 2019, the applicant submitted their response to the Planning Authority's further information request. This was subsequently accompanied

by revised public notices on the 19th day of October, 2019. This revised notice states that the proposed development will consist of the following:

- (a) Site works to facilitate the proposed development to include excavation and general site preparation works.
- (b) Removal of existing foundations on-site.
- (c) Use of existing entrance serving Coola Lawns along with associated access roads and footpaths to facilitate vehicular and pedestrian access.
- (d) Provision of a residential development comprising of 36 no. units in total as follows:
 - House Type A: 10 No. 1 Bed/2-person apartment units
 - House Type B: 10 No. 2 Bed/4-person duplex units
 - House Type C: 4 No. 3 Bed/5-person semi-detached dwellings
 - House Type D: 4 No. 2 Bed/4-person semi-detached dwellings
 - House Type E: 4 No. 2 Bed/4-person terrace dwellings
 - House Type F: 2 No. 3 Bed/5-person terrace dwellings
 - House Type G: 2 No. 3 Bed/5-person terrace dwellings (dual frontage)
- (e) Provision of associated garden areas and in-curtilage works for each dwelling to include boundary fencing and boundary walls as required.
- (f) Provision of residential communal open space areas to include all hard and soft landscape works within the site which includes public lighting, public seating, planting works, a children's play area, bicycle storage areas and boundary treatments.
- (g) Associated site works to facilitate site drainage with provision of an attenuation system, connection to the foul sewer network with upgrade works to the existing foul pumping station, water connections and ESB connections.
- (h) Provision of a bin and bicycle store.

2.4. In addition, the applicant's further information response was accompanied by the following documentation:

- Planning Statement & Further Information Response.
- Revised Site Layout Plans.
- Revised Landscape Plans.
- Revised Bin and Bicycle Storage Enclosures.
- Revised Visitor Parking Layout.
- Revised turning head to serve the pumping station.
- Revised design particulars for the duplex units.
- DMURS Compliance Statement.
- Hydrant Testing Survey.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority **granted** permission subject to 18 no. conditions including but not limited to:

- | | |
|----------------------|---|
| Condition No. 2(a): | Revised plans were sought in relation to the two areas of open space within the scheme. |
| Condition No. 2(b): | Requires revised secure bike storage spaces. |
| Condition No. 3: | Requires provision of obscure glazing. |
| Condition No. 10: | Development Completion Bond. |
| Condition No. 12: | Sets out the requirements for the bin store area. |
| Condition No. 13(a): | Requires accordance with best practice of Inland Fisheries Ireland, 2016. |

3.2. Planning Authority Reports

3.2.1. Planning Reports

The **final Planning Officer's report** dated the 11th day of November, 2019, considered that the applicant had satisfied the concerns raised in the Planning

Authority's further information request and that all outstanding issues could be dealt with by way of conditions. They concluded that the proposed development was in accordance with the proper planning and sustainable development of the area.

The **initial Planning Officer's report** dated the 16th day of September, 2019, concluded with a request for further information. This further information request can be summarised as follows:

- Item No. 1: Revisions sought to deal with overlooking concerns.
- Item No. 2: Revisions sought for waste storage facilities.
- Item No. 3: Required calculations for the open space areas to be provided.
- Item No. 4: Clarification of roadside boundaries beside regional road sought.
- Item No. 5: Confirmation that the conditions of the Fire Department can be complied with sought.
- Item No. 6: Confirmation of compliance with DMURS sought.
- Item No. 7(a): Relocation of two visitor parking spaces and that the turning head and tanker slab be of a minimum size necessary as well as finished in different materials.
- Item No. 7(b): Reconsideration is requested for the public pathway to the rear of gardens of neighbouring properties and the duplex units.
- Item No. 7(c): Requested that consideration be given to providing bicycle parking in a manner compliant with Sustainable Urban Housing: Design Standards for New Apartments.

3.2.2. Other Technical Reports

Area Engineer: The comments contained in this report can be summarised as follows:

- Sight Lines: No issues raised.
- Flood Risk Assessment submitted deemed to be satisfactory.
- No objection subject to recommended conditions.

Water Services: Further information requested. I note that no report/response given to the applicant's further information response.

Fire Officer: No objection subject to recommendations.

3.3. Prescribed Bodies

3.3.1. **Irish Water:** No objection subject to recommendations.

3.4. Third Party Observations

3.4.1. Several submissions were received to the proposed development, including the applicant's further information response. These are attached to file. I have read and considered the concerns raised in them and having done so I consider they raise the same concerns as those raised by the appellant and observer in this appeal case.

4.0 Planning History

4.1. The Site:

P.A. Reg. Ref. No. 15/6159: Planning permission was **granted** subject to conditions for a development consisting of the demolition of two existing house bases and existing boundary wall on the northern boundary of the site adjacent to the public road; construction of an extension to the public footpath along the public road; construction of 3 no. 3 bedroom bungalow type dwellings and 4 no. 4 bedroom bungalow type dwellings together with all associated site works and services.

P.A. Reg. Ref. No. 06/4532: Planning permission was **refused** for a development consisting of the construction of 8 no. semi-detached dwellings from that which were previously granted under P.A. Reg. Ref. No. 99/782 and 05/4030 together with all associated site works and services.

P.A. Reg. Ref. No. 05/4251: Planning permission was **refused** for the extension of duration for previously permitted under P.A. Reg. Ref. No. 99/782 34 dwelling houses together with all associated site works and services.

P.A. Reg. Ref. No. 05/4030: Planning permission was **granted** subject to conditions for the retention and completion of variations to previously permitted development P.A. Reg. Ref. No. 99/782 with this parent permission consisting of 34 dwellings and ancillary works with the variations including revised house types, revised

layout for 30 dwellings, open space relocation, road extensions to adjoining land together with all ancillary works and services.

P.A. Reg. Ref. No. 99/782: Planning permission was **granted** subject to conditions for a development consisting of for 34 dwelling houses together with all associated site works and services.

5.0 Policy & Context

5.1. National planning provisions

- Project Ireland 2040 National Planning Framework, 2018.
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Area, 2009.
- Urban Design Manual, A Best Practice, DOEHLG, 2009.
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2018.
- Urban Design Manual- A Best Practice Guide and the Design Manual for Urban Roads and Streets DMURS, 2013.
- Flood Risk Management, Guidelines for Planning Authorities, 2009.

5.2. Regional planning provisions

- Regional Spatial & Economic Strategy.

5.3. Development Plan

5.3.1. The Westmeath County Development Plan, 2014 to 2020, is the applicable plan at the time this report has been prepared. Under this plan the main site area is zoned 'Consolidation Site' with the area including and in the immediate vicinity of the two foundations associated with the two unbuilt pairs of semi-detached dwellings on the site zoned 'Existing Residential'.

5.3.2. In relation to land zoned 'Consolidation Site' the Development Plan under Policy P-SUR8 states that it is a policy of the Council: "to promote the development of

consolidation sites within settlements". In addition, Chapter 13 of the Development Plan also indicates that there is a number of consolidation sites which comprise of a mixture of greenfield and brownfield lands for which the Council will favour and promote the development for residential, community and, if deemed appropriate, a mixture of uses.

- 5.3.3. In relation to 'Existing Residential' zoned land the stated objective for such lands is: "*to provide for residential development, associated services and to protect and improve residential amenity*".
- 5.3.4. Chapter 13 of the Development Plan indicates that Kilbeggan is designated as a Service town in the County Settlement Strategy and that the policy framework for all settlements within the hierarchy is established under Chapter 2 of the Development Plan. Section 13.3.7 sets out the Housing Policy for the settlement as follows: "*to provide for new residential development in accordance with the requirements of the Core Strategy and Housing Strategy*" (Note: Policy P-KBN1).
- 5.3.5. Section 13.3.11 of the Development Plan indicates that the town is served by the Mullingar High Level water supply and this has been upgraded to improve services to the town. On the matter of wastewater, it indicates that the wastewater treatment plant is located on the western side of the town next to the River Brosna and that is designed to collect and treat effluent for a population equivalent of 2,250 with a loading of 1,800 in 2009-2010. It indicates that the Brosna River has a poor-quality water status in the Water Framework Directive. On the matter of flooding it indicates that the River Brosna which extends along the western end of the town experiences flooding.

5.4. Natural Heritage Designations

- 5.4.1. The site is located within a 15km radius of the following European sites:
- Special Areas of Conservation: Split Hills and Long Hill Esker SAC (Site Code: 001831) is located c2.6km to the north of the site.
 - Special Areas of Conservation: Clara Bog SAC (Site Code: 000572) is located c7.6km to the south west of the site.
 - Special Areas of Conservation: Lough Ennell SAC (Site Code: 000685) is located c8.1km to the north east of the site.

- Special Protection Area: Lough Ennell SPA (Site Code: 004044) is located c8.8km to the north east of the site.
- Special Areas of Conservation: Raheenmore Bog SAC (Site Code: 000582) is located c9.7km to the south east of the site.
- Special Areas of Conservation: Charleville Wood SAC (Site Code: 000571) is located c10.4km to the south of the site.

5.5. EIAR Screening

5.5.1. The proposed development is of a type that constitutes an EIA project and is a sub-threshold project under Class 10(b)(i) Part 2, Schedule 5, of the Planning and Development Regulations, 2001 (as amended), construction of 500 dwelling units. However, the proposed development of 54 units is:

- The 36 units is significantly below the threshold set out in the Schedule;
- This is a brownfield serviced site with a significant 2.6km lateral separation between it and the nearest European Site, which is located to the north;
- The site on the fringes of an existing settlement and is within the settlement urbanscape boundary; and,
- The proposed development is a type of development which is not likely to give rise to the use of significant natural resources or the production of wastes, pollution or environmental nuisance subject to standard good practice measures during demolition, construction through to operation.

Based on the above considerations the potential impacts on the environment are unlikely to be significant, either by magnitude, special extent or nature of impact. There is, therefore, no real likelihood of significant effects on the environment based on the nature, size and location of the proposed development.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The grounds of this 3rd Party Appeal can be summarised as followed:

- A description of the site and its setting is provided.

- It is contended that the site is at risk of fluvial flooding having regard to the OPW Flood Maps. Based on the Sequential Approach to flood risk it is recommended land within flood risk zones like this are reserved for open space use and the risk of the site to fluvial flooding is likely to increase given the implications of climate change and extreme weather events.
- The Split Hills and Long Hill Esker SAC pNHA is only 3km to the east of the site and will be at hydrological risk via the River Brosna.
- Reference is made to the planning history of the site.
- This is not a town centre site but a transitional site between the low-density Coola Lawns estate and the rural area.
- The original bungalow scheme would have ensured a mix of development and it would have also provided a visual mix as well as a recognition of the immediate rural hinterland of the site.
- The requirement for a mix cannot be always interpreted as an open door for high density and apartment development.
- The existing development at Coola Lawns would be compromised by this high-density scheme.
- Policy P-RD3 of the Development Plan indicates that development proposals in towns and villages should be of an appropriate scale, layout and design quality as well as relates to the character and form of the settlement.
- This proposal would result in 48 dwellings on this plot which is considered an excessive density.
- The proposed development is excessive in its scale and massing relative to the existing adjacent houses. If permitted, it would be visually obtrusive, overbearing and it would dominate the existing environment.
- If permitted, the proposed development would result in a visually dominant and oppressive built insertion in an exposed rural site which would have adverse visual amenity impacts.
- The zoning of Coola Lawns provides for the protection and improvement of residential amenity. The proposed bicycle and bin stores close to an existing

garden boundary would result in serious injury to residential amenity because of the noise and general disturbance that would be associated with it. Private amenity spaces areas associated with dwellings should be afforded appropriate protection.

- The proposed development, if permitted in the form proposed would depreciate existing completed properties in Coola Lawns, with particular concerns raised for No.s 27 to 30 Coola Lawns.
- Several concerns are raised in relation to the positioning of public open space within the scheme.
- The site is a highly visible one due to its exposed location adjacent to the Mullingar Road and it is contended that this is not a built-up area that can absorb the building types proposed by way of this application.
- There needs to be a differentiation between the edge of town transitional lands and lands within built-up areas.
- The substantial increase in traffic flows through Coola Lawns would result in a traffic hazard and road safety issues.
- The proposed scheme only provides the minimum number of resident and visitor car parking spaces and the overall provision is not considered to be adequate.
- The proposed development is premature pending the resolution of sewerage issues at this locality.
- Irish Water have made no comment on this application.
- The appellant would welcome an appropriate development on this unoccupied and poorly maintained site. However, the proposed development would constitute significant overdevelopment of this exposed rural site which would seriously detract from the visual amenities of the area and from established residential amenities. The Board is asked to overturn the Planning Authority's decision in this case.

6.2. Applicant Response

6.2.1. The applicant's response can be summarised as follows:

- The appeal submission contains a number of erroneous assertions in relation to the local planning policy provisions.

- Given that the appeal is to be assessed ‘*de novo*’ a revised site layout is provided to replace the previously proposed open spaces alongside the bin/bicycle store and the provision of sight distances of 2.4m x 70m extending in both directions from the site entrance. It is noted that it is at the discretion of the Board whether or not to accept these minor amendments. It is however noted that Condition No. 2(a) requires revisions to the proposed open space layout.
- Reference is made to national and regional planning policy which it is contended supports the proposed development sought under this application.
- The CFRAM maps for the subject site indicate that there is no risk of flooding. On this basis a site-specific FRA/justification test is not required for the proposed development in respect of river (fluvial) or tidal flood risk.
- The OPW PFRA maps indicate that the north-east portion of the site is susceptible to pluvial flood risk. It is considered that the poor infiltration properties of the subsoil would be a contributing factor, levels within this area are flat and do not offer sufficient gradient to allow overland flow of surface water into the adjacent watercourse. The proposed works include site drainage networks which shall provide improved infiltration routes for rain and ensure that any rain does not remain lying on the ground but shall have an unimpeded flow path to either the surface water system or the adjacent watercourse. These site works shall eliminate the factors that currently contribute to the potential pluvial flooding of the site.
- The principle of the proposed development is deemed to be acceptable under the local planning policy provisions for lands that are zoned a ‘consolidation site’.
- The site is appropriately designed for its context and accords with required standards.
- The building separation distances proposed together with the overall design ensures that no overshadowing or overlooking would occur existing properties in the vicinity.
- The proposed development complies with the required private and public open space standards for this type of development.
- Reference is made to Condition No. 2b of the Planning Authority’s notification to grant permission. This condition requires a revised secure bike storage space.

The Board is requested to deem the proposed purpose-built store included in the design put forward for planning permission is acceptable.

- Given the capacity of the local road it is not envisaged that the proposed development will give rise to any significant traffic issues.
- The Planning Authority raise no objection to the entrance details subject to requirements set out under Condition No. 14 of its notification to grant permission.
- Direct connection is available to the existing foul sewer network and existing public water supply. A purpose on site attenuation system has also been incorporated in the scheme.
- Operation of the refuse storage and collection will be the responsibility of the residents and the management company.
- An agreed number of units will be transferred to the Councils Housing Section as part of Part V compliance.
- Reconfiguration of the public open space results in 18.39% of the site being allocated for amenity/play purposes and accords with Development Plan provisions.
- The devaluation of property as presented is disingenuous.
- There is no objection to a condition requiring the provision of additional car parking spaces; however, the scheme meets required standards.
- The Board is sought to uphold the Planning Authority's decision in this case.

6.3. Planning Authority Response

- 6.3.1. The Planning Authority do not object to the revised layout and the proposed sightlines put forward by the applicants.

6.4. Observations

- 6.4.1. The Observation received by the Board from Kilbeggan Preservation and Development Association can be summarised as follows:

- The proposed development represents overdevelopment of this site.

- There is a high number of vacant properties within Kilbeggan with its main street plagued with vacant and dilapidated residential properties. Kilbeggan would be better served by focusing development on redeveloping vacant buildings within the town centre.
- The style and housing mix proposed does not meet the needs and preferences of those choosing to live in Kilbeggan and its environs.
- The predominant market for the type of housing proposed is social.
- There is an escalation of crime in this area.
- The local GP service is at capacity and local schools are at capacity.
- The proposed development is out of character for its setting.
- It is visually extreme to go from one off rural houses to apartment blocks.
- Concern is raised that a large part of the designated green area is outside of the current perimeter and adjacent to a busy road. It is not accepted that the provision of a designated children's space at the location proposed is acceptable.
- No clarity has been provided as to where the extra car parking spaces will be accommodated.
- The provision of inappropriate housing developments will inadvertently progress Kilbeggan further in the direction of becoming a socially disenfranchised town.

6.5. Further Responses

- 6.5.1. The appellants further response raises no substantive new issues but reinforce their concerns raised in relation to the proposed development in their submission to the Board.

7.0 Assessment

7.1. Overview

- 7.1.1. This appeal case relates to a 3rd Party appeals which was received by the Board against the decision of the Planning Authority to grant permission subject to conditions for essentially the construction of 36 dwelling units together with all associated site

works, landscaping and services. In addition, the Board also received a submission from an Observer who supports the essence of the 3rd Party appeal and similarly seeks that the Board overturn the Planning Authority's decision.

- 7.1.2. The Planning Authority and the 1st Party, the applicant, seeks that the decision to grant planning permission for the proposed development sought under this application together with the conditions imposed are upheld with the 1st Party putting forward a number of minor amendments to the proposed scheme which was revised by them in their further information response to the Planning Authority. These amendments essentially consist of revised site layout incorporating private amenity spaces to replace open spaces alongside the proposed bin and bicycle store and the provision of sight distances 2.4m x 70m extending in both directions from the site entrance.
- 7.1.3. The amended design put forward has been circulated to all Parties and I note that the Planning Authority in their response raised no objection to them and the appellant reiterated the issues expressed in their submission to the Board alongside indicating that these amendments did not overcome their concerns in relation to the proposed development.
- 7.1.4. In this instance having regard to the minor nature of the proposed amendments I consider that they can be accepted as part of the grounds of appeal and I propose to assess this application *de novo* on the basis of the revised design submitted by the applicant in response to the Planning Authority's further information request on the 17th day of October, 2019; and, as set out in the revised public notices dated the 19th day of October, 2019; and, as amended by the 1st Party's response to the grounds of appeal that was received by the Board on the 15th day of January, 2020. The basis for so doing is that these put forward qualitative improvements to the initial proposal submitted to the Planning Authority for approval.
- 7.1.5. Moreover, the minor amendments put forward by the 1st Party as part of their response to the grounds of appeal acknowledge amendments that were deemed necessary by the Planning Authority in their notification to grant permission. In particular, Condition No. 2(a) which sought revisions to the two areas of open land to the immediate north west of the bin stores and immediate to the south east of the bike storage building to the duplex complex. However, I note that the 1st Party also seeks that the Board, should it be minded to grant permission, omit Condition No. 2(b) as they contend that

the proposed purpose-built store included in their design resolution is acceptable as well as preferable in providing a secure locker system for each of the apartment units.

7.1.6. Having carried out a site inspection, examined the documents associated with the appeal together with the issues raised in the grounds of appeal I consider that the relevant issues in this appeal case can be dealt with under the following broad headings:

- Principle of the Proposed Development
- Design and Layout
- Residential Amenity Impact
- Access
- Flooding
- Appropriate Assessment

7.2. Principle of the Proposed Development

7.2.1. The operative Development Plan is the Westmeath County Development Plan, 2014 to 2020, under which the main portion of the site is zoned '*Consolidation Site*' with part of the site zoned 'Existing Residential'. The proposed redevelopment of this brownfield site for a residential development of 36 dwelling units together with their associated works and services is deemed to be 'permitted in principle' both in terms of the acceptability of the land use and also in terms of the acceptability of utilising a vacant underutilised brownfield land within settlements under both land use zones stated.

7.2.2. In terms of the planning history of the site I am cognisant that this site benefits from an unimplemented residential development for a total of 7 detached bungalows which were permitted under P.A. Reg. Ref. No. 15/6159 which is yet to expire and the site formed part of a larger residential scheme of Coola Lawns which was partially implemented. The parent grant of permission for the residential scheme of Coola Lawns was permitted under P.A. Reg. Ref. No. 99/782 with this development comprising of a total of 34 dwellings. I further note that the site is bound by 12 of the completed dwellings from this scheme and that these 12 dwellings were subject to amendments and modifications sought by way of planning applications in the intervening years.

- 7.2.3. In relation to local through to national planning policy provision I am cognisant that the efficient and compact use of serviced lands within existing settlements is a type of development supported under the National Planning Framework. For example, National Policy Objective 3a of the said Framework seeks to deliver at least 40% of all new homes nationally within the built-up footprint of existing settlements.
- 7.2.4. This proposal seeks an increased density and mixed tenure residential development on a brownfield plot of land which currently benefits from a low-density residential scheme within the defined boundaries of the settlement of Kilbeggan. This is in my view is consistent with the said National Policy Objective, subject to safeguards as it is a type of development that generally aligns with the efficient use of serviced land and generally with a wide range of planning policy provisions which seek to facilitate more compact settlements and more efficient use of serviced appropriately zoned land within settlements, subject to safeguards.

7.3. **Design and Layout**

- 7.3.1. The proposed development as revised consists of 36 dwelling units (10 No. 1 bedroom apartments; 10 No. duplex units; 8 No. semi-detached dwellings and 8 No. terrace dwellings) that would access the Mullingar Road via the existing estate road serving Coola Lawns. I consider that the proposed development, if permitted, would give rise to a density of development that is deemed to be acceptable despite the fringe location of the site on the outskirts of the settlement of Kilbeggan under current planning policy provisions including national guidance on such matters. I also raise no significant concerns in terms of the quantitative residential amenity proposed for future occupants, including car parking provision, waste storage, public open space provision and the like.
- 7.3.2. Moreover, I consider the provision of a 3-storey element subject to safeguards is not inconsistent with national planning guidance. Notwithstanding, I do question whether the proposed design and layout put forward is the right one for this particular site and in this particular context in that it does appear to be unnecessarily cramped in terms of its placement of open space and in relation to two key physical features of the landscape, i.e. the watercourse and the address to the Mullingar Road it does not go far enough to address these features in an appropriate manner in the overall design resolution.

- 7.3.3. My first concern relates to units labelled No.s 29 to 36. This terrace row of 3 different building types, whilst including House Type G which is a 3 bedroom 5 person terrace 2-storey dual frontage building design at units labelled No. 29 and 36 effectively turns it back onto the existing watercourse which is a natural feature of the site which also marks the final extent of the development boundary of Kilbeggan with units labelled No.s 29 to 36 all arguably having a rear elevation, a rear private amenity space through to 1800mm high hit and miss timber panel fencing in between each of these individual units. I question the appropriateness of this design response to the watercourse when this feature could have been integrated in a more positive manner as a key natural feature that the buildings proposed within this development and in particular open space provision didn't turn its back too through to integrate as a boundary or adverse barrier bounding the site.
- 7.3.4. Further, a more appropriate integration of the watercourse into the design concept could result in the development having a greater biodiversity gain for this locality and a better transition between the building-scape of this settlement and its open countryside setting where the predominant residential building types consist of sporadic detached low density dwellings through to farmsteads.
- 7.3.5. This concern also links with my concern that not only does the design and layout turn its back on the river by the positioning and design of units labelled No.s 29 to 36. In so doing this also results in a design that turns it back on integrating more positively when viewed on one's westerly approach into the settlement of Kilbeggan along the Mullingar Road. The site is highly visible on this approach and I question the merits of this design response as the lands bounding it mark the beginning of open countryside and are not similarly zoned under the Development Plan. As such the proposed scheme would be highly legible from the Mullingar Road with the rear elevations of units labelled No.s 29 to 36 not providing an attractive more site context appropriate response to its setting. This is a common problem on the fringes of settlements throughout the country and it does not lend to the enhancement of place, the creation of identity through to its lack an appropriate sense of arrival and harmonious juxtaposition between town and country.
- 7.3.6. I acknowledge that units labelled No.s 21 to 28 also turn their back on the watercourse; however, they are not positioned at a location where they would be highly visible from the public domain.

- 7.3.7. In terms of the design, it arguably would have been more appropriate to locate the 3-storey blocks where they could have become a landmark into the town as these blocks due to containing apartment type units essentially do not have the same private amenity space requirements as the terrace and semi-detached dwellings proposed. Thus, such blocks have a greater capacity to be at a minimum dual aspect as well as have the potential for side elevations to be articulated to appropriately correspond with semi-private and public domains as necessary.
- 7.3.8. My other concern is the provision of open space, I tend to agree with the appellants in this case in that the positioning of the open space is somewhat of an afterthought though I acknowledge it would provide space and opportunity for improvements to the Mullingar Road in future should that be deemed to be required. In such a scenario there would be a quantifiable loss of open space provision for occupants of the scheme. Nonetheless open spaces aligning public roads like this, where there is a heavy volume of traffic, are not generally great spaces for recreational through to passive amenity for occupants of properties in their vicinity. Of further concern, the majority provision of the public open space proposed is located along the Mullingar Road, a Regional Road, and on a tract of land which is not suitable for positioning of any residential units due to the curving alignment of the roadside boundary at this location and the setback location of existing dwellings in the completed portion of Coola Lawns scheme to the west.
- 7.3.9. I therefore consider in this instance the public open space has been positioned on a tract of land that has no development potential and the main public open space provision in terms of providing a quality of public open space for existing and proposed future residents of Coola Lawns is questionable. This open space provision is already mainly *in situ* and at the time of my inspection there was little evidence to suggest that it performed any qualitative amenity purpose for occupants of Coola Lawns and essentially it functioned as a green visual buffer between the existing dwellings that had been completed at Coola Lawns and the Mullingar Road itself with its appearance being one of deep grass verge as opposed to an qualitative provision of open space.
- 7.3.10. I therefore do not see that the proposed development under this application puts forward anything meaningful in terms of open space provision that would change the existing situation and as such I do not see that the position of the open space proposed and its overall design is one that would encourage its passive and/or recreational use

against the back drop of a heavily trafficked regional road where pedestrian access to this road is unfettered. As such it is not positioned in a manner that would be suitable and safe for younger more vulnerable persons to use with any degree of confidence by those who are responsible for their care.

7.3.11. Moreover, the design resolution does not seek to widen the public footpath on the north eastern portion of the roadside boundary which is barely wide enough for one person to walk along. I also question the robustness of the 900mm high park railing bounding the watercourse on the south eastern portion of the site where the public play area is proposed. I acknowledge that these provide for light, ventilation and views out over the watercourse as well as the open countryside, in my view they are not of a height to safeguard children. In addition, no seating is proposed in the vicinity of the play area for parents to sit and watch their children at play and at two sides this area has side elevations of buildings fronting on to it. This is not ideal for passive surveillance of this space nor does the design of these side elevations do anything substantial in terms of their articulation to particularly enliven and add any sense of frontage presence onto proposed communal open space.

7.3.12. Altogether whilst the open space provision may be quantitatively above the Development Plan standards of 15% of the site area, I do not consider that within the 18.39% of the site that there is an actual qualitative provision of recreational and/or passive amenity to meet 15% requirement. Nor as discussed previously does it respond successfully to the presence of the natural features present, i.e. the watercourse that bounds it.

7.3.13. I note that the principles of good urban design as contained in the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages), 2009, and its accompanying design manual advocate a high quality of sustainable development that is well designed to integrate with the existing or new communities and its design manual provides best practice design criteria so that new developments make a positive contribution to their neighbourhood and setting. In addition, Section 4.10 of the Development Plan states that: "*a good development creates a 'sense of place' and community belonging to the residents*"; Policy P-RD3 states that the Council will seek: "*to ensure that new housing development in towns and villages is of an appropriate scale layout and design quality, and that it relates to the character and form of the settlement*"; Policy P-LD1 states that the Council will

seek: *“to achieve attractive and sustainable development which is based upon high standards of design, layout, and landscaping for new housing development”*; and, Policy P-LD3 states that the Council will seek: *“to make appropriate provision for amenity and public open space as an integral part of new residential development or extensions to existing developments”*.

7.3.14. Further, Section 4.12 of the Development Plan recognises that open space is one of the key elements defining the quality of the residential environment and that quality will take precedence over quantity in its provision. It also recognises that not only does it provide passive and active amenity it can also have important ecological as well as environmental aspects. In addition, Policy P-PPOS1 states that the Council will seek to: *“ensure the provision of public and private open space within new residential development is of a high standard, overlooked and integral to the overall development. Narrow tracts of land or ‘left over areas’ will not be accepted as open space provision”*. This is essentially what the main linear provision of open space is in the design resolution put forward and arguably contrary to this and the other planning policy provisions indicated.

7.3.15. I am of the view that a better quality of design is warranted in this situation and I consider the proposed development would be contrary to the proper planning and sustainable development of the area.

7.4. Residential Amenity Impact

7.4.1. Having regard to all the information available on file, I am of the view that the proposed new terrace group, will have no serious, or disproportionate negative impact on the prevailing residential amenity of properties in its vicinity. In particular, the existing properties to the west of it, i.e. the existing completed dwellings completed at Coola Lawns.

7.4.2. I have considered potential threats to residential amenity including but not limited to visual obtrusion/overbearance, loss of daylight, overshadowing and overlooking arising from the proposed development. I consider that the proposed design includes ample lateral separation distance between existing and proposed dwelling units.

7.4.3. In this context I consider that the level of material overlooking that would have arisen from the initial design concept put forward in this application has been satisfactorily addressed by physical screening measures in the upper private amenity spaces of the

duplex building's positioned to the east of No.s 27 to 30 Coola Lawns and the positioning of dwellings seek to correlate with the existing dwellings in the completed section of Coola Lawns estate by continuing a staggered setback for proposed units labelled No.s 21 to 28 which are stepped back from the building line of No.s 7 and 8 Coola Lawns which adjoin them to the east of the site with this similarity of setback continued for units labelled No.s 29 to 36.

- 7.4.4. This has been achieved by continuing the existing access road from its T-junction that is bound by the semi-detached pair of No. 27 & 28 Coola Lawn on the northern side of this junction and No. 7 & 8 Coola Lawn in the completed portion of Coola Lawns in an easterly direction and following a similar L-shaped alignment to that of the previous permitted but not completed developments on the appeal site.
- 7.4.5. In addition, the duplex units which are labelled No.s 1 to 19 and are provided in two blocks with a west to east orientation are setback by c22meters from the rear elevations of No.s 27 to 30 Coola Lawn. They have been designed with the side elevations of the two blocks facing onto the rear of No.s 27 to 30 Coola Lawns with limited window openings on these elevations to provide light and ventilation with the space in between occupied by a buffer zone of dense planting that includes tree planting. The mitigation measures included in the revised design has also minimised the potential for significant overlooking to arise from the principal elevation of the duplex block containing units labelled No.s 1 to 10 and similarly for the rear of the duplex block containing the units labelled No.s 11 to 19.
- 7.4.6. While I accept that the proposed development, if permitted, would give rise to a change of context and setting for the existing 12 completed properties at Coola Lawns, the lateral separation distances between existing properties and proposed properties together with the positioning of residential buildings is similar to what one finds in existing suburban contexts including where land lies at the fringes of a settlement but within the settlement boundaries. Further the orientation, the positioning and built form is such that the design concept has minimised the level of overshadowing that would arise to existing properties in its vicinity. Thus, subject to the appropriate boundary treatments, the provision of site appropriate semi-mature trees, the provision of opaque permanent glazing for WC's and the like, I consider that the residential amenities of properties near the proposed development would not be significantly adversely impacted by the proposed development were it to be permitted. I also

consider that nuisances arising during the demolition and construction phases can be appropriately dealt with by way of appropriate conditions. In this case I do not consider that there are substantive grounds to refuse permission based on residential amenity impact.

7.5. Access

- 7.5.1. The proposed design seeks to serve the proposed development by an existing entrance onto the Mullingar Road where sightlines can be achieved in both directions. This entrance was originally designed to cater for a residential development of 34 dwellings, 12 of which were completed only.
- 7.5.2. I acknowledge that the proposed scheme puts forward a greater density for the uncompleted portion of Coola Lawns by way of the 36 dwellings now proposed. Thus, the proposed development, if permitted, would serve a total of 48 dwelling units, as would its main access road which would be extended and terminate at a turning head cul-de-sac within the appeal site rather than continuing on to an existing agricultural entrance that is *in situ* along the Mullingar roadside boundary of the site.
- 7.5.3. I consider the approach to use the existing entrance is acceptable as it would limit the number of openings onto what I observed is a heavily trafficked road. I am also of the view that this existing entrance is of a suitable design as is the completed access road in Coola Lawns to cater for the additional traffic, subject to safeguards, in the event of a grant of permission. This should include measures that would internally lower speed such as traffic calming measures like speed ramps and signage and this can be adequately addressed by way of appropriately conditions.
- 7.5.4. I also note to the Board that two additional pedestrian connections are proposed onto the Mullingar roadside boundary of the site. The proposal does not seek to gate these access points which will allow for unfettered pedestrian connectivity and permeability to the village centre for future and existing occupants of Coola Lawns. It would also allow access to the proposed public open space to the wider community which would be a gain in terms of the level of passive amenity space that would be available within the settlement of Kilbeggan. I note that the existing access serving the completed portion of Coola Lawns onto the Mullingar Road is unfettered and there is nothing to suggest that this has resulted in any additional anti-social behaviour within it; notwithstanding, this could be a concern for future and existing occupants of Coola

Lawns the provision of additional ungated and uncontrolled access particularly onto what is proposed to be the main open space provision within this residential scheme.

- 7.5.5. I also again acknowledge that the design resolution has provided the required car parking space provision set out in the Development Plan; and, therefore I consider this component of the proposed development to be acceptable.
- 7.5.6. Should the Board be minded to grant permission for the proposed development I recommend that they give consideration to providing a Mobility Management Plan condition which includes but is not limited to using the existing access serving the site during the main phases of demolition and construction rather than the existing access road as well as entrance serving the existing 12 dwellings at Coola Lawn. This would significantly lessen the disruption, noise, potential for debris on the existing estate access road and its junction onto the Mullingar Road.
- 7.5.7. Similarly, I recommend that consideration is given to using the existing site area for all parking, deliveries, waste, public road damage repair through to cleaning of debris during the demolition and construction phases within this plan. Further, I recommend that such a plan be subject to the written agreement of the Planning Authority prior to the commencement of development on site.

7.6. **Flood Risk**

- 7.6.1. The appeal site forms part of what is generally a low-lying area within the County of Westmeath. It is bound on its southern and eastern side by water courses that link to the River Brosna which at its nearest point is located c58.9m to the north west of the Mullingar Road boundary of the site with the land in between sloping downwards gently towards what appears to be a manmade water channel associated with National Monument WM03827 and the River Brosna.
- 7.6.2. On the day of my site inspection I observed an open trial hole on the site which contained near ground level stagnant water and that in places there was some ponding of water.
- 7.6.3. The OPW CFRAM mapping indicates that the lands on the opposite side of the Mullingar Road, in particular those in proximity to the north eastern boundaries of the site potential are at risk from fluvial flooding (Indicative 1% AEP (100-year) Event). The appeal site itself does not appear to be at risk from flooding.

- 7.6.4. The appellants raise a number of concerns in relation to the site's potential for flooding, but they do not substantiate past events of flooding on the site area.
- 7.6.5. To counter the appellants concerns on the matter of flood risk a Flood Risk Assessment was submitted by the applicant in their appeal submissions to the Board.
- 7.6.6. Due to the inland location of the subject site this assessment indicates that coastal flooding does not pose a risk to the settlement of Kilbeggan. However, it acknowledges that as the River Brosna flows through this settlement this gives rise to a potential for fluvial flooding. This assessment also has regard to the Flood Maps produces by the OPW as part of the Shannon CFRAM study which were based on computer modelling, LiDAR information and the like which show that *"while flooding shall occur along lands straddling the River Brosna that any such flooding shall not impact on the subject site or any of the lands surrounding it under either the 10%, 1% or 0.1% AEP scenarios. This study also provides flood depth maps which shows that no flooding of the appeal site and that the site will remain free from fluvial flooding even under high-end scenario based on a 30% increase in rainfall and a sea level rise of 1m"*.
- 7.6.7. This assessment alongside the documentation submitted with this application shows the drainage measures proposed for the site indicate that the measures will restrict discharge from the development to a level of 8.3l/s under all rainfall events up to a 1 in 100 return period. It considers that such measures shall ensure that the proposed development does not cause flooding downstream of the site.
- 7.6.8. This assessment also acknowledges that pluvial flooding represents another possible flood risk to the site with the north east portion of the site susceptible to this. However, it notes that the OPW PFRA Maps were produced as a first stage multi-stage evaluation of pluvial flood risk across the country and as such are just a starting point. It is also acknowledged that these PFRA Maps may not be accurate at a local level with the OPW indicating that these maps: *"should not be used to assess risk at the level of individual properties"*.
- 7.6.9. In the case of the subject site the assessment considers that the poor infiltration properties of the sub-soil would be a contributing factor as well as the fact that ground levels within this area are also flat and therefore do not offer sufficient gradient to allow overland flow of surface water into the adjacent watercourses.

- 7.6.10. The design measures therefore include the location of the open space/play area in the area where the issue of pluvial flooding may arise. The design measures also include raising and regrading the ground levels in the site, the planting of vegetation and the installation of drainage infrastructure that includes improved infiltration routes for rain, so it does not remain lying on the ground. The overall measures seek to eliminate the key factors contributing to the potential for pluvial flooding in this area.
- 7.6.11. This report concludes that the proposed development, if permitted, together with the drainage measures proposed, would not represent an unacceptable flood risk nor would it exacerbate flooding in the immediate or wider area.
- 7.6.12. Notwithstanding the conclusions of this report and whilst I accept based on the information on file and that publicly available that subject to safeguards that flooding should not be an issue. However, I raise a concern that the measures proposed to reduce the potential for pluvial flooding on site is lacking clarity in relation to the proposed augmentation of the topography of the site by way of regrading and raising the ground levels and as such I can't be certain beyond reasonable doubt.
- 7.6.13. In light of the above considerations in the absence of clarity on these measures I raise a concern what impacts this will have on the design solution put forward for the proposed dwellings particularly those located in the north-eastern portion of the site. This adds to my previous concerns in relation to the suitability of the design and layout chosen for the proposed site in terms of its buildings to space relationship together with its appropriateness for its site context. I therefore recommend that should the Board be minded to grant permission that further clarity on the proposed augmentation of the site levels are provided in order to satisfy this outstanding concern.

7.7. Drainage

- 7.7.1. Whilst I note the concerns of the appellants in terms of drainage matters for the proposed development and existing infrastructure within the village; notwithstanding, I am cognisant that the Planning Authority and Irish Water have raised no substantive capacity concerns in terms of meeting the drainage through to potable water supply of the site for the quantum of development proposed subject to safeguards. There is nothing in my view to substantiate that this would not be the case should permission be granted subject to the safeguards proposed including the infrastructural works

outlined in the documentation submitted with this application as revised and on foot of this implemented.

7.8. Appropriate Assessment

7.8.1. Article 6 (3) of The EU Habitats Directive (92/43/EEC) requires that “*any plan or project not directly connected with or necessary to the management of the (European) site, but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site considering its conservation objectives*”.

7.8.2. As set out in Section 5.4 of this report above the subject appeal site is not within, it does not adjoin, and it is physically removed from all of the European Sites within a 15km radius of it. The nearest European site is Split Hills and Long Hill Esker SAC (Site Code: 001831). This site is located c2.6km to the north of the site. The features of interest for this site are:

- Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites).

The Conservation objectives are generic for this SAC, in that it seeks to restore the favourable conservation condition the habitats listed by reference to stated attributes and targets.

7.8.3. The potential effects, direct or indirect impacts, as a consequence of the proposed development is highly unlikely given the distance between the appeal site from this European site and the lack of any tangible environmental connections between the two.

7.8.4. I do however acknowledge the presence of a watercourse bounding the site with this watercourse connecting to the River Brosna alongside the River Brosna’s alignment to the north east of the site traversing the area of this SAC. Notwithstanding, the site is located on serviced land where Irish Water and the Planning Authority have raised no capacity issues nor substantive concerns in regard to how surface water and foul drainage is to be provided to serve the needs of the site.

7.8.5. The applicant’s Appropriate Assessment Screening Report states that there is no connectivity with European sites.

- 7.8.6. The proposed development includes measures to deal with surface water and drainage on site in a manner that accords with best practice and in a manner that it would not result in any discharge of unattenuated and/or unfiltered water into the adjoining watercourses above that of a green field rate. Further in the absence of any proposed mitigation measures any pollutants would most likely be diluted and any fine particles would settle out over the 2.6km distance. It is therefore highly unlikely that the proposed development would result in any significant effects on the habitats of Split Hills and Long Hill Esker SAC.
- 7.8.7. Having regard to the foregoing, it is reasonable to conclude that on the basis of the information on the file, which I consider to be adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No. 001831 or any other European Site, in view of their site Conservation Objectives. I therefore consider that a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

7.9. **Other Matters Arising**

- 7.9.1. **Depreciation of Properties:** I note the concerns raised from owners and occupants of properties in the completed portion of Coola Lawns with regards to their concerns that their properties would be depreciated should permission be granted for the proposed development sought under this application. I also note the counter arguments put forward by the appellant who contend that these properties benefit from infrastructural services that traverse the appeal site and connect to public infrastructure for which their properties are dependent upon for safe occupation. I am also cognisant of the zoning of this site which seeks and permits residential developments subject to safeguards. In addition, the site in its current state is unkempt, an eyesore and it is in a dangerous state. As such there is merits and demerits or properties at Coola Lawns for the site to be developed, including from the type of development put forward. I am not convinced in this situation that it has been substantiated beyond all probable doubt that the proposed development would give rise to any significant depreciation of property values upon which to merit a refusal of planning permission.

- 7.9.2. **Services and Infrastructure:** Concerns are raised that there is no spare capacity within the existing services through to infrastructure present within the settlement of Kilbeggan that would be required to facilitate the quantum of residential proposed under this application. With particular concerns raised in terms of schools and health specialist facilities i.e. local vacancies within GP surgery. In terms of whether there is capacity to meet the needs of the proposed development I note that the Planning Authority has raised no specific concerns in this regard; however, it is not a matter for which any assessment and conclusions can be drawn based upon the lack of clarity on such matters available. As such I do not discount this concern as unreasonable and I am of the view that qualitative residential development is supported by the presence of schools, childcare facilities through other services and amenities. Together these help to achieve vibrant, attractive through to sustainable settlements.
- 7.9.3. **Vacancy, Dereliction through to Anti-social Behaviour:** Concerns are raised that it would be a more appropriate approach to deal with vacancy, dereliction of buildings through to under-utilised lands within the centre of Kilbeggan and move outwards in terms of providing development within this settlement. I noted that this is a genuine problem within the settlement of Kilbeggan and with this there is evidence of buildings as well as land suffering from anti-social behaviour which together with vacancy, unkempt buildings, unkempt spaces and the like have unfortunately impacted adversely on the visual amenity through to sense of vibrancy and attractiveness of this historic settlement. Whilst I consider there is merit in these arguments, I consider that the site in its current state presents a poor approach into the settlement of Kilbeggan due to its prominent fringe location as one journeys into it on the Mullingar Road. It is also a site that is highly accessible due to the lack of robust screening around it and as such unauthorised access can be easily achieved. I also observed evidence of anti-social behaviour and dumping. In my view it is not desirable to leave such a visually prominent site in its current unkempt vacant site and the Development Plan seeks to support appropriate development on this site. Thus, I do not consider that this argument in itself would merit the refusal of planning permission for the development proposed under this application.

8.0 Recommendation

- 8.1. I recommend that permission be **refused**.

9.0 Reasons and Considerations

1. The "Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas" published by the Department of the Environment, Heritage and Local Government, 2009, require a high-quality approach to the design of new housing. It is the policy of the planning authority, as set out in the Westmeath County Development Plan, 2014 to 2020, under Policy P-RD3 to ensure that new housing developments in towns and villages is of layout and design quality that relates to the character and form of the settlement as well as under Policy P-LD1 to achieve attractive and sustainable development which is based upon high standards of design, layout and landscaping.

Moreover, under Policy P-LD3 of the Development Plan it is a policy of the planning authority to make appropriate provisions for amenity and public open space as an integral part of a new residential development or extension to an existing development.

Having regard to the proposed design and layout, it is considered that the development would result in a poor qualitative approach to this site and its setting for future occupants.

It would result in substandard design approach in terms of how it's built forms and hierarchy of internal spaces within the site relate to as well as are appreciated from the Mullingar Road as a result of the development turning its back to this regional road and the watercourse that bounds the site.

In addition, when viewed from the Mullingar Road the proposed design response put forward in this application would not give rise to an attractive built response to what is the edge of Kilbeggan's settlement boundaries nor would it give rise to a qualitative passive or recreational amenity space for existing and proposed occupants of Coola Lawns by way of placing the main provision of public open space in the form of a linear tract of land that bounds a regional road on one side.

It is considered that the proposed development would be of insufficient design and layout quality on what is a visually prominent site on approach into the settlement of Kilbeggan from the Mullingar Road as well as at a point where there is

Development Plan boundary juxtaposition between an urbanscape and open country.

It is, therefore, considered that the proposed development, conflicts with provisions of the said national guidelines and with the said provisions of the Westmeath County Development Plan, 2014 to 2020, it would seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.

Patricia-Marie Young
Planning Inspector

20th day of April, 2020.