



An
Bord
Pleanála

Inspector's Report 310971-21

Development	Construction of 38 houses.
Location	Carrowbaun, Westport, Co. Mayo
Planning Authority	Mayo County Council
Planning Authority Reg. Ref.	20/365
Applicant(s)	Brendan Byrne & Son Ltd
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party vs. Grant
Appellant(s)	Emmet & Sandra O'Donnell
Observer(s)	None
Prescribed Bodies	None
Date of Site Inspection	9th December 2021
Inspector	Stephen Ward

1.0 Site Location and Description

- 1.1. The appeal site is located in the townland of Carrowbaun, in the southern environs of Westport town. It has a stated area of 3.629ha and is distanced c. 500m from the town centre (as the crow flies). The western site boundary bounds onto the N59 National Secondary road to Leenane. To the north of the site is an intra-urban road (Monastery View), which links eastwards into the town centre via High Street, while the eastern side of the site is bounded by a narrow road (Lankhill Road) which serves the surrounding rural area to the south. The southern and northwest boundaries adjoin the curtilage of existing residential properties and there is also other low-density/sporadic housing along the surrounding roads to the east, west and north. The character of the area can be described as transitional, with an established rural character of agricultural land and sporadic housing to the south of the site, and an emerging character of suburban development to the north consisting of recently constructed community facilities and higher density housing.
- 1.2. The site itself can be described in several sections. The northern section of the site is undeveloped and in use as equine-related grazing. It rises steeply to the south from the adjoining road. The southwestern section of the site is similarly undeveloped. It is generally low-lying and flat, except for a steep rise near the northern site boundary. The southeast section of the site is/was being used as a landfill facility. There is an existing vehicular entrance off the road to the east and a sign at the entrance states that it is a 'Certified Landfill Site'. The natural topography of this portion falls to the south, but it varies significantly due to the mounds of material deposited, which mainly consist of soil and rubble.

2.0 Proposed Development

- 2.1. The application originally proposed the construction of 46 no. houses, consisting of 30 no. detached and 16 no. semi-detached. The proposal was amended through the submission of further information and the decision to grant permission is based on the provision of 38 no. houses, consisting of 26 no. detached and 12 no. semi-detached.
- 2.2. The scheme proposes 3 no. separate vehicular entrances. One entrance off the road to the north would serve 6 detached houses. Two entrances are proposed off the

road to the east, one in the southeast site corner serving 16 no. houses, and one serving the remaining 16 houses in the central portion of the site.

- 2.3. A total of 7,318m² of landscaped open space is proposed consisting mainly of 2 large areas. A large, grassed area with paved plaza and 'MUGA' is proposed in the southwest corner of the site. Another large space is proposed in the central section of the site, while there are other linear spaces along the northern, eastern and southern periphery.
- 2.4. The proposal mainly consists of 3 house types, although variations are applied in some cases to provide dual aspects on corner sites. The houses sizes are large, ranging from 133m² to 189m², and are composed of 37 no. 4-bed houses and 1 no. 3-bed house. The external finishes mainly consist of painted nap plaster walls and slate roof finishes.
- 2.5. A significant extent of excavation and filling is proposed to address the varying site levels. It is proposed to provide footpaths and lighting within the development and along the roads to the north and east of the site. The proposal involves connection to the public watermains and sewer, while surface water will be disposed on site by attenuation and discharge at greenfield rate.

3.0 Planning Authority Decision

3.1. Decision

By order dated 1st July 2021, Mayo County Council (MCC) issued notification of the decision to grant permission subject to conditions. Notable conditions can be summarised as follows:

No. 3: The first floor balcony on house type 4 on site no. 25 shall be omitted and revised plans shall be agreed with the planning authority.

No. 4: Provision shall be made for smarter travel connectivity along the adjoining roads, details of which shall be agreed.

No. 13: All existing trees / hedgerows shall be retained, and additional screen planting shall be completed in accordance with proposals submitted on 28th April 2021.

No. 14: Requires an agreement pursuant to Section 47 of the Planning and Development Act 2000 (as amended) restricting all units to first occupation by individual purchasers and/or those eligible for the occupation of social and/or affordable housing, including cost rental housing.

3.2. Planning Authority Reports

Further Information

- 3.2.1. Based on initial Planning Authority reports, MCC issued a request for Further Information on 30th July 2020. The request included an 'Advice Note' outlining serious concerns about the proposed layout and house designs; the excessive density of the development; and the need to consult with MCC Regional Design Office (RDO) regarding the location of the site within a study area for a future national road scheme. In summary, the applicant was requested to submit the following:
- Statement outlining compliance with section 7.10 (Residential Development Standards) of the Development Plan.
 - A Road Safety Audit (RSA).
 - A Traffic Impact Assessment (TIA).
 - An Archaeological Assessment.
 - Contextual elevations of the development along all 3 public roads.
- 3.2.2. The applicant responded to the request on 28th April 2021, including a revised layout and house designs as part of a reduced scheme of 38 houses. The Planning Authority subsequently directed the applicant to re-advertise the application in accordance with Article 35 of the Planning and Development Regulations 2001 (as amended). Another 'Advice Note' was included outlining guidance in relation to boundary treatments; the requirement to redesign house no. 25; and to submit proposals for pedestrian and cycling connectivity. The applicant responded on 8th June 2021 with revised public notices and proposals to address boundary treatment; the re-design of house no. 25; and pedestrian/cycling connectivity.

Planner's Report

3.2.3. The final report of 30th June 2021 can be summarised as follows:

- The site is zoned as 'A3 Phase 1 Residential Low Density' in the Westport Town and Environs Plan 2010-2016 (as extended). It is within walking distance of the town centre, is currently unkept in appearance, and residential development is generally acceptable at this location.
- The Development Plan outlines that 10 dwellings per hectare is appropriate for the site, while the 'Sustainable Residential Development in Urban Areas' Guidelines state that Greenfield/Outer Suburban sites in larger towns should be providing densities of 35 to 50 units per hectare. The proposed density at 38 units is in line with national policy and is one residential unit less than that previously permitted on site.
- The proposed layout comprises distinct, connected homezones; is an improvement on that previously permitted; contains a suitable mix of house types/sizes; and will make a positive contribution to the character of the area.
- The proposed access arrangements are considered acceptable.
- The development, by itself or in combination with other developments in the vicinity, would not be likely to have a significant effect on any European Sites.

3.2.4. The 'First Schedule' of the report concludes that the proposed development would be in keeping with the proper planning and sustainable development of the area. The 'Second Schedule' outlines a total of 14 conditions. These schedules form the basis of the MCC decision to grant permission.

3.3. Other Technical Reports

Area Engineer: Highlights various requirements relating to pedestrian/cyclist facilities, accessibility, road damage/repair, surface water management, roadside setbacks, management of invasive species, construction traffic management, sightlines, diversion of services, and 'taking in charge' arrangements.

Architects Office: Report of 23rd June 2020 outlined concerns in relation to the original application (46 houses) as follows:

- Site layout is not in line with current policies and ideals for sustainable development.
- The layout promotes car usage and discourages cycling and walking.
- The house designs do not maximise solar gain opportunities and do not overlook play areas.
- The house designs are not in keeping with the locality.

Although not included in the appeal file, the 'referrals' section of the Planner's Report and the MCC website indicate that a second report was received on 14th May 2021, presumably relating to the revised scheme of 38 houses. In addition to the concerns previously outlined, it includes the following:

- Well-designed high-end terraced housing would be suitable to the site
- Inadequate cycle route provision
- Unsuitable building line adjoining Monastery View
- Unsuitable designs along the public roads and open spaces
- Proposed landscaping of the central 'square' is out of character with the natural setting
- Substandard houses design and roof finishes
- The scheme should either be refused or redesigned having regard to the above concerns and improved boundary treatments.

National Roads Office: No issues arise.

Road Design Office: No objections subject to conditions and compliance with the Road Safety Audit.

Senior Archaeologist: Report of 19th June 2020 requests submission of an Archaeological Assessment.

3.4. **Prescribed Bodies**

Transport Infrastructure Ireland: Highlights the need to abide by official policy in relation to national roads, subject to the following:

- The proposal is located within a study area for a future national road scheme and the Planning Authority should consult with the local RDO.
- The Authority will entertain no future claims in respect of the impacts on the development, if approved.
- The Planning Authority should have regard to the provisions of Chapter 3 of the DoECLG Spatial Planning and National Roads Guidelines.

Irish Water: Requests that the application submit further information in relation to the feasibility of water/wastewater connection via a pre-connection enquiry, and to engage with IW regarding the feasibility of build over and/or diversion of IW infrastructure.

3.5. **Third Party Observations**

Three third-party observations were made on the original application submitted for 46 houses. The issues raised can be summarised as follows:

- Impacts on scenic views and the character of the area.
- Excessive density.
- Impacts on natural ecosystems, air pollution, water and climate change.
- Increased traffic volumes and noise pollution.
- Impacts on water pressure.
- The safety and security of local residents.
- Ongoing dumping activities and the unsightly state of the site.
- The need to control the phased development of the site.
- The need for additional landscaping of the site.
- The requirement for footpath and junction improvements.
- Recognition of the value of a good mix of housing
- Provision of affordable housing is welcomed.
- The design is not good enough to make a positive contribution to the community.

- Inadequate consultation and design preparation/presentation.
- Excessive filling of existing site levels.
- Inadequate design, layout and orientation in relation to roads and spaces.

4.0 Planning History

P.A. Reg. Ref. 09/14: Permission granted for the construction of 39 no. dwellings.

ABP Ref. PL 84.235287: Financial contribution appeal relating to P.A. Reg Ref. 09/14. The Board Order (29th March 2010) removed condition no. 43 (Special Contribution for watermains extension scheme) and amended condition no. 44 (Special contribution towards upgrade of Carrowbaun Road).

5.0 Policy and Context

5.1. National Policy/Guidance

5.1.1 The **National Planning Framework (NPF)** is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. A key element of the NPF is a commitment towards 'compact growth', which focuses on a more efficient use of land and resources through reusing previously developed or under-utilised land and buildings. It contains several policy objectives that articulate the delivery of compact urban growth as follows:

- NPO 3 (c) aims to deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints;
- NPO 4 promotes attractive, well-designed liveable communities;
- NPO 11 outlines a presumption in favour of development in existing settlements, subject to appropriate planning standards;
- NPO 33 prioritises new homes that support sustainable development at an appropriate scale relative to location;

- NPO 35 aims to increase residential density in settlements through a range of measures including infill development and site-based regeneration.

- 5.1.2 **Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (DoEHLG, 2009)**, hereafter referred to as ‘the Sustainable Residential Development Guidelines’ sets out the key planning principles which should guide the assessment of planning applications for development in urban areas. Section 1.9 recites general principles of sustainable development and residential design, including the need to prioritise walking, cycling and public transport over the use of cars, and to provide residents with quality of life in terms of amenity, safety and convenience. Chapters 5 & 6 outline recommendations regarding appropriate density standards for cities, larger towns, small towns and villages. A design manual accompanies the guidelines which lays out 12 principles for urban residential design relating to context, connections, inclusivity, variety, efficacy, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking and detailed design.
- 5.1.3 The Department’s **Circular Letter NRUP 02/2021** provides clarity in relation to the interpretation and application of residential densities in towns and villages as set out in the Sustainable Residential Development Guidelines. While the national policy context regarding the promotion of compact development remains unchanged, the circular aims to address the need for increased sustainable housing supply throughout Ireland. It emphasises the need to adapt the scale, design and layout of housing in towns and villages, to ensure that suburban or high-density urban approaches are not applied uniformly, and that development responds appropriately to the character, scale and setting of the town or village, particularly at the edge of larger towns and cities, including outer suburban locations and within smaller towns and villages.
- 5.1.4. Following the theme of ‘compact urban growth’ and NPO 13 of the NPF, the **Urban Development and Building Heights, Guidelines for Planning Authorities (2018)** outlines the wider strategic policy considerations and a performance-driven approach to secure the strategic objectives of the NPF.
- 5.1.5. The guidance document ‘**Quality Housing for Sustainable Communities’ (DoEHLG, 2007)**, identifies principles and criteria that are important in the design of housing and highlights specific design features, requirements and standards.

5.1.6. The **Design Manual for Urban Roads and Streets** (DTTS & DECLG) sets out an integrated design approach for cities, towns and villages, which seeks to put well-designed streets at the heart of sustainable communities and promote real alternatives to car journeys. The DMURS is intended to facilitate the implementation of the policies contained in the Sustainable Residential Development Guidelines.

5.2. **Westport Town & Environs Development Plan 2010-2016**

5.2.1. The lifetime of the Westport Town & Environs Development Plan 2010 – 2016 was automatically extended in accordance with the provisions of section 11A of the Planning and Development Act 2000 (as amended) and it remains the operative Development Plan for the area.

5.2.2. The Core Strategy of the Plan identifies three phases of lands zoned for residential development. Phase I comprises of lands (c.46 ha) required for the plan period (to 2016) and are serviced and adjacent to the built-up area. According to Map 1 of the Plan, the appeal site is located within lands zoned as 'A3 Residential Phase I Low Density (4 units/acre or 10 units/ha)'. Section 5 of the Plan sets out the land use zoning objectives and states under '(A) Residential' that '*It is an objective of the Residential land use to protect, improve and develop residential areas and to provide for facilities and amenities incidental to those residential areas, where appropriate*'. It also states that '*no more than 10 units per hectare will be permitted in areas zoned A3 Residential Phase I Low Density*'.

5.2.3. Section 4 sets out the policies and objectives of the Plan. Those relevant to the proposed development include:

PP-01 It is the policy of the Council to plan to provide sufficient land to accommodate the residential population needs of the town and environs and, in addition, to cater for the service needs of the people who live within the town's catchment area.

HP-03 It is the policy of the Council to have regard to the Department of Environment, Heritage and Local Government Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) 2009 and Urban Design Manual – A best practice guide 2009 and any subsequent guidelines.

HO-10 It is an objective of the Council to encourage and facilitate the development of vacant and undeveloped residential lands through the use of all available tools and mechanisms.

TO-12 It is an objective of the Council to encourage a high standard of architectural design and layout in all developments.

LP-01 It is the policy of the Council to protect sensitive landscapes, including elevated lands, from development.

LUO-02 It is an objective of the Council to ensure that all proposed development is absorbed into the surrounding landscape so that it does not impinge in any significant way upon the character, integrity or uniformity of the landscape, in order to protect the landscape, regardless of its zoning.

LUO-05 It is an objective of the Council that lands phased for development shall only be considered for development when 70% of the land in the previous phase has been fully developed and subject to the establishment of proven evidence based demand for the development in accordance with the Regional Planning Guidelines for the West Region.

5.2.4. Section 7 of the Plan incorporates development control standards relating to various types of development. The standards are intended to provide guidance towards achieving a high quality of development and it is stated that the Council will apply the standards with discretion and having regard to the particular circumstances of a particular site and development. Section 7.1 sets out guidance in relation to 'Roadside Development', addressing issues such as road safety and capacity. Section 7.10 sets out standards relating to residential development, including the following:

- The control of density will depend on design and layout and local conditions.
- At least 90% of residential units on lands zoned Residential Phase I shall consist of dwellinghouses.
- New developments should achieve high quality living environments.
- A variety and mix of house types and sizes will be required in developments of 4 or more houses, including a significant percentage of detached houses.
- Public open space requirement is a minimum 10% of total site area.
- Private amenity space should not be less than 100m² for 3/4/5-bed houses.

5.3. Natural Heritage Designations

The nearest Natura 2000 site is the Clew Bay Complex SAC, which is located approximately 1.5km to the northwest of the appeal site.

5.4 Environmental Impact Assessment

5.4.1. An Environmental Impact Assessment (EIA) Screening Report was not submitted with the application. With regard to EIA thresholds, Class (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:

- Construction of more than 500 dwelling units,
- Urban development which would involve an area greater than 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)

5.4.2. The appeal relates to a residential development containing just 38 dwelling units. Therefore, the number of dwellings proposed is well below the threshold of 500 dwelling units. The site has an overall area of c. 3.629 ha and is not located within a ‘business district’. The site area is therefore well below the other applicable thresholds of 10 and 20ha.

5.4.3. The site is largely undeveloped at present and consists of grassland and landfill. It is largely surrounded by residential development and agricultural lands. The introduction of a residential development will not have an adverse impact in environmental terms on surrounding land uses.

5.4.4. The site does not include any Protected Structures and is not within an Architectural Conservation Area or a Zone of Archaeological Protection. The proposed development is not likely to have a significant effect on any European Site (as outlined in Section 8.0 of this Report). There is no hydrological connection present such as would give rise to significant impact on nearby water courses (whether linked to any European site or other sensitive receptors).

5.4.5. The proposed development would not give rise to waste, pollution or nuisances that differ from that arising from other housing/mixed-use development in the area. It would not give rise to a risk of major accidents or risks to human health. Apart from

the on-site discharge of surface water, the proposed development would use the public water and drainage services of Irish Water and Mayo County Council, upon which its effects would be minimal.

- 5.4.6. Having regard to the above, I consider that, by reason of the nature and scale of the proposed development and the location of the subject site, the proposed development would not be likely to have significant effects on the environment and that, on preliminary examination, an Environmental Impact Assessment Report (EIAR) or a determination in relation to the requirement for an EIAR was not necessary in this case (See Preliminary Examination EIAR Screening Form).

6.0 The Appeal

6.1. Grounds of Appeal

The decision of MCC to grant permission has been appealed by Emmet & Sandra O'Donnell, Carrowbaun, Westport, Co. Mayo. The appeal outlines that they would support the development of the site subject to the preparation of a suitable design and appropriate information. The grounds of appeal can be summarised under the following headings:

Inadequate Information

- Fails to provide site section drawings and elevation to demonstrate how site levels will be resolved and how the development would relate to other buildings.
- Refers to the requirements of Articles 22 (3)(a) and 23 (1)(d) of the Planning and Development Regulations 2001 (as amended).
- Inadequate detail of paving and planting for the proposed homezones and shared surfaces and for planting in general (apart from trees).
- Lack of clarity regarding planting to front driveways of houses.
- The absence of this information does not facilitate appropriate public participation and appraisal and will result in a substandard scheme.

MCC Architect's Report

- The report (12th May 2021) outlines concern about the proposed development and recommends that it either be refused or redesigned.
- The design recommendations have not been resolved or addressed, including those relating to elevations to public roads; house designs; boundary treatments; and landscaping.

DMURS and Urban Design Manual (Best Practice Guide)

- Inadequate information submitted to demonstrate compliance with Section 7.10 (Residential Design Standards) of the Development Plan.
- Fails provide any detail on how the principles of 'Design Manual for Urban Roads and Streets' and 'Urban Design Manual (Best Practice Guide)' have been incorporated into the design.

Conclusion

- The application fails to provide a scheme worthy of its context.
- The current housing supply pressures highlight the need to achieve high design standards and avoid the provision of substandard housing.
- The proposal would provide no contextual relevance, would impose itself on its setting, and would result in a poor-quality development for residents.

6.2. Planning Authority Response

None.

6.3. Applicant Response

The applicant's response to the grounds of appeal can be summarised under the following headings:

The nature of the appeal

- Welcomes the lack of opposition to development on the site.
- The appeal focuses on largely procedural/technical issues.

- The appellant's property is located c. 150m from the appeal site and there is no suggestion that their property would be impacted by the development, which follows a similarly scaled permission from 2009.
- The Board is requested to dismiss the appeal in accordance with Section 138 (1)(a) of the Act.

Development Plan

- The Plan has been adopted having regard to 'Sustainable Residential Development in Urban Areas, 2009'.
- The site is designated as a Phase 1 residential zone and is classified as 'Residential Lands' in terms of the Urban Regeneration and Housing Act 2015 (i.e. is readily developable).
- The zoning and density of the site (no more than 10 units per hectare) echoes Circular NRUP 02/2021, which clarifies that a range of density solutions in differing areas is appropriate. Westport is a relatively small town and given the setting of the site, the Development Plan density is entirely appropriate and accords with the guidance of Sustainable Residential Development in Urban Areas with regard to balancing existing and proposed development. The Planning Authority has also placed emphasis on NPF NPO 33 regarding the provision of housing at an appropriate scale relative to location.
- The appeal sets out how the proposed development complies with the various Development Standards included in the Development Plan.

Planning History

- The proposal is considered to be an enhancement of the previously permitted scheme and has been updated to reflect the changed housing market.
- Given the planning history and long-established zoning, residential development is entirely appropriate.

Character Area

- The southern area of the town transitions almost immediately into a rural character and the area is not identified as a main expansion area.
- The design and layout therefore seek to be compatible with the relatively low-density character of the area whilst still achieving a reasonable level of housing delivery at a well located site.

Transport

- The design rationale appropriately avoids interaction with the N59 road.
- The site is well connected to the town centre and greenway network.
- The proposal involves significant planning gain through the provision of footpaths and improvements to junctions.

Contextual elevations and sections

- The Planning Authority was satisfied with the level of detail provided.
- The applicant submitted a three-dimensional model which clearly illustrates the scale and context of the scheme in relation to surrounding development
- Further two-dimensional sections/elevations can be provided should the Board deem it or any specific further information necessary.

Westport Town Architect Recommendations

- The proposed scheme has regard to these recommendations but not all suggestions are necessarily practical or realistic.
- The response addresses the individual scheme design issues raised by the Town Architect, the main points of which can be summarised as follows:
 - Correctly focused on roads other than the Leenane Road and appropriately provides for pedestrian/cyclist facilities subject to agreement under condition no. 4
 - The area has no particularly dominant architectural style and the proposed house design would address market demands
 - Accommodates all types of movement with pedestrian priority

- Open space is appropriately overlooked and distributed
 - Balanced regard to the benefits of solar gain
 - Blank elevations are limited to cases of necessity for privacy
 - Terraced housing would be incompatible with zoning and the prevailing pattern of development
 - Elevational treatment along Lankhill Road provides an active/varied streetscape and public square
 - Proposals for landscaping, boundaries, surfacing and finishes are appropriate but can be altered to suit the requirements of the Planning Authority/Board
- The scheme is an appropriate design/layout and will assimilate with adjoining properties whilst deliberately addressing modern requirements.

Finishes & Landscaping

- The level of detail provided is appropriate and any finer detail could be agreed through conditions.
- The areas to the front of dwellings would be private.
- The landscaping plan supersedes the general site layout plan.

DMURS and Urban Design Manual

- The design and documentation submitted, including the TIA and RSA, appropriately address the DMURS requirements.
- Further segregation of pedestrians and vehicles would be counter-productive by indicating a priority for cars.
- The response outlines compliance with the Urban Design Manual criteria. In addition to the points previously outlined, it states that the scheme will:
 - Provide an appropriate range of public spaces
 - Accord with current building standards to allow for potential expansion and repurposing/adaption if necessary
 - Ensure a high level of privacy and amenity
 - Provide ample formal car parking.

6.4. Observations

None.

7.0 Assessment

7.1 Introduction

7.1.1. Having regard to the documentation submitted in connection with the application and the appeal, and having inspected the site and had regard to relevant policies and guidance, I consider that the main issues for assessment are as follows:

- The nature of the appeal
- Validity of the application
- Zoning & Policy
- Housing Density/Mix
- Design & Layout
- Residential Amenity
- Traffic & Transport

7.2 The nature of the appeal

7.2.1. The applicant requests the Board to dismiss the appeal in accordance with the provisions of Section 138 (1)(a) of the Act. I acknowledge that these provisions allow the dismissal of an appeal in circumstances where the Board is of the opinion that it is vexatious, frivolous or without substance or foundation, or where it has been made with the sole intention of delaying the development or the intention of securing the payment of money, gifts, consideration or other inducement by any person. I consider that the appeal has been made by local residents and raises valid planning concerns about the design and layout of the proposed development and the lack of supporting information for same. There is no other evident motivation for the appeal and, accordingly, I do not see any grounds for the Board to dismiss the appeal.

7.3 Validity of the application

7.3.1. The appellant contends that the drawings and documentation submitted do not adequately illustrate the extent of the proposed development and its relationship with surrounding development. I acknowledge that proposed development involves a significant extent of excavation and filling as a result of the varying levels of the existing site. And while the applicant has included a detailed site survey and provided spot levels and finished floor levels for the proposed scheme, I would concur that detailed site section/contextual drawings would certainly be appropriate, albeit not mandatory. Ultimately, I note that the Planning Authority deemed the application to be valid and I am satisfied that the drawings and documentation submitted are adequate to enable a comprehensive assessment of the proposed development.

7.4 Zoning & Policy

7.4.1. The Core Strategy of the Plan identifies three phases of lands zoned for residential development. Phase I comprises of lands (c.46 ha) required for the plan period (to 2016) and were selected as such on the basis that they are serviced and adjacent to the built-up area. The appeal site is zoned as one of such sites (i.e. 'A3 Residential Phase I'). Section 5 of the Plan sets out that the general land use zoning objective for the '(A) Residential' zone is *'to protect, improve and develop residential areas and to provide for facilities and amenities incidental to those residential areas, where appropriate'*. I also note that the site has been included as 'residential lands' for the purposes of the Urban Regeneration and Housing Act 2015, which would further confirm the Planning Authority's view that the lands are *'suitable for the provision of housing'* as per the requirements of the 2015 Act. The development of the lands for residential purposes would therefore be consistent with the provisions of the Development Plan in principle.

7.4.2. In terms of national policy and guidance, I note that the NPF promotes compact growth within the existing built-up footprint of settlements, and that the Sustainable Residential Development Guidelines promote the principle of sequential development so as to avoid a haphazard and costly approach to the provision of social and physical infrastructure. The sequential approach as set out in the Department's Development Plan Guidelines (DoEHLG, 2007) specifies that zoning

shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities, and that areas to be zoned shall be contiguous to existing zoned development lands and that any exception must be clearly justified in the written statement of the development plan.

7.4.3. I consider that the Development Plan's approach to phasing generally supports these principles. However, despite the designation of the of the site as 'Phase I', it is notable that other adjoining lands to the north and northeast are closer to the town centre and have been zoned as 'Phase II'. This approach would not appear to be consistent with the sequential approach and no specific justification is provided in the Plan. However, the Development Plan approach does take into account sites that have the benefit of planning permission and this may explain the inclusion of the appeal site given its planning history.

7.4.4. Taking a wider view of the phasing approach, I would accept that the appeal site is of a similar or closer proximity to the town centre when compared to other 'Phase I' sites to the east, west and north of the town. Furthermore, given that sequential development largely aims to avoid costly infrastructure provision and minimise transport requirements, I consider that the appeal site is relatively well placed through the existence of connecting footpaths (to the town centre) and water services infrastructure. Therefore, despite the anomalies that exist in the immediate vicinity regarding the 'Phase II' lands to the north and northeast being closer to the town centre, I am satisfied that the designation of the appeal site as 'phase I' generally complies with the principles of sequential development when considered in the wider context of housing land availability in the town.

7.4.5. Having regard to the foregoing, I am satisfied that the proposed residential use is consistent with the CDP zoning objective for the site and the relevant national policy/guidance relating to appropriate locations and phasing for residential development.

7.5 Housing Density/Mix

7.5.1 The proposal for 38 residential units on a site area of 3.629 hectares equates to a density of c. 10.5 units per hectare. This would be generally consistent with the Development Plan provisions for the 'A3' zone, which state that no more than 10

units per hectare will be permitted in areas zoned 'A3 Residential Phase I Low Density'.

- 7.5.2. In terms of national guidance, the Sustainable Residential Development Guidelines set out recommended density standards for cities, larger towns, small towns and villages. The guidelines include towns with a population greater than 5,000 as 'larger towns', with those less than 5,000 being considered 'smaller towns'. Westport is designated as a 'Key Town' and 'natural extension' of the Castlebar-Ballina 'Linked Hub' in the Mayo County Development Plan Settlement Hierarchy and has the highest housing requirement (330 units) of all Key Towns as per the Core Strategy. It recorded a population of 6,198 persons in the 2016 Census and, accordingly, I am satisfied that Westport should be considered a 'larger town' in the context of the Guidelines.
- 7.5.3. Chapter 5 of the Guidelines deals with 'Cities and Larger Towns' and outlines that, in general, increased densities should be encouraged on residentially zoned lands and particularly in city/town centres (including 'brownfield sites'), public transport corridors, inner suburban / infill sites, Institutional lands, and outer suburban/'greenfield' sites. The appeal site is not within the town centre or along a public transport corridor and does not constitute 'institutional land'. The site is located within the outer southern margins of the town and is largely surrounded by sporadic one-off housing rather than any continuous form of suburban development. And despite the presence of landfill on some parts of the site, I consider that it is mainly of a 'greenfield' nature and is not a 'brownfield' site. Accordingly, I consider that the site should be classified as an 'outer suburban/greenfield' site as per section 5.11 of the Sustainable Residential Development Guidelines.
- 7.5.4. The Guidelines state that the greatest efficiency in land usage for 'Outer Suburban / Greenfield Sites' will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare and such densities (involving a variety of housing types where possible) should be encouraged generally. It is stated that development at net densities less than 30 dwellings per hectare should generally be discouraged in the interests of land efficiency, particularly on sites in excess of 0.5 hectares. The proposed density of 10.5 units per hectare is, therefore, grossly below the recommendations of the Guidelines.

- 7.5.5. I acknowledge that section 5.12 of the Guidelines provides limited allowance for lower densities to facilitate a choice of housing types provided that, within a neighbourhood or district as a whole, average densities achieve any minimum recommended standards. Furthermore, Circular Letter NRUP 02/2021 outlines that net densities of less than 30 units per hectare are not precluded in large town locations, particularly at the edges of towns in a rural context, subject to section 5.12 of the Guidelines.
- 7.5.6. With regard to section 5.12 of the Guidelines and the neighbourhood/district as a whole, I would highlight that the immediate surrounds of the site are either undeveloped or consisting of very low-density sporadic/haphazard one-off housing. Furthermore, there is no land in the immediate vicinity of the site zoned for medium or high-density residential development. In the wider context, I acknowledge that there is some evidence of existing/planned medium/high residential densities to the south of the town centre and to the west along Quay Road. However, I do not consider this to be of the extent that would compensate for the very low density currently proposed by achieving recommended standards for the neighbourhood as a whole.
- 7.5.7. In considering the appropriate density level for the appeal site, I note that it is in close proximity to the town centre and is well connected by footpaths. And while its surrounding rural context is acknowledged, it is nonetheless a large, well-formed, prominent site at the southern edge of the town and has the potential to make a positive contribution to place-making while responding to its overall natural and built environment. There are no particularly sensitive constraints or deficiencies affecting the site that would militate against the achievement of higher densities.
- 7.5.8. In conclusion regarding density, I am conscious of the rural location of Westport and the peripheral nature of the site at the edge of the town, and I acknowledge that the flexibility of the Sustainable Residential Development Guidelines (incorporating Circular NRUP 02/2021) to facilitate densities less than 30 units per hectare could be applied in this case. However, I consider that the proposed density of 10.5 units per hectare is grossly inadequate and unacceptable on this large, prominent site in Westport, which is envisaged as a Key Town and a natural extension of the Castlebar-Ballina Linked Hub in the Core Strategy for County Mayo.

- 7.5.9. With regard to the proposed housing types/mix, it is proposed to provide 37 no. 4-bed houses and just 1 no. 3-bed house. And while there are 7 different house types, it should be noted that there are effectively only 3 house types given that there are only minor variations of house types 1 & 2 and there is only 1 incidence of house type 4. All of the proposed house types are large, ranging in floor area from 133m² to 189m², and 25 of the proposed houses have an area of 146m² or more.
- 7.5.10. As previously outlined, the Sustainable Residential Development Guidelines encourage a variety of housing types on such 'Outer Suburban / Greenfield Sites' where possible. Similarly, section 7.10 of the Development Plan states that a variety and mix of house types and sizes will be required in developments of 4 or more houses. I consider that the proposed development fails to satisfactorily respond to these requirements and that the proposal for predominantly 4-bed houses would not suitably meet the housing needs of the town and its demographics. I can see no viable obstacle to the provision of a suitable mix of smaller units at this location and would contend that the current predominance of large one-off houses in the area would further highlight the need to rebalance housing supply through the incorporation of a suitable mix of smaller units.
- 7.5.11. It is open to the Board to consider the original proposal for 46 houses. However, I consider that the original scheme included only marginal improvements regarding density (12.6 units per hectare) and the mix of house types, which would not satisfactorily address the concerns outlined above.

7.6 Design and Layout

- 7.6.1. The grounds of the appeal are largely based on the design and layout of the proposed development. In response, the applicant has outlined how the scheme addresses the Urban Design Manual, which I will assess under the relevant criteria below.
- 7.6.2. Context – The site is located within the southern environs of Westport, a transitional area that contains mix of rural character and the emerging pattern/scale of modern development (i.e. apartments to the north along Monastery View, mixed-use development at the Primary Care Centre (Tober Hill) and the Fire Station along N59). Therefore, the design challenge for the site is to achieve an appropriate higher density while responding to its surroundings. In this regard, the application contains

little in the line of contextual analysis or linkages between existing and proposed development. I consider that the organic pattern and character of existing development contrasts with the geometric building lines and uniformity of the proposed house designs, particularly along Monastery View (houses 1-6) to the north and along the N59 (houses 33-38) to the southwest. Furthermore, the houses along Lankhill Road to the east fail to appropriately address the road in accordance with the established pattern of development and will consist of mainly blank gable elevations behind 1.8m high boundary walls.

I have previously highlighted concerns about the low density of the proposal. However, the need to achieve higher densities should not be incompatible with the need to respect the surrounding context. Lower density of an appropriate design could be maintained around the site edges, allowing for an appropriate transition to higher density within the site.

I acknowledge the applicant's intentions to create a development of its 'time' and that the proposed house designs attempt to reflect a contemporary approach. However, I would have concerns about the scale and proportions of the proposed houses, which are still largely based on an inappropriate suburban layout that does not respond to the form and layout of surrounding development/landscape. The house designs also incorporate a limited range of architectural detailing and finishes.

In terms of the site's edges and interface with its surrounds, I consider that the proposed boundary treatment along the northern and eastern site edge is inappropriate. This comprises long stretches of 1.8m high walls and pillars, some of which includes 900mm high steel railings and curved wing walls. I consider this to be an inappropriate response to this transitional rural area. Furthermore, the building line to the north is excessive in setback distance and is inappropriately geometric/uniform, while the houses along Lankhill Road to the east do not appropriately address the site edge in terms of design and orientation.

7.6.3. Connections – As previously outlined in this report, the site is in close proximity to the town centre and is well connected via existing footpaths to the north. There are no direct cycleway links, but the site is in close proximity to the town greenway (c. 150m to the north). The application proposes to improve pedestrian linkages through the provision of footpaths within the site and along its eastern and northern

boundaries. A 'cycle route' is shown on the site layout plan running internally from the southwest corner to the north end of the site and running partially along the adjoining roads, Monastery View and Lankhill Road. It is not clear whether this is merely indicative or whether it is proposed to be provided as part of the development (the TTA states that no cycle routes are proposed). In any case, the route overlaps with the required road carriageway widths and has not been appropriately designed as a segregated route. The proposed route along Lankhill Road does not extend to the southern end of the site and it is proposed that the houses in the southern section would be linked to Lankhill Road internally via the central open space. However, the proposed linkage is poorly designed, particularly the space enclosed by house no.'s 16, 17, and 33, which is not appropriately overlooked to facilitate a safe and attractive route.

More generally, while the scheme is intended to be based on DMURS and Urban Design Manual principles, I consider that it fails to achieve appropriately designed shared surface/homezone areas. The internal carriageways have an excessive width of 6m and contain long stretches that are not adequately designed for traffic calming. Furthermore, the proposed footpaths are segregated from the tarmacadam carriageways, which conflicts with the stated intentions for 'shared surfaces'.

- 7.6.4. Inclusivity – I have previously outlined my concerns regarding the limited range and mix of house types proposed and I do not consider that this facilitates the creation of a balanced, sustainable community. The provision of predominantly large houses does not facilitate people's changing needs or enable residents to remain in the community as their accommodation needs increase/decrease.

The scheme contains an abundance of open space with the potential to accommodate varying needs. However, the spaces are poorly designed and there is no identifiable rationale to cater for the varying needs of different age groups. The space to the southwest corner is excessive in area for a peripheral location that is not appropriately enclosed. The value of the central open space also suffers as it is surrounded by excessive hard paving and car-parking.

As previously outlined regarding the inappropriate house designs and boundary treatment along the site edges, I do not consider that the scheme presents a positive

aspect to the public and does not contribute to the creation of an inviting, inclusive neighbourhood.

7.6.5. Variety – I acknowledge that mixed-use development would generally be suitable to larger scale developments. Nonetheless, this is a substantial site (3.629ha) with the potential to achieve higher densities that could incorporate a limited mix of uses such as small-scale community facilities. As previously outlined, the scheme does not provide a suitable range of housing types and tenure to add the available choice in the area.

7.6.6. Efficiency - As previously outlined, I do not consider that the scheme achieves an appropriate level of density to ensure the efficient use of land, particularly given its connectivity to the town centre. The scheme proposes the use of Sustainable Urban Drainage Systems for the operational benefits of protecting buildings and spaces from flooding but does not capitalise on its potential regarding the creation of attractive wetland settings or enhancing biodiversity.

In terms of energy efficiency and the potential for solar gain, I consider that the design and layout of the scheme fails to capitalise on potential. Many of the fronts and sides of the houses face south, meaning that the more regularly used kitchen/dining areas (generally to the rear of houses) do not maximise potential solar gains. And while the rear of house no.'s 1-6 do face south, it should be noted that are significantly obstructed by significantly higher levels of house no.'s 7-12 adjoining to the south. Consequently, there are only a minority of cases where the main kitchen/dining areas appropriately benefit from a southern aspect.

I acknowledge that there are relatively few instances of north-facing gardens and that the large open space areas would benefit from their solar orientation.

7.6.7. Distinctiveness - Having regard to the design concerns previously outlined, I consider that the scheme would form a quite uniform and uninviting edge and would not provide recognisable features which are particular to the place. It does not respond to local character or identity and does not create a new sense of place through high quality architecture, landscaping, urban design and the arrangement of uses throughout the site.

The site is distinctive due to its undulating topography and transitional rural character, and the Development Plan identifies views and prospects to be preserved

(V11) over the site from the road to the east. There is limited detail in the application to demonstrate how these site characteristics have been incorporated and preserved in the scheme, with a particular lack of detail to outline how the varying site levels would be appropriately managed. And while the central open space would appear to be intended as the focal point of the scheme, I do not consider that this would function successfully due to its substandard design, layout and predominance of road carriageway and car-parking.

7.6.8. Layout - The scheme has a largely orthogonal layout based on right-angled roads and parallel building lines. Having regard to the transitional rural character of the area, I consider that the layout would benefit from an alternative organic approach, which would create a more suitable sense of place. Desire lines within the scheme are northwards to the town centre and this is generally accommodated. However, I consider that the substandard design of the space between houses 16, 17, and 33 does not facilitate a suitable route from the houses in the southern end of the site and this space has the potential to encourage anti-social behaviour. I note the concerns of the Planning Authority's Architect regarding links to the N59, but I do not consider this necessary given the alternative routes available and the unsuitable pedestrian/cyclist environment that is likely to endure on the N59 road.

As previously outlined, the site's edges do not contribute appropriately to the creation of active streets/road frontage. Within the site itself, the house frontages are also well distanced from communal open spaces by driveways and communal parking areas, which fails to encourage activity and a sense of community. Vehicular and pedestrian/cyclist movements have also not been appropriately integrated, and the hierarchy is dominated by the road carriageway and private/communal car-parking. There would not appear to be any measures to control traffic speeds within the development by 'soft' design/layout measures or otherwise. This does not achieve the creation of a successful shared surface or 'homezone' environment.

I acknowledge that the central open space has the potential to be suitably enclosed as a defensible private space. However, I would be concerned that the excessive scale and peripheral nature of the southwestern space could lead to management and maintenance problems that would detract from the amenity of the development.

- 7.6.9. Public Realm – Apart from the footpaths and cycleways along the margins of the site, the scheme does not include any spaces that are likely to become publicly owned. However, I acknowledge that the communal spaces would be likely to be publicly accessible and I have previously outlined concerns in relation to the design and layout of these spaces.
- 7.6.10. Adaptability – I have previously outlined concerns regarding the lack of a suitable range of house types and sizes, particularly in relation to smaller units. The scheme is also based on similar sized plots which are unsuitable to accommodate potential future demands for alternative uses. I would accept that the plot sizes are generally generous which allows for the potential for extension in the future, albeit that the houses are already large in scale. The internal layouts do not provide any designated home-working accommodation, a facility which has become increasingly important in recent years.
- 7.6.11. Privacy and Amenity – This will be discussed further in the following section 7.7.
- 7.6.12. Parking – The scheme provides ample car-parking in the form of 2 spaces in the private driveway of each house. In addition to this, a total of 20 extra spaces are provided around the southwest corner open space, 35 spaces are provided around the central open space, and 6 spaces are provided adjoining the small green areas to the north of the site. While I acknowledge the need to provide sufficient car-parking to meet demands, I consider that this to be an excessive approach in a manner that would overwhelm the appearance and amenities of the communal spaces. The combined private and communal parking approach duplicates requirements and results in an inefficient and unattractive use of space.
- 7.6.13. Detailed Design – In addition to the principal concerns regarding the design and layout of the buildings and open spaces, I would also concur with the concerns outlined in the appeal regarding the detailed design and specifications for planting and materials, albeit that such matters could be agreed by condition in the event of a grant of permission.
- 7.6.14. In conclusion regarding the design and layout, I consider that the proposed scheme fails to successfully respond to its context through the creation of a distinctive sense of place and would not provide an appropriately inclusive development that provides a suitable variety of uses or housing typologies. The development does not promote

the efficient use of land or energy and is based on a substandard layout which does not suitably promote sustainable forms of transport or quality open spaces.

Accordingly, the proposed scheme is considered to be unacceptable. It is open to the Board to consider the originally submitted scheme for 46 houses, but I do not consider that this would satisfactorily address the above concerns.

7.7. Residential Amenity

Proposed Houses

- 7.7.1. I have reviewed the target/minimum areas for dwellings as set out in ‘*Quality Housing for Sustainable Communities*’ (Table 5.1) and I note that gross floor areas for each of the proposed houses significantly exceed the requirements for 3-bed (5-person) 2-storey houses (92m²) and 4-bed 2-storey houses (110m²). The proposals also meet the individual and cumulative requirements for living rooms/areas and bedrooms as set out in Table 5.1. And while no specific space is identified for storage, I am satisfied that requirements could be accommodated within the overall generously sized units.
- 7.7.2. Regarding private external space, rear gardens of varying size and shape are proposed for all houses. Section 7.10 of the Development Plan states that the minimum area of a rear garden (behind the front building line) shall be 100m² unless the overall design provides for adequate private open space. While the areas have not been provided by the applicant for each plot, I am satisfied that the entire private garden space, including side gardens, would exceed the 100m² requirement for each plot, and that generous private open space is provided in the overall design in accordance with Development Plan requirements.
- 7.7.3. However, other than quantitative standards, I would have concerns about the quality of amenity for individual houses due to significant level differences. For example, houses 8-12 are at a significantly higher level (ranging from 3-4+m) above the adjoining houses 1-5 to the north. Houses 17-22 are also significantly higher than adjoining houses to the south, and the finished floor level for houses 35-38 would be more than 3 metres below the existing ground levels for the proposed gardens. No information has been submitted to demonstrate how these significant level differences would be resolved and I would be concerned that these factors would

lead to steep/stepped garden areas and/or rear garden boundaries of excessive height. These factors would significantly detract from the usability and amenity of the garden spaces and from the outlook within the proposed houses, which would seriously detract from the residential amenity of the scheme.

Communal Open Space

7.7.4. Section 7.10 of the Development Plan states that a minimum of 10% of the total site area in new housing developments shall be provided by the developer as open space. The application includes a stated total open space area of 7,318m², which equates to c. 20% of the site area and significantly exceeds the 10% requirement.

7.7.5. In addition to these quantitative requirements, Section 7.10 of the Development Plan outlines that high quality hard and soft landscaping proposals for open space including supervised play areas will be required. It states that spaces should be overlooked/supervised and should provide play areas for a range of age groups. In section 7.6 of this report, I have previously outlined my concerns regarding the substandard design and layout of the proposed open spaces.

Overlooking and privacy

7.7.6. The Sustainable Residential Development Guidelines acknowledge a normal requirement for a 22-metre separation distance between opposing above-ground floor windows but advises that such requirements should be applied flexibly depending on the site context. In this case I have considered the position, orientation and separation distances, both within the proposed development and in relation to adjoining properties. I am satisfied that no directly opposing windows will occur at a distance of less than 22m and there will be no significant overlooking of either the existing or proposed dwellings.

Daylight and Sunlight

7.7.7. Section 7.10 of the Development Plan outlines advice in relation to maximising light in the design of new developments but does not specifically outline policy on the question of impacts on existing properties. The Sustainable Residential Development Guidelines outline that overshadowing will generally only cause problems where buildings of significant height are involved or where new buildings

are located very close to adjoining buildings. It states that the recommendations of BRE 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' guidance *'should be followed in this regard'*. However, in this case I do not consider that the proposed buildings are of significant height or scale, or that they are proposed at excessive proximity or elevation to surrounding properties. Accordingly, I am satisfied that no significant daylight/sunlight effects will arise, and no further assessment is required.

Conclusion on Residential Amenity

7.7.8. I acknowledge that the scheme proposes spacious houses on large plots, and that there is an abundant quantity of open space. Furthermore, the proposed development would not result in direct adverse impacts on the residential amenity of existing properties by reason of overlooking, overshadowing or otherwise. However, for the reasons previously outlined in section 7.6 of this report, together with the absence of appropriate proposals to address significant level differences between the proposed houses, I do not consider that the design and layout of the scheme is of sufficient quality to create an appropriate standard of residential amenity.

7.8 Traffic & Transport

7.8.1. The application includes a Traffic and Transport Assessment (TTA) report prepared by Alan Lipcombe Traffic and Transport Consultants. The assessment highlights plans by MCC to upgrade the Lankhill Road (to the east) and its junction with Monastery View (to the north). Seasonally adjusted traffic counts were completed to establish the following regarding passenger car units (PCUs) for the base year (2020):

- Maximum 2-way flows of 507 and 433 during the AM and PM peak hours respectively on Monastery View. Flows predominantly eastbound (70%) into Westport during AM peak and more evenly split during the PM peak (but still 55% eastbound).
- 2-way flows of 128 and 109 during the AM and PM peak hours respectively on Lankhill Road
- Maximum 2-way flows on N59 almost 504 on section leading to Westport.

- 7.8.2. Based on TII guidelines, traffic growth factors of 3.9% to 2023 (opening year) and 16% to 2038 (future year) have been applied to the assessment. Trip generation associated with the development is estimated as 1 trip (outwards) and 0.5 trips (inwards) per dwelling during the AM peak, and 0.5 trips (outwards) and 1 trip (inwards) per dwelling during the PM peak. Based on existing traffic flow directions, it is estimated that the vast majority of traffic to and from the site will be via Monastery View (east of the junction with Lankhill Road), including 92% of outward AM trips, 97% of inward AM trips, and 82% of inward/outward PM trips.
- 7.8.3. The TTA predicts that 2-way flows on Lankhill Road will increase by 57 vehicles during peak hours (a 43% and 50% increase for the 2023 AM and PM peaks respectively). The section of Monastery View east of the Lankhill Road junction will increase by 53 vehicles during the AM peak and 46 vehicles during the PM peak hours (a 8% and 9% increase respectively). The section of Monastery View west of the Lankhill Road will experience few additional trips (an estimated 2% and 1% increase for the AM and PM peaks respectively). Based on TII recommendations for detailed junction capacity assessment where forecasts volumes result in an increase 10% or 5% where already congested, the TTA outlines that only the Monastery View/Lankhill Road junction is included for assessment.
- 7.8.4. The TTA assessed the junction using the industry recognised programme PICADY5. It forecasts that the maximum ratio of flow to capacity (RFC) without the development will be 27.1%, which applies to the right-turn from Lankhill Road for the AM peak in 2038. This would increase to 37.5% with the proposed development, which is well below the accepted level of 85%. Delays and queues are forecast to be minimal (16 seconds and less than 1 PCU respectively by 2038).
- 7.8.5. The TTA states that the pedestrian improvements included with the development will ensure continuous and proximate connectivity to the town centre via both the N59 and Monastery View (eastwards). It states that while there are no specific cycle proposals recommended on the surrounding road network, the proposed road/junction improvements will ensure a safe local environment for cyclists.
- 7.8.6. The application also includes a Stage 1 Road Safety Audit (RSA) prepared by Bruton Consulting Engineers. The RSA identifies problems relating to visitor parking spaces at the north end of the site; trees impeding visibility splays along Lankhill

Road; dropped kerbing onto Monastery View; and the interface of the road carriageway and the southern site boundary.

- 7.8.7. Having regard to the existing and predicted traffic volumes, together with the limited number of houses proposed, I would concur with the conclusions of the TTA that the surrounding road network would operate within capacity up to the year 2038. I am also satisfied that the RSA has not identified any significant problems and that the recommendations of the RSA have been suitably incorporated into the proposed development. I note that the visibility splays have not been demonstrated from the 3 proposed site access points, but I do not propose to pursue this matter any further given the fundamental concerns that I have previously outlined.
- 7.8.8. I acknowledge concerns raised by TII in relation to the potential impacts on a proposed road scheme. However, consistent with the TII consultation advice, the MCC National Roads Office has confirmed that no issues arise in relation to the national roads system. The Development Plan does not include any national road corridors that affect the site. It does include a road corridor further south for the N5 Westport – Turlough project but it should be noted that a route was subsequently selected for this project (currently under construction) to the north of Westport. The County Development Plan does not indicate any objectives in relation to the N59 road section south of Westport. Accordingly, I have no objection in this regard.
- 7.8.9. In terms of the promotion of sustainable modes of travel, I acknowledge the proposals to enhance pedestrian connectivity. However, I consider that the absence of any substantive cycle improvements along the road network is not acceptable for a site of this significant size. Furthermore, as previously outlined in section 7.6 of this report, I do not consider that the internal layout of the development adequately promotes walking/cycling over the use of cars, and I consider this to be a substandard approach in the policy context for the promote sustainable modes of travel as outlined in the Sustainable Residential Development Guidelines, the accompanying Urban Design Manual, and DMURS.

7.9 Other Issues

Archaeology

- 7.9.1 The application includes a Report on Archaeological Testing prepared by Patrick Walsh Licenced Archaeologist. The report outlines the results of the archaeological testing of 12 trenches within the site. It states that there are no recorded archaeological sites or monuments within the site and the nearest is c. 300m away. The test trenches revealed that topsoil varied from 0.35-0.6m deep in the dry greenfield areas (where the natural subsoil was very rocky) and reached depths of c. 1m in the wetter area to the southwest of the site. No artefacts or environmental evidence were revealed, and the report concludes that nothing of archaeological significance would be impacted by the development. I am satisfied that this report satisfactorily addresses archaeological requirements and I have no objections in principle on archaeological grounds.

Water Services and Drainage

- 7.9.2 It is proposed that the water supply will be via the Irish Water public mains and wastewater will be discharged to the Irish Water sewer network. I note that the Irish Water submission to the MCC requested further information in relation to the feasibility of water/wastewater connection via a pre-connection enquiry and engagement with IW regarding the feasibility of build over and/or diversion of IW infrastructure. This information was not subsequently included in the MCC 'Request for Further Information'. However, I am satisfied that these issues could be satisfactorily addressed through the IW pre-connection process and I do not propose to pursue the matter any further in light of the fundamental concerns that I have raised regarding the current proposal.
- 7.9.3 A surface water management system has been designed to reduce and ameliorate the effects of run-off on existing watercourses and land adjoining the site, thereby avoiding potential flooding. Impermeable surfaced areas have been measured to ascertain the sewer design and the capacity requirements of pipe sections for run-off have been assessed. The system adopts the principles of SUDS and involves the discharge to 2 separate attenuation cells, one in the northeast site corner and one in the southwest site corner. A runoff value of 4.5 l/s per hectare is used to establish the permissible outflow from the attenuation system. The attenuation storage volumes

have been designed based on a critical storm duration of 6 hours for a 100-year event, and outfall chambers will be constructed to ensure that discharges do not exceed greenfield run-off rates. I note that the Planning Authority did not raise any significant concerns in this regard, and I am satisfied that drainage proposals could be satisfactorily agreed in accordance with the requirements of the Planning Authority.

8.0 Appropriate Assessment

- 8.1 The nearest Natura 2000 site is the Clew Bay Complex SAC, which is located approximately 1.5kms to the northwest of the appeal site. There is a significant extent of residential and commercial development between the appeal site and the SAC site.
- 8.2 There are no surface water features on the site or in the immediate surrounding area that would provide a direct pathway between the development and the surrounding Natura 2000 network. The nearest surface water pathway is the Ardmore river/stream, which runs approximately 150 metres to the southwest of the site and eventually discharges to Clew Bay via a series of other watercourses. I acknowledge that the construction stage process involves limited potential for surface water contamination during construction works. However, I am satisfied that best-practice construction management would satisfactorily address this matter. Together with the separation distances involved, the significant dilution capacity in the existing drainage network, and the limited scale of the development, I am satisfied that there is no possibility of significant impacts on European sites from surface water connections associated with the development.
- 8.3 Surface water generated by the proposed development is to be attenuated on site and discharged to ground. Groundwater vulnerability ranges from 'high' in the northern part of the site to 'moderate' in the southern section. The site is located within the Clifden-Castlebar groundwater body and within this body there is a separation distance of c. 3km between the appeal site and the Clew Bay Complex SAC. The groundwater body description states that flow paths are likely to be short (30-300m) with groundwater discharging rapidly to nearby streams and small springs. Flow directions are likely to follow topography overall in a westerly direction. Having regard to the significant separation distance of 3km, the limited extent of flow

paths, the significant dilution capacity in the existing drainage network, and the limited scale of the development, I am satisfied that there is no possibility of significant impacts on European sites from groundwater connections associated with the development.

- 8.4 The wastewater emissions from the development will result in an increased loading on the Westport WWTP, which discharges to Clew Bay and has a design PE (population equivalent) of 15,000. According to the Irish Water Annual Environmental Report for 2020, the capacity of the plant is not likely to be exceeded in the next 3 years. Having regard to the limited scale of the development and the associated discharges, I am satisfied that there is no possibility that the additional foul water loading resulting from the development will result in significant effects on the Clew Bay Complex SAC.
- 8.5 Having regard to the above preliminary examination, it is concluded that no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site. No mitigation measures have been relied upon in reaching this conclusion.

9.0 Recommendation

Having regard to the above, it is recommended that permission be refused based on the following reasons and considerations.

10.0 Reasons and Considerations

1. Having regard to the Core Strategy of the Mayo County Development Plan 2014-2020, which designates Westport as a Key Town and a natural extension to the Castlebar-Ballina Linked Hub, and to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Department of Environment, Heritage, and Local Government, 2009) and Circular Letter NRUP 02/2021 issued by the

Department of Housing, Local Government and Heritage, it is considered that the proposed development would constitute an insufficient level of density for this outer suburban location and would provide an inadequate variety of house types and sizes. The proposed development would, therefore, fail to provide a suitable quantum and range of housing to accommodate the residential population needs of the town and environs in accordance with Policy PP-01 of the Westport Town and Environs Development Plan 2010-2016 (as varied and extended), would constitute an inefficient use of zoned lands, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location and context of the site, and to:

- the orthogonal layout of the proposed development and the absence of adequate proposals to resolve significant level differences on site,
- the scale, proportions and uniformity of the proposed house types, and the lack of architectural design character and detailing,
- the inappropriate orientation of the proposed houses to the public roads to the east and west of the site, and the inappropriate boundary treatment and building lines at the site's edges,
- the lack of adequate internal and external cycle linkages and the car-dominated nature of the scheme in terms road layout, width, surfacing, and the over-provision of car-parking space,
- the substandard design of open spaces in terms of scale, variety, intimacy, and the dominance of perimeter car-parking, and
- the inadequate design and layout of houses to maximise solar gain,

it is considered that the proposed development would provide a substandard form of development for future occupiers in terms of residential amenity, would give rise to a poor standard of development, and would seriously detract from the character and pattern of development in the area. The

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

Stephen Ward

Senior Planning Inspector

15th December 2021