



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report ABP-313318-22

Strategic Housing Development

Demolition of an existing building on site, construction of 100 no. residential units (50 no. houses, 50 no. apartments and duplexes) and associated site works.

Location

Bloomfield Park, Bracklin Road, Edgeworthstown, Co. Longford. (www.bloomfieldparkshd.com)

Planning Authority

Longford County Council

Applicant

John McCarthy

Prescribed Bodies

1. Department of Housing, Local Government and Heritage
2. Irish Water

3. Longford County Childcare
Committee

Observer(s)

1. Sean O'Brien
2. Angela and Declan Tuite
3. Paul Bardan
4. Cyril and Carmel Noone
5. Matthew and Rita Farrell
6. Kevin Tonks
7. Tanya Furneaux
8. Gerry and Martina Parker
9. Patrick Twomey
10. Deborah Hegarty
11. David and Michelle Casserly
12. Graham Ronan and Catherine
Vaughan-Ronan
13. Gilbert McCormack and Pat
Murphy

Date of Site Inspection

25th April 2023

Inspector

Phillippa Joyce

Contents

1.0 Introduction	4
2.0 Site Location and Description	4
3.0 Proposed Strategic Housing Development	5
4.0 Planning History.....	9
5.0 Section 5 Pre Application Consultation	11
6.0 Relevant Planning Policy	14
7.0 Applicant Statements	18
8.0 Observer Submissions.....	20
9.0 Planning Authority Submission.....	25
10.0 Prescribed Bodies Submissions.....	29
11.0 Planning Assessment.....	32
12.0 Environmental Impact Assessment	76
13.0 Appropriate Assessment	78
14.0 Recommendation	88
15.0 Reasons and Considerations.....	88
16.0 Recommended Draft Order	89
17.0 Conditions	93

1.0 Introduction

- 1.1. This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

2.0 Site Location and Description

- 2.1. The application site is located in the townlands of Bracklin and Edgeworthstown, c.1km northwest of Edgeworthstown centre. The site is located on the western side of Bracklin Road, the main northern approach road into the town from Ballinalee. The site has an irregular triangular configuration and is indicated as measuring c.3.75ha. The site comprises two main agricultural fields (a smaller northern field and larger southern field separated by a mature field boundary), the Bracklin Park Link Road in the southeast (for vehicular, cyclist and pedestrian access), and a wayleave strip crossing parts of two other agricultural fields in the southwest (for wastewater drainage connection). The primary access into the site is via an agricultural laneway from Bracklin Road, bound either side by two detached residences.
- 2.2. The area surrounding the site is characterised by detached residences, conventional residential estates, and agricultural fields. The northern and eastern boundaries are formed by several individual properties (a thatched cottage with farm buildings, and a row of bungalows respectively) accessing onto Bracklin Road, while the southern boundary is formed by properties in the Bracklin Park estate (two storey semi-detached houses), and to the west are agricultural fields with tree and hedgerow boundaries. While the topography of the site is relatively flat, ground levels decrease by seven metres across the site from 103mOD in the northern field to 96mOD in the southern field. The lands drain via the drainage ditches within the northern, central, and western field boundaries.
- 2.3. The site is located at the edge of the town boundary which, as noted at my site visit, lies between the 60kph and 80kph speed limits along Bracklin Road. The character of the receiving area is transitional in nature as the site is at the interface between different patterns of development. These include the detached bungalows on

relatively large plots fronting onto Bracklin Road, and the conventional housing estates with two storey detached and semi-detached dwellings located to the south of the site, such as Bracklin Park, Abhainn Glas, Shannon Park, and Cloverwell. The provision of services in the vicinity of the site reflects this transitional nature, with public footpaths, lighting, and areas of open space provided up to/ for the Bracklin Park residential estate.

3.0 Proposed Strategic Housing Development

- 3.1. The proposed development seeks the demolition of an agricultural shed, and the construction of 100 dwellings units, comprising 50 detached and semi-detached houses, and 50 duplex units in five blocks with single storey apartments at ground floor level and two storey duplexes at first and second floor levels. The proposal includes a new vehicular access in the southeast of the site in the form of a priority T junction to Bracklin Park Link Road which connects with Bracklin Road, a construction phase access directly to Bracklin Road in the northeast of the site, and subsequent accesses for two dwellings at this location, public open spaces, in-curtilage car and cycle parking for the houses, 62 car spaces, 150 cycle spaces and waste management areas for the duplex units, hard and soft landscaping, boundary treatments, public lighting, ESB substation, surface water drainage with underground attenuation areas, connection to public water services systems, and all other site servicing and development works.
- 3.2. The following table presents the principal characteristics, features, and floor areas of the components of the proposed scheme in summary (extrapolated from the application form, plans and particulars with the application).

Table 1: Key Statistics

Site Area	Gross Area = 3.75ha comprising: 3.295ha (net developable area) 0.23ha (drainage connection wayleave) 0.225ha (access connection via Bracklin Park Link Road)
Floor Areas	Demolition = 40sqm

(gross floorspace)	Residential = 12,230sqm
Residential component	100 residential units comprising: 50 houses and 50 duplex units
Net Density	c.30.3 dwellings per hectare
Building Height	Houses: 2-3 storeys (principal heights 9.45m – 10.03m) Duplex blocks: 3 storeys (principal heights 11.50m)
Aspect	Dual Aspect: 100%
Open Space	Public open space = 5,052sqm (15.3% of site area) Private open space: gardens, balconies, and terraces (various sqm)
Part V provision	20 units comprising: 10 houses and 10 duplex units
Car Parking	Houses provided with 2 in-curtilage spaces 62 spaces for communal (duplex units) and visitor use
Bicycle Parking	Houses provided with in-curtilage space 150 spaces in stands for communal (duplex units) and visitor use

3.3. The proposed residential mix, the tenure of which is assessed as build-to-sell, is as follows:

Table 2: Summary of Residential Unit Mix

Houses (50 houses, 50% of the scheme)				
Unit Type	3 bed	4 bed	5 bed	Total
Total	24	24	2	50
% of Total	24%	24%	2%	100%
Apartments and Duplexes (50 units, 50% of the scheme)				
Unit Type	1 bed	2 bed	3 bed	Total
Total	0	25	25	50
% of Total	0%	25%	25%	100%

- 3.4. In respect of access, the proposal is served by one main entrance for vehicular, cyclist and pedestrian access. The new access is located in the southeast corner of the site, connecting to the existing Bracklin Park Link Road. The link road connects the Bracklin Park residential estate to Bracklin Road and is taken in charge by Longford County Council (a letter of consent from the planning authority to use the link road accompanies the application). In the northeast corner of the site, two detached houses are sited to front onto Bracklin Road with direct vehicular access onto same. Internally, a main access road extends diagonally through the proposed scheme. Three smaller streets project from the main access road, two extending in a southwesterly direction forming a loop and one at the north of the site in a 'T' cul-de-sac formation.
- 3.5. In respect of open space and landscaping, the proposed development provides for a centrally located area of public open space which includes two playgrounds, a kickabout area, pedestrian pathways, and incorporates the small stream within the existing field boundaries. There are other smaller areas of open space through the scheme which serve surface water attenuation/ drainage, biodiversity, and/ or landscaping purposes. The proposed development includes for the reformatting of ground levels, the retention of the majority of existing vegetation in the site and along site boundaries (the felling of a single tree and partial removal of hedgerow in four field boundaries is proposed), and provision of several boundary treatments with adjacent properties and within the scheme (walls, fencing, landscaped screening).
- 3.6. With regard to site services, the proposed development seeks to connect into existing water services infrastructure in the area. For surface water drainage, the site is divided into two catchments, firstly a smaller catchment comprising the eastern/ southeastern part of the scheme, and secondly a larger catchment comprising the northern, western and southwestern part of the scheme. Surface water will be collected and stored in one of three attenuation tanks in open space areas linked to the catchments (one in the smaller catchment, and two in the larger catchment), and discharged at greenfield rates to either the existing surface water drain in Bracklin Park Link Road/ Bracklin Road (smaller catchment) or the existing drainage system located in the Abhainn Glas estate to the southwest of the site (larger catchment). For water supply, the proposal connects into the existing

watermains in Bracklin Road. For wastewater drainage, the proposal connects by gravity into the existing drainage system located in the Abhainn Glas estate to the southwest of the site and to the Edgeworthstown wastewater treatment plant (WWTP) for treatment. Correspondence from Irish Water regarding confirmation of feasibility and statement of design acceptance for same, and correspondence confirming legal entitlement to connect to the existing surface water and wastewater systems in the Abhainn Glas estate via a wayleave accompany the application.

3.7. Details for the management and taking in charge of the proposal indicate that the scheme will be partially taken in charge by Longford County Council (entrances, roads, streets, open spaces, surface water infrastructure) and be under the control of a private management company (duplex blocks, communal car and bicycle parking, refuse areas). The proposal is planned to be delivered in five phases over the 5 year life of the permission, with Phase 1 including for the main entrance and access via a new T junction to the Bracklin Park Link Road, an open space area with attenuation tank and 19 dwelling units.

3.8. The application includes a range of architectural, engineering, and landscaping drawings, and is accompanied by the following reports and documentation:

- Statement of Response to Pre-Application Consultation Opinion;
- Planning Report and Statement of Consistency with Planning Policy;
- Architectural Design Statement (including Housing Quality Assessments);
- Unit Type Design Statement;
- Creche Demand and Needs Assessment;
- Building Life Cycle Report;
- Energy Statement;
- Daylight and Sunlight Assessment;
- Archaeological and Built Heritage Assessment;
- Proposed Works at Bracklin Park Link Road Area Report;
- Traffic and Transport Assessment;
- DMURS Compliance Report;

- Mobility Management Plan;
- Stage 1/ 2 Road Safety Audit;
- Civil Engineering Report;
- Wastewater Report – Supporting Document;
- Site Specific Flood Risk Assessment (SSFRA);
- Construction Environmental Management Plan (CEMP);
- Construction Waste and By-Product Management Plan (CWBPMP);
- Operational Waste Management Plan (OWMP);
- Ecological Impact Assessment and Appropriate Assessment;
- Bat Survey and Assessment of Associated Areas;
- Landscape Design Report;
- Arboricultural Assessment (Tree and Hedge Survey);
- Public Lighting Report;
- Outdoor Lighting Report;
- Correspondence from Longford County Council in respect of Part V;
- Irish Water Confirmation of Feasibility;
- Irish Water Statement of Design Acceptance;
- Correspondence confirming legal entitlement to connect to the existing surface water and wastewater system in the Abhainn Glas estate via a wayleave; and
- Letter of consent from Longford County Council in respect of including lands in its charge in the application (Bracklin Park Link Road).

4.0 Planning History

Subject Site

ABP 306260-19

SHD pre-application consultation for 120 dwelling units, creche and all site works was undertaken on 17th February 2020. An opinion issued on 3rd March 2020 that the proposal required further consideration/ amendment.

PL.14.243139, PA Ref. 13/179

Permission refused by the Board on 31st July 2014 to J. McCarthy for the redesign of the previously permitted scheme ABP Ref. 218458 with the reduction in the number of house units from 84 to 64.

Permission was refused for two reasons, as follows:

Reason 1:

Having regard to the identified limited capacity to accommodate additional development of the Edgeworthstown wastewater treatment plant, to the identified cost of the necessary upgrading works to this plant and to the lack of clarity with regard to the availability of funding and timeframe to undertake such upgrading works, the Board is not satisfied that, notwithstanding the existing permission for development on the site, the additional loading generated by the proposed development could be satisfactorily accommodated at the existing treatment plant without adversely affecting water quality and causing a breach of the combined approach as set out in the Waste Water Discharge Authorisation Regulations, 2007, as amended. The proposed development would, therefore, be prejudicial to public health. Furthermore, development of the kind proposed would be premature by reference to an existing deficiency in the sewerage facilities and the period within the constraints involved may reasonable be expected to cease.

Reason 2:

Having regard to the design and layout of the open spaces within the development, in particular, the incidental areas of open space located at the south-west corner of the site between units 12 and 13 and to the side of unit 26 and the area previously occupied by the crèche building, and to the absence of a connection between the site and the existing footpath network in the town and the uncertainty regarding when such a connection may be provided, it is considered that the proposed development would seriously injure the visual amenity of the overall development particularly in

the area of the entrance into the development, would lead to potential issues arising from the poor supervision of open spaces and would endanger pedestrian safety. The proposed development would, therefore, comprise a substandard form of residential development which would seriously injure the visual and residential amenities of the area and be contrary to the proper planning and sustainable development of the area.

PL.14.231422, PA Ref. 08/454

Permission granted by the Board on 30th April 2009 to J. McCarthy for 3 houses in previously approved housing development site granted under Reg. Ref: 05/558.

PL.14.218458, PA Ref. 05/558

Permission granted by the Board on 31st January 2007 to R. Mullready and J. McCarthy for 84 houses, a childcare facility, and all associated works.

5.0 Section 5 Pre Application Consultation

5.1. Pre-Application Consultation

5.1.1. A pre application consultation took on the 17th February 2020 (ABP-306260-19) in respect of a proposed development comprising 120 dwellings, a creche and associated site works. The main topics discussed at the tripartite meeting were (as per the Record of the Meeting, P306260-19):

- Principle of development (core strategy, sequential development);
- Development Strategy (layout and design);
- Drainage;
- Crèche and Social Infrastructure; and
- Any Other Matters.

5.1.2. A copy of the record of the meeting, the Inspector's report and the Opinion are available for reference by the Board.

5.2. Notification of Opinion

5.2.1. An Bord Pleanála issued a notification on the 3rd March 2020 that it was of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development. The applicant was advised that certain issues in the documentation submitted needed to be addressed so that these could constitute a reasonable basis for an application.

5.2.2. The issues can be summarised as follows:

- Wastewater infrastructural constraints in the Edgeworthstown WWTP continue to exist and the network upgrades have yet to be constructed;
- Clarity required on nature of the constraints, how to address, timelines involved, consider potential for prematurity;
- Development strategy for the proposal to be further considered, including the layout (provide hierarchy of open spaces, achievement of 12 criteria in the Urban Design Manual), architectural quality (create distinct character areas with a range of quality house types), roads, streets and paths (ensure DMURS compliant, active frontages, passive surveillance, not dominated by surface car parking), and landscape quality (provide high quality landscaping, boundary treatments, and SuDS); and
- Application to provide specific documents, including landscape masterplan, phasing plan, construction and demolition waste management plan, taken in charge plan, and a detailed report on proposals on Bracklin Road (pedestrian, cycle facilities, public lighting) particularly at the junction of Bracklin Park and Bracklin Road (with payment and timelines involved).

5.3. Applicant Statement of Response

5.3.1. A Statement of Response to the An Bord Pleanála Opinion is submitted with the application. The Statement of Response outlines the amendments made to the proposed development and responds in turn to the items requested to be submitted with the application. Key issues include the following:

Amendments

- Irish Water has provided a confirmation of feasibility for 100 units to connect to the upgraded Edgeworthstown WWTP, so the proposal for 120 units has been reduced to 100 units;
- As the proposal can be connected to and serviced by the Edgeworthstown WWTP, the temporary on-site wastewater treatment plant has been omitted and more space is available to address the issues raised in respect of the development strategy; and
- Planning authority has advised that there is sufficient childcare, community, and shopping facilities in the town, so these uses have been omitted from the proposed development.

Drainage and Infrastructural Constraints

- Since the pre application consultation, Irish Water has completed the upgrade works to the Edgeworthstown WWTP (July/ August 2020);
- Irish Water has provided a confirmation of feasibility (February 2021, refers to a total of 100 units, provided at a phased rate of 20 units per year) and statement of design acceptability (April 2022) for the proposal to connect to the WWTP;

Development Strategy

- Site Layout – hierarchy of open spaces planned for (including two play areas), maximum surveillance, appropriately enclosed, with pedestrian connectivity;
- House types – 7 different house types proposed, offering a variety of form, distinct characters, diversity in streetscapes, high quality external finishes, double fronted house types at junctions/ corners for surveillance and visual interest;
- Interface with Bracklin Road – separate report provided outlining the nature of the works proposed along Bracklin Road, Bracklin Park and the site (a portion of the lands are under the control of the planning authority and a letter of consent accompanies the application);
- Compliance with DMURS and National Cycle Manual – compliance confirmed as layout based on central spine with cycle lanes on either side, and home

zones serviced from the main road, and landscape consultant assisted in roads/ street design;

- Landscape Strategy – landscape masterplan provided, SuDS measures incorporated;

Specific Documents

- As requested, the range of specific documents have been provided.

6.0 Relevant Planning Policy

6.1. Having considered the nature of the proposed development, the receiving environment, the documentation on the case file including the applicant statements (Statements of Response and Consistency), submissions from the observers, planning authority, and prescribed bodies, I have identified the policy and guidance that I consider to be particularly relevant to the determination of the application.

6.2. As necessary, certain policy and/ or objectives are cited in full or greater detail in section 7.0, as relevant to the applicant's statement of consistency, in section 8.0 in relation to observer submissions, in section 9.0 as relevant to the planning authority submission, and/ or in section 11.0 Planning Assessment of this report.

6.3. National Planning Context

National Planning Framework, Project Ireland 2040 (NPF)

6.3.1. A number of overarching national policy objectives are identified as being applicable to the proposed development from the NPF, including:

- NPO 3c: 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: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- NPO 11: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and

generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

- NPO 13: In urban areas, planning and related standards, including 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.
- NPO 27: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.
- NPO 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- NPO 35: 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.

Section 28 Ministerial Planning Guidelines

6.3.2. The following Section 28 Ministerial Guidelines are considered to be of relevance to the proposed development. For ease of reference, I propose using the abbreviated references for the titles of certain guidelines, as indicated below.

- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009, the accompanying Urban Design Manual: A Best Practice Guide, 2009 (Sustainable Residential Development Guidelines);
- Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities, 2022 (Apartment Guidelines);

- Urban Development and Building Heights, Guidelines for Planning Authorities, December 2018 (Building Height Guidelines);
- Design Manual for Urban Roads and Streets, 2013 updated 2019 (DMURS);
- Childcare Facilities, Guidelines for Planning Authorities, 2001 (Childcare Guidelines);
- The Planning System and Flood Risk Management, Guidelines for Planning Authorities, 2009 (Flood Risk Guidelines); and
- Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities, 2021 (Commercial Institutional Investment Guidelines).

6.4. Regional Planning Context

Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031 (RSES)

- 6.4.1. The RSES provides a development framework for the Midland Region within which Edgeworthstown is located. The RSES projects a maximum population increase for the region up to 2031 of c.44,500 persons. The RSES includes a settlement hierarchy with different urban typologies. The lower order urban centres are required to be defined in applicable county development plans.
- 6.4.2. The settlement hierarchy includes the category of Self-Sustaining Town, for which Longford County Development Plan 2021-2027 defines Edgeworthstown as. Accordingly, RSES settlement strategy policy applicable to the proposed development includes:
- Table 4.2 Settlement Strategy defines categories of urban centres including that of 'Self-Sustaining Town', with which Edgeworthstown aligns;
 - Table 4.3 Settlement Typologies and Policy Responses states the policy response for Self-Sustaining Towns is for consolidation coupled with targeted investment where required to improve local employment, services and sustainable transport options and to become more self-sustaining settlements; and
 - In respect of density, the RSES guides that higher densities should be applied to higher order settlements and that a graded reduction in residential densities

should be applied for Self-Sustaining Towns that are commensurate to the existing built environment.

6.5. Local Planning Context

Longford County Development Plan 2021-2027

6.5.1. The Longford County Development 2021-2027 (CDP) is the applicable development plan for the assessment of the application.

CDP Map Based Designations

- The majority of the site is zoned as 'New Residential', with the stated objective 'To provide for new residential development in tandem with the provision of the necessary social and physical infrastructure'. The land within the wayleave (for drainage infrastructure) to the south of the site is zoned as 'Strategic Residential Reserve' with the stated objective 'To provide for the longer-term housing requirements of the town';
- There are no protected structures, architectural conservation areas, or archaeological monuments within or adjacent to the site;
- There are no environmental or nature conservation designations within or adjacent to the site;
- The site is located in the Landscape Character Area: Central Corridor; and
- There are no protected views within or adjacent to the site.

CDP Key Applicable Objectives (this list is to be read in conjunction with the objectives identified in the applicant's Statement of Consistency, and identified by the planning authority in section 11 of the CE Report)

- Chapter 4: Core, Settlement and Housing Strategies contains Objectives CPO 4.11, 4.12, 4.46, 4.47, 4.48, 4.49, 4.52, 4.53, and Tables 4.13, 4.14, and 4.15;
- Chapter 7: Placemaking contains Objectives CPO 7.8, and 7.47;
- Chapter 11: Built and Cultural Heritage contains Objectives CPO 11.11; and Chapter 16: Development Management Standards contains Objectives DMS 16.18, 16.21, 16.26, 16.28-16.31, 16.32, 16.43, 16.58, 16.124, 16.136 and Tables 16.1 and 16.2.

7.0 Applicant Statements

7.1. Statement of Consistency

- 7.1.1. The applicant has submitted a Statement of Consistency as per section 8(1)(iv) of the 2016 Act. This statement indicates how the proposed development is consistent with national (including NPF and Ministerial Guidelines), regional (RSES) and local (CDP) policies and objectives. Of note, include the following points:

National Policy

- Consistent with applicable NPF policy objectives including NPO4 as supporting proportionate growth and appropriately designed development in rural towns;
- Consistent with the Sustainable Residential Development Guidelines as the proposed density of c.30dph is comfortably within the density range included in the guidelines of 20-35dph for an 'edge of centre site' in a small town;
- Consistent with the Urban Design Manual accompanying the Sustainable Residential Development Guidelines as the proposal complies with design best practice and satisfies each of the 12 criteria for good urban design;
- Consistent with Building Height Guidelines as the proposal complies with the mandatory SPPR 4 (proposal has a compliant density, mix of building heights, typologies, and avoids mono-type building typologies);
- Consistent with the Quality Housing for Sustainable Communities as the proposed houses meet the required design standards for sizes, dimensions, private open space;
- Consistent with the Apartment Guidelines as the proposed apartments meet the required standards for sizes, dimensions, and open space;
- Consistent with DMURS by satisfying the engineering criteria and undertaking the required road safety audit to demonstrate compliance; and
- Consistent with the Childcare Guidelines which state that childcare facilities should be provided in appropriate locations and the submitted Creche Demand and Needs Assessment demonstrates that the proposed development is not an appropriate location.

Regional Policy

- Consistent with the applicable RSES policy as the proposal, through its location in Edgeworthstown a Self-Sustaining Town and appropriate density, supports consolidated growth on appropriately zoned lands and the provision of new residential units.

Local Policy

- Consistent with objectives CPO 4.11 and CPO 4.12 of the Core Strategy and Settlement Strategy for Self-Sustaining Towns in the county's urban hierarchy which are identified for continued consolidated growth;
- Consistent with Table 4.15 of the Core Strategy (based on the county's HNDA) which allocates the provision of 162 dwelling units in Edgeworthstown on a phased basis during the lifetime of the CDP as the proposal is providing 100 new residential units;
- Consistent with the 'New Residential' zoning objective and the land use class of residential multiple is permitted in principle; and
- Consistent with several Development Management Standards (indicates which objectives are not considered to be applicable and why) including Objectives DMS16.1-16.4, 16.5-16.7, 16.16-16.21, 16.22-16.24, 16.25, 16.26-16.31, 16.32-16.36, 16.37-16.39, 16.40-16.56, 16.57-16.61, 16.62-16.65, 16.66-16.71, 16.100-16.101, 16.112-16.123, 16.124-16.135, 16.136, 16.195-16.200, 16.204, and 16.205-16.207 in respect of climate change and sustainable buildings, urban design, residential density, site coverage, private open space, public open space, overlooking, overshadowing, design and layout, apartments, street lighting and public utilities, waste management, childcare facilities, road safety and access, car parking, cycle parking, archaeology, landscape character, and flooding.

7.2. Material Contravention Statement

- 7.2.1. The applicant has not submitted a Material Contravention Statement for the proposed development. Conversely, the applicant indicates in the planning report and statement of consistency that the proposed development complies with the Longford County Development Plan 2021-2027.

8.0 Observer Submissions

- 8.1. 13 submissions have been received from third party observers (including those with addresses given at Bracklin, Bracklin Road, and Chestnut View). These are in objection to the proposed development.
- 8.2. The submissions can be summarised under the following headings:

Inappropriate Location and Premature Development

- Site is outside of the town boundary;
- Site situated at the extremity of the Edgeworthstown settlement boundary;
- There are many brownfield sites in the town core that should be developed first;
- Many unfinished housing estates in the town that should be completed before the proposal is granted;
- Site is inappropriate for development as it is too far (walking distance) from the town centre, schools, and the train station, and residents will have to drive to all locations and services to meet their needs;
- Proposal is premature prior to the sequential development of improved infrastructure and amenities in the town;
- Town should be developed sequentially from the town centre outwards to avoid piecemeal, remote and isolated development; and
- New residential development should be directed to Longford town.

Density, Height, and Character of the Area

- Proposal comprises overdevelopment of the site, is excessive in scale, bulk and mass in this rural/ agricultural context;
- Proposal is like a 'copy and paste' from a major suburban centre;
- More appropriate for single storey building/ block to be located adjacent to the existing residences on Bracklin Road;

- Poor design and layout results in the highest density in the scheme being positioned the furthest away from the town and services;
- Character of the area is defined by detached bungalows in a rural setting, and proposed duplexes do not align with the character of the area;
- Proposal (number of residential units, and the residential format of blocks of 3 storeys) is not in keeping with the scale, character, proportions of existing dwellings in the area;
- Duplex unit blocks are not in keeping with the existing residential formats;
- Character of the area is essentially rural, the proposal is urban and will have a ruinous effect on the area; and
- Site is located in a sensitive high value landscape and the proposal is visually incongruous, injurious to the visual amenities of the area, and interfere with the character of the landscape.

Facilities and Services

- Population in the town is increasing dramatically while existing services are closing/ decreasing, and demand on remaining services (national schools, garda, medical services) is excessive;
- Edgeworthstown national school is already at capacity, cannot accommodate more children, and there is no secondary school in the town;
- Medical centre/ facilities are totally inadequate for existing residents;
- Train and bus services are stretched, at capacity, and overcrowded;
- Childcare facility is at capacity and there is a 12-18 month waiting list; and
- Findings of the Creche Demand and Needs Assessment are disputed.

Residential Amenity

- Proposed two storey dwellings back onto 7 bungalows located along Bracklin Road and remove their privacy and cause overshadowing;

- Proposed dwellings are of a height and location that will severely overlook the windows and rear gardens of bungalow properties on Bracklin Road causing a serious invasion of privacy;
- Proposed development is overbearing in nature due to the dominant nature of the duplex units over the single storey bungalows;
- Proposed boundary planting (single trees indicated) is insufficient to alleviate the overlooking and loss of privacy;
- Proposed boundary of 1m high railing is inadequate and insufficient barrier for protection;
- Continuous construction work over 5 years will give rise to significant nuisance to surrounding properties;
- Detrimental health impacts caused by noise and air pollution from construction activity and increased traffic use on the road network;
- Street lighting will affect the privacy of existing properties as the area is rural and without street lighting at present;
- Objection to the current field access/ laneway, that is between two existing properties on Bracklin Road, being incorporated into the rear House 48, instead the laneway should be offered to either of the neighbouring properties; and
- Intentions for the laneway between two Bracklin Road properties is inadequate, should not be used for vehicular or pedestrian access, could be used for dumping, should be split between adjacent properties.

Biodiversity and Ecological Impact

- Natural beauty and wildlife in the field should be protected;
- Site is used by a range of wildlife including fox, rabbits, hare, hedgehogs and should be maintained; and
- Bat survey report is very limited, breeding bird methodology not undertaken, unseasonal times for mammal surveys, no information on water quality in streams.

Archaeological and Architectural Heritage

- Adverse impact on one of Longford's finest examples of a partly thatched cottage;
- Loss of low stonewall boundary (stated as 200 years old) along the site with the roadside, which has heritage value and forms part of the approach-setting to the thatched cottage;
- Incorrect information in the applicant's Archaeology and Built Heritage Assessment as the cottage is on the NIAH list, reference number given;
- Archaeology and Built Heritage Assessment is inadequate as a full archaeological investigation should have been undertaken of the site; and
- Proposal breaches Policy CPO11.11 of the CDP in respect of archaeological heritage.

Traffic, Access, and Parking

- Existing safety concerns of obstructed traffic views at the junction of the Bracklin Park estate entrance;
- No pedestrian footpaths in the surrounding area;
- Proposed entrance and exit to the site are totally inadequate and would cause a serious safety risk on the existing secondary road;
- Two houses (northern corner of the site) have proposed accesses onto a hazardous part of Bracklin Road for which there are currently warning signs as a concealed entrance;
- Proposal to use Bracklin Park Road link road to serve the proposal will have an adverse impact on the residents with traffic congestion and construction traffic nuisance;
- No footpath being provided along Bracklin Road (as stated that the roadside area is in private ownerships) so pedestrians and cyclists will go through Bracklin Park Road link road putting pressure on the existing residential estate;

- Fear of the traffic congestion and lack of control this new estate would bring to the area;
- Proposal of 100 units will result in an increase in traffic volumes at the junction with Bracklin Road, cause serious traffic congestion, and safety issues for all road users; and
- Proposal with only one entrance and access road is unsafe for such a large number of proposed properties.

Water Services and Flood Risk

- Inadequate sewage facilities in the town;
- Edgeworthstown sewage system is already overflowing and cannot accommodate new houses;
- Edgeworthstown WWTP is at capacity and resulted in permission being refused for a medical centre and 20 houses (PA Ref. 22/9);
- Strain on potable water services as area has had several boil water notices;
- To the rear of the existing properties on Bracklin Road, boundary walls are proposed (for Houses 37 and upwards) that will obstruct the existing flow of surface water and septic tank percolation in these properties;
- Solutions proposed by the applicant are not acceptable (problem and costs passed to property owners, surface water going into the main sewerage system, main roadside drain has no capacity for heavy rainfall);
- Proposed entrance and exit road to the proposal flood in heavy rainfall due to inadequate drainage and excessive surface water; and
- Reference to a drain in vicinity of the northern part of site is incorrect and historic flooding at junction of Chestnut View and Bracklin Road due to any such drain being blocked.

Other

- Devalue existing properties immensely;
- No consultation by developer with neighbouring properties; and

- Processing of application as was stated as invalid for a period of time.

9.0 Planning Authority Submission

9.1. Overview

9.1.1. The Chief Executive's (CE) report, in accordance with the requirements of section 8(5)(a) of the 2016 Act, was received by An Bord Pleanála on the 3rd June 2022.

The planning authority recommends permission be granted for the proposed development subject to amending conditions.

9.1.2. The report describes the site location, details the proposed development, identifies key issues in the prescribed bodies and third party submissions, presents the views of the elected members, outlines the planning history, lists the relevant policy context, provides an assessment, with a conclusion, recommendation and statement, and contains appendices, including recommended conditions and summaries of each third party submission received.

9.2. Summary of Views expressed by Elected Members

9.2.1. The CE report refers to a meeting of the elected members of the Municipal District of Ballymahon held on the 23rd May 2022.

9.2.2. The following is a summary of the views expressed by elected members:

- Capacity constraints in the wastewater treatment system in the town;
- Unfinished housing estates elsewhere in the town;
- Scale of proposal excessive for the town and only a smaller number of houses are required;
- Three storey design not suitable for families and too close to existing bungalows; and
- Questions the non-provision of a creche within the proposal.

9.3. Summary of Planning Assessment contained in the Chief Executive's Report

9.3.1. The following is a summary of key planning considerations raised in the assessment section of the CE report.

Zoning and Density

- Subject lands zoned as 'Residential' and partially as 'Strategic Residential Reserve';
- Proposal is considered to be consistent with the zoning objective;
- The small portion of the site within the Strategic Residential Reserve zoning is acceptable as the lands accommodate water services infrastructure and not dwellings;
- Proposal has a net density of c.30 units per hectare which is considered to be a suitable density consistent with applicable national policy; and
- Proposal will provide for a scale of growth which accords with the RSES (Edgeworthstown categorised as a Self-Sustaining Town) and Longford's Core Strategy.

Layout, Design, and Building Height

- Layout comprises a central primary spine access road with lower level home zone roads accessed off the spine via a looped road and cul de sacs;
- Cycle paths and footpaths provided, and meet acceptable standards;
- Public open space strategy focuses on the central area serving as a focal point in the scheme with play areas, pedestrian paths and planting programme considered acceptable;
- Seven different house types are proposed, with design of duplexes consistent with housing designs, and range of finishes which are considered acceptable;
- Residential unit mix stated as being generally consistent with national policy requirements;
- Private open space for apartments is considered sufficient and in accordance with national policy requirements;
- Building heights comprise 2 storey dwellings and 3 storey duplexes and dwellings which are considered acceptable in terms of urban location, and achieving a variety of heights; and

- Concern raised of the interface between the apartment/ duplexes in the northern part of the site and the amenity and heritage value of the existing cottage (described as a NIAH listed cottage).

Parking, Access, and Transportation

- All houses provided with 2 off-street car parking spaces, and duplexes provided with 1.25 spaces each (62 spaces), and EV servicing provided for;
- 150 bicycle parking spaces are provided serving the duplexes (125 spaces) and visitors (25 spaces); and
- Proposal generally complies with policies in/ requirements of CDP, DMURS, and the National Cycle Manual.

Residential Amenity

- Positively notes that the majority of dwellings are dual aspect;
- 22m separation distance for first floor opposing windows is achieved;
- Daylight and Sunlight Assessment indicates that the proposal meets the recommendations of the BRE guidelines for same; and
- Consideration to be given to the impact of the construction phase on residential properties along Bracklin Road (phasing plan indicates 20 units per year over 5 years utilising two different accesses from Bracklin Road)

Childcare Facility

- Provision of a Creche Demand and Needs Assessment is noted with the conclusion that there is no need for a purpose-built facility in the scheme;
- Reference is made to the conclusion being disputed in the third party submissions; and
- No clear statement is provided by the planning authority on whether or not the non-provision of a facility is acceptable.

Water Services

- Water supply connection is feasible;

- Wastewater connection is feasible as upgrades have been undertaken by Irish Water to the Edgeworthstown WWTP which can facilitate the indicated phased provision of c.20 dwellings per year over a 5 year period; and
- Site is in Flood Zone C, a SSFRA prepared, and proposal complies with the guidelines.

Part V

- 20 residential units (20% of scheme) are to be provided for social and affordable housing needs, comprising 5 2 bedroom apartments, 5 3 bedroom duplexes, 8 3 bedroom houses, and 2 4 bedroom houses; and
- Reference is made to the applicant's discussion with the Housing Department. Requests that a condition be attached in respect of complying with Part V obligations.

Environmental Impact Assessment and Appropriate Assessment

- There is no mandatory requirement for an Environmental Impact Assessment Report to be prepared for the proposal;
- The provision of an Appropriate Assessment Screening report is noted;
- An Bord Pleanála is identified as the competent authority with responsibility for undertaking the respective assessments.

9.4. Chief Executive Report Conclusion

- 9.4.1. The CE Report concludes that the proposed development complies with a range of applicable national, regional, and local planning policy, will not negatively impact on the residential amenities of the area or environment, and is in accordance with the proper planning and sustainable development of the area. The CE Report recommends permission be granted.

Conditions in the Event of a Grant of Permission

- 9.4.2. In the event of a grant permission, the CE Report includes 25 recommended conditions. These are standard in nature and cover:
- Phasing and construction: Conditions 2, 16, and 17.

- Residential estate standards and operation: Conditions 3, 4, 5, 13, 18, 19, 21, 22, and 23.
- Water services: Conditions 6, 7, and 12.
- Traffic and transportation: Conditions 8, 9, 10, and 11.
- Wildlife protection: Conditions 14, and 15.
- Administrative: Conditions 20, 24, and 25.

10.0 Prescribed Bodies Submissions

10.1. The list of prescribed bodies that the applicant was required to notify prior to making the SHD application to An Bord Pleanála, issued with the pre application consultation opinion, and included the following:

- i. Minister for Culture, Heritage, and the Gaeltacht;
- ii. Heritage Council;
- iii. An Taisce;
- iv. Irish Water; and
- v. Longford County Childcare Committee.

10.2. The applicant notified the listed prescribed authorities (including the Development Applications Unit in the Department of Housing, Local Government, and Heritage), and copies of the correspondence are submitted with the application.

10.3. Of the prescribed bodies notified, submissions on the application have been received from three prescribed bodies. A summary of the submissions made are included in the following subsections. I highlight that separate correspondence from Irish Water (Confirmation of Feasibility and Statement of Design Acceptance) also accompany the application.

10.4. Department of Housing, Local Government and Heritage

10.4.1. The submission provides heritage related observations in respect of archaeology and nature conservation.

Archaeology

10.4.2. In respect of archaeology, the proximity of the proposed development to Recorded Monument LF015-058: Ringfort is noted. A condition requiring an Archaeological Impact Assessment to be undertaken prior to commencement of development is recommended to be attached to a grant of permission.

Nature Conservation

10.4.3. In respect of nature conservation, the submission comments on hedgerows, treelines, bat surveys, lighting, biodiversity net gain, natural sustainable urban drainage, and invasive alien species. Key issues include:

- All hedges, native hedgerows and treelines and existing ecological features be retained;
- The Landscape Plan should focus on planting native trees and shrubs, and provision of wild areas;
- Site clearance should take place outside of the spring/ summer nesting season (March 1st to August 31st);
- The retention of all existing ecological features with appropriate buffer zones should be incorporated into the Landscape Plan and the Construction Environmental Management Plan (CEMP);
- The bat surveys undertaken are noted, and bat roosting structures could be incorporated into the development as part of biodiversity net gain;
- A dark sky lighting plan should be included for the proposed development to redesign the lighting and minimise light pollution;
- The preservation of some ecological features and public green space is noted, however it is unclear if this proposal offers deliberate biodiversity net gain;
- Biodiversity net gain could be achieved through the provision of native trees/ hedges in carparks, gardens or public spaces and bird and bat nest boxes, and incorporation of dark-sky garden light fixtures with motion sensors and nature-based rainwater management;
- Nature-based surface water management reduces the likelihood of storm-water flooding and pollution events and is coupled with biodiversity net gain.

This includes minimisation of kerbing, maximisation of porous ground surfaces, and use of buffer zones, ponds and wetlands as natural flood relief;

- An assessment of the presence of Third Schedule species relating to Regulation 49 and 50 of European Communities (Birds and Natural Habitats) Regulations 2011 should be carried out along with an invasive species management plan, and the results incorporated into the CEMP.

10.5. Irish Water

10.5.1. The submission provides observations on water and wastewater connections, capacity, design standards, and recommendations. Key issues include:

- In respect of water supply, a connection is feasible without an infrastructure upgrade;
- In respect of wastewater, a connection is feasible without an infrastructure upgrade. Upgrade works are indicated as being undertaken to the Edgeworthstown WWTP in July/ August 2020 which will provide capacity for the proposal; and
- Requests, in the event of a grant of permission, conditions are attached requiring a connection agreement, and development to be carried out in compliance with Irish Water standards.

10.6. Longford County Childcare Committee

10.6.1. The submission provides observations on the childcare needs in the area and the applicant's Creche Demand and Needs Assessment. Key Issues include:

- As of May 2022, there is one childcare provider in Edgeworthstown;
- The provider offers care for children between 6months-15years and a full range of session types (110 child capacity);
- As of May 2022, the provider was at capacity with a waiting list for 6 month-3 years group;
- Figures relied upon in the applicant's Creche Demand and Needs Assessment are from during Covid 19 when numbers were reduced/ restricted;

- Proposed development is c.2.5km from the only provider which is a c.30min walk/ 4min drive;
- The Creche Demand and Needs Assessment assumes all parents living in the proposal would have access to private transport, and it is highlighted that there is no public transport in the town;
- A childcare service provided within the proposed development would provide families living in the scheme and the Brackin Road area a childcare facility within walking distance;
- Should the proposal go ahead, there will be significantly more families in the area with children aged between 0-15years seeking early years and school age childcare services;
- A service that could facilitate for 22+ children aged (0- 3)(3-6) in the morning and then cater for 22 school age children in the afternoon would be of a tremendous benefit to the community (and in accordance with the planning guidelines);
- The Creche Demand and Needs Assessment does not give consideration to School Aged Childcare for families in the area , which is necessary; and
- Childcare facilities should be in the first phase of development, as when childcare facilities are in later phases and can result in them not being built.

11.0 Assessment

11.1. Introduction

11.1.1. Having examined the application details and all other documentation on the case file, including the CE Report from the planning authority and the submissions received in relation to the application, having inspected the site, and having regard to the relevant national, regional, and local policies and guidance, I consider that the main issues in this application are as follows:

- Principle of Development;
- Density, Population, and Services ;
- Design, Layout and Height;

- Residential Amenity of Proposed Properties;
- Residential Amenity of Adjacent Properties;
- Biodiversity;
- Cultural Heritage;
- Traffic and Transportation;
- Water Services and Utilities; and
- Chief Executive Report.

I propose to address each item in turn below.

11.1.2. I have carried out a preliminary examination for an Environmental Impact Assessment (EIA) and a screening determination for Appropriate Assessment (AA) in respect of the proposed development, which are presented in sections 12.0 and 13.0 below in this report.

11.2. Principle of Development

11.2.1. As outlined above in section 6.0, the Longford County Development Plan 2021-2027 (CDP) is the applicable plan for the assessment of the application. The majority of the site is zoned as 'New Residential' which seeks 'To provide for new residential development in tandem with the provision of the necessary social and physical infrastructure'. The land within the wayleave to the south of the site is zoned as 'Strategic Residential Reserve' with the stated objective 'To provide for the longer-term housing requirements of the town'.

11.2.2. The application includes legal correspondence indicating the wayleave across a number of fields (with corresponding land registry folio details). The wayleave is required to connect the proposed development into the existing public wastewater and surface water drainage systems located in Abhainn Glas estate. In the CE Report, the planning authority states that the location of this small portion of the site within the Strategic Residential Reserve zoning is acceptable as the lands accommodate water services infrastructure and not dwellings.

11.2.3. I have reviewed the applicant's plans and particulars and concur with the planning authority's position. The wayleave is an existing legal burden on the lands and

appears to represent a pragmatic connection route to the public services in Abhainn Glas. As the wayleave is sited along and in close proximity to existing field boundaries, I do not consider the future development of the lands to be prejudiced by the provision of underground drainage infrastructure associated with the proposed development.

11.2.4. Under both zoning objectives, residential multiple and childcare facility are permitted in principle use classes. The principle of development is acceptable therefore subject to the detailed considerations in the following sections.

11.3. **Density, Population, and Services**

11.3.1. The total site area is indicated as c.3.75ha, with a net developable area of c.3.295ha when the wayleave and access route (for wastewater infrastructure and road improvements respectively) are excluded. The site is indicated as including a total of c.0.505ha of open space, and the residential density for the proposal is cited as c.30.3 dwellings per hectare (dph).

11.3.2. Several observers object to the density of the proposed development describing the proposed density as excessive, out of character, and overly concentrated in the northern portion of the site. Observers also raise concerns about the resultant increase in population in the town, the existing increases due to previous developments in the town, and the lack of facilities and services available.

11.3.3. As outlined in section 6.5 of this report above, the site is located on zoned lands within the development boundary of Edgeworthstown. In the CE Report, the planning authority finds the proposed density of c.30dph to be acceptable and in accordance with the Sustainable Residential Development Guidelines, and to deliver a scale of growth which accords with Edgeworthstown's classification as a Self-Sustaining Town in the RSES and as confirmed in Longford's Core Strategy.

Residential Density

11.3.4. In respect of national policy for density, I consider the site to be categorised as an 'edge of centre' site in a small town (Edgeworthstown has a population under 5,000 persons and the site is 1km from the town's centre, greenfield, and transitional in nature). The Sustainable Residential Development Guidelines require a density range of 20-35dph for such locations, which the proposal complies with.

11.3.5. Further applicable national policy in the Building Height Guidelines on density in greenfield and edge of town locations is included in SPPR 4, which the Board is required to apply. The SPPR is as follows:

SPPR 4:

It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/ town locations for housing purposes, planning authorities must secure:

- 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines;*
- 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and*
- 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.*

11.3.6. I consider the proposal satisfies the requirements of SPPR 4 due to having a residential density within the applicable density range, by including a mix of building heights (2 to 3 storeys), building typologies (dwellings and duplexes), and avoiding mono-type building typologies (several house types, variations of duplex unit sizes included to cater for a range of demographic needs).

11.3.7. I consider the proposal to accord with regional policy by constituting a density which is reduced from that required for higher order towns in the region, and which is appropriate for Edgeworthstown as a Self-Sustaining Town and for the location of the site due to the existing pattern of development in and the transitional nature of the receiving area. Similarly, I consider the proposal to be largely consistent with local policy for consolidated growth and density. CDP CPO 4.11 requires the further development of Self-Sustaining Towns as key locations of population growth, and CDP DMS16.18 with reference to Table 4.14 encourages a density of 25dph Self-Sustaining Towns such as Edgeworthstown.

11.3.8. As discussed in further detail in the subsections below, I consider that a childcare facility should be provided as part of the proposed development. I recommend that

Houses 1 and 2 be omitted, the area released be the location for a purpose-built childcare facility with set down/ parking area, and the design, servicing, and operation of which be subject of separate planning application. The reduction of two dwellings yields a marginally reduced residential density for the proposal of c.29.7dph. While the density of the proposal is slightly more than CDP DMS16.18 seeks to encourage, I do not consider the increase to be material and, as stated above, I find the proposal to comply with the mandatory SPPR 4 of the Building Height Guidelines.

11.3.9. I have considered the concerns raised in the observer submissions, the positions of the planning authority and the applicant, noted the previous planning history on the lands and had regard to the relevant policy context. Should the Board agree with my recommended omissions and revision to the proposed development, the net residential density reduces to c.29.7dph which is at the mid to higher end of the density range of 20-35 dph required for the site, which I consider to be acceptable in this instance due to the location of the site, the nature of the receiving area, and the need to develop at a sustainable density to ensure efficiency of resources and public infrastructure.

Population

11.3.10. Several observations object to the increase in population that will be associated with the proposal and the subsequent demand on limited services and resources in the town. In applying the 2016 average household size, I estimate that the proposed development has potential to accommodate c.270 persons. As outlined above, in the settlement hierarchy of the RSES the category of Self-Sustaining Town is defined, which in turn the CDP applies to Edgeworthstown and it represents the third highest tier for towns in the county's urban hierarchy. As derived from the RSES, CDP Table 4.15 indicates the distribution of future population and housing across the county during the CDP period until 2027, which for Edgeworthstown includes 311 persons and 162 dwellings. Applicable local policy includes CDP Objectives 4.46, 4.47, 4.48, and 4.49 which, respectively, require compliance with the spatial development and population targets in the RSES, promote sustainable settlement patterns consistent with the Core Strategy so as to reduce travel demand, adherence with the housing numbers included in the Core

Strategy, and support compact growth of the town in accordance with the Core Strategy.

11.3.11. Therefore, on balance, while I note the concerns expressed in the observations in respect of other developments, including reference to several unfinished estates, and recent population growth in the town, I consider the potential population increase arising from the proposal to be consistent with national and regional policy, to be within the population and housing forecasts envisaged for the Edgeworthstown in the Core Strategy of the CDP, and not to be injurious to the area in due course.

Services

11.3.12. Objectors claim the proposal will cause excessive demand on existing services that are at capacity and highlight the absence of necessary facilities in the town. These include references to medical services, garda, childcare facilities, national schools, and secondary schools. I acknowledge that one of the main planning considerations arising from a population increase is the additional demand on facilities and services. From the documentation on the case and my site inspection, I note the presence of a range of services and facilities in Edgeworthstown. While the application does not include a comprehensive community and social infrastructure report, similarly, the observers' objections that there is limited or no capacity in services are made without definitive evidence of same (with the exception of childcare facilities discussed below). In any event, due to the often market driven nature of service provision, I do not consider the general demand on social infrastructure in the wider area to be a substantive refusal reason in and of itself.

11.3.13. The exception to this, however, is in respect of childcare provision within the scheme. The proposal does not include for a dedicated childcare facility as is recommended in section 2.4 of the Childcare Guidelines, with a standard of one facility (catering for 20 children) per 75 dwelling units. Accompanying the application is a Creche Demand and Needs Assessment. The absence of an on-site childcare facility is justified in the applicant's report on the basis of there being limited predicted demand, estimated in an 'extreme' scenario as being 5 children per year,

and the presence of one childcare provider in the town with a stated capacity for 110 children, located some 2km to the southeast of the site.

11.3.14. A submission has been received from the Longford County Childcare Committee as a prescribed body. The submission highlights shortcomings in the applicant's report (survey dates from time of Covid restrictions, assumptions about users unrestricted access to private transport, no consideration given to school going age groups), and recommends the provision of a purpose-built facility for c.22 children (younger children in the morning and school aged children in the afternoon), delivered in the first phase of the development, and serving residents in the proposed scheme and also in the local area. In the CE Report, the planning authority is inconclusive in stating whether the absence of a childcare facility is acceptable. Several observers refer to the absence of a childcare facility, including correspondence from the childcare operator referring to limited capacity/ waiting lists.

11.3.15. While I note the findings of the Creche Demand and Needs Assessment, I do not concur with the analysis undertaken to estimate the level of predicted demand and find the justification on available capacity elsewhere in the town to be somewhat simplified. CDP CPO 4.12 and Table 4.13 both identify that Self-Sustaining Towns such as Edgeworthstown have experienced high levels of population growth and require improved local services to become more self-sustaining settlements. In this context and on balance, I concur with the submission from the Longford County Childcare Committee and consider that a childcare facility is required to serve the proposal (75 dwellings units have between 3 and 5 bedrooms and are likely to accommodate families) and is necessary to provide an additional service and offer an alternative service to the benefit of this location in Edgeworthstown.

Conclusion

11.3.16. In conclusion, I consider that proposed development comprises an appropriate density having regard to the characteristics of the site, and national guidance in respect of density at locations such as the application site. I consider that the scale of development is as envisaged in national and regional policy, and that in respect of the number of units being provided is appropriate to Edgeworthstown as a Self-Sustaining Town in the county's settlement hierarchy and Core Strategy thereby complying with several applicable CDP objectives. Subject to

condition requiring the provision of a childcare facility, supporting services to serve the growing population are being provided and will continue to be. I find the proposed development is consistent with the emerging pattern of development in the area.

11.4. Design, Layout and Height

11.4.1. The application includes several documents of relevance to this issue which I have reviewed and had regard to including the Architectural Design Statement, Housing Quality Assessment, Daylight and Sunlight Assessment, Landscape Design Report, Arboricultural Assessment, Public Lighting Report, and Boundary Treatment Layout. I propose to address the appropriateness of the design, layout and building height of the scheme in turn in the following subsections.

Design Approach

11.4.2. The overall design approach for the scheme is determined by the site context and response to key site characteristics. The context is set by the site's edge of town location and backland nature, while key characteristics include its comprising agricultural fields with mature field boundaries, topography and drainage, the extent of road frontage, access to the existing Bracklin Park Link Road, access to public services, and proximity to existing residential properties. The key statistics of the proposal include a net developable area of c.3.295ha, c.0.505ha of open space (c.15.3% of the nda), a site coverage of c.30% and a plot ratio of 0.37, which reflect the compact yet relatively open nature of the scheme.

11.4.3. I note that the scheme is designed so that the proposed buildings and infrastructure fit into the existing fields (majority of the units are arranged in the larger southern field, while the northern field accommodates a more compact two duplex blocks and two detached dwellings), that minimal field boundaries and tree cover are removed to accommodate development (three portions of hedgerow and one tree being removed to facilitate the enlarged main entrance, access road, a pedestrian path through the open space), that open spaces are located in response to the topography and drainage conditions of the lands (main open space areas are adjacent to the central/ western drainage ditches, and/ or in the lower southern portion of the site), and that access points are determined by availability of existing public services (main access is via the Bracklin Road Link Road where vehicles and

cyclists can join the local road network at an existing safely operating T junction and pedestrians can safely connect to existing footpaths and public lighting on the main Bracklin Road).

- 11.4.4. I consider the design approach to be responsive to the site conditions and the siting of the proposed buildings to be dispersed accordingly within the site. I find that the dwellings and blocks are consistent with and complementary to each other in terms of design, orientation, building footprint, and heights. Similarly, the siting of dwellings along the eastern and southern perimeters of the site is consistent with the existing pattern of development, and responsive to the scale and nature of adjacent properties, and separation distances available.
- 11.4.5. In terms of good architectural and urban design, both the Sustainable Residential Development Guidelines and accompanying manual, require that developments achieve efficient use of finite resources, whilst ensuring the creation of distinctive urban developments. I consider the proposed development meets the 12 criteria referred to in the manual, in particular, the distinctiveness indicators. The design and layout incorporate the site's key features, respond to the receiving area and adjacent properties, and optimise use of the publicly shared resources (open spaces, play areas, facilities), thereby being an appropriate and a sound basis for the design rationale.

Layout: Access and Permeability

- 11.4.6. In terms of access, the proposal is served by one main entrance in the southeast of the site which connects to the existing Bracklin Park Link Road, which in turn connects to Bracklin Road. In the northeast of the site, two detached dwellings are proposed which have direct access to Bracklin Road. There is therefore one primary road in the scheme which traverses diagonally through the site, from which secondary streets project.
- 11.4.7. Of the scheme's internal layout, due to the overall design approach, the use of the block typology, dwellings backing onto the site's perimeters, and the provision of a notable quantum of centrally located open space, cycle routes and particularly pedestrian routes have been well incorporated into the layout. The cycle routes are designated along the primary road thereby ensuring safe and convenient ease of

access through the scheme. The scheme has several pedestrian pathways along the main road, secondary streets, to and through the open spaces.

- 11.4.8. With regard to the permeability of the proposed development, I acknowledge that the highest possible levels of permeability for all transport modes are desirable and beneficial for residents in new residential schemes and the wider community. I have considered options for increased permeability in the proposed development to and from Bracklin Road. Of the potential for a second main vehicular access, as is discussed in section 11.9 below, I accept that access from the northeast of the site onto Bracklin Road is not wholly suitable (fast flowing traffic, at the edge of the town's 80km speed limit, sightlines not as favourable as the existing junction onto the Bracklin Road, access onto an unpaved/ grass verge with no public footpath or lighting), and that incorporating another estate entrance (with higher levels of trip activity than would arise from the two detached dwellings) at this particular location may not represent an optimum design solution. The applicant indicates that the verges along Bracklin Road are in the private ownership of the detached dwellings, and it is not possible to provide a footpath along the road. The planning authority does not indicate any plan or intention to provide a footpath and public lighting in a northerly direction from the extent of the existing footpath and lighting further along the Bracklin Road towards the 80kph limit.
- 11.4.9. Further, I have considered the use of the existing agricultural laneway (incorporated as the rear garden of House 48) as a potential pedestrian access to and from Bracklin Road. Similarly, due to the absence of a footpath and public lighting at this location along Bracklin Road, the utilisation of the planned footpaths and cycle paths with lighting within the scheme which connects with those of the Bracklin Park Link Road would represent the safer alternative. I have also had regard to the degree of impact on the residential amenity of existing dwellings either side of the laneway, the resultant need for high boundary walls either side of such a pedestrian route, that may result in the route being poorly utilised, lacking passive surveillance and potentially unsafe.
- 11.4.10. Due to the existing pattern of development and to protect the residential amenity of the neighbouring properties, proposed dwellings are arranged around the site's eastern and southern perimeters such that rear gardens back onto those of the

existing properties without possibility for break-through accesses. Positively, I note that it is the gables of the proposed buildings and the areas of open space which are sited along the site's western boundary, and aligned to allow for future connection opportunities with lands to the west. I consider that the applicant has reasonably incorporated future permeability opportunities into the design.

11.4.11. Having regard to the restricted access options, I consider the layout of the scheme allows for a sufficiently permeable and connected urban environment for pedestrians, cyclists, and drivers. The design of the scheme includes opportunities for increased permeability to lands to the west/ southwest and on balance, I find the layout to be acceptable.

Layout: Public Realm

11.4.12. The principal elements in the public realm are the interfaces between the buildings' ground floor levels, adjacent streets and paths, and the hierarchy of public open spaces. I have examined the manner in which the dwellings and blocks have been designed to address the access road/ streets/ paths/ parking/ open spaces, and the boundary treatments proposed. On balance, I consider these interfaces to be clearly delineated by soft and hard landscaping, safe, overlooked, and likely to be active with several well trafficked by pedestrians.

11.4.13. A key feature of the layout of the proposed development is the open space provision. The proposal has six areas of open space, located across the scheme. Principal among which is the central area, comprising a kickabout space, natural play area and toddlers play area, that incorporates the existing central and western field boundaries. The Architectural Design Statement, the HQA, the Landscape Design Report and associated landscape plans and the boundary treatment plan, outline the design approach, the key quantitative and qualitative parameters, and the species and planting programmes.

11.4.14. Applicable CDP local policy for open space includes CPO 7.8, 7.47, and DMS 16.26, 16.28-16.31 which indicate requirements for quantitative (a minimum requirement of 15% for open space in greenfield sites) and qualitative (innovative design, accessible, overlooked, natural features incorporated, hierarchy of functioning spaces).

11.4.15. In respect of quantitative parameters, the applicant indicates that c.15.3% of the net developable area of the site is provided as open space, and the six open space areas are included within this total, thereby satisfying the general requirement for 15% as per CDP DMS 16.26. I consider the central area of open space (comprising the kickabout space, natural play area and toddlers play area) to be the most functional area of public open space and this represents a notable combined total of 4,168sqm (c.0.417ha), with the remaining areas comprising 882sqm. In respect of the qualitative parameters, save for the central area referred to above, the remaining areas incorporate surface water attenuation infrastructure, landscaped areas and screening strips, while not as functional as the central area, they are of ecological, visual, and passive amenity value and contribute to the distinctiveness and quality of scheme. Overall, I consider the open space and landscaping strategy for hard and soft landscaping to be functional, distinctive, and of a high quality and to comply with the qualitative requirements of the applicable CDP objectives and standards.

11.4.16. I note that the open space areas are indicated as being taken in charge by the local authority. While the CE Report does not expressly comment on the taking in charge details, Condition 5 of the recommended conditions requires the construction and maintenance of all infrastructure and open spaces be to the Council's standards until taken in charge by the local authority.

11.4.17. In considering the quality and amenity of the public realm for pedestrians and other users, I have had regard to the Daylight and Sunlight Assessment which accompanies the application. The report considers the potential daylight and sunlight provision within the scheme and, importantly for this subsection, the open space areas. In the report, regard has been given to the quantitative performance approaches to sunlight provision outlined in best practice guidance, the 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' BRE Guide 209, 2011. This guidance document is referenced in the 2020 Apartment Guidelines (section 6.6) and the Building Height Guidelines (section 3.2).

11.4.18. In the interest of clarity for the Board, I note that the 2022 Apartment Guidelines have superseded the 2020 version of the guidelines. I confirm to the Board that the 2022 Apartment Guidelines (section 6.6) refer to the updated version

of the BRE guidance document, BRE Guide 209: 2022. Importantly for the following assessment, I confirm that BRE Guide 209: 2022 continues to include the same recommended standard for sunlight availability for open space areas. The applicant's report considers the level of sunlight availability, referred to as 'sun hours on ground', to the proposed areas of open space within the development. The BRE Guide 209: 2011 recommends that for an amenity area to appear adequately sunlit throughout the year, at least half (50%) of the area should receive two or more hours of direct sunlight on March 21st.

11.4.19. Technical analysis has been undertaken of five open space/ amenity areas within the scheme (referenced as S1-S5). These coincide with the centrally located main area of open space (S1), a landscaped area to the west of Block B (S2), the attenuation area to the west of Block A (S3), two smaller landscaped strips to the east of House Unit 36 and Block B (S4), and three areas (attenuation area and two landscaped strips) in proximity to the scheme's entrance (S5). The analysis indicates that each amenity area will receive at least two hours of sunlight on March 21st, thereby achieving the BRE guidance recommendation. Indeed, no material overshadowing is experienced in any of the areas with each recording 100% sunlight availability.

11.4.20. Based on the assessment submitted, and having regard to the referenced guidance, I am satisfied that the proposed amenity areas within the scheme meet and indeed significantly exceed sunlight standards recommended under the BRE guidance, thereby, in terms of sunlight conditions, being of high-quality spaces suitable for residential use, in particular for S1.

Building Height

11.4.21. The proposed development comprises five blocks of duplex apartments, and groupings of semi-detached and detached houses. The duplex blocks vary in unit numbers, scale and massing though are consistent in building heights of 3 storeys and principal dimensions of 11.50m. There are seven house types with variations in design and massing, and between 2 and 2.5 storeys in height (while the applicant describes the latter as 3 storeys, I consider the house design with a box dormer in the roof plane to be 2.5 storeys).

- 11.4.22. The 3 storey duplex blocks are sited towards the western boundary of the site near fields zoned as Strategic Residential Reserve (Blocks A and B), adjacent to the central area of open space and an internal T junction (Block C), and along the northern boundary (Blocks D and E). The majority of the proposed two storey dwellings are sited adjacent to the rears of the existing single storey (Bracklin Road) and 2 storey dwellings (Bracklin Park). The exception is the arrangement in the northern boundary in proximity to the thatched cottage (Blocks D and E are sited c.30m opposite the front of the property, and Houses 99 and 100 are sited to the northern side of the northern most detached single storey dwelling).
- 11.4.23. Several observers raise concerns regarding the scale and height of the proposed blocks which are described as inappropriate and excessive, with adverse impacts identified in respect of architectural heritage, the amenity and character of the area, and residential amenity through overbearance.
- 11.4.24. The Building Height Guidelines outline national policy for building heights in suburban/ edge town locations, such as the application site. The guidelines indicate that development should include an effective mix of 2, 3 and 4-storey development which integrates well into existing and historical neighbourhoods. This requirement is incorporated into the applicable SPPR 4, which the Board is required to apply. SPPR 4 requires a greater mix of building heights and typologies, and the avoidance of mono-type building typologies. Local policy on building height is included in CDP CPO 4.52, 4.53 and DMS 16.21, all of which incorporate and refer to the requirements of the Building Height Guidelines with specific reference to development proposal being in line with the guidelines' SPPRs.
- 11.4.25. While I acknowledge the concerns of observers, I consider the proposal satisfies the requirements of SPPR 4 due to including a mix of building heights (2 to 3 storeys), building typologies (dwellings and duplexes), and avoiding mono-type building typologies (several house types, and variations of duplex unit sizes included to cater for a range of demographic needs). Further, by extended reference, I consider that the proposal complies with CDP CPO 4.52, 4.53 and DMS 16.21.
- 11.4.26. With regard to the design and building height approach employed by the applicant, I consider this to be reasonable and a sound basis for achieving good architectural and urban design. The approach has employed the use of an

architectural language for the dwelling types and duplex blocks (design, proportions, materials, elevational elements) that I consider to be consistent and complimentary to each other whilst featuring sufficient differences in orientation, building footprint, scale, and height to provide variety, visual interest and a degree of distinctiveness.

11.4.27. Of the visual impact of the proposed development on the receiving area, having reviewed the plans and particulars, I consider that the impact will be moderate and positive as the site is an open, fluid visual landscape that requires the provision of distinctive built forms to create an identifiable and legible urban environment. Among the other main planning considerations arising from increased building heights are the impact on the amenity of public open space areas (considered above in this section), and on residential amenity of future occupants and of neighbouring properties (considered in sections 11.5 and 11.6 below).

Conclusion

11.4.28. In conclusion, I am satisfied that the design and layout of the proposed development is well considered and with a sound basis. I find the approach to the architectural design the siting of the blocks and houses and choice of external finishes to be acceptable. The scheme features a hierarchy of streets, routes and paths, and a variety of different functioning open spaces. I consider the scheme to be a legible urban environment, with a public realm that is accessible, well connected, and not overshadowed. I consider the design approach to building height within the proposed development to be acceptable as it incorporates a variety of building formats with varied building heights, alternating roof profiles, which are consistent with and complimentary to each other. I consider the development of the site to have a positive moderate effect in the visual amenity of the site and within the wider area. I am satisfied that the proposal complies with the requirements of SPPR 4 in the Building Height Guidelines, several CDP objectives and standards (as also identified in the applicant's Statement of Consistency and listed in the planning authority's CE Report) and is therefore acceptable.

11.5. Residential Amenity of Proposed Properties

11.5.1. The proposed development comprises 100 new residences, including 50 houses and 50 duplex units (comprising 25 ground floor apartments and 25 duplex apartments at first and second floor levels) arranged in several groupings of detached and semi-

detached pairs, and five blocks. The residential amenity of future occupants, the residential unit mix, and quantitative and qualitative standards in the proposal are examined and assessed below.

11.5.2. In addition to the applicant's Planning Report and Statement of Consistency, there are several documents included within the application relevant to this issue, which I have reviewed and had regard to. These include the Architectural Design Statement, Housing Quality Assessment (HQA), Daylight and Sunlight Assessment, Building Life Cycle Report, and Creche Demand and Needs Assessment. There is also a degree of crossover with some of the public realm documents from the previous section 11.4 in respect of the design, layout, and height of the scheme.

Residential Amenity for Future Occupants

11.5.3. The proposed development is a residential estate of 100 dwelling units with capacity to cater for c.270 new residents. I recommend the proposal be amended by condition so that a childcare facility is provided within the development to serve future residents, thereby contributing to and increasing levels of residential amenity. Residents will have access to areas of open space with children's play and fitness areas incorporated into the scheme. Residents of the houses will have in-curtilage car and cycle parking spaces and a refuse storage area, while residents of the duplex apartments will have communal car and cycle parking, and refuse storage and collection, all in a secure, managed environment. Further detailed assessment of the residential amenity of the duplex apartments is provided in the subsections under Residential Unit Standards below.

11.5.4. Residents will be able to move easily within the scheme, and pedestrian and cyclist permeability is considered to be to a satisfactory level of provision. I recommend that pedestrian and cycle infrastructure be subject to condition in line with the requirements of the planning authority outlined in the CE report. In section 11.4 above, I outlined my reservations regarding the extent of permeability through and from the scheme to the receiving areas, but concur with the applicant's justification due to the absence of reasonable and suitable options. I positively note that the design of the scheme allows for future connections to the undeveloped lands to the west zoned as 'Strategic Residential Reserve' in the CDP.

11.5.5. I have reviewed the site layout plan, floor plans, elevations, and cross sections for the proposed buildings, and consider these are well laid out and orientated, and provided with sufficient separation distances to avoid causing adverse impacts on future residents from undue overlooking, overshadowing, and overbearance.

Residential Unit Mix

11.5.6. The residential unit mix of the proposed 100 dwelling units comprises 50 houses (50%) and 50 duplex units comprising 25 ground floor apartments (25%) and 25 duplex apartments at first and second floor levels (25%). The unit mix caters for 3, 4, and 5 bedroom houses, and 2 and 3 bedroom duplex apartments. The proportions of units are largely consistent with 2 and 3 bedroom duplex apartments each comprising 25% of the scheme, followed by 3 and 4 bedroom houses each comprising 24%, and two 5 bedroom houses comprising 2%. Should the Board agree with my recommendation to replace Houses 1 and 2 with a childcare facility, the residential unit mix outlined above will vary marginally with the reduction of two 4 bedroom houses.

11.5.7. I note that a number of the observations are critical of the residential mix proposed, stating that the duplex blocks are a residential format that is not consistent with or suitable to area. In the CE report, the planning authority states that the range of house and duplex designs, and the residential mix proposed are acceptable. I concur with the planning authority and consider the mix proposed satisfies SPPR 4 of the Building Heights Guidelines which the Board is required to implement (referred to in sections 11.3 and 11.4 above). While SPPR 4 provides direction on density and building height for schemes in greenfield/ edge of town centre locations such as the application site, direction is also provided on residential unit mix and typology in sub items (2) and (3) whereby a greater mix of building typologies, and avoidance of mono-type buildings typologies such as two storey or own-door houses only is required. While I note that the proposed development does not include any apartment only blocks (with shared accesses), on balance, for various reasons outlined in sections 11.3 and 11.4, I consider the proposed residential unit mix to be appropriate at this location and to offer an acceptable variety of unit sizes and typologies reflecting changing demographics and facilitating a range of household formations.

11.5.8. In respect of the Part V obligation, the applicant is proposing 20 units comprising 8 3 bedroom houses, 2 4 bedroom houses, 5 2 bedroom duplex apartments and 5 3 bedroom duplexes. I positively note the mix of units types and sizes and that the indicative provision of units is throughout the scheme. The planning authority has indicated this proposal to be acceptable in principle, and I consider it an appropriate basis for an agreement.

Residential Unit Standards

11.5.9. As outlined above, the proposal includes a mix of houses and duplex units. The policy context setting the standards for the residential units is the local CDP and the national Apartment Guidelines. The application is accompanied by a HQA which outlines the key statistics for the proposed development for the houses and duplex units. Of the local CDP policy context, I confirm for the Board that I have reviewed the HQA, individual plans submitted for each residential unit design, and confirm that the houses and duplex units within the scheme satisfy the applicable objectives in the CDP by meeting the range of qualitative and quantitative standards (key among which include the minimum floor areas in CDP DMS 16.43 for houses and DMS 16.58 for duplex units). The compliance is also attested to in the applicant's Statement of Consistency and identified by the planning authority in the CE Report.

11.5.10. Of the national policy context, I have given regard to the applicable SPPRs of the Apartment Guidelines with which the proposed duplex units are required to comply which include minimum floor areas and standards (SPPR 3 and Appendix 1) and dual aspect ratios (SPPR 4) as several SPPRs relate to apartment only/ shared access type blocks. Further advice in the guidelines includes regard being had to daylight/ sunlight provision, the provision of privacy strips for ground floor apartments, and of a building lifecycle report for the running and maintenance costs of the duplex units/ communal areas as not under private control/ taken in charge by the local authority.

11.5.11. I have reviewed the HQA which contains a schedule of accommodation, and the individual plans submitted for each residential unit design. Similarly, I confirm to the Board that the duplex units comply with their applicable minimum standards in respect of floorspace, aggregate living and bedroom areas, room sizes, storage areas, and private open space as per SPPR 3 and Appendix 1 of the Apartment

Guidelines. SPPR 4 relates to dual aspect ratios and states that in suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme. The development achieves this with 100% of duplex units being dual aspect.

11.5.12. In respect of private open space design and provision, I note the design approach provides for gardens to the rear of the duplex blocks serving the ground floor apartments and enclosed terraces to the front of the blocks at first floor level serving the duplexes. The gardens and terrace areas exceed, several significantly, the applicable standards in Appendix 1 of the Apartment Guidelines. From a review of the site layout plan and landscaping details, the proposed ground floor apartments adjacent to publicly accessible areas including parking spaces and streets, are provided with privacy strips in line with the advice at section 3.41 of the Apartment Guidelines of landscaping as boundary treatments.

Daylight and Sunlight

11.5.13. The information in the HQA is supplemented by the analysis in the applicant's Daylight and Sunlight Assessment. As first outlined in section 11.4 above in respect of public open space, the report considers the potential daylight and sunlight provision for the proposed development, and of relevance to this subsection, within the habitable rooms of the residences. The Apartment Guidelines and the Building Height Guidelines both cite the necessity of considering quantitative performance approaches to daylight provision.

11.5.14. In terms of methodology used and guidance documents relied upon, I note that there has been a change in the industry guidance documents since the lodgement of the application. In short, the 2020 version of the Apartment Guidelines referred to BRE Guide 209 'Site Layout Planning for Daylight and Sunlight' 2011 Edition and BS 8206-2: 2008 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'. The 2022 version of the Apartment Guidelines, which came into force in December 2022, refers to the updated guidance of 'A New European Standard for Daylighting in Buildings' IS EN17037:2018, the UK National Annex BS EN17037:2019 and the associated BRE Guide 209: 2022 Edition (June 2022).

11.5.15. Importantly, with regard to applying the requirements of guidance documents in assessing the proposed development, I note that the 2022 Apartment Guidelines

(section 6.6) states that planning authorities should have regard to quantitative performance approaches to daylight provision outlined in guides like IS EN17037:2018, BS EN17037:2019 and the BRE Guide 209: 2022 or any relevant future standards or guidance specific to the Irish context. That being, while the newer versions of the guidance documents are referred to, I consider there to be sufficient scope within the 2022 guidelines to continue to assess the proposal with regard to the previous industry guides of BRE Guide 209: 2011 and BS 8206-2: 2008 (i.e. 'in guides like') which include relevant and acceptable standards which the Board can rely on. Further, in any event, I highlight that the requirements are not mandatory, are not the subject of an SPPR in the Apartment Guidelines, and if they cannot be fully met compensatory measures can be put forward.

11.5.16. The applicant's Daylight and Sunlight Assessment dates from March 2022 (the SHD application was lodged in April 2022) and relies on BRE Guide 209: 2011 with reference to BS 8206-2: 2008 and IS EN17037:2018. In respect of daylight, the BRE Guide 209: 2011 applies the Average Daylight Factor (ADF) as a daylight test, which is a method for calculating the amount of daylight occurring within a space in a habitable room. The BRE Guide 209: 2011 recommends the following minimum ADFs; Bedrooms 1%, Living Rooms 1.5%, and Kitchens 2%, with a 5% optimum being indicative of a well daylit space. In the case of rooms that serve more than one function, the higher of the two minimum ADFs should be demonstrated.

11.5.17. Within the proposal, the duplex units have floor plans in which the living/ kitchen/ dining (LKD) areas are designed as open plan. In the applicant's report, all duplex units have been analysed for both daylight mapping and ADF analysis of the bedrooms and LKD areas. Of the rooms tested for daylight, compliance with daylight requirements was achieved in 100% of cases. I consider the extent of compliance with BRE Guide 209: 2011 standards to be anticipated having regard to the open nature of the site, the low-rise low density surrounding built environment, the orientation and separation distances between the proposed blocks and from the site boundaries.

11.5.18. In respect of sunlight, the BRE Guide 209: 2011 applies the Probable Sunlight Hours (PSH) as a sunlight test, which indicates how much sunlight a window is likely to receive. The BRE Guide 209: 2011 recommends living rooms with windows that

face within 90 degrees of due south be assessed for annual PSH (APSH) and PSH for the winter months, and that APSH results should be greater than 25% of the total sunlight hours possible and winter PSH be greater than 5%.

- 11.5.19. Within the proposal, 36 of the 50 duplex units have a qualifying living room window and 100% of those tested met the criteria of an APSH percentage greater than 25% (receiving 414 hours) and a winter PSH Percentage greater than 5% (75 hours). In similarity with the high rate of compliance for ADF, the high rate of sunlight availability is due to the nature of the receiving area and the optimum orientation of the several of the duplex blocks within the scheme.
- 11.5.20. Notwithstanding the change in reference to industry guidance documents, I am satisfied that the methodology employed in the applicant's report complies with the requirements of the 2022 Apartment Guidelines, that the applicant has demonstrated the duplex units in scheme will achieve satisfactory levels of daylight and sunlight, and that future residents will be afforded with acceptable levels of residential amenity. I am also satisfied that the proposal complies with CDP DMS 16.38 and 16.39 which require, respectively, daylight and sunlight levels to be in accordance with BRE Guide 209: 2011 and any updated guidance, and that new residential development be designed to maximise access to natural daylight and sunlight.
- 11.5.21. The application contains a Building Lifecycle Report which as required by the Apartment Guidelines includes an assessment of long-term running and maintenance costs as they would apply on a per residential unit basis at the time of application, as well as demonstrating what measures have been specifically considered by the proposer to effectively manage and reduce costs for the benefit of residents. I have reviewed the report, note its contents accord with the requirements of the guidelines and consider, in the instance of a grant of permission, the report to be purposeful for future residents and beneficial to have as part of the public record.

Conclusion

- 11.5.22. In conclusion, I consider that overall, the proposed development is of a design and layout that will provide an acceptable standard of residential amenity for the future occupants of the scheme. The proposal includes a range of residential typologies which will respond to the demographic needs of various households and

contribute to the creation of a diverse community. Due to the layout, arrangement, and siting of the buildings through the proposal, I do not anticipate any adverse impacts on the amenity of the future residential units or on public open spaces within the scheme. I consider the proposal accords with the range of applicable local CDP policy and national policy.

11.6. Residential Amenity of Adjacent Properties

- 11.6.1. This section considers the impact of the proposed development on the residential amenity of adjacent properties. The application site itself is greenfield in nature, comprising agricultural fields with mature field boundaries. Adjacent to the site's northern and eastern boundaries is low rise, low density detached housing, along the southern boundary are several conventional two storey houses in Bracklin Park residential estate, while the lands to the west are undeveloped and in agricultural use. Further to the south and southwest of the site are other residential estates including the Abhainn Glas estate.
- 11.6.2. The proposed development's adverse impact on the residential amenity of adjacent properties is a key concern for many observers. Issues raised extensively in the observations include overlooking, overshadowing, overbearance, disruption (noise, pollution, construction works), and traffic related inconvenience (which I consider in section 11.9 below). I propose to address each issue in turn.

Overlooking

- 11.6.3. I have reviewed the site layout plan, elevations, cross section drawings, boundary treatment plan and landscaping details. In section 11.4 above, I assessed in detail the approach taken for the design, layout and height of the proposal. I find that the fundamental decision of siting two storey housing along the eastern and southern perimeters of the site and arranging the duplex blocks, of a modest 3 storeys in height, within the more central/ western areas in the site, and along the northern boundary with a separation distance of c.30m to the front of the most proximate residence (the thatched cottage), has ensured that overlooking and loss of privacy for existing adjacent properties are not excessive or unduly injurious.
- 11.6.4. The proposed houses along the site's eastern perimeter are provided with rear gardens of between c.11m-14m in depth and achieve separation distances to the

rears of the adjacent bungalows on Bracklin Road in the range of c.22m-30m. Similarly, the proposed houses along the southern perimeter have rear gardens of c.15m in depth and achieve separation distances to the rears of the Bracklin Park houses in the range of c.30m. Such separation distances between the rears of residences are considered to be well within required standards in urban areas, are compliant with CDP DMS 16.32 which specifies a minimum distance of 22m, and of an extent to ensure a sufficient level of protection to properties' rear windows and rear gardens. I also note the topography of the site whereby the levels fall in a southwesterly direction so that the row of bungalows along Bracklin Road will be at an elevated level to the proposed houses. Further, I note the existing level of screening along the boundaries and the proposed boundary treatment, landscaping and screening proposals will further minimise loss of privacy and protect against adverse overlooking impacts.

Overshadowing

- 11.6.5. The applicant has provided a Daylight and Sunlight Assessment which, in addition to analysing the proposed scheme as outlined in the previous section 11.5, also examines the impact of the proposed development on adjacent properties. Using criteria in the BRE Guide 209: 2011 and BS 8206-2: 2008, the report presents detailed technical analysis of the daylight and sunlight availability to neighbouring properties, sun hours on ground, and indicates transient overshadowing within neighbouring amenity areas.
- 11.6.6. In respect of daylight, the BRE Guide 209: 2011 recommends the Vertical Sky Component (VSC) test to calculate the impact of a proposed development on potential daylight availability in applicable rooms (living rooms, kitchens, and bedrooms) in neighbouring properties. The VSC is a measure of how much direct daylight a window in such a room is likely to receive. If the VSC of a window with the new development in place exceeds 27% or is less than 27% but greater than 0.8 times its former value, then sufficient daylight is reaching that window. However, if the VSC is both less than 27% and less than 0.8 times (i.e. reduced below 80%) of its former value, occupants of the existing building will notice the reduction in the amount of daylight affected.

- 11.6.7. In respect of sunlight, the BRE Guide 209: 2011 recommends the use of the Probable Sunlight Hours (PSH) as a measure of how much sunlight a window is likely to receive. Windows recommended to be tested are those serving main living spaces that face within 90 degrees of due south. If the PSH of a window with the new development in place is less than 25% (of annual total hours available) and 5% (of winter period, 21st Sept-21st March) and less than 0.8 times (i.e. reduced by more than 20%) of its former value then a window in an existing dwelling may be adversely affected.
- 11.6.8. The report determines which properties to assess by establishing the range of influence for the proposal in accordance with the BRE Guide 209: 2011. The range of influence is determined by the height of the proposal, as properties are excluded if the distance between a subject window and the applicable part of the proposal is greater than three times the height of that part of the proposal. For properties that are included within the range, the analysis undertaken is based on the proximity of the proposal and if the proposal subtends (is within) a 25 degree angle as measured horizontally from the centre point of the lowest window in an included property.
- 11.6.9. The range of influence for the proposal includes 8 properties (Ref.s A-H indicated on Figure 2 of the report), including 1 Bracklin Park (A) adjacent to the south of the site, the thatched cottage (B) adjacent to the north, and 6 detached bungalows fronting onto Bracklin Road (C-H) adjacent to the east. Of the subject windows analysed in these 8 properties, only 1 Bracklin Park (A) is found to be subtended by the applicable part of the proposal. The subject windows in the remaining properties, Ref.s B-H, are not subtended which indicates the impact on their daylight availability is likely to be imperceptible.
- 11.6.10. In the interests of completeness, the report includes the properties closest to the proposed Houses 1 and 2 for further analysis, which are 1-4 Bracklin Park. 16 windows in the rear elevations of these four houses, which represent the worst-case scenarios for the adjacent residential properties, are assessed for daylight (VSC) and sunlight (PSH) conditions. For daylight availability, while minor reductions are recorded in some windows (those most proximate and at ground floor level), all windows tested retained a VSC in excess of 27% or if below 27% were not reduced below 80% of their former value. These conditions meet the recommendations of

the BRE Guide 209: 2011, and the reduction of daylight in the affected windows would be imperceptible. For sunlight availability, the initial assessment determining the range of influence for the proposed development established that the properties to the north and east (Ref.s B-H) would not be impacted upon. The properties included in the range of influence, 1-4 Bracklin Park, have windows that face northwest and in excess of 90 degrees of due south, and are therefore not required to be tested as it can be concluded that there will be no noticeable reduction in sunlight availability to these properties due to the proposed development.

- 11.6.11. The report includes an analysis of the level of sunlight availability, or sun hours on ground, of 8 adjacent properties (Ref.s L1-L8 with locations indicated on Figures 5 and 6 of the report) located to the north and east of the proposal (southern properties need not be tested). The BRE Guide 209: 2011 recommends that for an amenity area, including private rear gardens, to appear adequately sunlit throughout the year, at least half (50%) of the area should receive two or more hours of direct sunlight on March 21st. All 8 gardens were found to retain two or more hours of direct sunlight over 50% of their areas on the day, thereby indicating no undue overshadowing by the proposal. The amenity areas of properties along the eastern boundary (Ref.s L1-L7) retained 98.7%-100% of 2 hours of direct sunlight and the amenity area associated with the cottage property (Ref.L8) on the northern boundary retained 100%.
- 11.6.12. The report also analyses the transient overshadowing associated with the proposal with the technical analysis indicating that shadows will be cast from the proposed development during March 21st which is to be expected due to the current greenfield nature of the site, but that the range of shadow is minimal and fleeting thereby indicating no undue overshadowing by the proposed development.
- 11.6.13. I find the 100% compliance with BRE Guide 209: 2011 standards to be anticipated given the low-density nature of the surrounding area, the distances of the proposed buildings from site boundaries and adjacent properties, and the relatively low building height and massing of the proposed buildings in proximity to the site boundaries and adjacent properties. Similarly, the high rates of amenity areas of adjacent properties maintaining more than 2 hours of sunlight is also to be

anticipated due to the notable separation distances and scale of the proposed development in proximity to the site boundaries.

- 11.6.14. I consider the total compliance with the requirements and standards of BRE Guide 209: 2011 to be a positive feature of the proposal, and that the applicant has demonstrated that the proposal would not cause undue injury to the residential amenity of adjacent properties through loss of existing levels of daylight and sunlight, or through overshadowing.

Overbearance

- 11.6.15. Overbearance caused by the proposed development and an associated loss of visual amenity is raised in several observations particularly those from residents with addresses along Bracklin Road. For all adjacent properties (northern, eastern, and southern), I acknowledge that the proposed development will unavoidably result in a change in outlook from that which currently exists due to the greenfield, undeveloped nature of the site. However, as outlined in section 11.4 above, I have considered the visual impact of the proposal and have concluded that the proposed development is an appropriate design solution for the site, will create an identifiable and legible urban environment, and will have a moderate positive effect on the landscape of the local surrounding area.

- 11.6.16. From my review of the site layout plan, elevations, and cross section drawings, I am satisfied that there are sufficient separation distances from existing adjacent properties, with appropriate and robust landscaping and boundary treatments proposed, and that the scheme is of a quality architectural design with satisfactory external finishes that will not cause an adverse impact on the visual amenity of the existing residences.

- 11.6.17. While the alteration in viewpoints is undisputed, I do not consider the extent of change to be excessive (hedgerow boundaries to be retained, new screening planted along boundaries, stepped building heights, modestly scaled building forms) or adverse (proposed scheme is well designed with high quality features, finishes, and boundary treatments). For all adjacent properties, in particular the eastern properties, due to the notable separation distances (all in the range of c.30m), the mature screening, and the change in topography, I do not consider that the proposal will be overtly visible, instead constituting built forms visible in the mid-ground/ on the

mid-skyline. In summary, I do not consider the extent of the change in outlooks from the adjacent dwellings to be adverse or significant, nor that the proposal exerts an overbearing visual impact which would be injurious to the residential amenity to the adjacent properties.

Disturbance and Disruption

- 11.6.18. Other issues of relevance in assessing the proposal's impact on existing residential amenity, several of which are raised by observers, include disturbance and disruption arising from the site clearance and construction impacts associated with the proposal, and also from the operation phase (i.e occupation of the scheme).
- 11.6.19. The application includes a Construction Waste and By-Product Management Plan (CWBMP), and a Construction and Environmental Management Plan (CEMP) which includes traffic, noise and dust management details. Several of the concerns raised by observers, such as impacts from noise, pollution, waste, hours of operation, traffic inconvenience, and the length of time for the development to be built, are typical of impacts that arise during site developments adjacent to residential properties. I consider that the provisions outlined in the CEMP, in particular, are broad ranging and include good site management practices, specified hours of working and deliveries, local traffic control measures, parking, noise, vibration, dust monitoring will address and ameliorate the impacts.
- 11.6.20. A detailed phasing plan is submitted with the application indicating five phases of construction. Each phase delivers c.20 dwellings units along with associated roads, streets, water services infrastructure, and open space. The sequencing of the phases commences with Phase 1 in the southeast corner of the site, Phase 2 in the southwest, Phase 3 along the eastern perimeter, Phase 4 in the centre/ west, and Phase 5 along the northern perimeter. The phasing of units to c.20 per year arises primarily from the requirements of Irish Water due to the wastewater treatment capacity of the Edgeworthstown WWTP. While several observers are critical of the length of construction time and associated disturbance, I note that a standard planning permission can be implemented over a 5 year period and I do not consider it reasonable or necessary to limit same in this instance in the event of the Board granting permission. With regard to the sequencing in the phasing plan, I consider this to be acceptable.

11.6.21. Specific observations object to disruption and disturbance associated with certain aspects of the proposal. Firstly, to the construction of boundary walls to the rear of properties on Bracklin Road due to obstructing the existing flow of surface water and septic tank percolation in these properties, and secondly, to the incorporation of the agricultural laneway between the site and Bracklin Road into the rear garden of House 48. In response to the drainage issue, I note that no engineering details of the manner of the obstruction are provided demonstrating it to be the case, while the applicant has outlined possible scenarios for addressing any issue, including the necessary compliance of the drainage infrastructure in the adjacent properties with EPA standards which, while dismissed by the observer, I consider to be reasonable. In response to the incorporation of the laneway into the curtilage of House 48, while I acknowledge this is not the optimum urban design solution, as I outlined in section 11.4 above, I considered though ultimately dismissed the redesign of this laneway as a pedestrian pathway. The observers request the ownership of the laneway instead be divided between the two properties either side of the laneway, which is a matter beyond the scope of this permission.

11.6.22. Of the disturbance associated with the operational phase of the development including from noise sources such as traffic and use of amenity spaces, and from light sources such as public lighting, I consider these to all be within acceptable parameters for a developing urban setting. I highlight that the proposal is a residential use in itself, residents would be subject to applicable noise prevention legislation, residents in the duplex blocks will be subject to the requirements of the management company, traffic generation is predicted to be within the capacity of the junctions and local road network with minimal queuing, and public lighting will be devised and installed in accordance with a scheme agreed with the planning authority. On balance, I do not consider the operational noise and lighting impacts arising from the proposal to be of a nature or scale to cause injury to the residential amenity of the adjacent properties.

Conclusion

11.6.23. In conclusion, I have assessed issues of overlooking, overshadowing, overbearance, disturbance and disruption on adjacent properties. I consider that the applicant has had due regard to and respect for the residential amenity of adjacent

properties and has incorporated a number of measures to protect and prevent undue impacts. The contents of the CEMP, in particular with regard to traffic, noise, and dust management and prevention measures, are noted. As such, I recommend site development works and measures to protect the residential amenity can be addressed appropriately by condition in the event of a grant of permission.

11.7. Biodiversity

- 11.7.1. In considering the biodiversity of the site and impacts associated with the proposal, I have had regard to the Ecological Impact Assessment, Bat Assessment, Arboricultural Assessment, Landscape Design Report, and Appropriate Assessment Screening report submitted with the application. Observers state the site has a natural beauty and is rich in wildlife and should be maintained. Criticisms are made of the applicant's ecological reports, including the extent of survey work and level of information provided.
- 11.7.2. The site is made up of a number of agricultural fields, whereby the main residential development is proposed within a smaller northern field and a larger southern field, and a wayleave for the underground drainage infrastructure crosses parts of two fields located in the southwestern corner of the site. The northern and southern fields are divided by a field boundary comprising a drainage ditch, hedgerow, and treelines, which continues along the western boundaries of the fields.
- 11.7.3. Habitats at the site identified in the Ecological Impact Assessment include GA1 improved agricultural grassland, GS4 wet grassland, FW4 drainage ditches, WL1 hedge lines and BL1 stonewalls. No part of the site is located within an area that is designated for nature conservation purposes. The survey results found evidence of common plant, mammal, bird, and invertebrate species for the habitats noted. There were no sightings, evidence, or habitats suitable for protected mammal species such as hedgehogs or badgers. Two bat species, common pipistrelles and soprano pipistrelles, were recorded using hedgerows (in and outside of the site) for commuting and foraging, but no bat roosts or trees favourable for roosting were recorded at the site. The survey confirmed no invasive species as present at the site. The site is considered to be of low biodiversity value.
- 11.7.4. The wider ecological context of the site is outlined in the Ecological Impact Assessment. The site is not located within the boundary of any designated sites of

international, national, or local nature conservation importance. There is an existing surface water hydrological connection from the site to designated sites (European sites and/ or proposed Natural Heritage Areas (pNHA)) associated with the Black River that are located downstream of the site. The connection is described as weak due to the distances between the proposal and the designated sites. In short, surface water from the site currently flows through the site's drainage ditches to the Black River (c.300m to the south of the site) which flows to Glen Lough pNHA (c.8km southeast of the site). The author states that the Black River runs close to the northeast of Glen Lough SPA but does not connect to the SPA as the flow of the river was altered through draining of Glen Lough in the 1960s. From Glen Lough pNHA, the Black River flows to Lough Iron SPA and pNHA (c.14km to the southeast of the site) where it connects with the Inny River. The Inny River continues to flow in a southwesterly direction to Lough Ree SAC, and Lough Ree SPA and pNHA (c.48km southwest of the site). The EPA classifications for the status of the Black River are provided, including 'moderate' Q3-4 prior to connection with Glen Lough pNHA, improving to as 'good' Q4 prior to connection with Lough Iron SPA and pNHA and the Inny River, and the Inny River remains as 'good' Q4 before discharge to Lough Ree SAC, SPA and pNHA.

11.7.5. Of the potential impacts on biodiversity at the site, during the construction phase these include habitat loss (of the two main grasslands is identified as a minor negative impact on the local biodiversity), species disturbance (for bats and birds through a loss of roosting, nesting, and foraging areas, and disturbance to all species due to noise and increased activity), and pollution (linked to surface water contamination). While at the operation phase, the potential impacts include species disturbance (deterrence of entry to the site due to human activity, lighting affecting bats' foraging and commuting patterns), landscaping (appropriate selection creates beneficial wildlife habitats), and a consideration of cumulative impacts (none identified).

11.7.6. Of the potential impacts described above, I note that, particularly with regard to the habitat loss of the two main grasslands, these are described as common to County Longford and no protected species are identified during the survey work at the site. Further, I positively note the extent of hedgerow habitats being retained at the site,

including all but four portions of the field boundaries (portions removed for the main entrance, access road and path, and water services infrastructure). An Arboricultural Assessment has been undertaken for the proposal which identifies 8 Hedge features and 1 Woodlands feature (identified in the accompanying Tree-Hedge Retention/Removal Plan). The features form parts of the site boundaries (Hedges 1, 4, 5), are within the site (Hedge 1), or are within adjacent properties (Hedges 3, 6, 7, 8 and Woodlands 1). As the proposed dwellings have been sited to fit into the field parcels to minimise impact, I positively note that only 1 Category C tree and small portions of hedgerow (in Hedges 1, 4 and 5) are proposed to be removed to facilitate the access road, a pedestrian pathway, and the main entrance. The report recommends mitigation measures in the form of an arborist undertaking the works, and the implementation of an Arboricultural Method Statement and Tree Protection Plan.

11.7.7. In addition to the Ecological Impact Assessment, a Bat Assessment accompanies the application. As referred to above, the presence of two bat species, common pipistrelles and soprano pipistrelles, was identified during the site survey. Activity included foraging and commuting along the site boundaries and in the hedgerow between the northern and southern fields. The survey examined the agricultural building and trees at the site and found no evidence of bat roosts or suitable trees for roosting. The report recommends several mitigation measures to safeguard the protected species during construction and operation phases, including replacement of lost hedgerow habitat with suitable native tree and understory planting, new linear planting of trees, and appropriate public lighting (sources, locations, and screening). Of the impact on bats, the report concludes that there no impact to either roosting, foraging or commuting habitat is anticipated with the proposed mitigation measures, a position with which I concur.

11.7.8. Of the potential impacts on biodiversity in the wider ecological context from the proposed development, these are associated with the proposed drainage arrangements due to the hydrological connections from the site to designated areas downstream of the Black River. Of the surface water arising from the construction and operation phases of the proposed development, the proposed surface water management involves the cleaning (via suitable oil and silt interceptors), filtration, attenuation (cleaned surface water will be piped from attenuation tanks), and

discharge at a controlled rate (via a hydrobrake) from the site into the existing public surface water system. As such no polluting material will be carried to the designated areas. Of the wastewater arising from the operation (occupation) of the development, following collection at the site it will be discharged to the Edgeworthstown WWTP for treatment and ultimately discharges under licence to the Black River. The hydrological connections between the proposed development and the designated sites are described as indirect, weak and involving separation distances that are significant. Accordingly, no impacts arising from the proposed development are considered to be likely on the pNHAs or, as discussed in section 13.0 below, on the European sites, their habitats, or species due to habitat loss or fragmentation.

11.7.9. A submission has been received from the Development Applications Unit (DAU) of the Department of Housing, Local Government, and Heritage, the relevant prescribed body for nature conservation. While some comments are of a general nature, I note that several constitute aspects of the proposal (eg. retention of hedges, native hedgerows and treelines and existing ecological features) and/ or align with mitigation measures (eg. seasonal site clearance, landscape plan to focus on native species) included in the Ecological Impact Assessment, Bat Assessment, and Arboricultural Assessment. In the CE Report, the planning authority recommended Conditions 14 and 15 relate to wildlife protection and include a requirement for further bat and badger surveys. In similarity with comments from the DAU, I am satisfied that, on balance, such wildlife protections are addressed by the proposed mitigation measures and/ or through requirements and obligations under separate legislation.

Conclusion

11.7.10. In conclusion, following my site inspection and review of the range of information on the case file, I accept the applicant's position that the site is not ecologically vulnerable, and I consider that the development of this greenfield site will have biodiversity impacts, the most notable of which is on local bat populations, however, several mitigation measures are proposed to address and ameliorate the potential adverse nature of same. From the Ecological Impact Assessment, Bat Assessment, and Arboricultural Assessment these include seasonal timing for

ground works, restricted tree and hedge removal, pre surveys by a bat specialist, tree removal under arborist guidance, and implementation of landscaping plan and planting programme. I consider these measures to be targeted and effective.

11.8. Cultural Heritage

11.8.1. The application site is greenfield in nature, in agricultural use, and accommodates an agricultural building. The site does not contain, nor is the site adjacent to, any protected structures, architectural conservation areas, or archaeological monuments as included/ identified in the CDP. However, there are archaeological recorded monuments (RMPs) in the vicinity of the site, and a thatched cottage (included in the National Inventory of Architectural Heritage (NIAH)) is adjacent to the northern field of the site. The applicant has submitted an Archaeological and Built Heritage Assessment report for the proposed development. I consider the issues of archaeological and architectural heritage in turn below.

Archaeological Heritage

11.8.2. The applicant's report identifies four recorded monuments in a 500m radius of the site. Three of which are ringforts (closest is c.240m to the west, c.285m to the north and c.390m to the northwest of the proposed development), and the fourth is the excavation of two Bronze Age pits uncovered during pre-development testing for a residential development (c.310m to the north). None of the recorded monuments will be impacted by the proposed development.

11.8.3. Due to the presence of the ringforts, which is evidence of early medieval settlement in the area, and the subsurface remains of a post-medieval settlement cluster known as 'Moore's Town' (identified from aerial imagery and field inspection within the site's northern field (which is the location of proposed Block E and Houses 99 and 100), and which appears to be associated with the adjacent thatched cottage and farm complex), the site is identified as having moderate to high archaeological potential to contain unrecorded, subsurface archaeological and post-medieval features. A programme of licensed archaeological monitoring during the ground works phase of the development is recommended.

11.8.4. A submission on the application has been received from the Development Applications Unit of the Department of Housing, Local Government, and Heritage,

the relevant prescribed body for archaeological heritage. The submission notes the proximity of the proposed development to the closest Recorded Monument LF015-058: Ringfort and recommends, by way of condition attached to a grant of permission, that an Archaeological Impact Assessment be undertaken prior to commencement of development. I note that the planning authority did not include such a condition in the CE Report, however I consider the condition to be necessary, reasonable and recommend the inclusion of same.

- 11.8.5. An observation states that the proposed development breaches CDP CPO 11.11, which requires archaeological impact assessments, geophysical survey, test excavations or monitoring, as appropriate, for development in the vicinity of monuments. I am satisfied that, with reference to the advice from the applicable prescribed body, the Archaeological and Built Heritage Assessment submitted with the application has been sufficient to allow a consideration of the potential impact of the proposed development on archaeological heritage and that it comes within the scope of resources identified in CDP CPO 11.11. Further, I consider the attachment of the condition referred to above will allow archaeological remains, if any, to be preserved by record and/ or in situ thereby addressing concerns raised in observations of the shortcomings in the applicant's report and the management of the archaeological heritage of the site.

Architectural Heritage

- 11.8.6. To the north of the site is a thatched cottage attached to a two-storey vernacular house and part of a farmyard complex. This property is accessed via an entrance gate and short private lane from Bracklin Road. The entrance gate connects to the stonewall which serves as the roadside boundary of the northern field of the site. Part of the northern field, a strip of land along the southeastern side of the lane, is not included in the site and remains associated with the adjacent property. This strip of land includes the existing hedgerow boundary adjacent to the lane and part of the stonewall along the roadside boundary on Bracklin Road.
- 11.8.7. The proposed development therefore involves the creation of a new northern site boundary which is set back from the adjacent cottage's property line. The existing entrance with stone pillars and access laneway remains, as does the existing hedgerow boundary. The new boundary is indicated as a 1.8m high rendered wall

and is set back from the lane's edge by between c.8m-12m. The rear gardens of the ground floor apartments of Blocks D and E back onto the new boundary wall. The proposed development also involves alterations to the northeast boundary of the site along Bracklin Road as the stonewall boundary will be dismantled and reconstructed c.2m back from the existing roadside edge to obtain the required sightlines for the entrances of Houses 99 and 100.

- 11.8.8. Several observers object to the proposed development and the adverse impact on the thatched cottage due to the development of the northern field and loss of the stonewall boundary along Bracklin Road, which are stated as being part of the cottage's setting. Further, the applicant's report is criticised due to it containing incorrect information regarding the thatched cottage not being listed in the NIAH inventory (Ref. No. 13401524 is cited). In the CE Report, the planning authority refers to the interface between the proposed development in the northern portion of the scheme and the adjacent thatched cottage (which is also identified as NIAH listed).
- 11.8.9. I have reviewed the application plans and particulars, CDP policy and available NIAH information. In the applicant's report, while it is stated that there are no NIAH structures located in the study area (pgs. 9 and 21), elsewhere the inclusion of the cottage (with the correct reference number) in the NIAH inventory is confirmed (pg. 18). I acknowledge that the statements regarding NIAH entries in the applicant's report are inconsistent as opposed to wholly incorrect. However, I have reviewed the entry and for clarity for the Board, the NIAH describes the structure as *'an interesting thatched house which retains much of its original form and character... one of the very rare examples of a thatched building with a hipped roof in County Longford... This building, although altered, is an interesting example of a vernacular house and represents an integral element of the built heritage of the local area. The simple outbuilding to the southwest, the stone boundary wall and the wrought-iron gates enhance the setting'*.
- 11.8.10. Notwithstanding the NIAH listing and above description, I highlight to the Board that inclusion in the NIAH inventory has no legal basis or protective status commensurate with that of inclusion in the record of protected structures (RPS) in a development plan. The CDP (section 11.4.6) describes the NIAH as a source of

information, and a research and educational resource. However, the legal status of a protected structure, with implications for planning assessments, is obtained from inclusion in the CDP's RPS, which as stated above, has not been afforded to the thatched cottage. In the absence of the protected structure status, the cottage does not have the sufficient architectural heritage value that could reasonably and justifiably result in permission for the proposal being refused or amended.

11.8.11. In the applicant's report, the heritage significance of the thatched cottage is noted, and it is stated that the proposal has been designed in a manner that will not give rise to any significant impacts on the setting of the thatched cottage. While the applicant submits that the scheme will not directly or indirectly impact on the cottage, I find that the setting of the cottage will be altered and there will be an associated indirect impact arising from the proposal. However, on balance, I do not consider the degree of impact to be excessive or unduly injurious. This is because the cottage's existing entrance with stone pillars and access lane remains intact, the existing hedgerow boundary (indicated as c.8m high) remains intact, the new northern boundary wall is set back between 8m-12m from the edge of the property' lane, the rear of Blocks D and E are set back c.30m from the front of the cottage, and the stonewall along Bracklin Road is proposed to be dismantled and reconstructed at a slight setback from the road edge. In this regard, I concur with the applicant's position that the proposal will not significantly impact on the architectural heritage of the adjacent cottage.

Conclusion

11.8.12. In conclusion, the proposed development does not result in a significant effect on the cultural heritage of the site and receiving area as there are no known archaeological recorded monuments or architectural protected structures within or adjacent to the site that will be directly impacted. Impacts on potential archaeological heritage can be addressed by condition, and the degree of impact on the architectural heritage of the adjacent cottage has been ameliorated by design measures employed and is within acceptable parameters having regard to the nature of the site which is zoned and serviced for future development.

11.9. Traffic and Transportation

- 11.9.1. In considering the issues of traffic and transportation, the application is accompanied by several documents to which I have regard including the Civil Engineering Report, DMURS Compliance Report, Stage 1/ 2 Road Safety Audit, Traffic and Transport Assessment (TTA), Mobility Management Plan, Proposed Works at Bracklin Park Link Road Area Report, and Construction Environmental Management Plan (CEMP).
- 11.9.2. The observations oppose the proposal on traffic and transportation grounds, with issues raised in respect of access, traffic hazard, public safety, congestion in the road network, lack of pedestrian and cycling infrastructure, and adverse impacts from construction traffic. I further identify issues of internal layout, compliance with the national guidelines, and parking provision as being relevant considerations. I propose to address each substantive issue in turn.

Access

- 11.9.3. The application site comprises a series of fields and the primary access into the site is via an agricultural laneway from Bracklin Road, bound on either side by two detached residences. With regard to the proposed access arrangements, the scheme is served by one main entrance for vehicular, cyclist and pedestrian access located in the southeast corner of the site connecting via a priority T junction to the existing Bracklin Park Link Road. The link road connects the Bracklin Park residential estate to Bracklin Road and is taken in charge by the local authority. In the northeast corner of the site, two detached houses are sited to front onto Bracklin Road with direct vehicular access onto same. Construction traffic is proposed to use the main access via the Bracklin Park Link Road for Phase 1, and the northeast corner access to Bracklin Road for Phases 2-5.
- 11.9.4. While I acknowledge observers' concerns regarding the accesses (inconvenience to Bracklin Park estate with priority T junction connection with the Bracklin Park Link Road, safety concerns in relation to the accesses via the northeast corner), I have reviewed the applicant's documents and note the range of information provided. This includes on access options (availability, performance, suitability), analysis of the accesses (sightline availability, engineering conditions, junction design and capacity), safety assessments (recommendations for accesses (e.g. Problems 3 and 7) from the road safety audit are incorporated into the proposed design), and proposed improvements (amendments to grass verges, provision of signage,

footpaths and lighting at Bracklin Park Link Road, and setting back of the stonewall boundary along the roadside edge in northeast corner).

- 11.9.5. In the CE Report, I note that the planning authority does not object to the proposed access arrangements, at either the construction or operation phases of the development (a letter of consent to undertake the improvements to the Bracklin Park Link Road is included with the application). I concur with the positions of the applicant and planning authority, and consider the proposed access arrangements to be appropriate, suitable and to safely serve the scheme without causing undue impact on the receiving area.

Internal Layout

- 11.9.6. The internal layout of the scheme comprises a hierarchy of streets, with cycle lanes, and pedestrian pathways. From the new entrance with the Bracklin Park Link Road, a primary road extends through the scheme parallel to the eastern boundary, from which three secondary streets branch off, two extending in a southwesterly direction forming a loop and one at the north of the site in a T cul-de-sac formation. As outlined in detail in section 11.4 above, I have considered the internal layout of the scheme with regard to urban design and public realm, and on balance find the layout to be acceptable.
- 11.9.7. With regard to the internal layout and traffic requirements, I note the contents of the applicant's DMURS Compliance Report which indicates the achievement of required sightline distances, the design standards for junctions, road widths, corner radii, paths, the provision of road markings and signage, and turning areas with swept path analysis provided. Further, I note recommendations for improving the internal layout (e.g. Problems 1, 4, 5, and 8) from the road safety audit are incorporated into the proposed design.
- 11.9.8. In assessing the proposed development, I have had regard to both the general and more specific requirements in the DMURS. DMURS recommends four key design principles and overall, I consider the scheme achieves these principles through its road design (avoid wide straight carriageways to slow traffic), street hierarchy (for legibility and improved experiences) with building lines close to footpaths (for streetscape creation), use of shared surfaces (for users' safety), and inclusion of overlooked and enclosed public spaces. More specifically, I find the proposed layout

to be of a design (primary road is narrow and curving with shorter secondary streets branching off, with shared surfaces, pedestrian crossings at grade, and at junctions with pedestrian priority), of a width (carriageway widths of 5m, and swept path analysis confirm streets are sufficient to allow larger vehicles to manoeuvre), and of a standard (dimensions of parking bays, footpaths, junction size, visibility splays) that accord with the requirements of the DMURS.

11.9.9. Finally, of note to a consideration of the layout of the scheme and transportation issues, as outlined in section 11.3 above, I recommend that Houses 1 and 2 are omitted and replaced with a childcare facility to be provided with a set-down/ drop off area. I consider the area occupied by these two proposed houses to be the optimum location in the scheme for the facility due to the road layout, design of the internal junctions, raised crossings, footpath, and cycle path conditions, and the convenient and accessible located proximate to the main entrance.

Parking

11.9.10. In respect of parking, the proposal includes for a total of 162 car spaces (100 spaces for the houses (each house has 2 in-curtilage spaces), and 62 communal spaces for the duplex units). For bicycle parking, each house has side access to the rear and room for 1 in-curtilage space, while 150 cycle spaces are provided for the duplex units and visitors in several stands predominantly located in purpose-built cycle storage facilities between the duplex blocks and also in external stands in the open space areas. I note that the car and cycle parking provision comply with the requirements specified in CDP DMS 16.124 and Table 16.1 and DMS16.136 and Table 16.2 respectively.

Traffic Impact

11.9.11. The applicant's TTA estimates the traffic generation associated with the proposed development (44 trips in the AM peak, and 48 trips in the PM peak using the main entrance) and assesses the impact of the proposal on the receiving transportation network (through assessing capacity at the Bracklin Road junction) For a future operation year of 2038, the junction is assessed to be operating well within capacity with minimal queuing times and the proposal is predicted to not adversely impacting on the surrounding roads network.

11.9.12. The Mobility Management Plan (MMP) considers modes of transport, car and bicycle parking provision, and specific measures namely a MMP Co-Ordinator, likely employed by the management company, with a range of responsibilities from information sharing on public transport options to negotiating with transport service providers. I also consider that other operation phase impacts identified in the TTA or referred to by observers will be lessened through the implementation of the Mobility Management Plan.

11.9.13. The application includes a CEMP for the construction phase of the proposal. The CEMP outlines the traffic management strategy for the proposal. This includes information on the route (from the N4 traffic will use the Ballymahon Road, Pound Street to Church Street route to Bracklin Road to avoid construction traffic on Main Street in the town centre), deliveries, parking, and measures to minimise construction vehicles movements. I consider finalised details on and to address impacts arising from the construction traffic can be addressed by condition.

Conclusion

11.9.14. In conclusion, while I note the concerns of the observers, I consider the information submitted by the applicant including the measures incorporated into the design of the scheme, in particular the specific improvements to the Bracklin Park Link Road, the road and safety provisions included for in the TTA, the strategy outlined in the Mobility Management Plan, and the recommended conditions from the planning authority (Condition 8 (several design requirements and standards for roads, footpaths cycle infrastructure), Condition 9 (implementation of the MMP), Conditions 10 and 11 (nature of car parking provision) will address the concerns. In summary, I am satisfied that the proposed development is of a nature and scale that can be accommodated the site without causing a traffic hazard or being injurious to the amenities of the receiving area.

11.10. Water Services and Utilities

11.10.1. The application is accompanied by a number of documents relevant to water services and utilities. These include the Civil Engineering Report, Wastewater Supporting Report, Irish Water Confirmation of Feasibility, Irish Water Statement of Design Acceptance, and a Site Specific Flood Risk Review (SSFRA).

11.10.2. The existing conditions of the receiving environment are outlined, including the presence of the water supply (available public watermains in the Bracklin Road served by the Lough Forbes Water Treatment Plant), wastewater services (available public foul sewer system in Abhainn Glas estate, Irish Water has completed upgrade works in recent years increasing capacity in the Edgeworthstown Wastewater Treatment Plant), and surface water services (presently lands drain through ditches in a southwesterly direction across the site into the public surface water system in Abhainn Glas estate, which in turn discharges to the Black River).

Water Supply and Wastewater Drainage

11.10.3. With regard to site services managed by Irish Water, the proposed development seeks to connect into existing water and wastewater infrastructure in the area. For water supply, the proposal connects into the existing watermains located along Bracklin Road to the east of the site. The wastewater drainage system is located in the Abhainn Glas estate to the southwest of the site. The applicant has indicated a wayleave across two fields allowing connection of the proposed development to the public drainage system (legal correspondence confirming same is included with the application). Wastewater will be collected at the site and discharged by gravity into the existing drainage system and to the Edgeworthstown WWTP for treatment and subsequent discharge under licence to the Black River.

11.10.4. Several observers and the elected members in the CE Report state the existing potable water and wastewater drainage systems are under strain and at capacity, has resulted in other necessary developments in the town (a medical centre and a small number of dwellings) being refused permission, and raise concerns in relation to the ability of Edgeworthstown WWTP to manage the additional load arising from the proposal. I note that restricted wastewater capacity in the town has been an issue in the previous planning history at the site (cited as a refusal reason for development under PL.14.243139, PA Ref. 13/179, and as a reason for development at the site being premature in the SHD pre-application consultation ABP 306260-19).

11.10.5. In considering the issue, I have had regard to the applicant's engineering reports, the position of the planning authority in the CE Report (public systems have capacity and conditions recommended), the content of Irish Water's Confirmation of

Feasibility and Statement of Design Acceptance, and requirements in the Irish Water submission on the application. In respect of wastewater drainage, Irish Water indicates that upgrade works were completed in 2020 to the wastewater system allowing for increased treatment capacity for c.100 dwellings, which should be delivered on a phased basis of c. 20 dwellings units per year for 5 years. Irish Water's confirmation of feasibility and statement of design acceptance for same, accompany the application which confirm that connections to the systems are available without infrastructure upgrades. In its submission on the application, Irish Water requests the attachment of standard conditions. Accordingly, I am satisfied that previous capacity constraints in the system have been overcome and the proposed development is acceptable in relation to wastewater and also water infrastructure.

Surface Water Management

- 11.10.6. As outlined above, at present the site drains in a southwesterly direction and surface water is discharged to the public system in the Abhainn Glas estate. The surface water management strategy for surface water draining through the site (and dependant on the phased delivery of the scheme) will be to channel the flow at the nearest point it enters the site to the main field boundary/ drainage ditch which extends through along the centre and west of the site. This flow will remain unattenuated and unfiltered and continue to be discharged to the existing public drainage system in the Abhainn Glas estate.
- 11.10.7. For the surface water associated with the construction and operation phases of the proposed development, the site is divided into two catchments, firstly a smaller catchment comprising the eastern/ southeastern located Phases 1 and 3, and secondly a larger catchment comprising the northern, western and southwestern located Phases 2, 4, and 5. Surface water will be collected and stored in one of three attenuation tanks in open space areas linked to the catchments (one in the smaller catchment, and two in the larger catchment), and discharged at greenfield rates to either the existing surface water drain in Bracklin Park Link Road/ Bracklin Road (smaller catchment) or (in addition to the surface water flow which will continue though the site) the existing drainage system located in the Abhainn Glas estate to the southwest of the site (larger catchment).

- 11.10.8. In similarity with connection to the wastewater system, the applicant has a wayleave across lands to the southwest of the site allowing connection of the proposed development to the public surface water drainage system. The proposed surface water management strategy involves the cleaning (via suitable oil and silt interceptors), filtration, attenuation (cleaned surface water will be piped from an attenuation tank), and discharge at a controlled rate (via a hydrobrake) of surface water from the site into the existing public surface water system.
- 11.10.9. In addition to the attenuation infrastructure outlined above, the design of the proposal incorporates several SuDS measures (tree pits, permeable paving, filter drains, petrol/ oil interceptor). I note and concur with the position of the planning authority in the CE Report (proposals are acceptable and conditions recommended).

Flood Risk Assessment

- 11.10.10. A SSFRA has been submitted with the application, which indicates the site lies c.325m north of the Black River, that the area was included in a Preliminary Flood Risk Assessment (PFRA, a national screening exercise), and is covered by the Shannon CFRAM study area. The two latter reports indicate the locations of flood plains associated with the Black River to the south of the site, the SSFRA confirms that the site is not subject to fluvial or pluvial flooding, that the site is located in a Flood Zone C and described as having a low flood risk. All residential development is accordingly located within the Flood Zone C area.
- 11.10.11. Some observations refer to incidences of historic flooding and the potential for flooding occurrences at the main entrance to the site and along the northern entrance. However, no evidence of same has been provided and I note the position of the planning authority in the CE Report (notes a SSFRA has been prepared, the site is in Flood Zone C, the proposal complies with the guidelines and conditions recommended), and I too am satisfied that the risk of flooding at the site has been demonstrated as being low, and that the development of the site for residential purposes in the manner proposed is acceptable.

Utilities

- 11.10.12. With regard to waste, a Construction Waste and By-Product Management Plan accompanies the application and describes how waste generated from the site

during construction, including demolition waste arising from the agricultural structure on site. An Operational Waste Management Plan is provided which indicates that once operational, each private house will be provided with three bins in-curtilage and waste management for the duplex units will be the responsibility of a management company, with collection intended to be through an appointed waste contractor.

Conclusion

11.10.13. In conclusion, I am satisfied the applicant has demonstrated authority to access and connect to water services infrastructure, that the issue of flood risk at the site and to the proposal has been addressed in the submitted SSFRA, and that the proposed development can be serviced adequately and safely. As such, should the Board be minded to grant permission, appropriate and necessary conditions would suffice.

11.11. Chief Executive Report

11.11.1. As relevant to the headings above, I have referred to the planning authority's position expressed in the CE Report. Overall, I highlight that the planning authority accepts the appropriateness of the site's development for residential purposes, finds the scheme to be of an acceptable density, design, layout and building height, can be suitably serviced in terms of water infrastructure capacity, and safely accessed in terms of pedestrian, cycle, and vehicular arrangements.

11.11.2. With regard to the previous refusal of permission at the site, while this is identified in the planning history section of the CE Report, the planning authority does not expressly refer to or analyse the refusal reasons (i.e. the restricted wastewater capacity and inadequately designed open space). I note that the Elected Members question the availability of wastewater treatment capacity to serve the proposed development. The CE Report refers to the Irish Water upgrade works undertaken to date and the corresponding documentation which confirms there is capacity in the system for servicing dwelling units on a phased basis. As outlined in section 11.10 above, I consider this to be acceptable.

11.11.3. Other concerns raised include the northern interface with the cottage and the protection of amenities during the construction phase, and I have addressed these items under sections 11.8 and 11.6 respectively of my assessment above and find

the interface to be acceptable, and the construction phase impacts to be within acceptable parameters that can be addressed by condition.

- 11.11.4. The recommendation of the planning authority is to grant permission subject to 25 conditions. I have reviewed the conditions and consider them to be standard in nature and generally acceptable, with several requiring final agreement with the planning authority, complying with the standards, or meeting the requirements of the planning authority.

12.0 Environmental Impact Assessment

12.1. Preliminary Examination for Environmental Impact Assessment

- 12.1.1. An Environmental Impact Assessment (EIA) screening report was not submitted with the application.
- 12.1.2. 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 2ha in the case of a business district, 10ha in the case of other parts of a built-up area and 20ha 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.)
- 12.1.3. It is proposed to construct 100 dwellings units, which is well below the mandatory threshold of 500 dwelling units noted above. The site has an overall area of 3.75ha and is located within an existing built-up area but not in a business district. The site area is therefore similarly well below the applicable threshold of 10ha.
- 12.1.4. The site is located within Edgeworthstown’s urban boundary, c.1km northwest of the town centre, adjacent to established residential development. The introduction of a residential development will not have an adverse impact in environmental terms on surrounding land uses. The site is greenfield in nature, comprising agricultural fields with field boundaries made up of drainage ditches, treelines, and hedgerows. The

majority of the site comprises two types of grassland habitats, improved agricultural grassland and wet grasslands, both common in the receiving area.

- 12.1.5. The site is not under any wildlife, nature conservation, landscape, cultural (archaeological or architectural) heritage designation. The site contains no habitats of significant biodiversity value, no rare or protected plant species, and no protected mammal species save for two protected bat species, common pipistrelles and soprano pipistrelles. While the presence of bats using the field boundaries for commuting and foraging activity is recorded, there is no evidence of bat roosts or trees which would be suitable as potential roosts. The proposed development has incorporated measures to minimise the impact on bats (overall design approach, buildings and infrastructure sited to minimise removal of hedgerow habitats), and mitigation measures are proposed to ameliorate the effects of habitat loss and species disturbance. With the implementation of the mitigation measures, it is considered that there will be no impact on bat populations in the area.
- 12.1.6. The site has no key ecological receptors and no evidence of habitats or species with links to European sites. There are hydrological connections between the project and European sites downstream of the application site. These are surface water and wastewater pathways associated with the Black River located to the southeast of the site. However, these are indirect, weak, and at significant separation distances and, as is concluded in the screening determination for appropriate assessment in section 13.0 of this report, the proposed development is not likely to have a significant effect on any European site.
- 12.1.7. The proposed development would not give rise to waste, pollution, nuisances or traffic generation levels that would differ from those arising from other residential development in the receiving area. Nor would the proposed development give rise to a risk of major accidents or risks to human health. The application site is not within a flood plain or flood zone and the proposed development would not be at flood risk. The proposed development would use the public water and drainage services of Irish Water and Longford County Council, within which there is available capacity and upon which its effects would be marginal.
- 12.1.8. Having regard to: -

- The nature and scale of the proposed development, which is under the mandatory threshold in respect of Class 10(b)(iv) Infrastructure Projects of the Planning and Development Regulations 2001 as amended;
- The location of the site on lands that are zoned for 'New Residential' and 'Strategic Residential Reserve' uses under the provisions of the Longford County Development Plan 2021-2027, and the results of the strategic environmental assessment of Longford County Development Plan 2021-2027, undertaken in accordance with the SEA Directive (2001/42/EC);
- The location of the site within the existing built-up urban area, which is served by public infrastructure, and the existing pattern of residential development in the vicinity;
- The location of the site outside of any sensitive location specified in article 299C of the Planning and Development Regulations 2001, as amended and the mitigation measures proposed to ensure no connectivity to any sensitive location;
- The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage, and Local Government, 2003; and
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 as amended;

Based on a preliminary examination of the nature, scale, and location of the development, as outlined above, I have concluded that there is no real likelihood of significant effects on the environment arising from the proposed development. Accordingly, I have concluded that the need for an environmental impact assessment and the submission of an Environmental Impact Assessment Report for the proposed development is not required.

13.0 **Appropriate Assessment**

13.1. **Compliance with Article 6(3) of the EU Habitats Directive**

- 13.1.1. The requirements of Article 6(3) of the EU Habitats Directive as relate to screening the need for appropriate assessment of a project under section 177U, part XAB of

the Planning and Development Act 2000, as amended, are considered fully in this section.

13.2. Background on the Application

13.2.1. The applicant submitted an Appropriate Assessment screening report with the application. The screening report is supported by a range of relevant reports to which I have had regard. Key among these include the following:

- Ecological Impact Assessment;
- Arboricultural Assessment;
- Landscape Design Report;
- Civil Engineering Report;
- Wastewater Report – Supporting Document;
- Site Specific Flood Risk Assessment (SSFRA);
- Construction Environmental Management Plan (CEMP); and
- Construction Waste and By-Product Management Plan (CWBPMP).

13.2.2. The applicant's screening report provides a description of the proposed development, the characteristics of the site, and identifies 12 European sites (also referred to as Natura 2000 sites) that fall within the precautionary 15km radius from the proposed development. Of these European sites, only four are identified as having connections to the application site, which are hydrological connections associated with the Black River and the European sites are located downstream of the project. These are Glen Lough SPA, Lough Iron SPA, and Lough Ree SPA and SAC.

13.2.3. While the Black River does not flow through the site, the river is located to the south of the site and the identified hydrological connections are a surface water drainage pathway and wastewater drainage pathway. Surface water and wastewater drainage arising from the project will discharge from the site to the existing public drainage systems which in turn will discharge to the Black River (surface water c.300m to the south of the site, wastewater following treatment at Edgeworthstown WWTP). The Black River flows in proximity to the northeast of Glen Lough SPA (c.8km downstream to the southeast of the site (note: applicant's distances are

downstream distances, i.e. the length of the river)), into Lough Iron SPA (c.14km to the southeast of the site) where it connects with the Inny River. The Inny River continues to flow, turning in a southwesterly direction, to Lough Ree SAC and Lough Ree SPA (c.48km southwest of the site).

- 13.2.4. The screening report refers to water quality sampling undertaken by the EPA from 2020. The Black River is found to be of 'moderate' Q3-4 status prior to it flowing in proximity to the northeast of Glen Lough SPA before improving to 'good' Q4 status prior to discharging into Lough Iron SPA where it intersects with the Inny River, and the Inny River remains at 'good' Q4 status prior to discharging to Lough Ree SPA and SAC.
- 13.2.5. Despite the presence of the hydrological pathways, the connections are described as indirect, weak and involving downstream separation distances that are significant in ecological terms. The potential for significant effects on the connected European sites is therefore determined not to be likely. This is due to the following reasons:
- A construction phase pollution event involving contaminants, such as silt from site clearance and other construction activities, would undergo dilution and settling out over the significant separation distances;
 - All operation phase surface water runoff and wastewater will be contained onsite and discharged to the urban drainage systems, with wastewater treated at Edgeworthstown WWTP; and
 - All extant developments are similarly served by urban drainage systems including the WWTP and have been screened out for appropriate assessment.
- 13.2.6. Overall, the screening report concludes that *'In view of best scientific knowledge and on the basis of objective information... the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives'*.
- 13.2.7. Having reviewed the screening report and the other relevant reports, I am satisfied that the information allows for a complete examination and identification of any

potential significant effects of the development, alone, or in combination with other plans and projects on European sites.

13.3. Screening for Appropriate Assessment

13.3.1. The first test of Article 6(3) is to establish if the project could result in likely significant effects to a European site. This is considered Stage 1 of the appropriate assessment process, that being, screening. The screening stage is intended to be a preliminary examination. If the possibility of significant effects cannot be excluded on the basis of objective information, without extensive investigation or the application of mitigation, a plan or project should be considered to have a likely significant effect and appropriate assessment carried out.

13.3.2. The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s).

13.3.3. The project is examined in relation to any possible interaction with European sites designated SACs and/ or SPAs to assess whether it may give rise to significant effects on any European Site.

13.4. Brief Description of Development

13.4.1. The project is located in the townlands of Bracklon and Edgeworthstown, c.1km northwest of Edgeworthstown centre. The site comprises a series of agricultural fields separated by field boundaries which comprise drainage ditches, treelines, and hedgerows. The majority of the site comprises two types of grasslands, improved agricultural and wet grasslands. The site drains via drainage ditches in the northern, central and western field boundaries.

13.4.2. The proposed development comprises the following the key elements:

- demolition of an agricultural building and site clearance works;
- construction of residential scheme comprising 100 dwellings units with surface level car and cycle parking and refuse areas;
- felling of one tree, partial removal of hedgerows, and relocating of front boundary wall along Bracklin Road;

- soft and hard landscaped open spaces with new and supplemented boundary treatments;
- new piped connections into existing public surface water drainage, wastewater drainage, and watermains infrastructure; and
- all other site development works.

13.4.3. From the Ecological Impact Assessment (same author), the site is described as not being under any wildlife or conservation designation. The site survey recorded no rare or protected plant species, no protected mammal species save for bats, and no habitats of significant biodiversity value. The presence of two protected bat species using the site for commuting and foraging activity is recorded but no evidence of roosts or potential roosts. The site is determined to have no key ecological receptors and no evidence of habitats or species with links to European sites.

13.4.4. Taking account of the characteristics of the proposed development in terms of the site's features, location and scale of works, the following are considered for examination in terms of implications for likely significant effects on European sites:

- Construction phase related surface water pollution; and
- Operation phase related surface water and wastewater pollution.

13.5. **Submissions and Observations**

13.5.1. In the CE Report, the planning authority notes the applicant's screening report for appropriate assessment and states the Board is the competent authority for determining same. The CE Report recommends permission be granted for the project with conditions, several relating to surface water management.

13.5.2. Submissions have been received from two prescribed bodies in respect of ecological and water services items. Firstly, the Development Applications Unit of the Department of Housing, Local Government, and Heritage comments on nature conservation and makes general recommendations such as the use of nature-based surface water management to reduce stormwater flooding and pollution events, and secondly Irish Water indicates there is sufficient capacity within the Edgeworthstown WWTP to cater for wastewater from the proposal and recommends standard conditions for connection agreements and compliance with codes and practices.

13.5.3. While the adverse impact on the natural environment, bat populations, and loss of biodiversity at the site are raised by observers, the appropriate assessment of the proposed development was not raised specifically as an issue.

13.6. European Sites

13.6.1. The site is not located in or immediately adjacent to a European site. As outlined above, the applicant’s screening report identifies 12 European sites within a precautionary 15km radius from the site. I have reviewed the information provided in the screening report, which includes a table containing details of each of the 12 European sites and conclusions of potential impacts based on the principle of source-pathway-receptor. The screening report excludes further consideration of 8 European sites due to the absence of any hydrological or ecological connection to the application site. This is a position with which I concur and I also conclude that as these have no hydrological or ecological connection to or with the project there is no possibility of any effect on the sites’ conservation objectives.

13.6.2. Hydrological pathways associated with the Black River are identified between the proposed development and European sites downstream of the site. These include (listed in order of proximity as measured from closest physical points):

- Glen Lough SPA (site code: 004045) is located c.6km to the southeast;
- Lough Iron SPA (site code: 004046) is located c.12km to the southeast;
- Lough Ree SPA (site code: 004064) is located c.22km to the southwest; and
- Lough Ree SAC (site code: 000440) is located c.22km to the southwest.

13.6.3. Therefore, I am satisfied that the European sites to be screened are these four sites that have hydrological connections (surface water and wastewater) to the project via the Black River. A summary of these European sites including their conservation objectives, qualifying interests, the distance from the project, and whether there is a connection (source-pathway-receptor) are presented in Table 3 below.

Table 3: Summary of Screening Matrix

European Site Code/ Conservation Objective	Qualifying Interests/ Special Conservation Interests	Distance from Site/ Connection (source,	Likely Significant Effect	Screening Conclusion
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		pathway, receptor)		
<p><u>Glen Lough SPA</u> (site code: 004045)</p> <p>To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<p>Whooper Swan (Cygnus cygnus) [A038]</p>	<p>c.6km</p> <p>Hydrological connections (at the construction and/ or operation phases) between the project (source) via the surface water drainage network and/ or the wastewater drainage network discharging to the Black River (pathways) and connecting to the European site (receptor).</p>	<p>None arising due to the nature of the project, the indirect nature of the hydrological pathways, the notable separation distances between the project and the European site, and/ or the reasons for their designation (i.e. the nature of the conservation objective(s) and qualifying interest(s)).</p>	<p>Screened out for need for AA</p>
<p><u>Lough Iron SPA</u> (side code: 004046)</p> <p>To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA; and</p> <p>To maintain or restore the favourable conservation condition of the wetland habitat at Lough Iron SPA as a resource for the regularly occurring migratory waterbirds that utilise it.</p>	<p>Whooper Swan (Cygnus cygnus) [A038]</p> <p>Wigeon (Anas penelope) [A050]</p> <p>Teal (Anas crecca) [A052]</p> <p>Shoveler (Anas clypeata) [A056]</p> <p>Coot (Fulica atra) [A125]</p> <p>Golden Plover (Pluvialis apricaria) [A140]</p> <p>Greenland White-fronted Goose (Anser albifrons flavirostris) [A395]</p> <p>Wetland and Waterbirds [A999]</p>	<p>c.12km</p> <p>Hydrological connections (at the construction and/ or operation phases) between the project (source) via the surface water drainage network and/ or the wastewater drainage network discharging to the Black River (pathways) and connecting to the European site (receptor).</p>	<p>None arising due to the nature of the project, the indirect nature of the hydrological pathways, the notable separation distances between the project and the European site, and/ or the reasons for their designation (i.e. the nature of the conservation objective(s) and qualifying interest(s)).</p>	<p>Screened out for need for AA</p>
<p><u>Lough Ree SPA</u> (site code: 004064)</p>	<p>Little Grebe (Tachybaptus ruficollis) [A004]</p>	<p>c.22km</p> <p>Hydrological connections (at the</p>	<p>None arising due to the nature of the project, the indirect nature of</p>	<p>Screened out for need for AA</p>

<p>To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA; and</p> <p>To maintain or restore the favourable conservation condition of the wetland habitat at Lough Ree SPA as a resource for the regularly occurring migratory waterbirds that utilise it.</p>	<p>Whooper Swan (<i>Cygnus cygnus</i>) [A038]</p> <p>Wigeon (<i>Anas penelope</i>) [A050]</p> <p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Mallard (<i>Anas platyrhynchos</i>) [A053]</p> <p>Shoveler (<i>Anas clypeata</i>) [A056]</p> <p>Tufted Duck (<i>Aythya fuligula</i>) [A061]</p> <p>Common Scoter (<i>Melanitta nigra</i>) [A065]</p> <p>Goldeneye (<i>Bucephala clangula</i>) [A067]</p> <p>Coot (<i>Fulica atra</i>) [A125]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p> <p>Wetland and Waterbirds [A999]</p>	<p>construction and/or operation phases) between the project (source) via the surface water drainage network and/ or the wastewater drainage network discharging to the Black River (pathways) and connecting to the European site (receptor).</p>	<p>the hydrological pathways, the notable separation distances between the project and the European site, and/ or the reasons for their designation (i.e. the nature of the conservation objective(s) and qualifying interest(s)).</p>	
<p>Lough Ree SAC (site code 000440)</p> <p>To restore the favourable conservation condition of Natural eutrophic lakes, Semi-natural dry grasslands and scrubland facies, Degraded raised bogs, and Bog</p>	<p>Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (*)</p>	<p>c.22km</p> <p>Hydrological connections (at the construction and/or operation phases) between the project (source) via the surface water drainage network and/ or the wastewater drainage network discharging to the</p>	<p>None arising due to the nature of the project, the indirect nature of the hydrological pathways, the notable separation distances between the project and the European site, and/ or the reasons for their designation (i.e.</p>	<p>Screened out for need for AA</p>

<p>woodland in Lough Ree SAC; and To maintain the favourable conservation condition of Alkaline fens, Limestone pavements, and Otter in Lough Ree SAC.</p>	<p>important orchid sites [6210] Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] Alkaline fens [7230] Limestone pavements [8240] Bog woodland [91D0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] <i>Lutra lutra</i> (Otter) [1355]</p>	<p>Black River (pathways) and connecting to the European site (receptor).</p>	<p>the nature of the conservation objective(s) and qualifying interest(s)).</p>	
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13.7. Identification of Likely Effects

- 13.7.1. As outlined above, the site does not have any habitats that are associated with species or habitats for which SPAs or SACs are designated. Therefore, it is due to construction phase and/ or operation phase related surface water and wastewater pollution that implications for likely significant effects on European sites may arise. The possibility of likely significant effects on the conservation objectives and qualifying interests of the four European sites is also presented in Table 3 above.
- 13.7.2. During the construction and operation phases of the development, I consider that there will be no significant effects to the SPAs and/ or SAC downstream of the project connected via the Black River from pollution or contamination. This is due to several factors including:
- the nature of the project (site development works will be managed and controlled in accordance with the CEMP and CWBPMP, phased duration of site development works, installation of new piped connections into the

appropriate public drainage systems which have sufficient capacity, incorporation of attenuation and SuDS measures in the design of the project, including for a climate change allowance);

- the indirect nature of the hydrological pathways (the Black River does not directly flow through the site, surface water will be cleaned, filtered, attenuated and discharged to the public system then to the Black River, wastewater will be collected and drained by gravity to Edgeworthstown WWTP for treatment under licence then to the Black River, as such a pollution incident at the site or associated with the project would be diluted by the time of entering the vicinity of/ the respective European site, and further diluted through connection with other watercourse and waterbodies (eg. the Comogue River flows to Glen Lough and intersects with the Black River northeast of Glen Lough SPA, and Black River is a tributary of Inny River which flows to Lough Ree SPA and SAC); and/ or
- the notable separation distances involved (a pollution incident at the project would be imperceptible at the respective European site, in particular, Lough Ree SAC and SPA, a physical distance of 22km and a downstream distance of 48km). There is no real risk that pollutants could reach the European sites in sufficient concentrations to have any likely significant effects on their conservation objectives.

13.7.3. Except for the indirect hydrological connections outlined above, there is no pathway for loss or disturbance of species or habitats associated with the qualifying interests of these European sites. The site is too far from the protected bird roosting areas of SPAs within the precautionary 15km radius and the site itself does not contain any habitats suitable for roosting or foraging birds associated with SPAs. The project is not likely to affect any amenity use at the European sites due to the location of the development and the separation distances involved. While the construction and operational phases of the project will result in additional noise, vibration, and air particles due to the significant separation distances to the European sites these are not likely significant environmental effects.

13.7.4. In respect of potential for in-combination impacts, from a review of the planning register, I note that there have been limited developments permitted in the vicinity of

the site, and those that have been subject to surface water drainage and wastewater treatment requirements through planning conditions. I also note that a Natura Impact Report has been prepared for the Longford County Development Plan 2021-2027 which required surface water and wastewater protection measures to be incorporated into CDP policy/ objectives. In any event, as it is considered that no likely significant effects will arise from the proposed development, therefore, by association, significant effects will not arise as a result of any in-combination effects with these individual planning applications or plans.

13.8. Mitigation Measures

13.8.1. No measures designed or intended to avoid or reduce any potentially harmful effects of the project on a European site have been relied upon in this screening.

13.9. Screening Determination

13.9.1. The project was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out screening for appropriate assessment of the project, it has been concluded that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on the European sites listed in Table 3 in view of the sites' conservation objectives and qualifying interests, and that a Stage 2 appropriate assessment, and submission of a Natura Impact Statement, is not required.

14.0 Recommendation

Following from the above assessment, I recommend that permission is GRANTED for the development as proposed due to the following reasons and considerations, and subject to the conditions set out below.

15.0 Reasons and Considerations

15.1. Having regard to

- a) policies and objectives set out in the National Planning Framework and the Regional Spatial and Economic Strategy for the Eastern and Midland Region,
- b) policies and objectives set out in the Longford County Development Plan 2021-2027,

- c) Rebuilding Ireland Action Plan for Housing and Homelessness, 2016,
- d) Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009, accompanied by the Urban Design Manual: A Best Practice Guide, 2009,
- e) Urban Development and Building Heights, Guidelines for Planning Authorities, 2018,
- f) Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments, 2022,
- g) Childcare Facilities, Guidelines for Planning Authorities, 2001,
- h) Design Manual for Urban Roads and Streets, 2013, as updated,
- i) Planning System and Flood Risk Management, Guidelines for Planning Authorities, 2009,
- j) the nature, scale, and design of the proposed development,
- k) the availability in the area of a range of social, community, and transport infrastructure,
- l) the pattern of existing and permitted development in the area,
- m) the planning history of the site and within the area,
- n) the submissions received from observers and prescribed bodies,
- o) the report of the Chief Executive of Longford County Council, and
- p) the report and recommendation of the Inspector including the examination, analysis and evaluation undertaken in relation to screenings for appropriate assessment and environmental impact assessment,

it is considered that the proposed development would constitute an acceptable quantum and density of residential development at this location, would be acceptable in terms of urban design and building height, would not seriously injure the residential or visual amenities of the area, would not cause serious pollution or be prejudicial to public health, would not cause serious injury to biodiversity or cultural heritage, and would be acceptable in terms of pedestrian and traffic safety and

convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

16.0 Recommended Draft Order

Planning and Development Act 2000 as amended

Planning Authority: Longford County Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with the plans and particulars lodged with An Bord Pleanála on the 13th day of April 2022 by Cunningham Design and Planning on behalf of John McCarthy.

Proposed Development

The proposed development will consist of:

- 1) The demolition of an existing livestock shelter on the site,
- 2) The construction of a residential development of 100 no. dwellings (50 no. houses and 50 no. duplex apartments) comprising 24 no. three bedroom houses, 24 no. four bedroom houses, and 2 no. five bedroom houses; and 25 no. two bedroom and 25 no. three bedroom duplex apartments in 5 no. three storey buildings,
- 3) Vehicular and pedestrian access (including construction access) from Bracklin Road and from a new junction off the Bracklin Park Link Road and the provision of 162 no. car parking spaces and 150 no. bicycle parking spaces,
- 4) The provision of c. 0.5 hectares of public open space and communal open space for the duplex apartments,
- 5) The provision of surface water attenuation measures and underground attenuation systems and connections to water supply and foul drainage infrastructure, and
- 6) All other associated works required to facilitate the proposed development including the regrading/reprofiling of site where required (including import/export of soil as required), the provision of hard and soft landscaping

and boundary treatments (including public lighting), footpath / public lighting / roadworks / landscaping on the Bracklin Park Link Road, single storey bicycle/bin stores, an estate management store and an ESB substation.

Decision

Grant permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

In coming to its decision, the Board had regard to the following:

- a) policies and objectives set out in the National Planning Framework and the Regional Spatial and Economic Strategy for the Eastern and Midland Region,
- b) policies and objectives set out in the Longford County Development Plan 2021-2027,
- c) Rebuilding Ireland Action Plan for Housing and Homelessness, 2016,
- d) Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009, accompanied by the Urban Design Manual: A Best Practice Guide, 2009,
- e) Urban Development and Building Heights, Guidelines for Planning Authorities, 2018,
- f) Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments, 2022,
- g) Childcare Facilities, Guidelines for Planning Authorities, 2001,
- h) Design Manual for Urban Roads and Streets, 2013, as updated,

- i) Planning System and Flood Risk Management, Guidelines for Planning Authorities, 2009,
- j) the nature, scale, and design of the proposed development,
- k) the availability in the area of a range of social, community, and transport infrastructure,
- l) the pattern of existing and permitted development in the area,
- m) the planning history of the site and within the area,
- n) the submissions received from observers and prescribed bodies,
- o) the report of the Chief Executive of Longford County Council, and
- p) the report and recommendation of the Inspector including the examination, analysis and evaluation undertaken in relation to screenings for appropriate assessment and environmental impact assessment.

Environmental Impact Assessment

The Board completed a preliminary examination in relation to the requirement for an Environmental Impact Assessment, taking into account the nature and scale of the proposed development, the location of the site on zoned and serviced lands within an existing built-up area, and outside of any sensitive and/ or designated location, the existing pattern of residential development in the vicinity, and the criteria set out in Schedule 7 of the Planning and Development Regulations 2001 as amended. In completing the preliminary examination, the Board adopted the report of the Inspector and concluded that there is no real likelihood of significant effects on the environment arising from the proposed development, and that the need for an environmental impact assessment and the submission of an Environmental Impact Assessment Report for the proposed development is not required.

Appropriate Assessment

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development, the information for screening for Appropriate Assessment submitted with the application, the Inspector's Report, and submissions on the application. In completing the

screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other developments in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives and qualifying interests of such sites, and that a Stage 2 Appropriate Assessment and submission of a Natura Impact Statement is not required.

Conclusion on Proper Planning and Sustainable Development

The Board considered that, subject to the conditions set out below, the proposed development would constitute an acceptable quantum and density of residential development, would be acceptable in terms of urban design and building height, would not seriously injure the residential or visual amenities of the area, would not cause serious pollution or be prejudicial to public health, would not cause serious injury to biodiversity or cultural heritage, and would be acceptable in terms of pedestrian and traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

17.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior to commencement of development or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Permission is hereby granted for 98 residential units comprising 48 houses and 50 duplex units.</p>

	<p>Reason: In the interest of clarity.</p>
3.	<p>The proposed development shall be amended as follows:</p> <p>(a) House numbers 1 and 2 and associated in-curtilage parking spaces shall be omitted and replaced with a childcare facility in accordance with condition number 3(b) below.</p> <p>(b) Within twelve months of the date of this Order, a separate planning application shall be lodged to the planning authority for a childcare facility on that part of the site thereby released. Allowance can be made, as necessary, for on-street parking and/or set- down area to the front of the childcare facility within the part of the site thereby released.</p> <p>Reason: In the interests of proper planning and residential amenities of the area.</p>
4.	<p>Mitigation and monitoring measures outlined in the plans and particulars, including the Ecological Impact Assessment, Bat Assessment, and Arboricultural Assessment submitted with this application, shall be carried out in full, except where otherwise required by conditions attached to this permission.</p> <p>Prior to the commencement of development, the developer shall submit a comprehensive list of mitigation measures and a corresponding timeline/ schedule for implementation of same to the planning authority for its written agreement.</p> <p>Reason: In the interest of protecting the environment, public health, and clarity.</p>
5.	<p>The development shall be carried out in a phased manner in accordance with the Phasing Masterplan Layout, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: To ensure the timely provision of amenities and infrastructure for future residents.</p>

6.	<p>Details of the materials, colours, and textures of all the external finishes to the proposed buildings shall be as submitted with the application, unless otherwise agreed in writing with the planning authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of visual amenity.</p>
7.	<p>Proposals for an estate/ street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.</p> <p>Reason: In the interest of urban legibility.</p>
8.	<p>Public lighting shall be provided in accordance with a scheme, which shall be approved of, with written certification provided by, a suitably qualified bat specialist, and include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/ installation of lighting. The agreed lighting system shall be fully implemented and operational, before the proposed development is made available for occupation.</p> <p>Reason: In the interests of amenity and public safety.</p>
9.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.</p> <p>Reason: In the interests of visual and residential amenity.</p>
10.	<p>The internal road network serving the proposed development, including carriageway widths, corner radii, turning bays, junctions, parking areas, footpaths and kerbs, and cycle lanes shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in the Design Manual for Urban Roads and</p>

	<p>Streets and the National Cycle Manual issued by the National Transport Authority. Pedestrian crossing facilities shall be provided in suitable locations to be agreed with the planning authority. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of sustainable transportation.</p>
11.	<p>a) The car parking spaces for communal/ visitor use hereby permitted shall be assigned permanently for the residential development and shall be reserved solely for that purpose.</p> <p>b) Prior to the occupation of the development, a parking management plan shall be prepared for the development and shall be submitted to and agreed in writing with the planning authority. This plan shall indicate how car parking spaces within the development shall be assigned, segregated, and continually managed.</p> <p>Reason: To ensure that adequate parking facilities are permanently available to serve the residential development.</p>
12.	<p>A total of 150 cycle parking spaces shall be provided within the site. Details of the layout, marking demarcation and security provisions for these spaces shall be as submitted to An Bord Pleanála with this application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.</p>
13.	<p>A minimum of 10% of all car parking spaces shall be provided with functioning electric vehicle charging stations/ points, and ducting shall be provided for all remaining car parking spaces, facilitating the installation of electric vehicle charging points/ stations at a later date. Where proposals relating to the installation of electric vehicle ducting and charging stations/ points have not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed</p>

	<p>in writing with the planning authority prior to the occupation of the development.</p> <p>Reason: To provide for and/ or future proof the development such as would facilitate the use of electric vehicles.</p>
14.	<p>Prior to the opening/ occupation of the development, a Mobility Management Plan shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking, and carpooling by residents/ occupants/ staff employed in the development and to reduce and regulate the extent of parking. The mobility strategy shall be prepared and implemented by the management company for all units within the development.</p> <p>Reason: In the interest of encouraging the use of sustainable modes of transport.</p>
15.	<p>a) The areas of public open space shown on the lodged plans shall be reserved for such use and shall be levelled, contoured, soiled, seeded, and landscaped in accordance with the Landscape Design Report and associated landscape plans submitted to An Bord Pleanála with this application, unless otherwise agreed in writing with the planning authority.</p> <p>b) All areas of open space shall have a defined function be it for active, passive and/ or visual/ screening amenity, and which shall be agreed in writing with the planning authority.</p> <p>c) This work shall be completed before any of the dwelling units are made available for occupation and shall be maintained as public open space by the developer until taken in charge by the management company.</p> <p>Reason: In the interest of nature conservation, residential amenity, and to ensure the satisfactory development of the public open space areas and their continued use for this purpose.</p>

16.	<p>A schedule of landscape maintenance shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development. This schedule shall cover a period of at least three years and shall include details of the arrangements for its implementation.</p> <p>Reason: To provide for the satisfactory future maintenance of this development in the interest of visual amenity.</p>
17.	<p>a) All areas, including communal open spaces, hard and soft landscaping, car and cycle parking areas, access ways, communal refuse/ bin storage, not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company..</p> <p>b) Details of the management company contract, and drawings/ particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.</p> <p>Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.</p>
18.	<p>a) The applicant is required to engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the development site. No sub-surface developmental work, including geotechnical test pits, shall be undertaken until the archaeological assessment has been completed, submitted to, and commented on by the National Monuments Service of the Department of Housing, Local Government and Heritage.</p> <p>b) The archaeologist shall carry out any relevant documentary research and inspect the development site. As part of the assessment a programme of a geophysical survey to be followed by test excavation shall be carried out at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-</p>

	<p>2004), having consulted the site drawings and the National Monuments Service.</p> <p>c) Having completed the work, the archaeologist shall submit a written report stating their recommendations to the planning authority and to the National Monuments Service. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.</p> <p>Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.</p>
19.	<p>The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; b) Location of areas for construction site offices and staff facilities; c) Details of site security fencing and hoardings; d) Details of on-site car parking facilities for site workers during the course of construction; e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; f) Measures to obviate queuing of construction traffic on the adjoining road network; g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network; h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;

	<p>i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</p> <p>j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;</p> <p>k) Off-site disposal of construction/ demolition waste and details of how it is proposed to manage excavated soil;</p> <p>l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority.</p> <p>Reason: In the interest of amenities, public health, and safety.</p>
20.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
21.	<p>Construction and demolition waste shall be managed in accordance with a Construction Waste and Demolition Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery, and disposal of this</p>

	<p>material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.</p> <p>Reason: In the interest of sustainable waste management.</p>
22.	<p>a) An Operational Management Plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each dwelling unit shall be submitted to, and agreed in writing with, the planning authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.</p> <p>b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.</p> <p>Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.</p>
23.	<p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health and surface water management.</p>
24.	<p>a) The developer shall enter into water and/ or wastewater connection agreement(s) with Irish Water, prior to commencement of development.</p> <p>b) If any proposals by the developer to build over/ near or divert existing water or wastewater services subsequently occurs, the developer shall submit details to Irish Water for assessment of feasibility and have written confirmation of feasibility of diversion(s) from Irish Water prior to connection agreement.</p>

	<p>c) All development shall be carried out in compliance with Irish Water Standards codes and practices.</p> <p>Reason: In the interest of public health.</p>
25.	<p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.</p> <p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.</p>
26.	<p>All of the permitted house and duplex units in the development, when completed, shall be first occupied as a place of residence by individual purchasers who are not a corporate entity and/ or by persons who are eligible for the occupation of social or affordable housing, including cost rental housing. Prior to commencement of development, the applicant, or any person with an interest in the land shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect. Such an agreement must specify the number and location of each house or duplex unit.</p> <p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>
27.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or</p>

	<p>other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>
28.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has

influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Phillippa Joyce

Senior Planning Inspector

12th May 2023