



An
Bord
Pleanála

Inspector's Report ABP-307386-20

Development	Construction of 95 residential units, including 40 residential units and a creche in a six-storey over basement apartment building, a new entrance onto Ennis Road, and all ancillary site development works.
Location	Knockhill, Ennis Road, Limerick
Planning Authority	Limerick City & County Council
Planning Authority Reg. Ref.	19/970
Applicant(s)	Osprey Construction Ltd
Type of Application	Permission
Planning Authority Decision	Grant, subject to 33 conditions
Type of Appeal	Third Parties -v- Decision
Appellant(s)	Fachtna & Attracta O'Driscoll Alvis Smits
Observer(s)	Tomas Synnott Gillian Keane Linda Keane

Date of Site Inspection

4th August 2020

Inspector

Hugh D. Morrison

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1.0 Site Location and Description

- 1.1. The site is located within the townland of Knock in the north western outskirts of Limerick, some 3km from the city centre. This site lies in a position to the SE of the Coonagh Roundabout, which forms the junction between Condell Road (R527), Ennis Road (R857), and a local road, which serves the Coonagh Cross Shopping Centre. It maintains a narrow frontage to the southern side of Ennis Road, a dual carriageway to the E of this Roundabout.
- 1.2. The site is of irregular shape and its topography is undulating and uneven. Its form thus indicates that it comprises land that has either been made up or disturbed in the past. This site is presently in agricultural use for rough grazing and it extends over an area of 2.487 hectares.
- 1.3. The site comprises three portions:
 - An initial strip of land that runs southwards from the Ennis Road and which is bound to the E by “Dromatha” a residential property on the southern side of this Road. Pronounced gradients across this strip slope downwards from E to W,
 - The main body of the site, which extends over an E/W axis and which is bound to the N by the residential development at Knockhill of three-storey housing and to the E by Na Piarasigh GAA Grounds. Apart from in the W and NW parts of this area, where mounds result in more pronounced gradients, gradients generally slope gently downwards from N to S. A short embankment along the eastern edge slopes downwards to the boundary with the GAA Grounds, and
 - The “tail” of the site, which extends as a strip of land to the SE and wraps around the SW corner of the said GAA Grounds. This tail incorporates the continuation of the aforementioned embankment.
- 1.4. The site is bound mainly by hedgerows, which mark either its perimeter with the above cited land uses or field divisions. A variety of fences also feature.

2.0 Proposed Development

- 2.1. As originally submitted the proposal was for the construction of 95 residential units (11,034.8 sqm). These units would disaggregate as follows:
- 2 detached houses,
 - 18 semi-detached houses,
 - 11 terraced houses,
 - 24 duplexes, and
 - 40 apartments.
- 2.2. The site would be accessed by means of a new access point off the southern side of Ennis Road, which would be continued by means of a two-lane road with public footpaths on either side through the initial portion of the site and into its main body. The 2 single storey detached houses would be laid out on the eastern side of this road within the initial portion of the site.
- 2.3. The main body of the site would be laid out around the on-site road network, which would comprise a W/E spine road off which there would be a N/S cul-de-sac in the western part of this area and a N/S cul-de-sac in the central part of this area. The spine road would terminate in a rectangular format, which would run around a greenspace sited centrally in the eastern part of the area.
- 2.4. The 18 two storey semi-detached houses and the 11 two storey terraced houses would be laid out in the western half of the main body of the site as one-sided development along the spine road and the two cul-de-sacs. The 24 part two/part three storey duplexes and the 40 apartments in a six storey block over a basement car park would be laid out in the eastern half of the main body of the site, the duplexes to the N of the greenspace and the apartments to the S. The apartment building would also comprise a creche (39 children + 9 staff).
- 2.5. A total of 201 car parking spaces would be provided, 38 of which would be in the basement of the apartment building.
- 2.6. Landscaped areas would be laid out around the southern and western boundaries of the site and an attenuation pond would be constructed in the north eastern corner.

2.7. Under further information, the creche was omitted and the number of residential units was reduced to 92, which would disaggregate as follows:

- 2 two-bed detached houses,
- 22 three-bed semi-detached houses (optional four-bed attic conversion),
- 12 three-bed terraced houses,
- 12 duplexes (6 two-bed and 6 three-bed), and
- 44 apartments (40 two-bed and 4 one-bed).

2.8. The layout of the site would remain generally as before: The reduction in duplexes to the N of the central greenspace would be accompanied by the insertion of some of the terraced houses. The number of car parking spaces would contract to 184.

3.0 Planning Authority Decision

3.1. Decision

Following receipt of clarification of further information, permission granted, subject to 33 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Further information was requested with respect to the following matters:

- Ease the linear pattern of development along the N boundary,
Possible relocation of the creche,
Revise downwards the amount of car parking provision,
Pedestrian/cycling connectivity to be extended, and
More contemporary design approach to the proposed duplexes.
- Statement of consistency with respect to the Sustainable Urban Housing: Design Standards for New Apartments (SUH: DSNA) Guidelines.
- Traffic & Transport Assessment and RSA for revised proposal,

Feasibility of sightlines at proposed site entrance,

Sightlines to be depicted,

Any third party boundaries thus affected to be shown and the requisite consent for encroachment obtained,

Sightlines relate to objects greater than 1m in height, and

Service poles to be re-sited as appropriate.

- No right-hand turn egress vehicular movements onto Ennis Road to be allowed: Physical island and signage to be duly installed, and
Various detailed revisions to on-site access arrangements to improve road safety.
- Public lighting warranties.
- Clarification of ownership and suitability of stormwater pipe,
Modelling of flood risk,
SuDS,
Equipment specifications, and
Maintenance Plan.
- Foul water connection to be with 600mm sewer from Coonagh Roundabout towards Ivan Cross.
- Flood risk from OPW arterial drainage network, and
Flood risk to proposed basement.
- Acoustic Design Statement.
- Third party concerns to be addressed.

Following receipt of further information, clarification of this information sought with respect to the following matters:

- RSA recommendations to be depicted spatially.
- Proposed road island would be too small to deter RHT movements onto Ennis Road.

- Re-sited bus stop to be consistent with requisite sightlines.
- Tactile paving to be specified in accordance with the relevant guidelines.
- Details of the ramp to the basement.
- Public lighting warranties.
- Clarification of ownership and suitability of stormwater pipe,
Modelling of flood risk,
Equipment specifications, and
Maintenance Plan.
- Detailed Construction Management Plan.
- Confirmation from Irish Water with respect to proposed foul water drainage proposals.

3.2.2. Other Technical Reports

- Irish Water: Further information requested within respect to the utilisation of a new 600mm public sewer, which has been laid from Coonagh Roundabout towards Ivan's Cross.
- HSE – Environmental Health: Standard advice concerning the creche and facilities to ensure food hygiene.
- TII – Defers to the PA and flags Chapter 3 of the Spatial Planning and National Roads Guidelines.
- OPW: Attention is drawn to the overlap between part of the site and lands deemed to benefit from Channel 2/5 of the Shannon Embankments North (Coonagh) Drainage Scheme and so an increase flood risk may arise.
- LCCC:
 - Fire & Rescue Service: Standard advice on need for hydrants and the obtaining of Fire Safety and Disability Access Certificates.
 - Physical Development – Science: Following receipt of further information, no objection to the proposal on the grounds of noise.

- Physical Development – Engineering: Following receipt of further information, no objection to the proposal on the grounds of flood risk.
- Operations & Maintenance Services: Following receipt of further information, multiple engineering conditions requested.
- Archaeologist: Monitoring condition requested.

4.0 Planning History

Site:

- 16/1009: 66 houses proposed, subsequently revised to 53 houses, with new entrance onto Ennis Road: Outline permission granted on 15th November 2017.
- Pre-application consultation occurred on 21st June 2019.

Adjacent sites:

- To the N: 89/1065: 24 dwelling houses with a new entrance onto Ennis Road: Permitted and implemented.
- To the SE: 14/0003: 2 new grass pitches with floodlighting and fencing at Na Piarsaigh GAA Club: Permitted and implemented.

5.0 Policy and Context

5.1. Development Plan

Under the Limerick City Development Plan 2010 – 2016 (CDP), the site and lands to the W and N are zoned 2A residential, wherein the Objective is “To provide for residential and associated uses.” Lands to the SE are shown as being either sports grounds or public open space. Ennis Road is identified as a proposed green route, i.e. a long-term cycleway, and the site lies within Zone 3 for parking purposes. There is a ringfort to the S of the site, which is recorded in the site and monuments register.

5.2. Natural Heritage Designations

- Lower River Shannon SAC (002165)

- River Shannon & Fergus Estuaries SPA (004077)

5.3. EIA Screening

Under Items 10(b)(i) & (iv) of Part 2 of Schedule 5 to Article 93 of the Planning and Development Regulations, 2001 – 2020, where more than 500 dwelling units would be constructed and where 10 hectare-urban sites would be developed, the need for a mandatory EIA arises. The proposal is for the development of a 2.487-hectare urban site to provide 95 (92 as revised) new build dwelling units. Accordingly, it does not attract the need for a mandatory EIA. Furthermore, as this proposal would fall below the relevant thresholds, I conclude that, based on its nature, size, and location, there is no real likelihood of significant effects upon the environment and so the preparation of an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

(a) Fachtna & Attracta O’Driscoll of Dromatha, Knock, Ennis Road, Limerick

- Entrance

Concern is expressed that, notwithstanding the proposed island and signage, right hand turning movements from the site egress would occur.

Traffic turning left would add to queues back from the Coonagh Roundabout and thus affect the appellants’ ability to exit their residential property.

The width of the proposed access road to the site, at 5.5m, would be very narrow.

- Boundaries

A note on the submitted plans states that the W boundary to the appellants’ residential property would be “retained and strengthened”. They have not been consulted about nor have they consented to such strengthening.

Deep excavations within the site adjacent to the said W boundary would undermine the stability of the wall along it and adversely affect the roots of trees.

The said trees have been regularly maintained, unlike those on the subject site, and they have withstood the storms of recent years, again, unlike those on this site. Their loss on foot of the current proposal would have serious implications for the amenity of their residential property.

- Houses Nos. 1 & 2

These houses would not have 11m deep rear gardens. Instead their rear elevations would overlook a steep embankment with adverse implications for the amenity that they would afford to future residents.

- Privacy

Houses Nos. 5 – 8 (inclusive) would, due to their FFL, look directly into the rear of the appellants' residential property.

- Apartment development

The proposed multi-storey apartment block would overlook the appellants' residential property from, in the case of the top floor, a height of 10 – 12m above their FFL.

The proposed apartment block would be out of scale and character with existing housing in the locality.

(b) Alvis Smits of 21A Knockhill, Ennis Road, Limerick (co-signed by 4 other residents of Knockhill)

While objection is not raised in principle to the development of the site, this needs to be done in manner that is respectful of existing residential properties. The following grounds of appeal are cited:

- Distance of Block C from the boundary

Attention is drawn to the separation distance between rear windows in the returns of dwelling houses in Block C and the northern boundary of the site, which are less than 11m.

Habitable room openings and balconies in the proposed houses should face S and thus away from the said boundary.

- Height of the apartment building

Paragraph 3.6 of the Urban Development and Building Height (UDBH) Guidelines is cited. The site's location and its surroundings are such that the apartment building should be no more than four-storeys rather than the proposed six-storeys, if it is to integrate with the same.

- Attenuation pond

Concern is expressed over the proposed siting of the attenuation pond and the risk of odours and colonisation by invasive species. It should either be re-sited, enclosed, or an alternative solution found.

- Unassessed road safety concerns

Bus stop is being re-sited closer to Coonagh Roundabout.

RHT lane would be too short, e.g. 2 cars may not even fit into it, and it would occur at the start of the 60 kmph zone.

TTA did not allow for traffic generated by other projects, e.g. Limerick Northern Distributor Road.

- Extant permitted outline application 16/1009 pertains to the site.

6.2. Applicant Response

The applicant begins by noting that the issues raised by the appellants were previously addressed under FI/CFI at the application stage. It then proceeds to describe the site and the proposal, as it evolved through the said application stage.

The applicant states that it owns a more extensive area of land to the S of the site, but that, due to noise, flooding, and archaeological issues, this land is not currently developable. Should this change in the future, the cul-de-sacs comprised in the current proposal would afford access to it.

The applicant has set out its design approach to the development of the site. In this respect, Section 14.2 of the CDP is cited. The proposal would satisfy several of the objectives of this Section, i.e. it would entail the development of underutilised land

and it would provide a sense of place with the apartment building being sited in the lowest part of the site.

The applicant responds to the grounds of appeal cited by the appellants, as follows:

- Overlooking/loss of privacy

A row of 10 three-storey housing units at Knockhill lie to the N of the eastern half of the northern boundary to the site. A proposed row comprising two-storey terraced houses and three-storey duplexes would correspond with these housing units.

- The rear elevations of the terraced houses would maintain a separation distance of c. 22m.
- The rear elevations of the duplexes would incorporate single storey returns and these duplexes would be designed to have all their living room windows and recessed balconies in their front elevations. Their low ground floor level and the retention of the existing treatment along the northern boundary of the site would ensure that openings in the rear elevation at this level would not overlook the housing units and the separation distances between the upper levels and these units would be between 22 and 25m.

Thus, upper floor openings would exhibit the conventional separation distance between corresponding elevations that is deemed to safeguard neighbour privacy.

The 2 bungalows, which would be sited towards the entrance to the site, would have rear elevations that would correspond with the eastern boundary of the site with “Dromatha”. However, openings in this elevation would face an embankment and new and existing boundary treatments, which would negate overlooking.

- Integration of the apartment building

When viewed from the above cited three-storey housing units, the proposed five-storey apartment building with a further recessed sixth storey would be seen by looking over the two-storey terraced houses and three-storey duplexes and so only the uppermost portions of this building would be visible. Furthermore, the apartment building would be built with a GF level c. 4m lower than that of these housing units and it would be separated from them by a distance of 78m.

While the proposed apartment building would be higher than existing housing in the area, Section 3.6 of the UDBH Guidelines encourages four storeys or more in

spacious settings such as that of the site and the applicant's adjoining land to the S with its fields and hedgerows.

- Attenuation pond

The attenuation pond was proposed under FI rather than an underground attenuation tank. This pond would discharge to existing pipework to the SE of the site, which is at a fixed level, and so it needs to be in the selected location to ensure good gravity flow into this pipework.

Modelling of the proposed pond and said pipework demonstrated that a continuous flow of water would be likely to ensue. While the pond may dry up, odours are not anticipated.

The pond would be enclosed by security fencing to prevent unauthorised access.

- Traffic and road safety

The applicant prepared a scoping document that was submitted to the PA. This document informed the subsequent preparation of a TTA, which shows that, either with or without the inclusion of the proposed crèche, there is capacity in the public road network to accommodate traffic generated by the proposal.

Nevertheless, as traffic generated by the proposed crèche would contribute the equivalent of that generated by the proposed apartment building, it was decided under FI to omit it and thereby allay local concerns about excessive traffic.

The proposed priority junction for the site would be designed to prevent RHT movements by exiting drivers.

- Boundary treatment

Appellants (a) reside in "Dromatha" and they draw attention to the line of Monterey Cyprus trees that exist along the common boundary between their residential property and the site. The applicant notes that these trees have, recently, been heavily topped/pruned on the "Dromatha" side, leaving an imbalance in the overhang of branches above the site. The applicant proposes to cutback this overhang and so rebalance these trees.

The embankment that slopes downwards from the said common boundary would be excavated in a stepped manner in order to protect the roots of the Monterey Cyprus

trees. Other protection measures have been set out in the report of the applicant's arborist.

6.3. Planning Authority Response

None.

Furthermore, under a Section 132 Notice, the PA was requested to comment on the following:

The Board notes that whereas the applicant included a crèche within its original proposal for the site at Knockhill, Ennis Road, Limerick, under further information, this crèche was omitted. The explanation for this omission given by the applicant is that it would reduce the number of vehicular movements to and from the site. The Board notes, too, that, under the Childcare Facilities Guidelines for Planning Authorities, proposals, such as the current one, for more than 75 dwellings normally require to be accompanied by a crèche. In these circumstances, the Board requests that the Planning Authority elucidates in writing why it acceded to the omission of the said crèche in granting planning permission to the revised proposal.

No response was forthcoming from the PA.

6.4. Observations

(a) Tomas Synnott of 11 Ferndale, Ennis Road, Limerick

- Proximity of the site entrance to Coonagh Roundabout.
- Inbound traffic is reduced to one lane on the R445 at the point where the proposed RHT lane would be inserted. Existing complications would be exacerbated thereby.
- Houses Nos. 1 & 2 would be sited in positions adjacent to the proposed access.
- The omission of the creche and the reduction in traffic that would thereby be secured would not overcome the safety issues attendant upon the proposed access.

- The adequacy of the E sightline is questioned.
- The proposed access would be close to the change from a 60 to a 50 kmph zone.
- Extending the hatched meridian moves it too near to the Coonagh Roundabout.
- RHT movements from the proposed egress would occur.
- Traffic on the R445 will increase with subsequent phases of road extensions beyond the current Coonagh Roundabout.
- The extant permitted outline application 16/1009 envisaged 3 three-storey apartment blocks.
- Under 03/2050 & PL13.210562, a proposed access/egress to Ferndale opposite that which is currently proposed was refused¹, due to its proximity to Coonagh Roundabout.
- Outbound traffic needs to choose between lanes on approach to the Coonagh Roundabout at the point where the proposed access would be sited.
- The County Roads Development Plan envisaged that the site would be accessed off Condell Road to the W.

(b) Gillian Keane & Linda Keane of Knockhill, Ennis Road, Limerick

- The site entrance off the Ennis Road, a dual carriageway, would be inappropriate, and resulting congestion would militate against the observers gaining access to their residential property at peak times.
- The amenities of the observers' residential property would be adversely affected in terms of overshadowing/loss of sunlight, overlooking/loss of privacy, traffic noise, and light spillage from headlights at night.
- The incidence of rock in the site makes it unsuitable for development, which if it were to proceed would be likely to result in a pro-longed period of rock breaking.

¹ The Board, on receipt of revised plans, permitted this application.

- Natural vegetation and wildlife on the site would be disturbed by the development.

6.5. Further Responses

Appellant (a) supports appellant (b)'s grounds of appeal.

7.0 Assessment

7.1. I have reviewed the proposal in the light of national planning guidelines, the CDP, relevant planning history, the submissions of the parties and the observers, and my own site visit. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Land use, height, and density,
- (ii) Traffic, access, and parking,
- (iii) Creche provision,
- (iv) Development standards,
- (v) Visual and residential amenity,
- (vi) Water and ground conditions, and
- (vii) AA.

(i) Land use, height, and density

7.2. Under the CDP, the site is zoned for residential use. As the proposal is for such usage, there is no in principle objection to it from a land use perspective.

7.3. Under the CDP, building height is addressed under development management section. In doing so, the character areas of Limerick City are referred to. These character areas are denoted as Area Profiles and the site lies in the one denoted as Caherdavin. Key objectives for this Area do not directly refer to height, although the following one does have an indirect bearing: "To promote a high standard of urban design with a clear sense of place and architectural quality that respects the existing character of the area." This emphasis on good urban design is reiterated in the "Special standards applying to medium and high-rise buildings", which are listed

under the aforementioned section on building height. The CDP relies on this criteria-led approach rather than on one that is prescriptive with respect to building height.

- 7.4. Under the Urban Development and Building Heights (UDBH) Guidelines, advice is given on building height in suburban areas, such as that of Caherdavin. Thus, these Guidelines require that at least three to four storeys be supported in principle in such areas. Under Paragraphs 3.4 – 3.8, they envisage a mix of two-three storey townhouses, three-four storey duplexes, and four storeys and upwards apartments, which “can be accommodated alongside existing larger buildings, trees and parkland, river/sea frontage or along wider streets.”
- 7.5. The above cited paragraphs are accompanied by SPPR 4, which states that the following objectives must be secured: The minimum densities cited in the Sustainable Residential Development in Urban Areas (SRDUA) Guidelines, a greater mix of heights and typologies, and the avoidance of mono-type building typologies.
- 7.6. Under the SRDUA Guidelines, outer suburban/greenfield sites should be developed for housing at net residential densities in the general range of 35 – 50 dwellings per hectare. The revised proposal is for 92 dwellings on a site with a developable area of 2.1 hectares² and so it would have a net residential density of 43.81 dwellings per hectare.
- 7.7. While the proposal would comprise detached, semi-detached, terraced, duplex, and apartment typologies, it would combine effectively more traditional estate type, predominantly two-storey, dwelling houses with a small number of three-storey duplexes/apartments and a large number of apartments in the proposed six-storey block. The required density would thus be achieved by the inclusion of the latter block especially. I am, therefore, concerned that the overall proposal would not be designed to exhibit a consistently high density. Instead, such a density would only transpire with the construction of the apartment block and so if that were not to happen the proposal would cease to exhibit a sufficiently high density.
- 7.8. While the applicant has not sought to justify the inclusion of the apartment block in the proposal in terms of Paragraphs 3.4 – 3.8 of the UDBH Guidelines, I note that, it has indicated that its adjoining lands to the S would be undevelopable, due to their attendant flood risk. I note, too, that the adjoining land to the E is laid out as GAA

² This area excludes the “tail” of the site, which is included in the overall site as a drainage route.

playing pitches. If the lands to the S were to remain undeveloped, then this block would be sited partially within the open setting formed by them and the playing pitches. Furthermore, to the N, an area of open space would be laid out as a public square within the site. I, therefore, consider that the setting of the proposed apartment block would be a spacious one and thus capable of accommodating it, as envisaged by the said Paragraphs.

7.9. Advice on appropriate locations for apartment blocks is set out in the Sustainable Urban Housing: Design Standards for New Apartments (SUH: DSNA) Guidelines. This advice identifies three types of location, i.e. central and/or accessible urban locations, intermediate urban locations, and peripheral and/or less accessible urban locations. Proximity and accessibility criteria are set out under each of these types. I have reviewed these criteria: The first is clearly not applicable to the subject site and so either the second or the third could be. In assessing the proposal against the criteria for the second location, I have factored-in that the siting of the proposed apartment block in the SE corner of the site would be c. 300m from the only available site access point.

7.10. Intermediate Urban Locations relate to proposals that are broadly greater than 45 dwellings per hectare net. The current proposal would be slightly below this figure. However, as the said description is qualified by the word “broadly”, I consider that its proximity and accessibility criteria can be applied to the proposal.

- The proximity criterion states that sites should be within reasonable walking distance (800m – 1000m) of principal town or suburban centres or employment locations, that may include hospitals and third level institutions.

Neither the city centre nor Limerick’s hospitals or third level institutions are within 800m – 1000m of the site. The CDP designates a district centre on the Ennis Road c. 900m to the E of the site access, which is based on the Jetland Shopping Centre. While this centre affords a wide range of shops, wider uses such as services and civic facilities that are typically associated with a suburban centre are absent. Furthermore, if the above cited c. 300m distance between the proposed apartments and the site access is allowed for, then it lies c. 1200m away.

- The accessibility criterion states that sites should be within 1000 – 1500m walking distance of high capacity public transport stop, or within a maximum of 1000m of a high frequency urban bus service (minimum 10 minute peak hour frequency) or where one could be provided or 400 – 500m of a reasonably frequent urban bus service (minimum 15 minute peak hour frequency).

The site is not within the stated range of a high capacity public transport stop nor within the stated ranges of urban bus services. It is accessed off the Ennis Road (R445), which on its nearside has a bus stop close to the proposed access point to this site and on its far side has a bus lane that starts effectively opposite this proposed access point. This stop is served by the 344 Bus Eireann Route between Limerick/Shannon/Ennis, which operates on an hourly basis off-peak and a twice hourly basis during the am and pm peaks. It is accompanied by an additional express service, which operates a single service in either direction during the am and pm peaks.

Thus, I conclude that the site does not meet the proximity and accessibility criteria for an intermediate urban location and so it is a peripheral and/or less accessible urban location.

7.11. The Guidelines state that peripheral and/or less accessible urban locations are “generally suitable for limited, very small-scale (will vary subject to location), higher density development that may wholly comprise apartments, or residential development of any scale that will include a minority of apartments at low-medium densities (will also vary, but broadly less than 45 dwellings per hectare net) including sites in suburban development areas that do not meet proximity or accessibility criteria.” The current proposal is for 92 residential units, 44 of which would be apartments, i.e. 48%. These apartments would be provided in a six-storey block and so at a high density. Under the above Guidelines, they would neither be very small-scale or a minority at low-medium densities. I, therefore, conclude that the number and density of these apartments would be unsuitable for the site.

7.12. I conclude that there is no, in principle, objection, to the proposal from a land use perspective. I conclude, too, that this proposal would have the requisite net residential density. However, this density would be achieved by the inclusion of an

apartment block, which would be too large and too dense for the site, which is at a peripheral location. In these circumstances, the advice of the UDBH Guidelines on the provision of three-four storey buildings would signal the route to achieving the requisite density.

(ii) Traffic, access, and parking

- 7.13. The applicant has submitted a TTA, which examines the performance of Coonagh Roundabout and the proposed priority junction between Ennis Road and the site access/egress. Traffic counts were taken on Friday 6th September 2019 between 07.00 and 19.00 at this Roundabout and at the existing priority junction between Ennis Road and the housing development at Knockhill, which, like the proposed junction, prohibits exiting vehicles from turning right onto this Road. The pattern of vehicular movements at this junction was then taken as a template for the proposed junction.
- 7.14. The performance of the said junctions was then examined for 2021, the assumed year of development completion, and 5 and 15 years on from this year, i.e. 2026 and 2036. Traffic growth rates were factored into the examination. The performance of both the Roundabout and the proposed junction were found to be satisfactory under each of these time horizons, with traffic generated by the proposal factored-in.
- 7.15. Given the proposed prohibition on exiting vehicles turning right onto Ennis Road from the site egress, traffic exiting from the proposal during the am peak would add to traffic on the eastern arm of the Coonagh Roundabout and yet the RFC of this arm would only increase from 0.25 to 0.27 to 0.30 over the said time horizons. Nevertheless, one of the TTA's conclusions is that, as the proposed creche would account for 27% of the traffic generated by the proposal, its omission would result in a reduction of traffic congestion on Ennis Road and at the Coonagh Roundabout. The agent adds in his cover letter to the FI submission that this omission would "help address some of the concerns raised by residents in terms of traffic build-ups outside their properties on Ennis Road."
- 7.16. I note that the stated RFCs in the foregoing paragraph are not especially high and so I question the need, on this basis, to omit the proposed creche. I will return to this subject under the third heading of my assessment below.

- 7.17. Appellant (b) has critiqued the TTA on the basis that it does not factor-in traffic changes that would arise from the Limerick Northern Distributor Road. I note that this Road would be a continuation of the northern arm to the Coongah Roundabout which at present provides access to a Shopping Centre. I note, too, that this Road is, according to LCCC's website, the subject of public consultation as part of its planning stage and that its likely implementation would be in the long term³. Given these circumstances, I consider that it may be too early to reasonably expect the factoring-in of traffic that may be generated by this Distributor Road.
- 7.18. Turning to the proposed access to the site off Ennis Road, observer (a) has drawn attention to an alternative access off Condell Road to the W. "On the ground" there is such an access point, which has been closed. The applicant has not addressed directly its non-selection of this point, which lies to the S of the subject site on land deemed to be undevelopable for a variety of reasons. In this respect, the OPW has submitted a plan of benefiting lands in conjunction with the flooding of a channel identified as 2/5. These lands would overlap with this access/egress point. It may also be the case that, as Condell Road is intended to handle primarily through traffic, the use of the said access point to serve the proposal, which would generate local traffic, would be objectionable in principle.
- 7.19. The proposed access point to the site off Ennis Road was authorised under extant outline planning permission (16/1009) for use to serve a 53-house development. Under the current proposal for 92 dwellings, an intensification in its use would ensue.
- 7.20. The proposed access to the site off Ennis Road would be 85m to the E of the Coonagh Roundabout. Just before this Road connects with this Roundabout, there is a pedestrian and cyclist signalised crossing point. As it passes the frontage of the site, the Ennis Road takes the form of a four-lane road with a hatched/grassed central reservation and public footpaths and cycleways. Beyond the site frontage to the E, the inside in-bound lane is a bus lane, and the inside out-bound lane is a cycle lane. The in-bound lanes are the subject of a 50 kmph speed limit and the out-bound

³ As per the answer given by the Minister of Transport, Tourism and Sport to a TD's question asked in the Dail on 23rd July 2019.

lanes are the subject of a 60 kmph one⁴. Within the vicinity of the proposed access point there is an existing bus stop and accompanying shelter.

- 7.21. The proposed access is the subject of Stage 1/2 RSA, the recommendations of which have been accepted by the applicant and incorporated into the proposal. The key recommendations in this respect relate to right hand turning movements. Thus, exiting vehicles would be prohibited from making such movements by the design of the proposed egress and so drivers' intent on heading E would need to do a "U" turn at the Coonagh Roundabout. Vehicles turning right onto the site access would be facilitated in this respect by a turning lane that would be formed in the hatched central reservation. This lane would be 25m long and so it would be able to accommodate a short queue of vehicles.
- 7.22. Observer (a) draws attention to how existing road conditions on the in-bound lanes of the Ennis Road would be complicated further by the proposed turning lane. This turning lane would be 70m to the E of Coonagh Roundabout and 40m to the E of the signalised pedestrian and cyclist crossing. The bus lane would begin 30m to the E of the start of this lane and 5m to the E of its finish. On clearing the said crossing, all vehicles begin to accelerate and vehicles on the inside lane merge with vehicles on the outside lane when the bus lane is operational, i.e. between 07.30 to 09.30 and 16.30 to 18.30. Thus, during peak periods, there is a risk that drivers in the inside lane indicating to turn right to proceed onto the aforementioned turning lane could be confused with drivers indicating to turn right to merge with the outside lane. The former drivers would "unexpectedly" de-accelerate as they cross the outside lane, while the latter drivers would accelerate. Thus, the proximity of the turning lane with the start of the bus lane would be likely to lead to confusion and the risk of rear-end collisions.
- 7.23. The above cited RSA does not address the scenario set out in the preceding paragraph. Clearly, one way of allaying the risk of confusion thus identified would be to separate out the proposed turning lane and the existing bus lane. As the position of this turning lane is fixed in relation to the proposed access, any separation would require the start of the bus lane to be set back to a point further to the E of its

⁴ On the ground, signage for the inbound lane states 50 kmph and signage for the outbound lane prior to the Coonagh Roundabout states 60 kmph. It is, thus, conceivable that this signage needs to be reversed.

existing start point. Given that the Knockhill housing development has a right hand turning lane further to the E on Ennis Road, such a set back might be optimally placed equidistant between the proposed right hand turning lane and this one. I anticipate that the resulting reduction in the length of the bus lane would require the agreement of the Roads Authority in consultation with Bus Eireann.

- 7.24. In relation to the bus stop and accompanying shelter that would be displaced by the proposed access, the applicant has shown on drawing F135-199 revision B where it would be re-sited to and Bus Eireann has confirmed its agreement in principle to the same.
- 7.25. The above cited RSA has informed the design and layout of the on-site access arrangements, which were further refined under FI.
- 7.26. Turning to parking, the revised proposal shows a total of 185 car parking spaces, of which 151 would be for residents and 34 would be for visitors, i.e. c. 25%. Three mobility impaired spaces and 1 electric car charging space would be included in this total. The proposed detached and semi-detached dwelling houses would have 2 spaces each laid out within their curtilages (48 spaces). The remaining dwellings would be served by spaces that would be provided either adjoining the on-site road network (65 spaces) or in the basement to the apartment block (38 spaces).
- 7.27. Under the CDP, the site is shown as lying within Zone 3 for car parking purposes. Thus, for residents, 2 spaces should accompany each dwelling house and 1.25 spaces should accompany each apartment. Under the proposal, 42 dwelling houses would be provided and 50 apartments (44 in the apartment block + 6 in the duplexes) and so 151 residents spaces (84 + 62) would be required and 38 visitor spaces, i.e. a total of 184. As the proposal would provide 185 car parking spaces, it would comply with the CDP standards, provided 4 spaces are reassigned for visitors.
- 7.28. Under the proposal, 36 cycle spaces would be provided in the basement car park. A bicycle parking area is also shown as being sited externally adjacent to the NW corner of the apartment block. If this area was laid out to provide a further 8 spaces, then the CDP standard of 1 cycle space per apartment would be met.
- 7.29. Elsewhere, I consider that bicycles could be readily accommodated on those house plots which would be developed to provide detached and semi-detached dwelling houses. In the case of terraced dwelling houses and the duplex blocks, which would

comprise ground floor apartments with duplexes above, I consider that cycling would be promoted by the provision of communal freestanding bicycle sheds. Again, the CDP standard is for 1 cycle space per dwelling and so 24 additional cycle spaces should be provided.

7.30. If the Board is minded to grant permission, then a condition could be attached requiring the provision of the 8 and 24 cycle spaces described in the preceding two paragraphs.

7.31. I conclude that traffic generated by the proposal would be capable of being accommodated within the public road network. I conclude, too, that the absence of a right hand turning option for drivers egressing the site at the proposed priority junction would cause it to be sub-optimal from a user's perspective and that *prima facie* the provision of a satisfactory right hand turning lane for drivers accessing the site would entail the setting back of the bus lane on the in-bound side of Ennis Road. On-site access arrangements would be satisfactory and parking provision would, likewise, be satisfactory.

(iii) Creche provision

7.32. As originally submitted, the proposal would have entailed the provision of a creche in the eastern portion of the ground floor of the proposed apartment block. This creche would have extended over an area of 304 sqm and it would have been accompanied by an outdoor play area on the southern side of this block.

7.33. The proposed creche would have provided places for 39 children and it would have had a staff of 9. This creche's hours of operation during the working week would have been 07.30 to 18.30.

7.34. As indicated under paragraphs 7.15 & 16 above, the proposed creche was omitted from the proposal under FI.

7.35. Under the Childcare Facilities Guidelines, "a standard of one childcare facility providing for a minimum of 20 childcare places per c. 75 dwellings may be appropriate." Appendix 2 of these Guidelines elucidates this standard by stating that if, in a development of 75 dwellings, 35 households need childcare, then 20 childcare places would be a reasonable starting point. They also refer to the possibility that some areas may already be well-served with childcare places and some may have

an under-provision. Either of these scenarios would have a bearing on the number of places that may be needed.

- 7.36. Under Paragraph 4.7 of the SUH: DSNA Guidelines, advice is given on how the above cited standard should be handled in practise. Thus, one-bed apartments should be excluded from calculations and, subject to location, apartments with two or more bedrooms may, likewise, be excluded.
- 7.37. Under the revised proposal, only 4 of the proposed 92 dwellings would be one-bed apartments and so the potential exists for 88 dwellings to be resided in by households within which childcare places would be needed.
- 7.38. Under Item 1(b) of the PA's request for FI, the applicant was asked to consider relocating the proposed creche nearer to the site entrance. It was also asked to carry out a capacity study of creche facilities in the area to determine the requirement for a creche facility within the proposal. The applicant does not appear to have carried out such a study and the PA did not raise this matter again under CFI.
- 7.39. I note that the agent's cover letter for the FI response refers to a meeting on 7th January 2020 at which the omission of the proposed creche was agreed with the Planning Department on traffic grounds. While I understand the rationale behind this omission, I note, too, that the above cited standard of the Childcare Facilities Guidelines still remains to be met. In these circumstances, the Board asked the PA to address these matters under a section 132 Notice. No answer has been forthcoming.
- 7.40. I conclude that there is *prima facie* need for a childcare facility to accompany the provision of 88 of the proposed 92 dwellings. The omission of the originally proposed creche on traffic grounds fails to address this need and so it should not be acceded to.

(iv) Development standards

- 7.41. As revised, the proposal would entail the provision of 92 dwellings. These dwellings would comprise the following house types and sizes:
- 2 two-bed detached houses,
 - 22 three-bed semi-detached houses (optional four-bed attic conversion),
 - 12 three-bed terraced houses,

- 12 duplexes (6 two-bed and 6 three-bed), and
- 44 apartments (40 two-bed and 4 one-bed).

The resulting mix of house types and sizes would ensure that a wide range of households would be capable of being accommodated within the proposal. The applicant has indicated that 10 of the dwellings would be the subject of an agreement with the Housing Authority for the purposes of Part V.

7.42. In terms of quantifiable standards, Table 5.1 of the Quality Housing for Sustainable Communities: Best Practice Guidelines makes recommendations with respect to overall and specific room areas. I will assess the different house types in the light of this Table. I will also assess these types, where appropriate, from a qualitative perspective.

7.43. The two-bed/four-person detached houses would each have an area of 94 sqm, which would exceed the recommended minimum of 70 sqm. Within this total, living accommodation would be compliant, bedroom accommodation would be a little tight, and internal storage would be absent. Such storage could be retrofitted by handing the hot press and the shower and foregoing a dedicated door into the kitchen. The end of the hallway could thus be reassigned for internal storage.

7.44. Appellant (a) expresses concern over the amenity of the 2 detached houses as their rear elevations would overlook an embankment. I note, however, that they would be designed to maximise upon habitable room openings in their front and southerly side elevations and so such openings in their rear elevations would be for secondary purposes only. They would also be laid out to have patios off their southerly elevations.

7.45. The 22 semi-detached houses disaggregate into 2 house types, which in turn would disaggregate into 2 different sizes. Thus,

- House type E: Three-bed/five-person would have an overall area of 107.4 sqm, which would exceed the recommended minimum of 92 sqm. Within this total, any under compliance would be nominal.
- House type E: Four-bed/seven-person would have an overall area of 138 sqm, which would exceed the recommended minimum of 110 sqm. Within this total, any under compliance would be nominal.

- House types G (with sunroom) and G1: Three-bed/five-person would variously have an overall area of 123.8 sqm and 107.4 sqm, which would exceed the recommended minimum of 92 sqm. Within these totals, G would be fully compliant and any under compliance in G1 would be nominal.
- House type G (with sunroom) and G1: Four-bed/seven-person would variously have an overall area of 154.2 sqm and 137.8 sqm, which would exceed the recommended minimum of 110 sqm. Within these totals, G would be fully compliant and any under compliance in G1 would be nominal.
- Mid and end terraced houses: Three-bed/five-person would variously have an overall area of 109 sqm and 111 sqm (with porch), which exceed the recommended minimum of 92 sqm. Within this total, any under compliance would be nominal.
- The duplex houses: Three-bed/five-person would have an overall area of 124.8 sqm, which would exceed the recommended minimum of 92 sqm. Within this total, these houses would be fully compliant.

7.46. Externally, the majority of the above houses would be served by private outdoor space in rear gardens that would be adequately sized. The duplexes would be the minority in this respect. As they would be at first and second floor levels, their accompanying ground floor apartments would avail of rear garden space, while each of them would be served by recessed terraces at first and second floor levels in their front elevations, which would have southerly aspects. These terraces would variously be the full and a partial width of the duplexes and they would have a combined area of 14 sqm. Their limited quantity would thus be compensated for by their quality.

7.47. The apartments in the duplex blocks and in the apartment block fall to be assessed under the Appendix to the SUH: DSNA Guidelines. Drawing no. 05 (revision A) shows the former apartments and accompanying tables indicate that these apartments would be compliant with the relevant two-bed/four-person area requirements. Similar information is presented concerning the latter apartments and, again, they would be compliant. Additionally, in each case these apartments would exceed the required overall minimum area by more than 10%.

- 7.48. Under Paragraphs 3.17 & 3.18 of the above cited Guidelines, on greenfield sites, such as the subject site, a minimum of 50% of apartments must be dual aspect. Single aspect apartments should be maximised on south facing elevations and ones that face north should overlook an amenity feature.
- 7.49. Under the proposal, 24 of the 44 apartments in the six-storey block would be dual aspect, i.e. 55%, and of the 20 single aspect apartments, 10 would be on the southern elevation and 10 would be on the northern one overlooking a public greenspace/square. Thus, the parameters of the above cited Paragraphs would be met.
- 7.50. Under SPPR 5 of the Guidelines, the floor-to-ceiling height in ground floor apartments should be a minimum of 2.7m. Under the Building Regulations, upper floor heights should be a minimum of 2.4m. Under the proposal, the ground floor height would be 2.775m and the upper floor height would be 2.550m.
- 7.51. Under the Appendix to the Guidelines, minimum communal amenity space requirements are set out. Drawing no. 01 (revision B) states that 3345 sqm of open space would be provided, i.e. 16% of the site area. The CDP requirement in this respect is 15%. While the majority of this space would comprise landscaped strips accompanying on-site roads and the boundaries to the site, usable open space would be provided centrally in the eastern half of the site between the apartment block and the row of duplexes and terraced houses. Under the submitted landscaping strategy, passive recreation would be provided for in the eastern half of this space and active recreation, in the form of a natural children's play area, would be provided for in the western half.
- 7.52. I conclude that the proposal would adhere to, and in certain aspects exceed, relevant development standards.

(v) Visual and residential amenity

- 7.53. The applicant has submitted a design statement, which says that "The overall aesthetic of the proposed housing is traditional with the advantages of contemporary building methods, traditional brick and rendered finishes and slate/tiled roofs. The overall massing consists of two/two-and-half-storey buildings with a higher building of six storeys (fifth floor set back) in a strategic location on the lower portion of the site."

- 7.54. Notwithstanding the siting of the apartment building on the lowest reaches of the site, its height, and the absence of buildings of comparable height in the surrounding area, would cause it to be prominent. Thus, from external public vantage points, the proposed six-storey apartment building would stand-out. For example, N-bound drivers on Condell Road would have views of the southern elevation, which would be orientated slightly to the W, and S-bound drivers would have intermittent views of the western (side) elevation. This building would be of strongly rectangular form under a top storey, which would be most evidently recessed on its principal northern and southern elevations. These elevations would be symmetrical with strong vertical and horizontal alignment to their openings. The building's mass would be relieved by the specification of a variety of finishing materials and the stacking of terraces centrally and at the corners of each of the principal elevations.
- 7.55. As discussed under the first heading of my assessment, the apartment building would be sited in a position adjacent to undeveloped lands to the S and to GAA playing fields to the E. Thus, when viewed from the S, it would be seen within a spacious setting and its robust design would cause it to make a positive contribution to the built environment.
- 7.56. The appellants express concern over the scale of the proposed apartment building and its associated visual impact. The applicant has responded by drawing attention to Site Section A-A on drawing no. 16 (revision A). This Section shows the existing three storey housing to the N of the site in conjunction with the higher of the proposed three-storey duplex blocks and the proposed six-storey apartment block. The existing housing and the former block would be of comparable height and so views from this housing of the latter block would be largely screened. Further E from the line of the Section, proposed two-storey terraced housing and another three-storey duplex block would be sited at successively lower levels and so corresponding existing three-storey housing to the N would have greater views of the proposed apartment block, although still only of its uppermost floors. The Section A-A shows the separation distance between corresponding upper floors of existing and proposed three-storey buildings as being 27.5m and the separation distance between the existing three-storey building and the proposed six storey building as being 78m. I, therefore, consider that from this housing, which would be the closest

to the proposed apartment block, this apartment block would not appear unduly prominent or out of scale.

- 7.57. The appellants and the observers express concern over the impact of the proposal upon their residential amenities in terms of overshadowing/loss of sunlight and overlooking/loss of privacy. The applicant has responded by drawing attention to the above cited separation distances, the proposed lower FFLs of proposed houses and duplexes than those exhibited by adjacent housing to the N, and the proposed retention of existing boundary treatments and in places its augmentation. These factors would combine to ensure that, in conjunction with conventional separation distances, the proposal would be compatible with existing residential amenities.
- 7.58. Appellants (a) express some specific concerns about a line of Monterey Cyprus trees along the western boundary to their residential property "Dromatha", which adjoins the initial portion of the site. They draw attention to the proposed regrading of the initial portion of this site in conjunction with the provision of the 2 detached houses and the associated risk that these trees would be undermined. The applicant has responded by referring to a stepped methodology that would be employed in undertaking the regrading and to the oversight of its arborist. It has also indicated that the appellants have heavily pruned these trees causing them to become lopsided with respect to the site. The applicant thus undertakes to rebalance these trees by completing their pruning on its side of the boundary. Any risk that they pose to the site would thereby be allayed.
- 7.59. Observers (b) express concerns over the environmental impact of traffic on the site upon the existing residential amenities of the area. I note in this respect that the on-site road network and accompanying car parking spaces would be laid in positions away from sensitive eastern and northern boundaries to the site and with intervening new houses/duplexes. The only exception in this respect would be in the gap between Blocks B2 and C. However, in this instance the lower level of the site and the retention of the existing substantial boundary treatment, which combines a hedgerow and a palisade fence, would provide screening. I note, too, that traffic noise affects the site and by extension existing housing from the proximity of Ennis Road and Condell Road and that additional traffic noise resulting from the proposal would be low, due to low vehicular speeds on-site.

7.60. I conclude that the proposal would be compatible with the visual and residential amenities of the area.

(vi) Water and ground conditions

7.61. The proposal would be served by a connection to the public water mains under Ennis Road. Irish Water has raised no objection in this respect.

7.62. The proposal would be served by a connection to the public foul water sewer under Elm Drive, which lies at a short remove to the NE of the site. This connection would be facilitated by the use of a private foul water sewer that passes under the Na Piarsaigh GAA Grounds. This sewer has been the subject of a CCTV survey, which has both confirmed its suitability and identified remedial works that would need to be undertaken prior to its use by the applicant. Irish Water has raised no objection in this respect.

7.63. The proposal would be served by an on-site surface water drainage system, which would incorporate an attenuation pond, which would be sited in the NE corner of the site. This pond has been designed in accordance with recognised SUDS parameters and it would have an allowable discharge of 10.8 litres/second. The pond would be fenced, and it would be connected via a new pipeline to an existing surface water pipeline that passes under the Na Piarsaigh GAA Grounds. This pipeline has been the subject of a CCTV survey, which has both confirmed its suitability and identified remedial works that would need to be undertaken prior to its use by the applicant. It would discharge to an existing open land drain, which appears to be the one identified by the OPW, as Channel 2/5, in its advice to the PA.

7.64. The proposal is the subject of a Food Risk Assessment (FRA). This FRA cites the OPW's flood maps, which indicate that the site lies within Zone C and so it is not the subject of any identified flood risk. It acknowledges that the adjoining lands to the S are defended against a 0.5% AEP tidal event. The edge of this defended area is shown by means of a blue dotted line on the site layout plan. Proposed FFLs would be consistently higher than the level of this edge, with the exception of the basement to the proposed apartment building.

7.65. The applicant has addressed the question of surface water drainage of the basement and the accompanying ramp. Thus, such water would discharge to the proposed new surface water pipeline referred to above, via an oversized pipe, a non-return

valve, and a suitably sized flow control device. The head of the ramp would be protected against surface water run-off by means of a lip.

- 7.66. The applicant has submitted a Construction & Environmental Management Plan (CEMP), which reports on a series of boreholes that were undertaken across the southern half of the site. These boreholes established that rock occurs at depths between 1.8 and 2.5m below the surface. In the northern half of the site there are instances of rock outcropping. Clearly, the presence of rock in significant quantities would have implications for the construction phase and so methodologies for its removal in a manner that would minimise localised disruption should be adopted. If the Board is minded to grant, this matter could be conditioned.
- 7.67. The CEMP advises that site investigations did not produce sufficient quantities of material to enable the applicant to ascertain whether the soil is contaminated. Reliance would therefore be placed on visual assessment of soil as it is excavated and protocols would be adopted for the handling of any contamination that may arise.
- 7.68. I conclude that the proposal would be capable of being supplied satisfactorily with mains water and served satisfactorily by the public foul water sewerage system. Surface water drainage arrangements would likewise be satisfactory. The site is not the subject of any identified flood risk. The submitted CEMP has begun to address ground conditions and any issues arising would be capable of being conditioned or dealt with by protocols.

(vii) AA

- 7.69. The applicant has submitted a Stage 1 Screening Report for AA and a Stage 2 Natura Impact Statement (NIS). I will draw upon these documents and the NPWS's website in undertaking my own AA below.
- 7.70. The site is not in or near to a Natura 2000 site. The nearest such sites run to the S and W along the River Shannon Estuary: They are the Lower River Shannon SAC (002165) and the River Shannon & Fergus Estuaries SPA (004077). Consequently, the proposal would not result in any Natura 2000 habitat loss or disturbance. However, source/pathway/receptor routes exist between the site and these Natura sites by means of foul water and surface water flows into the River Shannon Estuary. The former would be via the Bunlickey WWTP, where there are no capacity issues

and no evidence of water quality issues stemming from this Plant's discharge. The latter would be attenuated and the subject of a hydro-carbon interceptor. Thus, during the operational phase of the proposal, no water quantity or quality issues would arise. During the construction phase, there is a risk that pollutants may be washed from the site into the River Shannon Estuary. Such pollutants could affect invertebrate life with a knock-on effect upon birdlife, including species of conservation interest in the River Shannon & Fergus Estuaries SPA. A Stage 2 Appropriate Assessment is therefore required.

- 7.71. In the light of the aforementioned pollution risk, prevention measures would be employed during the construction phase of the proposal. Thus, a silt curtain would be installed along the southern boundary of the site to prevent the escape of pollutants and an appropriately-sized silt trap or settlement pond would filter pollutants from surface water leaving the site. Hydrocarbons would be stored in a bunded compound on the site. Site personnel would be appropriately trained, and the site manager would be responsible for the above cited measures and daily checks to the same. These measures, which are based on best scientific knowledge, would ensure that the proposal would not adversely affect the integrity of the above cited Natura 2000 sites.
- 7.72. I consider it reasonable to conclude on the basis of the information on the file, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, the proposal, individually or in combination with other plans or projects would not adversely affect the integrity of the European Sites Nos. 002165 and 004077, or any other European site, in view of these sites' Conservation Objectives.

8.0 Conclusion and Recommendation

- 8.1. The proposal would achieve a relatively high net residential density of 43.81 dwellings per hectare for a suburban site by a combination of predominantly two-storey dwelling houses and a six-storey apartment block. Under the UDBH Guidelines, such sites are envisaged as achieving the requisite density set out in the SRDUA Guidelines, i.e. 35 – 50 dwellings per hectare, by means of three-to-four-storey development. Such built forms would be self-regulating in ensuring that this density is achieved.

- 8.2. Under the SUH: DSNA Guidelines, advice is set out on the location of apartments. In the light of this advice, the subject site would not qualify as either a central or intermediate urban location, but rather as a peripheral one, within which only small scale high density apartment developments or low-medium range density apartment developments are considered to be appropriate. The proposed apartment would be a large scale high density one and so it would not be appropriate on the subject site.
- 8.3. In the light of the foregoing, the design approach adopted by the applicant would lead to an inordinate number of dwellings on the site, which would increase the usage of the proposed sub-optimal priority junction on Ennis Road. Within this context and in a bid to minimise such usage, the applicant has omitted the originally proposed creche, which *prima facie* would be needed to accompany the proposed number of dwellings.
- 8.4. I, therefore, conclude that the proposal would fail to consistently reflect the advice of national planning guidelines and so a different design approach to the site's development is needed.
- 8.5. Consequently, I recommend that the proposal be refused permission.

9.0 Reasons and Considerations

Having regard to the Sustainable Residential Development in Urban Areas Guidelines, the Sustainable Urban Housing: Design Standards for New Apartments Guidelines, and the Urban Development and Building Heights Guidelines, the Board notes that, while the proposal would come within the required density range for an outer suburban greenfield site, it would do so by reliance upon mainly traditional two-storey suburban housing in tandem with a substantial six-storey apartment block rather than by specifying three - four storey built forms. The Board considers that, as the site is inconveniently placed for neither a suburban centre nor an employment centre and it is not served by high frequency urban bus services, this site is in a peripheral urban location and so the inclusion within the proposal of a large scale high density apartment block would be inappropriate. Such inclusion would be likely to result in the increased use of unsustainable modes of transport, which would result in a heightened use of the sub-optimal priority junction at the site access. Furthermore, as revised, the proposal omits a creche for the express purpose of easing the use of this junction and yet, under the Childcare Facilities Guidelines, a creche would be required. Accordingly, the proposal would entail a design approach to the development of the site which would contravene the advice of national planning guidelines and, as such, it would be contrary to the proper planning and sustainable development of the area.

Hugh D. Morrison
Planning Inspector

20th October 2020