



An  
Bord  
Pleanála

## Inspector's Report

### ABP-319260-24

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<b>Development</b>	Demolition of structures and construction of 42 dwellings with all associated site works
<b>Location</b>	Connaught Road, Longford, Co. Longford
<b>Planning Authority</b>	Longford County Council
<b>Planning Authority Reg. Ref.</b>	2360083
<b>Applicants</b>	AMC Developments Ltd
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellants</b>	Martin Stokes
<b>Date of Site Inspection</b>	1 <sup>st</sup> May 2024
<b>Inspector</b>	Dolores McCague

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## 1.0 Site Location and Description

- 1.1.1. The site is located along Connaught Road, in the centre of Longford town.
- 1.1.2. Connaught Road was formerly part of the Dublin / Westport road (N5) now replaced by the network of ring roads around the town.
- 1.1.3. The site extends from Connaught Road to Little Water Street to the north. Undeveloped land bounds the site to the east. To the west the site is bounded by a commercial property. Little Water Street and an unsurfaced laneway bound the site to the north.
- 1.1.4. The site fronts Connaught Road along two stretches, separated by adjoining residential properties.
- 1.1.5. A rectangular portion of land extending from Connaught Road to about two thirds the depth of the site, comprises two residential properties which the site extends around on three sides.
- 1.1.6. The site contains a number of derelict and vacant buildings, which the applicant intends to demolish.
- 1.1.7. The access to the site is shown running along the eastern boundary, with half of the proposed road within the site and half within the adjoining undeveloped lands. The proposed road runs in a straight line between Connaught Road and the parallel road, Little Water Street, to the north.
- 1.1.8. The River Camlin flows in a westerly direction about 200m north of the site and is linked to two Natura 2000 sites: Lough Forbes Complex SAC and Ballykenny-Fisherstown Bog SPA, downstream. Flooding of the Camlin River has been experienced as far as the site.
- 1.1.9. The applicant is stated as the owner, subject to planning permission; landowner consent is supplied.
- 1.1.10. The site is given as 2.067ha.

## **2.0 Proposed Development**

- 2.1.1. The proposed development is described as demolition of existing onsite derelict structures together with the proposed construction of a residential development of 42 no. dwelling houses consisting of 14 no. three bedroom, two storey, semi-detached type dwelling houses, 8 no. three bedroom, two storey, terraced type dwelling houses in two blocks of four units, 20 no. two bedroom, two storey, terraced type dwelling houses in five blocks of four units, proposed entrance from the proposed link road previously granted full planning permission under planning reference number PL17/148 & subsequent extension of duration of planning permission planning reference number PL21/192, internal access road, green open space, boundary fences/walls, proposed connections into the existing foul sewer, surface water & watermain networks of Longford Town and all ancillary works.
- 2.1.2. The proposed development would be higher than the existing ground level and would involve substantial importation of soil or other material.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. The Planning Authority decided to grant planning permission subject to 14 conditions, including:
- 1) Compliance with documents, etc submitted.
  - 2) Compliance with revised site layout plan - further information of the 15/12/2023 and the Phasing Plan submitted.
  - 3) Compliance with Design Statement submitted.
  - 4) Compliance with Construction Demolition and Environmental Management Plan and the Construction and Traffic Management Plan.
  - 5) Compliance with the Landscaping and Pollination Plan.
  - 6) Roads details.
  - 7) Water Services details.
  - 8) Surface water disposal:

(a) Existing road and land drainage shall not be impaired by the proposed development and all roadside works shall be designed and shaped or otherwise treated to ensure the uninterrupted flow of road surface water run-off.

(b) All surface water run-off from this development shall be collected and disposed of within the site to specifically designed soakpits/drains or adjacent water courses. In particular, no such water run-off shall be allowed to flow onto the public road or adjoining properties.

(c) Surface water attenuation systems shall be provided and constructed in accordance with the “Dublin Corporation Storm Water Management Policy Technical Guidelines” report.

(d) No development shall take place in the lands with constrained use zoning (flooding constraints).

(e) The development shall be implemented in accordance with the details contained in the submitted Flood Risk Assessment.

9) Re. cables etc.

10) Energy efficiency.

11) Naming.

12) Part V.

13) Bond.

14) Development charge.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

3.2.2. There are three planning reports on the file. The first dated 14/08/2023, recommending a further information request, which issued, includes:

- broadly consistent with the need for new residential development in Longford town and to provide compact growth within the immediate area.

- the design proposal as presented is deficient in respect of a number of specific matters.
- submission of a detailed Design Statement required.
- Appropriate Assessment required.
- justification for demolition and any environmental implications required.
- flood implications.
- The design and layout is considered substandard:
  - the linear positioning of residential units of a style absent of any notable merit, along a service road that severs all access to public open space. Multiple terraced units reliant on through-house access to rear gardens is not considered appropriate and is contrary to the Development Management Standard, DMS16.49.
  - the elevations are light on detail, Rain Water Goods (RWG) not drawn, no windows specification, etc. Furthermore, vehicular channel access between no. 40 and 41 is unsuitable. There is an inadequate number of house types, and no dual frontage proposed at exposed gable ends.
- landscape plans are inadequate.
- layout is considered to be deficient in respect of pedestrian permeability across and through the site and the design lacks cycleway provision across the subject site and further the development does not include any form of bicycle parking within the proposed site.

3.2.3. Further information recommended on 13 points:

- 1) Appropriate Assessment & EIA screening.
- 2) Detailed Design Statement
- 3) Transport Impact Assessment
- 4) Revise the site layout plans submitted and accurately show and define the site characteristics
- 5) Revised elevations

- 6) Revised design for the proposed development. The proposed development in a horseshoe layout is considered inadequate and there is an inadequate number of house types with no dual frontage proposed at the exposed gable ends
- 7) Pedestrian permeability
- 8) Flood implications
- 9) Landscape plan
- 10) Further to Roads Section internal report:
  - a) The site layout submitted for the proposed link road does not match the layout provided and agreed in planning application 15-222 and subsequently 17-148. The applicant shall submit a revised site layout matching the level of service for pedestrians and cyclists in the previously agreed layout. This layout should be updated to reflect changes in standards since this 2015.
  - b) The flood risk report provided with this application recommends a minimum level for access and egress routes of 41.7mOD. In the previous planning permission on this site (15-222) a level of 42.0mOD was generally proposed for road levels. The road levels indicated on this application are significantly above these levels at 43.0mOD to 43.3mOD. The applicant should be required to provide a justification for the road levels proposed and the significant fill operation necessary to achieve these proposed levels.
  - c) There will be a level difference of approx. 1.2m between Connaught Road and the portion of the site adjacent to houses 1 and 2. This will also be the case along a portion of the site boundary with the proposed link road. The applicant shall provide details (detailed layout and cross sections) of the boundary treatments proposed at this location to overcome the level differences. Particular attention should be paid in the vicinity of the vehicular turning bay area, car park spaces and footpath from the proposed link road junction with Connaught St to the development road at house no 2.

- d) The site layout submitted by the applicant does not provide adequate facilities for pedestrians within the proposed development or on the adjoining link road previously granted planning. The site layout should be revised to include crossing points on the pedestrian desire line at all junctions and any location where continuous footpath is not provided. Tactile paving shall be clearly shown at all locations where it is proposed to provide pedestrian crossing points.
- e) The drainage layout submitted under this application is significantly altered from the drainage design and layout agreed under planning permission 15-222 and subsequently 17-148. The applicant shall be required to provide a detailed storm drainage proposal (layout and design calculations) that covers the requirements for the full site previously granted permission under 15-222. This should include the drainage proposals for the link road and the retail site.
- f) The drainage layout provided does not include for the diversion of the 900mm town storm sewer which passes through the land in the ownership of the applicant, and which was agreed to be diverted to a location under the proposed link road in planning permission 15-222. The applicant shall be required to provide a revised site layout indicating their proposals for the diversion of the town sewer.
- g) Internal Road layout: The applicant shall be requested to submit a revised road layout plan detailing the following issues.
- The proposed road along houses 02 – 15, and 27 – 40 is relatively long and straight with no traffic calming elements to maintain low traffic speeds within the development. This section of road shall be redesigned to incorporate changes in the horizontal alignment to promote self-regulating speeds in the proposed development.
  - The site layout indicates that the junction at houses 40 & 41 is to be used as the proposed vehicular turning bay at the end of the development. This proposal is unacceptable;



➤ The proposed internal junctions, and access junctions to the proposed development shall be revised to include a raised table to facilitate the raised cycle track and footpath to cross the junction without a change in grade.

The Applicant to submit a Stage 1 Road Safety Audit.

The applicant should submit details of public lighting.

11)Details re. foul sewer and watermain; surface water; part M compliance; permeable paving; turning areas; part V agreement; ground conditions; foundation design; foundations crossing redundant Foul lines; confirm and agree proposed road levels and gradients. Housing standards to comply with Department Guidelines and Building Regulation.

12)re demolition.

13)ecology assessment.

3.2.4. Further information was requested on the 17/07/2023.

3.2.5. A further information response was received 15/12/2023.

### 3.3. Further Reports

3.3.1. The second planning report, 09/01/2024, refers to the detailed response was received from the Applicant stating satisfaction with most responses, but recommending requesting clarification of further information on two items based on Roads Section advice.

### 3.4. Clarification of Further Information

3.4.1. A clarification of further information request issued 15/01/2024:

1. The layout of the T-Junction on the main internal access road is not considered acceptable for the following reasons.

a. The speed limit in residential developments such as housing estates is 30km/h in accordance with the Department of Transport advice note on Slow Zones. The Design Manual for Urban Roads and Streets (DMURS) required a minimum

horizontal curvature (i.e. corner on a road that vehicles are permitted to negotiate without having to give way to other traffic) of 26m radius on a road with a design speed of 30km/h. The applicant has proposed a 6m radius for the horizontal curvature through this junction, which does not comply with DMURS. The applicant is now required to submit a revised site layout plan which complies fully with the requirements of DMURS, particularly in line with the horizontal curvature (Refer to Section 4.4.6 and Table 4.3 and note that superelevation is not desirable in housing estates).

b. The side road approach to the main internal road does not approach the junction at 90-degree angle. There is also no deflection in the road alignment to encourage vehicles to come to a stop before negotiating the junction.

c. It is the opinion of Longford County Council Road Design section that the revisions to the layout of the junction does not adequately address the concerns raised by Traffic in their Stage 1 Road Safety Audit report. The corner radii of the internal access junction should be restricted to 3.0 metres in accordance with DMURS.

The applicant is requested to submit a revised site layout addressing the above.

2. The applicant is requested to prepare and sign a pre-connection agreement with Uisce Éireann (Irish Water) and to address the following matters:

(a) The foul sewer diversion beginning at FMH 14 is to be redesigned to eliminate the 90- degree bends identified on the revised site plans and drawings.

(b) The applicant is to contact Uisce Éireann (Irish Water) in respect of the re-designed foul sewer.

(c) The foul sewer design and layout, including pipe gradients and pipe sizes, is to be redesigned to comply with Uisce Éireann (Irish Water) standards.

(d) The revised design and drawings are to be presented and agreed with Uisce Éireann (Irish Water) as part of the pre-connection agreement.

3.4.2. A Response to the clarification of further information request was received on the 31/01/2024.

3.4.3. The third planning report, 19/02/2024, recommending permission, includes:

3.4.4. Design and site layout – the proposed development is generally in accordance with current design principles and guidance.

3.4.5. Residential amenity impacts – the land parcel and the proposed form of the design of the development around the two retained residential units is part of the land ownership and character of the site. It is envisaged that the demolition and clearance of the vacant/derelict commercial units will help to improve the local environment and the construction of the dwellings, new link road and public sewer infrastructure will all help to improve the local environment. It is essential that the residential amenities of the existing units is protected during the works and post development from overshadow and overlooking. These matters have been considered and the design amended to increase the separation distance, improve the boundary treatments and increase the drainage in this area.

Wastewater and Water Supply – the proposed development includes a new public sewer diversion as part of the overall development. Uisce Éireann have identified issues with the proposed layout and design, however it is considered that these matters can be resolved during the pre-connection stage/submission and design reviews by the sewer diversion team at UE.

Roads – the proposed development includes a new through and link road from Connaught Road. The proposed internal road connection has been substantially revised and modified taking on-board the comments and suggestions from the Roads Section. The overall scheme and project including the new link road will assist with improving access through town and providing strategic access for other development sites to enable regeneration.

Flooding and surface water attenuation – the developer submitted a Flood Risk Assessment and subsequent revised plans have been submitted in respect of the site layout. The applicant has confirmed the size of the attenuation tanks and that no development/works are proposed in the constrained zoned lands sections of the site.

3.4.6. Other Technical Reports

3.4.7. Housing Services – 09/08/2023 - further information.

3.4.8. Housing Services – 08/02/2024 Site Layout Plan - Confirm current ground conditions of the site. Will additional measures be required in foundation design? Houses - Confirm the proposed plans for Type A1, A2, A3, B1 and B2 are compliant with Part M of the Building Regulations. Confirm that the required 750 x 1200mm wheelchair

clear space is clear of the W.C door when closed (i.e. compliance with Diagram 36 (Option A) of Part M of the current Building Regulations).

3.4.9. Road Design - 15th August 2023 - recommending further information.

3.4.10. Road Design 5th January 2024 - recommending clarification of further information.

3.4.11. Road Design 1st February 2024 - recommending conditions.

### 3.5. **Prescribed Bodies**

3.5.1. None received.

### 3.6. **Third Party Observations**

3.6.1. Third party observations on the file have been read and noted.

## 4.0 **Planning History**

**PL15-221** Planning Permission granted to Ruby Way Ltd (25/08/2016) for a mixed use retail/commercial development. The proposed development will consist of 1 no. two storey café/coffee shop unit with ancillary staff areas (364 sq.m. GFA); 1 no. two storey restaurant/takeaway (including drive thru take-away) (317 sq.m. GFA); 1 no. two storey building (445 sq.m. GFA) comprising 1 no. retail unit at ground floor level (224 sq.m. GFA) and 1 no. retail unit at first floor level (221 sq.m. GFA); signage; bin storage; 55 no. carparking spaces and 18 no. bicycle parking spaces; lighting and all associated landscaping, boundary treatment, engineering and site development works necessary to facilitate the development including the demolition of all existing buildings and structures on the site and the provision of 1 no. new distributor road, cycle lane and footpath that will connect the site with Connaught Road to the south and Little Water Street to the north. This comprised Units 2, 3 and 4 of an overall masterplan area. PL21-191 Extension of Duration of PL15-221 granted to Ruby Way Ltd – expires 24/08/2026.

**PL14.247105, PA Reg Ref 15/222** the appeal was against decision of PA to grant permission for demolition of structures and buildings, construction of a single storey discount retail unit with off-licence, new distributor road and all associated works;

granted by the Board. This comprised Unit 1 of an overall masterplan area; it expires 19/12/2026.

**PL15-223** Planning permission granted to Ruby Way Ltd. for a single storey retail and commercial unit, including retail area, coffee shop, off-licence, deli area, forecourt, fuel pumps, car wash and associated signage, tanks, car parking etc. This comprised Unit 8 of an overall masterplan area. PL21-190 - Extension of Duration of PL15-223 granted to Ruby Way Ltd – expires 24/08/2026.

**PL15-224** Planning Permission granted to Ruby Way Ltd (25/08/2016) for a retail/commercial development consisting of: 1 no. single storey car sales showroom with ancillary service area and staff area (481 sq. m GFA); 1 no. single storey car repair/service unit with ancillary retail area and staff areas (392 sq. m. GFA); 1 no single storey tyre and exhaust repair/sales unit (392 sq. m GFA); bin storage areas, signage on the proposed buildings; provision of 62 no. surface car parking spaces; and all associated landscaping, boundary treatment, lighting, engineering and site development works necessary to facilitate the development including the provision of 1 no. new distributor road, cycle lane and footpath that will connect the site with Connaught Road to the south and Little Water Street to the north at the former Longford Creamery site. This comprised Units 5 & 6 of an overall masterplan area. PL21-189 Extension of Duration of PL15-224 granted to Ruby Way Ltd – expires 24/08/2024.

**PL22-242** – Withdrawn application by AMC Developments Ltd for the proposed demolition of existing onsite derelict structures together with the proposed construction of a residential development of 42 no. dwelling houses consisting of 14 no. three bedroom two storey semidetached type dwelling houses, 8 no. three bedroom two storey terraced type dwelling houses in two blocks of four units, 20 no. two bedroom two storey terraced type dwelling houses in five block of four units. Proposed link road previously granted full planning permission under planning reference number PL17/148 & subsequent extension of duration of planning permission planning reference number PL21/192. Internal access road, green open space, boundary fence/walls, proposed connections into the existing foul sewer, surface water and watermains networks of Longford Town and all ancillary works.

**PL68.218750; Reg. Ref. 06/21** - Planning permission was granted for a three storey shopping centre comprising an anchor store and 14 retail units (total GFA of 16,433

sq m) with a link road between Connaught Road and Little Water Street. This permission was not implemented and expired in 2012.

South-West:

**PL02- 700007** Permission granted to Lakeland Dairies 09/05/2002, for the erection of a new facade and to include a traditional shop front to premises and alterations to entrance to include removal of part of steel fence and wall to front and side of premises and the creation of a customers car park.

**PL98-702093** Permission granted to Lakeland Dairies for the erection of a new animal feed store at the rear of existing hardware store.

## 5.0 Policy Context

### 5.1. Development Plan

- 5.1.1. The Longford County Development Plan (CDP) 2021-2027 is the operative plan. Relevant provisions include:

Climate mitigation measures set out in table 3.1, include:

promote building of energy efficient homes/higher density, appropriate to demographics and with greatest infrastructure provision to respond to climate change.

For residential densities, at 4.14.7 the plan states: higher densities are applied to the Key Town of Longford Town (35-40 units per hectare),

DMS16.17 Encourage a density of 35-40 units/ha in Longford town centre as identified in Chapter 4: Core, Settlement and Housing Strategies of this Plan table 4.14.

Development Management Standards – Overlooking - The Council in assessing development proposals will consider the following criteria:

DMS16.32, A minimum distance of 22 metres of separation between directly opposing rear windows at first floor in the case of detached, semi-detached, terraced units shall generally be observed.

DMS16.33 A separation distance of 35 metres will normally be required in the case of overlooking living room windows and balconies at upper floors.

DMS16.51, DMS16.52 and DMS16.53 relate to boundary treatments.

Regeneration Areas – It is the County Policy Objective (CPO 6.55 to 6.61) that - masterplans will be prepared in consultation with the community and also with relevant statutory bodies where large areas of land are to be developed.

DMS.16.5 – 16.9 - Require all developments to adequately address the 12 no. best practice principles as indicated in the Urban Design of the Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (DoECLG, 2009) and to comply with the provisions and application of the Design Manual for Urban Roads and Streets (DMURS) for new development.

Two zonings apply to the site.

The majority of the site is zoned Town Core: To provide for the development and enhancement of town core uses including retail, residential, commercial, civic and other uses.

The purpose of this zoning is to protect and enhance the special character of the town centre and to provide for and improve retailing, residential, commercial, cultural and other uses appropriate to the centre of Longford. This zoning provides for the consolidated development and growth of the town centre, allowing for a broad range of compatible and complementary uses which will be encouraged to locate in this area. Development will be expected to contribute to a dynamic, vibrant and pedestrian focused town core with a strong urban design approach. The Council will encourage the appropriate re-use, adaptation and regeneration of buildings, backlands, derelict and obsolete lands including residential development above retail and commercial premises in the town centre.

Development carried out under this zoning should have regard to the mix of uses of the zoning, and, in particular, shall have regard to the retail policy for the County. Developers should be cognisant of the high profile locations of this zoning and design, wherein siting and materials should be chosen accordingly. All development in this regard will be subject to sequential test.

It is envisioned that much of the proposed retail/commercial development in the town would take place in the existing commercial core, revitalising the centre of Longford and include provision for car parking.

A small portion is zoned Constrained Land Use: To facilitate the appropriate management and sustainable use of flood risk areas.

5.2. Strategic Flood Risk Assessment for the Longford County Development Plan 2021-2027, appendix 2 to the CDP.

5.2.1. Longford Town has a history of flooding, in its centre and up and downstream. The town is drained by the Camlin and a number of tributaries. Available flood risk indicators generally reflect the topography, source of risk and flood paths observed. The Flood Risk Management Plan for the Shannon Upper and Lower proposes specific flood risk management measures for Longford Town.

5.3. **Sustainable and Compact Settlements | Guidelines for Planning Authorities, 2024**

Section 3.3 relates density to settlement and area type.

3.3.3 refers to Key Towns and Large Towns (5,000+ population).

The key priorities for the growth of Key Towns and Large Towns in order of priority are to:

- plan for an integrated and connected settlement overall, avoiding the displacement of development generated by economic drivers in the Key Town or Large Town to smaller towns and villages and rural areas in the hinterland,
- strengthen town centres,
- protect, restore and enhance historic fabric, character, amenity, natural heritage, biodiversity and environmental quality,
- realise opportunities for adaptation and reuse of existing buildings and for incremental backland, brownfield and infill development, and
- deliver sequential and sustainable urban extension at locations that are closest to the urban core and are integrated into, or can be integrated into, the existing built up footprint of the settlement.



Table 3.5 – sets out Density Ranges Key Towns and Large Towns (5,000+ population)

Key Town / Large Town - Centre and Urban Neighbourhood - The centre comprises the town centre and the surrounding streets, while urban neighbourhoods consist of the early phases of residential development around the centre that have evolved over time to include a greater range of land uses. It is a policy and objective of these Guidelines that residential densities in the range 40 dph-100 dph (net) shall generally be applied in the centres and urban neighbourhoods.

Separation distances are identified as having contributed to the low density, built form which has characterised suburban housing design since the early 20th century. The need for change in this area, in order to achieve higher density, is addressed in SPPR 1.

#### SPPR 1 - Separation Distances

It is a specific planning policy requirement of these Guidelines that statutory development plans shall not include an objective in respect of minimum separation distances that exceed 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level. When considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. Separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.

#### SPPR 3 refers to Car Parking

In accessible locations, defined in Chapter 3 (Table 3.8) car- parking provision should be substantially reduced. The maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 1.5 no. spaces per dwelling.

#### SPPR 4 refers to Cycle Parking and Storage

It is a specific planning policy requirement of these Guidelines that all new housing schemes (including mixed-use schemes that include housing) include safe and secure cycle storage facilities to meet the needs of residents and visitors.

(ii) Design – cycle storage facilities should be provided in a dedicated facility of permanent construction.

#### **5.4. Natural Heritage Designations**

5.4.1. The Natura sites nearest the site are Lough Forbes Complex SAC and Ballykenny-Fisherstown Bog SPA, site code 004101, located c4.5km, straight line distance at the closest point, to the west of the subject site, and hydrologically linked thereto via the River Camlin, about 200m to the north.

#### **5.5. EIA Screening**

5.5.1. An EIAR Screening determination is attached as appendix 3 to this report.

### **6.0 The Appeal**

#### **6.1. Grounds of Appeal**

6.1.1. Mr Martin Stokes, Saint Paul's, Richmond Street, has appealed the decision to grant permission.

6.1.2. The grounds are stated as:

- Invasion of privacy and loss of value.
- Loss of use of their garden, for himself, his wife and his son.
- Potential structural damage to their property during construction.
- His garden is susceptible to flooding and the proposed development is to be built on a higher level than his property which will cause an overflow of water from rainfall to travel into his garden.

6.1.3. Enclosed with the grounds is the submission to the Planning Authority which includes:

- The proposed development of two-storey units would enable residents to have full view of his home and garden and eliminate privacy.
- The area is already densely populated – the area has been subject to residential development which has caused a change in the nature of the local area.

## 6.2. Applicant Response

6.2.1. The applicant did not respond, within the allocated time, to the grounds of appeal.

## 6.3. Planning Authority Response

6.3.1. The Planning Authority did not respond to the grounds of appeal.

## 7.0 Assessment

7.1.1. I consider that the main issues which arise in relation to this appeal are: appropriate assessment, the principle of the development, density / compact settlement guidelines, flood risk, and residential amenity and the following assessment is dealt with under those headings.

## 7.2. Appropriate Assessment

7.2.1. In accordance with obligations under the Habitats Directives and implementing legislation, to take into consideration the possible effects a project may have, either on its own or in combination with other plans and projects, on a Natura 2000 site, there is a requirement on the Board, as the competent authority in this case, to consider the possible nature conservation implications of the proposed development on the Natura 2000 network, before making a decision.

### Screening for Appropriate Assessment & Appropriate Assessment Stage 2

7.2.2. An Appropriate Assessment Screening Report and a Natura Impact Statement accompanied the application. Appendix 2 to this report details my assessment under this heading.

## 7.3. Appropriate Assessment Conclusion

7.3.1. Having reviewed the documents, submissions etc, I am satisfied that the information allows for a complete assessment of any adverse effects of the development, on the conservation objectives of the following European sites alone, or in combination with other plans and projects:

Lough Forbes Complex SAC site code 001818, and

Ballykenny-Fisherstown Bog SPA, site code 004101.

The proposed development of 42 no. dwelling houses and public open space has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended.

Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on Lough Forbes Complex SAC.

Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of that site in light of its conservation objectives.

Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European site 004101, or any other European site, in view of the site's Conservation Objectives.

This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and ecological monitoring in relation to the Conservation Objectives of Lough Forbes Complex SAC, including the detailed proposals for the management of surface water during construction and operation.
- Detailed assessment of in combination effects with other plans and projects including historical projects, current proposals and future plans.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of Lough Forbes Complex SAC.

## 7.4. The Principle of the Development

- 7.4.1. The current Longford County Development Plan 2021-2027, applies.
- 7.4.2. The zoning 'town centre' is to provide for the development and enhancement of town core uses including retail, residential, commercial, civic and other uses. The purpose of the zoning is to protect and enhance the special character of the town centre and to provide for and improve retailing, residential, commercial, cultural and other uses appropriate to the centre of Longford. This zoning provides for the consolidated development and growth of the town centre, allowing for a broad range of compatible and complementary uses which will be encouraged to locate in this area. Development will be expected to contribute to a dynamic, vibrant and pedestrian focused town core with a strong urban design approach.
- 7.4.3. Development carried out under this zoning should have regard to the mix of uses of the zoning and the retail policy for the County. Much of the proposed retail / commercial development in the town is to take place in the existing commercial core, revitalising the centre of Longford.
- 7.4.4. The planning history of the site includes a mixture of retail uses and retail services in a campus style layout, permitted under various permissions in 2015, as referred to earlier in this report. These permissions, some of which have been extended, have not been implemented. Other locations may have been found within the extensive areas zoned industrial / commercial / warehousing in more peripheral areas within the development envelope of the town, for uses which might otherwise have occupied this town centre site.
- 7.4.5. The proposed development is for residential use only. While it would be preferable if development on this site incorporated a mixture of uses, particularly uses which give a town centre its vibrancy, in my opinion, in this case, the solely residential nature of the proposed development should not be a reason to refuse or modify the proposed development.
- 7.4.6. Development Management Standard DMS16.17 encourages a density of 35-40 units/ha in Longford town centre. The proposed development would be contrary to that standard.

## 7.5. Site Layout Density & Compact Settlement Guidelines

### 7.6. Density

7.6.1. Longford town had a 2016 population of 10,008 persons. The County Development Plan (DMS16.17) encourages a density of 35-40 units/ha in Longford town centre.

7.6.2. The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) outlines the densities required for such towns.

Key Town / Large Town - Centre and Urban Neighbourhood - The centre comprises the town centre and the surrounding streets, while urban neighbourhoods consist of the early phases of residential development around the centre that have evolved over time to include a greater range of land uses. It is a policy and objective of these Guidelines that residential densities in the range 40 dph-100 dph (net) shall generally be applied in the centres and urban neighbourhoods.

7.6.3. In this town centre site the minimum recommended density is 40 dwellings per hectare. Density was not considered in the PAs assessment. It is referred to in the applicant's report as 20 units per hectare (42 units on site of 2.067ha = 20.32 units per hectare), which is approximately half that required in the Guidelines, and significantly less than that encouraged in the development plan.

7.6.4. The layout indicates the provision of 11m rear garden depths, which, given the site dimensions, may have constrained the layout. SPPR 1 of the guidelines sets out separation distances, seeking to address the issue of overlooking distances constraining density. It states that statutory development plans shall not include an objective in respect of minimum separation distances that exceed 16 metres between opposing windows and that when considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. In my opinion the provision of 11m rear garden depths is unnecessary in this case.

7.6.5. Some of the proposed housing faces a laneway and undeveloped land to the north as well as warehousing on Little Water Street. A better outlook would be achieved for the proposed housing by providing housing on opposite sides of the access road.

7.6.6. In my opinion the proposed density is unacceptable and this is a reason to refuse permission.

#### 7.7. Site Layout

7.7.1. The road layout is based on access via a proposed road along the eastern boundary, located half within the site and half within the adjoining undeveloped lands. That proposed road, referred to as a permitted road, runs in a straight line between Connaught Road and a parallel road, Little Water Street, to the north. It is likely that there is some benefit to the overall traffic circulation in the town from the provision of such a road. However it is not apparent why the proposed development is to be entirely accessed from that, yet to be constructed, road. The configuration of the site, with two parcels of land, either side of the block of existing residential property, lends itself to direct access along the western portion of the site boundary.

7.7.2. As designed the layout does not adequately respond to the prominent location on Connaught Road, which is an important street in the town centre. The revised proposal, in response to the further information request, incorporates a footpath along the entire road frontage of the site and adjoining lands, which is welcome. In the context of an urban street, it is not apparent why it has not been possible to provide direct access to houses abutting such a footpath. The proposed development should present itself to the street, rather than withdrawing from the public thoroughfare. Were it intended to provide for a gated community, that would be unacceptable in this urban area.

7.7.3. I consider the failure to respond to the urban location and to properly address the street is a deficiency such as to require refusal of permission.

7.7.4. The shortfall in density and the deficient layout should be a reason to refuse permission.

#### 7.8. **Surface Water Impact on the Adjoining Properties**

7.9. In the grounds of appeal the appellant states his concern that his garden is susceptible to flooding and that the proposed development, to be built on a higher level than his property, will cause an overflow of water from rainfall to travel into his garden.

7.10. The further information response includes surface water drainage proposals which state:

‘To protect the neighbouring properties from potential surface water runoff it is proposed to construct an infiltration drain around the perimeter of the two houses located within the horse shoe which front onto Connaught Road. The infiltration drain is sized at 300mm x 500mm filled with clean pea gravel and wrapped in a geotextile membrane with a topsoil finish’.

7.11. The land in the area is relatively flat, however the ground at the existing residential properties is higher than the surrounding lands. It can be seen from contours on the layout map provided, that the 43m contour includes most of the land within the boundaries of the two existing residential properties and portions of the subject site, and that the land falls away north, south and west across the subject site.

7.12. The proposed development will be higher than existing ground level. Sections of the proposed road will be 2m or more above ground level. Finished floor levels of the proposed dwellings will similarly be higher than the existing ground level. Rear gardens levels are not specified, however, it seems likely that they will relate to finished floor levels. A finished floor level of 43.60m, for example, would likely be matched by an increase in the rear garden from the existing 41.96m level. It therefore appears likely that the site area surrounding the existing residences will be raised. The impact of surface water runoff from the proposed development is of some concern in these circumstances. What is of more concern however is that the existing surface water runoff regime, currently enjoyed by the properties, which allows water to flow away from the higher ground level of these properties, would be altered by changes to natural ground levels. This has not been adequately addressed in the application. In these circumstances the appellant’s concerns are valid.

7.13. In my opinion permission should not be granted in the absence of sufficient information to satisfy the Board that the proposed development would not impact adversely on the existing adjoining residential properties.



#### **7.14. Flood Risk**

7.14.1. The potential for flood risk impacting on the proposed development has been addressed in the documentation provided with the application. Flood risk to the proposed development should not be a reason to refuse or modify the proposed development.

#### **7.15. Residential Amenity**

7.15.1. The grounds of appeal refers to invasion of privacy, loss of use of their garden and loss of value. Overlooking and the unacceptability of the density is referred to in the attached submission, which were also submitted to the planning authority, wherein they state that the area is already densely populated and has been subject to residential development which has caused a change in the nature of the local area.

7.15.2. The land is zoned town centre and is a brownfield site, formerly a creamery. It has been disused and derelict for some time. Any development will bring change to the area. In my opinion the development of residential units to provide for the needs of the growing community, will bring beneficial change. There is no evidence that there would be any loss of value to the appellant's property. I do not accept that the development of these lands for low rise, medium density residential units would impact unduly on their privacy.

7.15.3. The grounds of appeal refers to the appellant's concern regarding potential structural damage to property during construction. While there is nothing to indicate that such damage is likely, the appellant's common law rights are not impacted by any planning permission which might issue, and such concerns could be dealt with by legal action, under legislation other than planning legislation.

### **8.0 Recommendation**

8.1.1. In accordance with the foregoing I recommend that the proposed development be refused, for the following reasons and considerations.

## 9.0 Reasons and Considerations

1 The Board is not satisfied that the proposed development would not create a risk of flooding within the adjoining residential properties which the site bounds on three sides, having regard to the existing ground levels, the proposed significant raising of surrounding ground, the increased risk of runoff from the subject site, and the obstruction of surface water runoff from these adjoining properties and this has not been adequately addressed in the proposal. The proposed development would accordingly be contrary to the proper planning and sustainable development of the area.

2 By inadequately addressing the street and by proposing an unacceptably low density of development, the proposed development does not respond satisfactorily to the town centre location, would be contrary to Development Management Standard DMS16.17 of the Longford County Development Plan 2021-2027 and the recommended density set out in Table 3.4 of the Sustainable and Compact Settlements, Guidelines for Planning Authorities, 2024; and would accordingly be contrary to the proper planning and sustainable development of the area.

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.

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Planning Inspector

14 May 2024

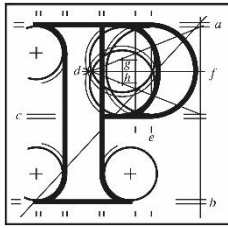
Appendix 1 Photographs

Appendix 2 Appropriate Assessment

Appendix 3 Environmental Impact Assessment Screening Determination

Appendix 4 Longford County Development Plan 2021-2027 extracts

Appendix 5 Sustainable and Compact Settlements Guidelines for Planning Authorities, 2024 extracts



An  
Bord  
Pleanála

## Appendix 2 to Inspector's Report

**ABP-319260-24**

### Appropriate Assessment

**Inspector**

Dolores McCague

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## 1.0 Introduction

- 1.1.1. In accordance with obligations under the Habitats Directives and implementing legislation, to take into consideration the possible effects a project may have, either on its own or in combination with other plans and projects, on a Natura 2000 site, there is a requirement on the Board, as the competent authority in this case, to consider the possible nature conservation implications of the proposed development on the Natura 2000 network, before making a decision.

## 2.0 Context of this Assessment in relation to the Main Report

- 2.1.1. This is an appendix to the Inspector's report and should be read in conjunction with the Inspector's report.

## 3.0 Screening for Appropriate Assessment

- 3.1.1. An Appropriate Assessment Screening Report and a Natura Impact Statement accompanied the application.

### **Description of the project**

The subject site is located at Connaught Road, Longford, Co. Longford about 200m south of the River Camlin, which flows in a westerly direction towards Lough Forbes Complex SAC (site code 001818) and Ballykenny-Fisherstown Bog SPA, (site code 004101), the nearest European Sites, located c4.34km, straight line distance to the north west and approximately 5.21km downstream of the subject site.

The proposed development comprises:

demolition of existing onsite derelict structures together with the proposed construction of a residential development of 42 no. dwelling houses consisting of 14 no. three bedroom, two storey, semi-detached type dwelling houses, 8 no. three bedroom, two storey, terraced type dwelling houses in two blocks of four units, 20 no. two bedroom, two storey, terraced type dwelling houses in five blocks of four

units, proposed entrance from the proposed link road previously granted full planning permission under planning reference number PL17/148 & subsequent extension of duration of planning permission planning reference number PL21/192, internal access road, green open space, boundary fences/walls, proposed connections into the existing foul sewer, surface water & watermain networks of Longford Town and all ancillary works.

The proposed development will involve significant infilling to raise existing ground levels.

**Potential impact mechanisms from the project are indirect impacts that could occur during construction and operation:**

- Surface water pollution from construction works resulting in changes to environmental conditions such as water quality.
- Surface water pollution from operation resulting in changes to environmental conditions such as water quality / habitat degradation.

**Step 3: European Sites at risk**

**Table 1 European Sites at risk from impacts of the proposed project**

<b>Effect mechanism</b>	<b>Impact pathway/Zone of influence</b>	<b>European Sites</b>	<b>Qualifying interest features at risk</b>
Deterioration in surface water quality.	Surface water	Lough Forbes Complex SAC	Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation; Active raised bogs Degraded raised bogs still capable of natural regeneration Depressions on peat substrates of the Rhynchosporion Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i>
		Ballykenny-Fisherstown Bog SPA	Greenland White-fronted Goose ( <i>Anser albifrons flavirostris</i> ) [

#### **Step 4: Likely significant effects on the European sites 'alone'**

Site specific conservation objectives have been developed for Lough Forbes Complex SAC which include:

To restore the favourable conservation condition of Natural eutrophic lakes with Magnopotamion or Hydrocharition-type vegetation which is defined by attributes and targets including:

Typical species present, in good condition, and demonstrating typical abundances and distribution

Restore maximum depth of vegetation, subject to natural processes

Maintain/restore appropriate Secchi transparency. There should be no decline in Secchi depth/transparency

Restore the concentration of nutrients in the water column to sufficiently low levels to support the habitat and its typical species

Maintain appropriate water quality to support the habitat, including good phytoplankton composition status

Maintain appropriate water and sediment pH, alkalinity and cation concentrations to support the habitat, subject to natural processes

Maintain appropriate turbidity to support the habitat

It is possible that the conservation objectives of the SAC, which are dependent on maintenance of water quantity and quality could be undermined by unmitigated impacts from construction and operation on surface water, arising from the effects of the project 'alone'.

SPA

Conservation objectives:

To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA: Greenland White-fronted Goose.

This species was formerly associated with Ballykenny-Fisherstown Bog, rather than the lake and is not a water dependent species.

I conclude that the proposed development would have a likely significant effect 'alone' on Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation of Lough Forbes Complex SAC, from effects associated with contaminated runoff during construction and operation. An appropriate assessment is required on the basis of the effects of the project 'alone'. Further assessment, in combination with other plans and projects, is not required at this time.

#### **Overall Conclusion- Screening Determination**

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information

I conclude that the proposed development is likely to have a significant effect on the qualifying features Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation of Lough Forbes Complex SAC; 'alone' in respect of effects on surface water arising from the project.

It is therefore determined that Appropriate Assessment (stage 2) is required on the basis of the effects of the project 'alone'.

#### **4.0 Appropriate Assessment (Stage 2).**

##### **4.1.1. Further to the foregoing assessment:**

The applicants NIS includes conclusions that having regard to the potential effects of the proposed development on the European sites:

Lough Forbes Complex SAC.

Proposed mitigation is set out in section 6 of the NIS and particularly references the use of a silt fence. These measures relate to the construction phase.

##### **4.1.2. Operational phase measures which will ensure that the proposed development will not have an adverse impact on the SAC include the detailed of construction of the sewers including the raising of manhole cover levels. The NIS states that all**

manholes on site are to be watertight to prevent any risk of pollution in the event of future flood risk.

4.1.3. Cumulative impacts are considered in the NIS, which concludes that there is no potential for significant cumulative and / or in-combination pollution disturbance, displacement or habitat loss effects and that the proposed development will have no adverse effects on any SSCO of Lough Forbes Complex SAC or Ballykenny-Fisherstown Bog SPA

4.1.4. Potential impact mechanisms from the project are indirect impacts on Lough Forbes Complex SAC that could occur during construction and operation:

- Surface water pollution from construction works resulting in changes to environmental conditions such as water quality.
- Surface water pollution from operation resulting in changes to environmental conditions such as water quality / habitat degradation.

4.1.5. These impacts could occur in combination with other developments in the area.

4.1.6. The River Camlin is 0.2km north of the site boundary. It flows north west for approximately 5.21km before discharging to Lough Forbes Complex SAC downstream.

## 4.2. Mitigation Measures

### Construction Phase

4.2.1. A suite of mitigation measures will be put in place to ensure that no contaminated waters containing silt, fuel, cementitious materials etc have the potential to enter the receiving waters, during the construction phase of the project. These measures are listed in the NIS section 6. Taken together these measures will ensure that there will be no adverse effects on water quality, or the conservation objectives of the European sites Lough Forbes Complex SAC arising from the construction of the proposed development.

### Operational Phase

4.2.2. A Sustainable Drainage System (SuDS) approach is proposed to stormwater management in the operational phase.



- 4.2.3. Although not proposed as mitigation, these measures will ensure that there will be no adverse effects on water quantity, or the conservation objectives of the European sites Lough Forbes Complex SAC arising from the operation of the proposed development.
- 4.2.4. The stormwater management in the operational phase will include petrol interceptors before attenuation. This will ensure that there will be no adverse effects on water quality arising from surface water, or the conservation objectives of the European site Lough Forbes Complex SAC from the operation of the proposed development.
- 4.2.5. Foul sewage will discharge to the existing foul sewer network. It is proposed to divert the existing foul sewer running through the site. All manholes on site are to be watertight to prevent any risk of pollution in the event of future flood risk.
- 4.2.6. The wastewater plant has capacity for the proposed discharge.

#### 4.3. Appropriate Assessment Conclusion

- 4.3.1. Having reviewed the documents, submissions and consultations, I am satisfied that the information allows for a complete assessment of any adverse effects of the development, on the conservation objectives of the following European sites alone, or in combination with other plans and projects:

##### Lough Forbes Complex SAC

The proposed development of residential units and public open space has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended.

Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on Lough Forbes Complex SAC. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of their conservation objectives.

Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European site 004101, or any other European site, in view of the site's Conservation Objectives.

This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.

This conclusion is based on:

A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and ecological monitoring in relation to the Conservation Objectives of Lough Forbes Complex SAC, including the detailed proposals for the management of surface water during construction and operation.

Detailed assessment of in combination effects with other plans and projects including historical projects, current proposals and future plans.

No reasonable scientific doubt as to the absence of adverse effects on the integrity of Lough Forbes Complex SAC.

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Planning Inspector

May 2024

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**Appendix 3-**  
**Form 1 EIA Pre-Screening**  
**&**  
**Screening Determination**

<b>An Bord Pleanála Case Reference</b>	319260		
<b>Proposed Development Summary</b>	Demolition of existing onsite derelict structures together with the proposed construction of a residential development of 42 no. dwelling houses		
<b>Development Address</b>	Connaught Road, Longford		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (that is involving construction works, demolition, or interventions in the natural surroundings)	<b>Yes</b>	/	
	<b>No</b>	No further action required	
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>			EIA Mandatory EIAR required
<b>No</b>	/		Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
<b>No</b>			No EIAR or Preliminary Examination required
<b>Yes</b>	/	Part 2,10. Infrastructure projects	Proceed to Q.4

		(b)(i) Construction of more than 500 dwelling units.  (b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.		
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<b>4. Has Schedule 7A information been submitted?</b>		
<b>No</b>		<b>Preliminary Examination required</b>
<b>Yes</b>	/	<b>Screening Determination required</b>

**Inspector:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## EIA – Screening Determination

A. CASE DETAILS		
<b>An Bord Pleanála Case Reference</b> <b>319260-24</b>		
<b>Development Summary</b>	Demolition of existing onsite derelict structures together with the proposed construction of a residential development of 42 no. dwelling houses at Connaught Road, Longford on a site of 2.067ha.	
	Yes / No / N/A	Comment (if relevant)
<b>1. Was a Screening Determination carried out by the PA?</b>	No	
<b>2. Has Schedule 7A information been submitted?</b>	Yes	
<b>3. Has an AA screening report or NIS been submitted?</b>		An Appropriate Assessment Screening Report and Natura Impact Statement were submitted with the application.
<b>5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA</b>		SEA and AA were undertaken in respect of the Longford County Development Plan 2021-2027
B. EXAMINATION	Where relevant, briefly describe the characteristics of impacts ( ie the nature and extent) and any Mitigation Measures proposed to avoid or prevent a significant effect  (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)	Is this likely to result in significant effects on the environment?

## EIA – Screening Determination

		Yes/ No/ Uncertain
<b>1. Characteristics of proposed development</b> (including demolition, construction, operation, or decommissioning)		
<b>1.1</b> Is the project significantly different in character or scale to the existing surrounding or environment?	The project is an urban development in a zoned urban area	<b>No</b>
<b>1.2</b> Will construction, operation, decommissioning or demolition works causing physical changes to the locality (topography, land use, waterbodies)?	The proposed residential development has been designed to address the need to re-route the sewer and to address flood risk. The issue of flood risk to adjoining property due to raising surrounding ground levels, referred to in the Inspector's report, is a local issue.	<b>Uncertain</b>
<b>1.3</b> Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Construction materials will be typical for an urban development of this nature and scale.	<b>No</b>
<b>1.4</b> Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Use of such materials would be typical for construction sites. Any impacts would be local and temporary in nature with the implementation of standard construction practice measures.	<b>No</b>
<b>1.5</b> Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Construction activities will require the use of potentially harmful materials, such as fuels and other similar substances and give rise to waste for disposal. The use of these materials would be typical for construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature, and with the implementation of the standard measures, the project would satisfactorily mitigate the	<b>No</b>

## EIA – Screening Determination

	potential impacts. Operational waste would be managed through a waste management plan to obviate potential environmental impacts. Other operational impacts in this regard are not anticipated to be significant.	
<b>1.6</b> Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	Operation of the standard measures will satisfactorily mitigate emissions from spillages during construction and operation. The operational development will connect to mains services and discharge surface waters only after passing through fuel interceptors and SUDS. Surface water drainage will be separate to foul services within the site.	<b>No</b>
<b>1.7</b> Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	There is potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised and short term in nature.	<b>No</b>
<b>1.8</b> Will there be any risks to human health, for example due to water contamination or air pollution?	Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of standard measures would satisfactorily address potential risks on human health. No significant operational impacts are anticipated for the piped water supplies in the area.	<b>No</b>
<b>1.9</b> Will there be any risk of major accidents that could affect human health or the environment?	No significant risk is predicted having regard to the nature and scale of the development. The demolition will involve removal of asbestos for which standard protocols apply.	<b>No</b>
<b>1.10</b> Will the project affect the social environment (population, employment)	Development of this site would result in an increase in population in this area. The development would provide housing that would serve towards meeting an anticipated demand in the area.	<b>No</b>
<b>1.11</b> Is the project part of a wider large scale change that could result in cumulative effects on the environment?	<b>No</b>	<b>No</b>

## EIA – Screening Determination

<b>2. Location of proposed development</b>		
<p><b>2.1</b> Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ul style="list-style-type: none"> <li>a) European site (SAC/ SPA/ pSAC/ pSPA)</li> <li>b) NHA/ pNHA</li> <li>c) Designated Nature Reserve</li> <li>d) Designated refuge for flora or fauna</li> <li>e) Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</li> </ul>	<p>The nearest European sites are listed in paragraph 5.4.1 of the Inspector’s report and other designated sites are referenced in the application AA Screening Report &amp; NIS. Protected habitats or habitat suitable for substantive habituating of the site by protected species were not found on site during ecological surveys. The proposed development would not result in significant impacts to any protected sites, including those downstream.</p>	<b>No</b>
<p><b>2.2</b> Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be significantly affected by the project?</p>	<p>The proposed development would not result in significant impacts to protected, important or sensitive species.</p>	<b>No</b>
<p><b>2.3</b> Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p>There is no evidence of archaeological features on the site</p>	<b>No</b>
<p><b>2.4</b> Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?</p>	<p>No such features are found in this brownfield-urban location.</p>	<b>No</b>
<p><b>2.5</b> Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?</p>	<p>The development will implement SUDS measures to control surface water run-off. The development would not increase risk of flooding downstream areas with surface water to discharge at greenfield runoff rates.</p>	<b>No</b>
<p><b>2.6</b> Is the location susceptible to subsidence, landslides or erosion?</p>	<p><b>No</b></p>	<b>No</b>
<p><b>2.7</b> Are there any key transport routes(eg National primary Roads) on or around the location which are susceptible to congestion or</p>	<p>The site is served by a local road network. There are sustainable transport options available for future residents.</p>	<b>No</b>



## EIA – Screening Determination

which cause environmental problems, which could be affected by the project?	No significant contribution to traffic congestion is anticipated to arise from the proposed development.	
<b>2.8</b> Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be significantly affected by the project?	The site is in close proximity to the town centre, no negative impact anticipated as a result of the proposal.	<b>No</b>
<b>3. Any other factors that should be considered which could lead to environmental impacts</b>		
<b>3.1 Cumulative Effects:</b> Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No existing or permitted developments have been identified in the immediate vicinity that would give rise to significant cumulative environmental effects with the subject project.	<b>No</b>
<b>3.2 Transboundary Effects:</b> Is the project likely to lead to transboundary effects?	<b>No</b>	<b>No</b>
<b>3.3</b> Are there any other relevant considerations?	<b>No</b>	<b>No</b>
<b>C. CONCLUSION</b>		
<b>No real likelihood of significant effects on the environment.</b>	Agreed <input type="checkbox"/>	EIA Not Required
<b>Real likelihood of significant effects on the environment.</b>	no <input type="checkbox"/>	[REDACTED]
<b>D. MAIN REASONS AND CONSIDERATIONS</b>		
<p>Having regard to:  the nature and scale of the proposed development; classes 10(b)(i), 10(b)(iv) and 14 of Part 2 to Schedule 5 of the Planning and Development Regulations 2001-2022; the location of the proposed residential units, on lands zoned within the Longford County Development Plan 2021-2027 as ‘town core’ with a stated objective ‘to provide for the development and enhancement of town core uses including retail, residential, commercial, civic and other uses’ and a</p>		

## EIA – Screening Determination

small portion zoned Constrained Land Use: to facilitate the appropriate management and sustainable use of flood risk areas (where no development is proposed); the results of the Strategic Environmental Assessment of the Development Plan; the nature of the existing site and the pattern of development in the surrounding area; the availability of mains water and wastewater services to serve the proposed development; the location of the development outside of any sensitive location specified in Article 299(C)(1)(a)(v) of the Planning and Development Regulations 2001, as revised; 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); the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as revised, and; the measures proposed by the applicant that are envisaged to avoid or prevent what might otherwise be significant effects on the environment;

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

Inspector \_\_\_\_\_

Date \_\_\_\_\_

Approved (DP/ADP) \_\_\_\_\_

Date \_\_\_\_\_