



An
Bord
Pleanála

S. 6(7) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report on Recommended Opinion

ABP-308522-20

Strategic Housing Development	105 apartments, crèche and associated site works.
Location	Station Road, Carrowmoneash, Oranmore, Co. Galway.
Planning Authority	Galway County Council.
Prospective Applicant	Torca Construction Limited.
Date of Consultation Meeting	5 May 2021.
Date of Site Inspection	10 December 2020.
Inspector	Stephen Rhys Thomas.

1.0 Introduction

Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

2.1 The site is located in Oranmore, County Galway. The site is situated in a suburban area, towards the centre/north eastern side of Oranmore and approximately 1.6 kilometres east of Oranmore Train Station and 700 metres from Oranmore town centre. The site is accessed from a local road (referred to as Station Road) via an existing private access road serving the Carrowmoneash residential housing scheme immediately to the west of the site of the proposed development. The junction of the local road is located approximately 120 metres to the south of the Carrowmoneash roundabout on the N67 which is one of the major approaches to Oranmore town centre from the north. The site generally slopes down from the northeast to the south west and a significant watercourse (Frenchfort Stream) is located south of the site and flows out into Oranmore Bay. The site is characterised by overgrown grassland and development in the vicinity is predominantly two storey houses on large plots.

3.0 Proposed Strategic Housing Development

3.1 The proposed development which is subject of this pre-application consultation request comprises 105 apartment units, accommodated in five blocks of three storeys in height, as follows:

Detail	Proposal
Number of Units	105 units
Other uses	Childcare facility – 237 sqm (64 children)

Site Area – stated by applicant	2.3 ha red-line boundary Total site area 3.9 ha
Density	45.6 units per hectare net (stated by applicant)
Building Height	3 storeys
Public Open Space	9,344 sqm (39.5% of total site)
Dual Aspect Apartments	100%
Car parking	125 spaces
Bicycle spaces	116 spaces

Dwelling Mix

Units Type	Number of units	% of each Unit type
1 bed	8	7.5
2 bed	55	52
3 bed	42	40.5
Total	105 Units	100%

The development also includes for the:

- Provision of a Footpath and Pedestrian Crossing at Station Road
- Provision of wastewater pumping station and associated access road.
- Provision of shared communal and private open space, car parking, bicycle parking, bin storage, public lighting, site landscaping, drainage swales services, signage, and all associated site development works.

4.0 Planning History

4.1 Site:

PA reference number 19 1721: Permission refused for residential development of 74 units. Six reasons for refusal including: traffic hazard, urban design, scale not sympathetic to surroundings, flood risk and AA issues.

PA reference number 11 855: Extension of Duration of Permission for construction of 134 dwelling houses and 1 creche with associated site works and services (previous reference number 04/1093) Decision: Permission granted to 29/09/2016.

4.2 Nearby sites:

PA reference number 07 3296: Applicant: Lackagh Group Properties Proposal: Permission refused on appeal for the construction of 74 dwelling houses and associated site works to include a 10.6 metre wide bridge crossing over a 4.5 metre section of the Frenchfort stream to connect to permitted entrance under Pl. Ref. 04/1093 and An Bord Pleanála Ref No. Pl. 07.210591.

5.0 National and Local Policy

5.1 National Policy

The government published the National Planning Framework in February 2018. Objective 3b is that 50% of new homes in cities would be within the existing built up area. Objective 13 is that, in urban areas, planning and related standards in particular building height and car parking, will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected. Objective 35 is to increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

5.2 Section 28 Ministerial Guidelines

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant S.28 Ministerial Guidelines are:

- ‘Urban Development and Building Heights Guidelines for Planning Authorities’ - 2018
- ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’ - 2018
- ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’) 2009
- ‘Design Manual for Urban Roads and Streets’ 2013 (as amended)
- ‘The Planning System and Flood Risk Management’ (including the associated ‘Technical Appendices’)
- ‘Childcare Facilities – Guidelines for Planning Authorities’ 2001

Other relevant national guidelines include:

- ‘Framework and Principles for the Protection of the Archaeological Heritage’ Department of Arts, Heritage, Gaeltacht and the Islands 1999.

5.3 Regional Spatial & Economic Strategy -North and Western Regional Assembly 2020-2032/Galway MASP

Galway Metropolitan Area Strategic Plan

A number of strategic locations have been identified that present the opportunity and capacity to deliver the necessary quantum of housing to facilitate targeted growth, subject to the adequate provision of services. Oranmore is one of these locations.

Oranmore is located to the east of the Metropolitan Area and is serviced by the Galway-Dublin/Limerick rail service, with the rail terminus at Garraun serving it. It is also within proximity to the motorway which makes it a strategic location for residential development of scale. There are circa 33ha of lands identified for Residential Phase 1 use in the Oranmore LAP and additional residential lands shall need to be brought forward to supply future demand.

There is potential for Oranmore to accommodate an increase in population allocation and it is serviced through the Mutton Island Wastewater Treatment Plant. That plant has in recent years been upgraded to ensure population growth can be achieved while at the same continuing to protect bathing water quality. The East Galway Main

Drainage Scheme shall be a key enabler for the larger area of Oranmore and Ardaun to the north, which shall enable the strategic potential offered by the rail terminus at Garraun.

5.3 Local Policy

The **Galway County Development Plan 2015-2021** is the operative development plan for the area, the Oranmore LAP concerns the specifics of the site.

Galway County Development Plan 2015-2021

The overall development plan approach is based on the promoting the development of Galway City and the associated Galway Metropolitan Area (GMA) along with the development of key towns and smaller villages along strategic development corridors focussed on transportation routes. There is a strategic economic corridor to the east of Galway city between Oranmore and Attymon, which is identified as an area with potential to attract significant levels of investment and stimulate economic development and employment creation, performing a number of economic functions to support both the city, county and broader region. The development plan incorporates the Galway Transportation and Planning Study (GTPS), as adopted by both Galway City and County in 2003, which also proposed consolidating development within Galway City and County within a planned corridor for expansion to the east.

The core strategy identifies Oranmore as a 'key town' at the edge of the GMA, which is at the top of the settlement hierarchy. Key towns are at the 4th tier of the settlement strategy with populations > 1,500. Oranmore is partially located within the GMA but the development site is located outside this area. The following development plan objectives apply.

Objective SS 1 – Galway Metropolitan Area:

“Galway County Council shall support the important role of Galway City and the Galway Metropolitan Area (which includes the City area and the Electoral Divisions of Oranmore, Bearna, Galway Rural and Ballintemple which are inextricably linked to and function as part of a greater Galway City), as key drivers of social and economic growth in the County and in the wider Western Region and will support the

sustainable growth of the strategic settlements, including the future development of Ardaun and Garraun, within the Galway Metropolitan Area.”

Objective SS 5 – Development of Key Towns:

“Support the development of the key towns of the County as outlined in the Core Strategy and Settlement Strategy in order to sustain strong, vibrant urban centres which act as important drivers for the local economies, reduces travel demand and supports a large rural hinterland, while providing a complementary role to the hub town of Tuam and the smaller towns and villages in the County.”

The core strategy allocates a population of 1,170 to the town of Oranmore / Garraun with a housing land requirement of 22.67 ha, as originally provided for under the 2012 Oranmore LAP.

Housing policy objective UH0 10 – Sequential Development includes a positive presumption in favour of the sequential development of suitably serviced Residential Phase 1 lands in zoned towns and villages. Development on Residential Phase 2 lands will normally only be considered where 50% of the lands in Residential Phase 1 are committed to development. Objective UHO 11 – Development Densities states:

“Galway County Council shall ensure that the density of new development is appropriate to the particular land use zone and/or site context, is in keeping with the existing development pattern of the area, does not unduly impact on the amenities of the area and results in a positive relationship between existing development and any adjoining public spaces. The development of higher density development shall be promoted in appropriate locations, such as suitable sites within the town/village centre and adjacent to public transport facilities, where such development is compatible with heritage and urban design objectives, infrastructure capacity and environmental considerations. New development shall also have regard to the ‘Sustainable Residential Development in Urban Areas’ Guidelines (or any updated/superseding document).”

Development plan table 13.1 provides the following indicative density standards for residential developments:

Residential Density	Units / ha	Possible Appropriate Locations
Medium to high	35-50	Town centre or immediately adjacent to public transport hubs.
Low to medium	15-35	Neighbourhood centres (typically within 400m walking distance of centre point), inner urban suburbs.
Low	5-15	Urban periphery, outlying lands, areas with capacity/ environmental constraints.

5.4 Oranmore Local Area Plan 2012-2022

The Oranmore LAP 2012 has been extended to from 2017 to 2022. The originally allocated population growth of 1,170 additional persons and housing land requirement of 22.67 ha have been incorporated into the core strategy of the current county development plan. The report of the Chief Executive of Galway County Council on the proposed deferral of notices under Section 20 of the Planning & Development Act 2000 noted that, as of May 2017, there had been limited development in Oranmore in the period since the adoption of the LAP and there was no evidence that this was going to change substantially in the immediate period ahead. Practically all of the 22 ha required for phase 1 residential development remained undeveloped.

Most of the site is zoned 'RD1', 'Residential Phase I', with a large portion of the southern and western margins zoned 'OS', 'Open Space / Recreation and Amenity'. As per LAP objective DS 6 – Residential Development Phasing, residentially zoned lands are to be developed sequentially with Phase 1 lands identified for development

in the short to medium term in locations that are serviceable and accessible. LAP section 3.1.3 provides the following standards for residentially zoned lands:

- Plot ratio 0.10 to 0.50
- 50% maximum site coverage
- 15% minimum public open space

The LAP also repeats residential density standards set out in development plan table 13.1 as above.

Specific policies that relate to the site or in the vicinity of the site, include:

- Policy UI15 – Protect water bodies and watercourses within the Plan Area from inappropriate development, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains. This will include a 10 metre protection buffer from rivers within the Plan Area, measured from the near river bank. Promote the sustainable management and uses of water bodies and avoid culverting or realignment of these features.
- Policy UI16 – Ensure that development proposals on Residential(R) zoned lands located to the north of the Frenchfort Stream are accompanied by a Detailed Flood Risk Assessment that is carried out in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009. The flood risk assessment should also specifically take account of and address climate change and potential impacts, such as an increase in the extent or probability of flooding, and any associated measures necessary to address these impacts. The assessment should also address issues in relation to access to and egress from these lands through any flood risk area. The assessment would need to demonstrate that the development would not be subject to an inappropriate risk of flooding and that it would not cause or exacerbate such a risk at other locations. Any assessment should be prepared by a suitably qualified expert with hydrological experience and should quantify the risks and the effects of any necessary mitigation, together with the measures needed or proposed to manage any residual risks.
- Objective NH 8 – Protect land for an Ecological Corridor linking two disjoint parts of the Galway Bay Complex candidate Special Area of Conservation and proposed Natural Heritage Area, along Frenchfort Stream (and require a Screening for

Appropriate Assessment and/or Natura Impact Statement and an Ecological Management Plan to be produced for any new development along this area). The Ecological Management Plan will ensure no disruption to the conservation management objectives of the Natura 2000 sites and pNHAs.

The following relevant LAP policies and objectives are also noted:

- LU 3 – Residential (R)
- LU 15 – Residential Densities
- Policy RD1 – Residential Development
- Policy RD 2 – Phased Development on Residential Zoned Lands
- Objective RD 1 – Phased Residential Development
- Objective RD 2 – Quality Housing Environments
- Objective RD 3 - Housing Options
- Objective RD 4 – Open Space in Residential Areas
- Objective RD 5 – Social and Affordable Housing
- Objective CF 3 – Childcare Facilities
- Objective CF 4 – Open Spaces
- Objective CF 9 – Riverside Networks
- Objective UI 12 – Flood Risk Management and Assessment

6.0 Forming of an Opinion

Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the planning authority submissions and the discussions which took place during the tripartite consultation meeting. I shall provide a brief detail on each of these elements hereunder.

6.1 Documentation Submitted

The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and

Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017.

The information submitted included the following: a Completed Section 5 Pre-Application Consultation Request Form, Site Layout Plans and building elevations, Statement of Consistency, Natura Impact Statement (NIS) and an Appropriate Assessment Screening Report, EIA Screening Report, Ecological Impact Assessment, Architectural Design Statement and HQA, Landscaping plan, Drainage layout drawings, Irish Water pre-connection enquiry, Site-Specific Flood Risk Assessment, Draft Part V letter of understanding from Galway County Council, Traffic and Transportation Assessment, DMURS Statement of Consistency, Construction & Environmental Management Plan.

I have reviewed and considered all of the above mentioned documents and drawings.

6.2 Planning Authority Submission

In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Galway County Council, submitted a note of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 23 November 2020.

The planning authority's 'opinion' included the following matters: planning history; zoning, policy to do with low density residential locations, plot ratio, density, residential amenity, landscape/play areas passive supervision, service and transportation infrastructure.

The planning authority's comments can be summarised as follows:

Principle of development – the principal portion of the site is located on lands zoned Residential (Phase 1) with a recommended density of between 15- 35 Units/Ha. Permission has been granted for 397 residential units to date on R1 zoned land, if permitted the proposed development would exceed the core strategy by 74 units. It is however, considered that a further residential development of 74 units on the Residential (Phase 1) lands would, by itself in conjunction with existing and permitted development, create no clear material contravention of the Galway County Development Plan Core Strategy.

Land Use Zoning – all proposed development is either permitted in principle or open for consideration on lands zoned Residential -Phase 1 and Residential -Existing. The planning authority question as to whether the construction of surface water attenuation swales and a section of access road, presumably serving as access to the proposed pumping station (with the possible intention that it could be used as vehicular access to this parcel of R1 land in the future) would be compatible with the Open Space/Recreation and Amenity land use zoning objective. There is an argument that swales, depending upon the design of same could be designed to serve a passive amenity function during flood events and activity amenity function during all other times depending upon design and hydrological characteristics. It appears, however more difficult to justify that a section of access road serving a wastewater pumping facility would be an appropriate landuse for the OS/RA zone.

Oranmore LAP - DM Guideline LU2 – Land Use Zoning Matrix – the planning authority have a concern that an apartment only building typology can be satisfactorily assimilated in this area.

Residential Density – the proposed density of 45.6 units per hectare exceeds the limit of 5-15 units per hectare set in the LAP, greater clarity is required in relation to the application of section 28 guidelines and the rationale presented for the density proposed. PA maintain the site should be classed as ‘edge of centre sites’ (Section 6.11 refers), this indicates that “development of such sites tend to be predominantly residential in character and given the transitional nature of such sites, densities to a range of 20-35 dwellings per hectare will be appropriate including a wide variety of housing types from detached dwellings to terraced and apartment style accommodation”.

RSES and MASP Density Standards: RSES (MASP) RPO 3.6.3: ‘The Assembly supports the preparation of a Building Heights Study, a strategy to guide future sustainable development which takes into account the historic, cultural and infrastructure features of the city. In developing this strategy, areas of high density will target residential density of 50 units/ha. The default rate for other areas will generally be 35 units/ha’. The proposed housing density of 45.6 units/Ha therefore also appears to exceed density parameters set down in the Galway Metropolitan Area Plan for such areas.

Appropriate Assessment – the nature of the site, its location close to designated sites and general planning history in the area are noted with regard to the sensitivity to appropriate assessment issues.

Unauthorised Development – clarity is required in relation to any alleged unauthorised activity on site and AA issues.

EIA - Given the environmental sensitivities of the area EIA screening may involve a review of Schedule 7 criteria.

Legal Interest – queries have been raised with regard to the applicant having sufficient legal interest to make an application, in terms of access to the site and rights of way.

Flood Risk – the submission of an FRA is noted. The issue of reported excavations and deposition of materials on site without planning permission is of concern. Such material on flood risk areas on site or potential resultant flood risk elsewhere (including upstream and downstream) does not appear to have been satisfactorily considered/assessed in the FRA.

Roads and Transportation - It is not clear from plans received (figure D, TTA) what works will be required to re-define the Station Road junction. The works to improve this junction do not appear, based on specifications received to be within the control of the applicant and this must be resolved prior to an application. There are footpath connectivity issues along Station Road. TTA traffic survey data is questioned. Construction access to the site cannot cross flood zone A lands, as proposed.

Placemaking Architecture and Urban Design – taller buildings will not be able to blend in with the landscape at this location. The proposed development does not connect in or relate with the adjacent Carrowmoneash Development. The proposed development fails to meet many of the urban design and placemaking objectives of the LAP.

Storm Drainage, water supply and wastewater collection – concerns are expressed in relation to the proposed design of wastewater pumping, pipe and water supply infrastructure that lies in a flood zone. No other issues are raised.

Architectural & Archaeological Heritage Protection - The proposed development is not within or immediately adjacent Oranmore Architectural Conservation Area and

there are no existing protected structures on site or buildings listed on the National Inventory of Architectural Heritage. An archaeological assessment submitted as part of a previous planning application should be updated and submitted with any future application.

Section 96 of the Planning & Development Act – the applicant’s Part V proposals are noted.

Major Accidents Directive - Objective UI 23 Seveso Site of the Galway County Development Plan is highlighted with respect to proximity to a such a site.

Phasing – a phasing plan should be submitted.

6.3 **Submission from Irish Water (IW)**

A submission was received from Irish Water and is available on file. In summary, the submission states that

A wastewater connection could be facilitated to the Irish Water 450mm diameter sewer to the south of the proposed development or to the Irish Water 300mm diameter sewer to the west of the development site. The applicant is required to check the suitability of the ground conditions along the route to 450mm diameter sewer connection point as it is close to the existing Carrowmoneash Fen stream.

A watermain connection can be facilitated to the Irish Water 200mm diameter distribution watermain which runs along the public road to the west of the proposed development site.

6.4 **The Consultation Meeting**

A section 5 Consultation meeting took place via Microsoft Teams on the 5 May 2021, commencing at 10am. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

The main topics raised for discussion at the tripartite meeting were based on the Agenda that issued in advance and contained the following issues:

1. Flood Risk and related works

2. Natural Heritage
3. Public Open Space, access and infrastructure
4. Residential Amenity - Dual Aspect
5. DMURS and car parking
6. Childcare Demand
7. Any other matters

In relation to **Flood Risk and related works**, ABP representatives sought further elaboration/discussion on the thoroughness and robustness of the Flood Risk Assessment and whether it adequately dealt with site conditions or modelled flood protection measures. It would be useful to see relevant levels across the site and to have cross section drawings through the proposed flood protection measures. The prospective applicant set out the rationale behind the FRA and that all relevant data had been modelled. The planning authority noted that Catchment Flood Risk Assessment and Management (CFRAMS) data had taken account of any fill on the site.

In relation to **Natural Heritage** ABP representatives sought further elaboration/discussion on the information used to inform screening documents. The prospective applicant was reminded that all documentation within any application should be accurately cross referenced to ensure the same information is used throughout. The prospective applicant briefly reiterated the contents of their screening report and acknowledged that all relevant documents within the application should agree. The planning authority noted the sensitivity of the site and the requirement to ensure all relevant natural heritage information is adequately presented.

In relation to **Public Open Space**, access and infrastructure, ABP representatives sought further explanation and justification for the chosen location of the pumping station and to outline the zoning status of the proposed access road to this facility. The prospective applicant pointed out that a pumping station is permitted on lands zoned for residential purposes and that an access road for maintenance purposes through open space zoned land was open for consideration. The planning authority

noted these comments but were concerned that the access road could still constitute a material contravention of the plan.

In relation to **Residential Amenity - Dual Aspect**, ABP representatives sought further elaboration/discussion on the provision of adequate daylight to some apartment units, particularly at the mid-section of the blocks. The prospective applicant outlined the design rationale for the apartments and stated that dual aspect is high across the development, but that some bedrooms would rely on reflected daylight. However, the results from BRE assessments have been carried out throughout the design process. The planning authority added some thoughts in relation to the importance of street animation.

In relation to **DMURS and car parking** ABP representatives sought further elaboration/discussion on the arrangement of car parking spaces and compliance with DMURS. In addition, the provision of a mini-roundabout at the western end of the site was queried given that traffic volumes would be low. The prospective applicant clarified that construction traffic would access the site via Carrowmoneash Road and that a traffic management plan would be devised. Car parking would be designed in accordance with DMURS and the need for the mini-roundabout was based upon the requirements and ease of access to the crèche. The planning authority clarified matters in relation to newly installed footpaths along Station Road and highlighted some technical issues.

In relation to **Childcare Demand**, ABP representatives sought further elaboration/discussion on the rationale for the proposed crèche size and its location on the site and to outline any potential impact on traffic volumes. The prospective applicant stated that the size of crèche had been taken into account and there is demand. Traffic volumes had also been modelled.

In relation to **Any Other Matters**, the prospective applicant addressed issues with regard to the cut back of vegetation in terms of sight lines, swales would not hold water ordinarily and there were no ex-situ birds on the site. The planning authority briefly reiterated some of their technical concerns with regard to surface water management, noise impacts and urban design principles.

Both the prospective applicant and the planning authority were given an opportunity comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting 308522' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

7.0 Conclusion and Recommendation

Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I have examined all of the information and submissions before me including the documentation submitted by the prospective applicants, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the section 28 Ministerial Guidelines and local policy via the statutory plans for the area.

Having regard to all of the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **requires further consideration and amendment** in order to constitute a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision-making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

8.0 Recommended Opinion

An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.

In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

1. Flood Risk

Further consideration of the documents as they relate to Flood Risk Assessment (FRA), such a report should have regard to the requirements of the Planning Authority as indicated in section D9-Flood Risk of the Planning Authority's Opinion. In addition, any surface water management proposals such as Sustainable Drainage Systems, swales and outfalls, should be considered in tandem with the FRA and specifically relate to an appropriate flood risk assessment that demonstrates the development proposed will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk. Any issues in relation to excavations and deposition of materials on site should also be highlighted and addressed in the analysis conducted in the preparation of an FRA and its findings or recommendations. A Flood Risk Assessment should be prepared in accordance with 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices') and

include a suitably detailed assessment that satisfies criterion number 2 of the Justification Test for development management as set out in the guidelines.

2. Development Strategy

Further justification/re-examination of the documents as they relate to the proposal which includes for the provision of an access road over an area zoned Objective OS Open Space/Recreation and Amenity within the Oranmore Local Area Plan 2012-2022. Having regard to, inter alia, the specific wording relating to this land use zoning objective and objective CF 6 (Community, Recreation and Amenity Facilities), the applicant should satisfy himself/herself that they can proceed with an application for this part of the proposed development noting the provisions of section 9(6)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016. In the event that an application is made, the application documentation should clearly lay out the justification and rationale for the proposed development having regard to the above. The materiality or otherwise of any contravention of the statutory objectives pertaining to the site, should be fully addressed in the application documentation.

3. Design and Layout

Further consideration of documents as they relate to the development strategy for the site, in particular the design approach and overall layout of the proposed development in relation to:

- The configuration of the layout particularly as it relates to the creation of a hierarchy of high quality, functional and amenable public open spaces with maximum surveillance, the creation of high quality public space interfaces without physical or visual barriers, quality children's play areas, general amenity and pedestrian connectivity should be given further consideration. Incidental and unusable strips of open space should be omitted. Unsupervised laneways and open spaces between and behind dwellings should be avoided.
- The overall design approach to the apartment units should ensure adequate levels of residential amenity, specifically appropriate levels of access to sunlight and

daylight should be achievable on this site for all units. Finishes and materials should be robust and ensure variety. A comprehensive Sunlight, Daylight and Shadow Assessment would be useful in this regard.

- Further consideration of the documents as they relate to the layout and design of streets within the development and the requirements of DMURS regarding permeability and connections with the existing street network; hierarchy of routes and street function; enclosure including building frontage, furniture and planting along streets; parking; widths of carriageways and footpaths; pedestrian crossing points; and types of junctions and corner radii. The submitted documents should demonstrate specific compliance with the particular stated provisions of DMURS. Generalised assertions regarding principles are not sufficient. If any cycle facilities are proposed, the specific compliance with the particular requirements of the National Cycle Manual should be demonstrated by the documents.
- That a high quality landscape strategy for the site is provided. Full details of boundary treatment should be provided. In addition, the use and function of all open spaces should be detailed, not least with regard to the proposed buffer zones along the eastern extremity of the site adjacent to the N67 and the large areas of open space along the Frenchfort Stream. Sustainable Urban Drainage System measures should be incorporated into the landscape proposals as appropriate and detailed cross sections should be shown at key landscape features such as flood protection measures.
- The design of the crèche facilities should ensure that development appropriately addresses the street and that the layout is not dominated by surface car parking.
- The documentation at application stage should clearly indicate how the 12 criteria set out in the Urban Design Manual which accompanies the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities have been complied with.

Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. Details and information as they relate to wastewater connections as outlined by Irish Water documentation received by An Bord Pleanála dated 24 November 2020. An investigation into how wastewater connection could be facilitated to the 450mm diameter sewer to the south of the site or to a 300mm diameter sewer to the west.
2. A site layout plan clearly indicating what areas are to be taken in charge by the Local Authority. Streets should be shown up to the boundaries of the site and facilitate future access.
3. Landscaping proposals including an overall landscaping masterplan for the development site and a site layout plan indicating the full extent of tree retention and removal if proposed. Details of proposed tree protection measures during construction. Details pertaining to the quantity, type and location of all proposed hard and soft landscaping including details of play equipment, street furniture including public lighting and boundary treatments should be submitted. Sections should be submitted at key locations where the public open spaces interface with proposed residential units and watercourses.
4. A construction and demolition waste management plan.
5. In the event that the application is not accompanied by an EIAR the applicant shall submit the information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 and this should be submitted as a standalone document.
6. Noise Impact Assessment, which addresses the potential noise impact from the N67 and clearly outlines noise mitigation measures, if considered necessary

Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. Irish Water
2. Minister for Housing, Planning and Local Government
3. Heritage Council
4. An Taisce
5. The Galway County and City Childcare Committee

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Stephen Rhys Thomas
Senior Planning Inspector

June 2020