



An
Bord
Pleanála

Inspector's Report

ABP-319341-24

Development	98 residential units, creche, remote working hub and gym
Location	Clara Road, Tullamore, Co. Offaly
Planning Authority	Offaly County Council
Planning Authority Reg. Ref.	23259
Applicants	Tullamore Vita Stilo Ltd T/A Capital Homes.
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellants	Oliver McGlinchey & Noel Cooney Francis & Patricia Mollen Knockowen Road Residents Association Michael & Yvonne Bracken Arden Heights Residents Association
Date of Site Inspection	5 th July 2024
Inspector	Dolores McCague

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1.0 Site Location and Description

- 1.1.1. The site is located at Clara Road, Tullamore, Co. Offaly.
- 1.1.2. The site is part of a larger parcel of land between Clara Road, and Kilbeggan Road located on all sides to the rear of individual houses or residential estates. Residential development is currently underway on part of these lands.
- 1.1.3. The residential development under construction to the south is known as 'Redwood'. The subject site is an extension to that development and access is proposed via Redwood.
- 1.1.4. The established residential development to the south-east is known as 'Arden View'. The site bounds a corner of that development where the adjoining open space fronts a road. There is an eastwards extension to the main body of the site which is bounded to the east by a residential development recently constructed by the approved housing body Oaklee. That development is accessed via Arden View. The north eastern boundary adjoins an established residential development of single storey and 2 storey detached housing known as 'Arden Heights'. The access road in Arden Heights is a long straight road which extends to the site boundary. To the north the site bounds an established residential area known as Knockowen Road Estate. This is a development of individual detached houses, mostly bungalows. There are a couple of gap sites in this estate. One of the Knockowen roads extends to the site boundary. To the west the site bounds greenfield land, which is within the applicant's ownership and has been the subject of a recent refusal of planning permission, based on deficiencies in the site layout. This is described as phase 3 of the applicant's developments: Redwood being the first phase and the subject development being phase 2. Planning permission was previously granted for residential development on the entire lands. It is stated that this permission was not implemented due to the economic downturn. There is reference on file to a masterplan. This refers to various iterations of layouts for the overall development, requested by the planning authority (PA) in order to demonstrate how the individual developments (phases) might be integrated.

- 1.1.5. A combined trunk sewer runs through the site, from Clara Road at the south, to a roadway at Knockowen Road Estate. It is proposed to divert this sewer as part of the proposed development.
- 1.1.6. The site given as 3.46ha.

2.0 Proposed Development

- 2.1.1. The proposed development as described in the public notices comprises:
- (a) the construction of 98 no. dwellings (99 per response to Further Information (FI) request), comprising of 10 no. three-bedroom two storey semi-detached (type a), 12 no. four-bedroom two storey semi-detached (type b), 10 no. three-bedroom two storey end-terrace (type c), 10 no. three-bedroom two storey mid-terraced (type d), 20 no. 2-bed terrace (type j), 3 no. three-bedroom two storey semi-detached (type l), 3 no. three-bedroom two storey corner semi-detached (type m), 6 no. three-bedroom two storey corner end-terrace (type n), 16 no. three-bedroom two storey mid-terrace (type o), 8 no. 2-bed apartments (type p);
 - (b) provision of a creché facility, a remote working hub space and gym for residents incorporated as part of the residential apartment building;
 - (c) associated site development works including road access connection via adjoining redwood development, internal roads, paths, paving, parking, drainage, amenity space, landscaped public open space, street lighting and associated boundary treatments; and
 - (d) alterations and diversion of the existing combined sewer crossing the site, providing an upgraded foul sewer with a separate storm sewer to connect to existing drainage infrastructure in the adjoining Redwood development and all associated site development works to complete the development.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The planning authority (PA) decided to grant permission subject to 26 conditions, including:

- 2 – part V agreement
- 3 – restriction on initial ownership by corporate entity.
- 4 – construction standards.
- 5 – a) all construction traffic shall only access using the construction entrance granted under ABP 314599-22.
b) this planning permission for 99 units and a creche shall expire on the 12th January 2029.
- 6 – development contribution.
- 7 – bond.
- 8 – naming and numbering.
- 9 – phasing.
- 10 – street lighting.
- 11 – boundary treatment.
- 12 – landscaping.
- 13 – open spaces.
- 14 – finishes.
- 15 – hours of construction & construction parking.
- 16 – undergrounding of cables.
- 17 – surface water.
- 18 – management company.
- 19 – per Area Engineer's report.
- 20 – prior to commencement of the development the developer shall submit details, for the written agreement and consent of the planning authority, of a revised accessway to the south of Dame Avenue unit no. 1 to form both a pedestrian and cycle link.

Reason: To comply with the requirements of the Design Manual for Urban Roads and Streets.

21 – prior to commencement, revised proposals for bicycle compounds.

22 (a) all car parking spaces shall be clearly delineated by raised paving. (b) all proposed bin bays shall have closable doors to hide bins from public view.

23 – no houses in Dame Avenue shall be occupied until the proposed cycle and pedestrian connection into Arden Heights has been completed.

Reason: To comply with the requirements of the Design Manual for Urban Roads and Streets.

24 - no houses in Alicia Grove shall be occupied until the proposed cycle and pedestrian connection into the adjoining Oaklee Development has been completed.

Reason: to comply with the requirements of the Design Manual for Urban Roads and Streets.

25 – Irish Water.

26 – archaeological monitoring.

3.2. Planning Authority Reports

3.2.1. Planning Reports

There are two planning reports on the file, the first recommending a request for further information, which issued, includes:

- Assessment regarding the Development Plan – DMS-01 – in compliance; DMS-02 – in compliance; DMS-03 – concerns regarding the layout and the lack of permeability proposed;
- The proposal has an indicative layout of lands to the west, labelled as future phase of housing. These lands are subject of a concurrent planning application by the applicant under reference number 23/60014. It proposes no connections with Knockowen estate and proposes a street of 14 units with the rear elevations exposed. If this application (23/259) was granted as currently proposed, there would be limited scope to revise 23/60014 as the connecting street network would have been decided. The applicant has indicated that Arden View, Arden Heights, Knockowen and Maple Drive have all been taken in charge by the Council. Opportunities therefore exist to connect estates. The

proposed 4 bed 2 storey dwellings on Dame Avenue are incongruous and inappropriately located in relation to Arden Heights building line, especially No 21A. Concerns re. the visual prominence of the terrace of units on Alicia, continuous building line of in excess of 100m.

- DMS-04 – layout not compatible with DMURS.
- DMS-05 – housing mix acceptable.
- DMS-06 – lifelong adaptability – acceptable.
- DMS-07 – Architectural Design Statement - indecipherable.
- DMS-08 - apartment standards – detailed schedule required.
- DMS-09 – building heights – acceptable.
- DMS-11 – corner site – numbers 36 and 16 Alicia Grove require revised proposals.
- DMS-13 – separation distances/overlooking – generally achieved. 7-18 Herbert Drive and 1-10 Alicia Grove do not have first floor windows.
- DMS-114 – space around buildings - acceptable.
- DMS-16 – refuse storage and bins - acceptable.
- DMS-17 – landscaping and boundary treatment – some of the proposed rear boundary treatments do not comply, revision required.
- DMS-18 – private open space for houses – complies.
- DMS-19 – private open space for apartments – schedule required.
- DMS- 20 – public open space – 15% for greenfield sites, 15% of the site is proposed as public open space.
- DMS- 22 – green infrastructure masterplan – a green infrastructure masterplan has been provided.
- DMS- 23 – sustainable urban drainage - Environment & Water Services have requested further information.
- DMS- 24 – surface water management - Environment & Water Services have requested further information.

- DMS- 27 – part V – Housing Section have requested further information.
- DMS- 28 – phasing – a phasing plan has been submitted.
- DMS- 30 – naming & numbering – a naming & numbering scheme has been submitted.
- DMS- 32 – childcare – additional details required.
- DMS- 99, 100 & 101 – cycle parking and car parking – no issues raised.
- Quoting section 3.3 from the Design Manual for Urban Roads and Streets 'Permeability and Legibility' advocating highly connected networks, it refers to the 'masterplan' showing the current proposal and application 23/60014 noting the lack of connectivity with Knockowen Estate (x2), Arden Heights and the development underway to the east.
- AA screening report, noting no likely significant impact.

3.2.2. Other Technical Reports

- Area Engineer – 28/7/2023 – improve permeability; traffic and transport assessment; re. boundaries with Arden View – a single boundary should be provided in all cases in order to avoid having an inter boundary 'no man's land'; boundaries for houses 17, 18, 24, 25, 26, 32, 33, 34 and 35 should be clarified; cycle lanes should be segregated from the footpath by a kerb with a 50mm upstand in accordance with National Cycling Manual (NCM); road safety audit; DMURS audit.
- Environment & Water Services – 10/7/23 – assess additional SUDS methods.
- Housing – 19/7/23 – submit proof that only a 10% Part V contribution is applicable, otherwise 20% will apply. Discuss Part V obligations. If development is to be phased Part V units are to be delivered in each phase unless otherwise agreed.
- CFO – 5/7/23 – fire cert and disability cert will be required prior to commencement.

3.3. Further Information

3.4. Further Information Request

3.4.1. A further information request issued 31st July 2023 on 6 items:

- 1) Concerns re. layout and layout of concurrent application 23/60014. The proposals have a single vehicular access onto the Clara Road. The proposed development could prejudice the development of 23/60014 in a manner which could also produce an unacceptable street layout. As currently proposed, 23/60014, has rear elevations of 2 storey houses facing the open space of Knockowen Estate. Revised proposals are required to address this. Requesting connections to Knockowen and a vehicular link through either Alicia Grove or Arden Heights. Details of a cycle link extension, to the development granted under 19/39. House no. 18 and the adjoining row of 2 storey, 4 bed dwellings on Dame Avenue are incongruous and inappropriately located in relation to their surroundings.
- 2) Construction traffic; finishes; dual frontage; dual frontage for 36 and 16 Alicia Grove; individual rear boundary treatments; childcare; proposals for creeping plants on fair faced concrete block walls; temporary boundary between phases; existing site boundary and indicate where existing boundary hedgerows can be retained; address PA's concerns re. visual prominence of 1-10 Alicia Grove - 100m building line; address PA's concerns re. visual impact of parking at Alicia Grove; submit a revised masterplan drawing, showing the approved housing body development currently under construction; submit a separate schedule for each apartment.
- 3) Third party submissions.
- 4) SUDS.
- 5) Part V.
- 6) Re. Tullamore Municipal District (MD) – The road network as proposed does not connect with any of the surrounding residential network other than phase 1 of the Redwood development. In compliance with the Design Manual for Urban Roads and Streets, chapter 3, and in particular section 3.4, applicant is invited to revise the network layout in order to improve permeability by making

connections at Knockowen Road, Arden Heights and Oaklee at Arden View. The connections should be vehicular, pedestrian and cycling. A traffic and transport assessment should be submitted which should address traffic impacts on surrounding estates. Where new boundary walls are to be built between Arden View and the proposed development, the developer will enter into agreement with the owner/occupier for the removal of the existing boundary. A single boundary should be provided in all cases in order to avoid having an inter boundary 'no man's land'. Clarify the unique configuration of rear boundary walls for houses 17, 18, 24, 25, 26, 32, 33, 34 and 35. Where cycle lanes are proposed they should be segregated from the footpath by a kerb with a 50mm upstand in accordance with (National Cycle Manual) NCM. Road safety audit. DMURS audit.

3.5. Further Information Response

- 3.5.1. A response to the further information request was received, 31st January 2024, including:
- 3.5.2. Since the request issued, 23/60014 has been refused planning permission and 22/329 has been granted by ABP. Roads Section have advised that a cycle route through the development was of little benefit as there was no wider network in the area. They have recommended that the cycle track of the Redwood development continue north on the spine road only, as an extension to that granted in 19/39.
- 3.5.3. The considered response of Capital Homes at Hayfield East¹ is to provide for pedestrian and cycle connections only, to both Arden Heights to the northeast and Oaklee to the east. The arrangement of the roads and footpaths are aligned with the roads and footpaths at Arden Heights and Oaklee.
- 3.5.4. They provide an indicative masterplan proposal for the overall development for conceptual purposes only. This arrangement is as directed by Offaly Co Co (OCC) and is not part of this application. Permeability is dealt with within the overall masterplan which is subject to a future planning application. The development is deemed to be an infill residential, and the density remains as previously submitted at c 30 units per ha. Drawing 2207-KLA-00-00-DR-A-003-P02 is referred to.

¹ The working name of the proposed estate.

- 3.5.5. Omitting house types would negatively affect the required density and result in rear boundaries facing public open space. The houses on Dame Avenue² have been reviewed and a new layout in this location adopted. Shallower house types are proposed, to sit closer to the existing building line, with opaque glass in the small bathroom/landing windows; similar to the relationship proposed between Alicia Grove and Arden Heights.
- 3.5.6. No proposed vehicular entrances are proposed to Arden Heights or Oaklee. Treatments of pedestrian and cycle links are included in drawings 2207-KLA-00-00-DR-A-013, 2207-KLA-00-00-DR-A-014 and 2207-KLA-00-00-DR-A-202.
- 3.5.7. The construction entrance is as granted under 22/329.
- 3.5.8. External wall and roof finishes will match those permitted under 19/39 but window & door colours will be different.
- 3.5.9. The layout for Alicia Grove has been amended. No. 18 Alicia Grove is dual fronted; 32-34 Alicia Grove overlooks the parking area. There is little need for 31 Alicia Grove to be dual fronted, which might impinge on the privacy of 32-34 Alicia Grove. Rear access to 31 Alicia Grove is provided on this side for a more active frontage.
- 3.5.10. Rear boundary treatments drawings 2207-KLA-00-00-DR-A-008 – P02 and 2207-KLA-00-00-DR-A-200. Proposed new rear boundary walls will consist of 2.1m high fairfaced concrete block walls with precast concrete capping. Intermediate walls between dwellings will consist of concrete post and bottom rail plank with treated tongued & grooved 1.8 x 1.8 timber panels (described in a drawing).
- 3.5.11. The proposed childcare facility is a purpose built facility and not a conversion of a dwelling as encouraged within DMS 32. Set down is provided and parking for 11 staff cars. The nature of the service has yet to be determined: approximately 50 children and 11 staff; 200 sq m open play area.
- 3.5.12. No fair faced concrete block walls are proposed. The planting strategy is referred to.
- 3.5.13. The temporary fencing between phases is detailed.
- 3.5.14. Existing boundary treatments drawing 2207-KLA-00-00-DR-A-012. Boundary treatments, and particularly problems with adjacent properties at the adjoining

² Working names for all the roads in the scheme are used on drawings and in reports.

Redwood site have been coordinated on site on an ongoing basis with Offaly Co Co Engineers.

- 3.5.15. Re. continuous terrace elevation – as the site layout has been revised these units have also been adjusted, breaking the previous arrangement. Drawing 2207-KLA-00-00-DR-A-004-P02 is referred to.
- 3.5.16. Re. masterplan and adjoining development by approved housing body, Drawing 2207-KLA-00-00-DR-A-003-P02 is referred to.
- 3.5.17. Re. schedule for apartments – this was included in the Quality Housing Assessment and is included in the response.
- 3.5.18. SUDS response from Consulting Engineers attached.
- 3.5.19. Housing – Part V – deed of transfer 26/04/2018 – this is proof that only 10% is applicable. Drawing 2207-KLA-00-00-DR-A-007-P02 is referred to re. part V obligations.
- 3.5.20. Re. Area Engineer's requests – the link to Arden Heights cannot be vehicular as advised by OCC as the existing road layout is too straight. A pedestrian and cycle connection is proposed. The link to Oaklee cannot be vehicular, as advised by OCC, as during the Part 8 process a commitment was given that any future connection would not be vehicular. A pedestrian and cycle connection is proposed. The nature of the pedestrian and cycle connections proposed at the boundary will facilitate easy vehicular connection in future, if circumstances change. Connections to Knockowen Road are not part of this application. The proposed development will be linked to Redwood.
- 3.5.21. Re. boundaries – Capital Homes have agreed the approach for this area of land, which is similar to what was agreed for the Arden View boundary with Redwood. Some owner/occupiers in this area on the Arden View side have already claimed the inter-boundary 'no man's land' as highlighted under OCC's Landowner Letter of Consent included with the application.
- 3.5.22. Re. segregation of cycle lanes with a kerb and 50mm upstand, applicant's are concerned about a trip hazard and are aware of where this upstand has been reduced to 20mm with a bevelled edge. They have been advised that a cycle route through the development was of little benefit as there was no wider network in the

area. OCC have recommended that the cycle track continue north on the spine road only, as an extension to that granted in 19/39. This is reflected in the revised layout and the finish will match the existing cycle track in Redwood.

3.5.23. Road Safety audit and DMURS audit provided.

3.6. Further Reports

3.6.1. Area Engineer –7/3/2024 – conditions.

3.6.2. Housing – 8/3/24 – conditions.

3.6.3. Planning - 8/3/24 - the second planning report, recommending permission, which issued, includes:

- Satisfied with responses.

3.7. Prescribed Bodies

DAU, 6/3/2024 – conditions re archaeology.

1 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 work should be undertaken in the absence of the archaeologist without his/her express consent.

2 The archaeologist should carry out any relevant documentary research and inspect the site. A programme of archaeological test excavation should be conducted at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004), having consulted the site drawings and the Department.

3 Having completed the work, the archaeologist should submit a written report to the Planning Authority (PA) and to the Department. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

3.8. Third Party Observations

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

4.0 Planning History

23/60014, permission refused (5/9/2023), to the current applicant, for the construction of 80 no. dwellings, to the west of the subject site, copy of file provided. The planner's report states that in contrast to 23/259 (the subject application) where deficiencies in the site layout were addressed by way of further information, the changes to that proposal would require, amongst other changes, a revised layout with proposed housing fronting onto the public open space at Knockowen Road and also providing links with adjoining housing estates, which changes would far exceed what could reasonably be considered to be significant further information, and would represent a new proposal requiring a full five week period for public comment.

ABP 314599-22, PA Reg Ref 22/329, permission was granted, to the current applicant, for the demolition of existing dormer type dwelling house, detached domestic garage and all other existing structures to facilitate a construction entrance providing construction access to the previously granted Redwood residential development currently under construction (planning reference no. 19/39 & 21/174).

21/75 permission was granted, to the current applicant, for the construction of a single storey extension to a dwelling under construction on foot of 19/39.

21/174 permission was granted, to the current applicant, for the construction of 8 no. dwellings, and alterations to 19/39, to the south of the subject site.

19/39 permission was granted, to the current applicant, for the construction of 99 no. dwellings, to the south of the subject site.

A residential development (41 unit AHB scheme) is under construction to the east. The layout is shown in the planning report.

UD 23/93 Enforcement notice issued in relation to unauthorised construction entrance.

Pre-planning meeting 8/3/2022.

5.0 Legal & Policy Context

5.1. Road Traffic (Electric Scooters) Regulations 2024, S.I. No. 199 of 2024

5.1.1. This regulation has introduced control on e-scooters. From 20th May 2024 users must:

- Be 16 years or older.
- Obey a speed limit of 20km/h.
- Drive on the left. ...
- Have lights, a bell or audible warning device, reflectors and brakes on their e-scooter and it must be kept in a roadworthy condition at all times.
- Obey signals given by a Garda or school warden and follow the same rules of the road that apply to cyclists, including traffic lights, road signs, and all types of pedestrian crossings.

Users must not:

- Use footpaths, pedestrianised areas or motorways.
- Hold or use a mobile phone.
- Have a seat on their e-scooter.
- Carry passengers or goods.

5.2. Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities

5.2.1. The guidelines issued 12th January 2024 set out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements. The guidelines promote an alternative 'mid-rise medium density housing' with more compact 'own-door' housing offering a broader range of housing options' and 'addressing viability constraints'.

Tullamore is defined as a Key Town

The densities should generally be within the ranges set out in Section 3.3 and can be refined further in accordance with the guidance set out in Section 3.4. It may be necessary and appropriate in some exceptional circumstances to permit densities that are above or below the ranges set out in Section 3.3. In such circumstances, the planning authority (or An Bord Pleanála) should clearly detail the reason(s) for the deviation in the relevant statutory development plan or as part of the decision-making process for a planning application, based on considerations relating to the proper planning and sustainable development of the area.

Density Ranges Key Towns and Large Towns (5,000+ population)

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 (dwellings per hectare) dph (net) shall generally be applied in the centres and urban neighbourhoods.

Suburban/Urban Extension - Suburban areas are the low density car-orientated residential areas constructed at the edge of the town, while urban extension refers to greenfield lands at the edge of the existing built-up footprint area that are zoned for residential or mixed-use (including residential) development. It is a policy and objective of these Guidelines that residential densities in the range 30 dph to 50 dph (net) shall generally be applied at suburban and urban extension locations of Key Towns and Large Towns, and that densities of up to 80 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations.

SPPR 1 – refers to separation distances between opposing windows, generally reducing the required distances.

SPPR 2 - refers to minimum private open space standards for houses: 1 bed house 20 sq.m, 2 bed house 30 sq.m, 3 bed house 40 sq.m and 4 bed + house 50 sq.m.

SPPR 3 - refers to minimising car parking. In intermediate and peripheral locations, the maximum rate of car parking provision, shall be 2 no. spaces per dwelling.

SPPR 4 - refers to cycle parking and storage. It is a specific planning policy requirement of the 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.

Daylight - The potential for poor daylight performance in a proposed development or for a material impact on neighbouring properties will generally arise in cases where the buildings are close together, where higher buildings are involved, or where there are other obstructions to daylight. Planning authorities do not need to undertake a detailed technical assessment in relation to daylight performance in all cases. It should be clear from the assessment of architectural drawings (including sections) in the case of low-rise housing with good separation from existing and proposed buildings that undue impact would not arise, and planning authorities may apply a level of discretion in this regard.

Separation distances should be determined based on considerations of privacy and amenity, informed by the layout, design and site characteristics of the specific proposed 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.

5.3. Sustainable Residential Development in Urban Areas (Cities, Towns & Villages)

- 5.3.1. These guidelines update and revise the 1999 Guidelines for Planning Authorities on Residential Density reflecting the changing economic, social and environmental patterns around the country.
- 5.3.2. Density - Outer Suburban / Greenfield sites 5.11 - These may be defined as open lands on the periphery of cities or larger towns whose development will require the provision of new infrastructure, roads, sewers and ancillary social and commercial facilities, schools, shops, employment and community facilities. Studies have indicated that whilst the land take of the ancillary facilities remains relatively

constant, the greatest efficiency in land usage on such lands will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare and such densities (involving a variety of housing types where possible) should be encouraged generally. Development at net densities less than 30 dwellings per hectare should generally be discouraged in the interests of land efficiency, particularly on sites in excess of 0.5 hectare.

5.4. Development Plan

5.5. The Offaly County Development Plan 2021-2027 is the operative plan.

Zoned LUZO-04 Objective – to provide for new residential development and other services incidental to residential development. A small part is zoned LUZO-03 Objective – New Residential - to protect and enhance the amenity and character of developed residential communities.

Tullamore is a key town in the Midlands region with the capacity to act as growth drivers to complement the Regional Growth Centres.

Compact growth is a core principle.

2.4.6 Urban - The Settlement Strategy seeks to strengthen the urban fabric of the county, with an emphasis on building critical mass in the Key Town of Tullamore, the Self-Sustaining Growth Town and Self Sustaining Towns. The focus is on achieving the consolidated growth of the settlements, with a significantly high proportion of housing in the existing built-up footprints of each settlement, strengthening town centres to their full potential by utilising under-utilised land and buildings and developing the settlements in a sequential manner.

DMS-02 Density - The appropriate residential density of a site shall be determined with reference to; Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009) and the accompanying Urban Design Manual (2009); Sustainable Urban Housing: Design Standards for New Apartments 2020; and the Urban Development and Building Heights Guidelines 2018; the prevailing scale and pattern of development in the area.

DMS-13 Separation Distances/Overlooking A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall be observed but

may be relaxed in village and town centre locations where high quality design is achieved and where alternative provision has been designed to ensure privacy.

5.6. Natural Heritage Designations

- 5.6.1. The nearest Natura site is Charleville Wood SAC (site code 000571) located c1.3km straight line distance from the site.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. Four third party appeals have been submitted.
- 6.1.2. An appeal has been submitted by Oliver McGlinchey & Noel Cooney. Their houses are on Knockowen Road to the rear of units 13/14 Dame Avenue (Oliver McGlinchey's house) and 11/12 (Noel Cooney's house).
- 6.1.3. The grounds include:
- No dimensioned drawings.
 - No shadow and daylight drawings.
 - They are unable to assess if private open space complies with DMS – 18 (60m²)
 - Distance given as 22m. DMS-13 is not intended to allow an applicant to use the length of their back gardens to situate 2 storey houses a handful of metres from the rear fence.
 - Boundary treatments - the drawing is difficult to decipher with respect to 11-14 Dame Avenue, if existing boundary lines are shown or a new concrete wall is proposed; and if compliant with DMS-17.
 - The existing boundaries drawing has incorrectly labelled their boundary as a 2.4m timber fence.
 - Small bathroom / landing windows to the rear of the dwelling are proposed for units 11-14 Dame Avenue. The internal layout shows 3 windows in each unit (en-suite, bathroom and landing) 6 in total, overlooking. Opaque glass is

shown but future owners could change this glass type. The proposal will impinge their privacy and amenity, devalue their homes and interfere to their right to quiet enjoyment of their properties.

- The lack of a masterplan, to include all future planned connections, is a deficiency. An overall proposal should be submitted, that can be fairly assessed and commented on by the public and LA.
- Their observation to the PA was not properly dealt with.
- Re. the revised building line – there is a step in the building line when compared with the existing building line in Arden Heights. This is in order to squeeze houses into an inadequate space behind the appellants' houses. A rear garden of less than 4m would result.
- Their properties have been omitted from the drawings the applicant has provided.
- The planner's report states that No. 9 Dame Avenue has a rear garden of 65 sq m as measured from drawing 2207-KLA-00-00-DR-A-008. How was this calculated? There are no dimensions on the drawing and the drawing, a boundary treatment plan, notes that figured dimensions only are to be taken from this drawing. No. 9 Dame Avenue is an end of terrace and not the appropriate property on which to base an assessment.
- Re. new boundaries with Arden View, and that there should be agreement with owner/occupier for removal of existing; no such agreement was applied in relation to Knockowen Road. The appellant's boundary is incorrectly labelled as a 2.4m wooden fence. It is 1.66m high. The suggested boundary treatment, leaving the existing boundary in place, is wholly inadequate.

6.1.4. An appeal has been submitted by Francis & Patricia Mollen. The grounds include:

- Planning application ref. 22/239 was to facilitate construction access for 19/39 and 21/174 and not for any other purpose. The applicant identifies 22/239 as the construction access for 23/259. The redline development on drawings for 23/259 has no linkage and does not overlap with 22/239.

- No transparency is shown by Offaly Co Co in arriving at their decision. Their decisions should ensure that they better, or at least maintain, the quality of people's lives. The opposite is happening in this case.
- The overall plans submitted for the site have changes from the overall masterplan site submitted in previous applications. In 23/259 and 23/60014 there were two houses in front of the entrance for the new construction site granted under 22/239. This clearly identifies the developer's long term plans to use this entrance as a permanent entry for Redwood estate. This poses the question of change to any planned housing development in Offaly: that it may be changed.
- The application is deficient in not including design, construction or maintenance details of the proposed entrance roadway.
- There is an absence of conditions relating to noise.
- Who will enforce noise standards?
- There has been no consideration of vibration.
- Who will monitor noise?
- There has been no consideration about the change to their security, privacy and disturbance, for a minimum of five years. No number of conditions would give them comfort in this situation.
- The planner's report cherry picks from documents eg. traffic sightlines and speed; ignoring the actual traffic speed as distinct from the speed limit.
- They quote from DMURS, table 4.2, re. stopping sight distances: 'reduced SSD within towns and villages'; and question the application of a reduced standard, given that this is a regional road and not an urban street. The 50km SSD is contrary to the evidence based on DMURS 2019 and the Offaly County Development Plan 2021-2027 where a sightline of 150m is required for a Regional Road.
- They refer to figure 4.43 of DMURS as the more likely scenario in this case, with frequent larger vehicles and the turning circles required.
- Referring to the Planning Report they state that it is incorrect in referring to 22/329 as the construction access. That access was granted for the temporary

facilitation of completion of the original Redwood development 19/39 and 21/174 and not for any other purpose.

- Their property is currently bounded on two sides by their neighbours' residential properties, which provides privacy and security. The construction entrance would eliminate this privacy and security; of more concern during the winter months.
- They have concern regarding Offaly County Council's enforcement history, and conditions not being enforced.
- Ground conditions will be altered as well as drainage, which may affect their building.
- Heavy machinery and large trucks will be continually using this entrance, which could damage their foundations.
- Ongoing noise, dust and vibration at demolition stage, and noise, dust, vibration and disturbance at construction stage, may cause them to have to leave their home.
- Their ability to sit in their back garden will be gone.
- If the developer needed more junctions for the site, this should have been planned in the development in 2019.
- Sight lines are restricted and any additional traffic will have serious safety impact. There are two other busy junctions within 150m. These existing junctions set a precedent of longer sightlines, larger pavement spaces and greater safety.
- The CDP section 13.9.11 gives safe sight distances by road type: regional roads - 150m. This is a regional road. The metrics used in granting permission should be available to them.

6.1.5. An appeal has been submitted by Thomás Donoghue representing Knockowen Road Residents Association. The grounds include:

- For its 50 years of existence Knockowen Road has been a cul-de-sac. This has allowed for a safe area in terms of traffic and access for strangers.
- Hayfield East is the second stage of the Redwood development with Hayfield West being the third and final phase.

- Hayfield East, application date 6th June 2023, was subject to a further information request and amended.
- Hayfield West, application date 12th July 2023, was refused.
- The appellant's have concerns regarding certain design aspects which can not be considered in isolation from the Hayfield West development and phase 1, existing.
- The masterplan is referred to as supporting, and conceptual. It is also fluid. This is of concern.
- The areas of concern are as follows and as identified on a map:
 - The Knockowen Road Estate Connection.
 - The two storey buildings adjacent to Knockowen Road Sites.
 - The embedded phase 3 area
 - The phase 3 two storey buildings predetermined by phase 2.
- The Knockowen Road Estate Connection – The protrusion in the red line boundary in drawing site layout 2207-KLA-00-00-DR-A-024, suggests that the subject development (application 23259) intends to connect to Knockowen Road. However there are no roadways connecting to Knockowen Road in application 23259. There is a lack of detail in the current application regarding the connection to Knockowen Road in comparison to the other connections. The layout is required to address DMURS and if these guidelines are applied to existing estates, it should not be introduced as a protrusion in a red line boundary.
- The appellants embrace the concept of permeability as outlined by the NTA (National Transport Authority) where promoting walking and cycling is a key objective. The same care and attention would need to be applied to the Knockowen Estate as has been applied in the Hayfield development, including pedestrian and cycle lanes that have minimal intersection with pedestrian walkways. Now more important than ever with the increased use of electric bicycles and scooters.
- Vehicular traffic – there is no benefit to permeability for vehicular traffic. Both roads exit to Clara Road a few hundred yards apart.

- A connection for vehicular traffic to Hayfield east and Hayfield west (future) would significantly increase traffic flow through Knockowen Road Estate. Based on the current revision of the master plan, drawing 2207-KLA-00-00-DR-A-003, it can be estimated that more than 62 vehicles could be diverted through Knockowen Road Estate. This would have a significant effect on road safety in the estate. Evidence has been presented that this traffic can be managed, combined with Redwood and Hayfield west. A similar assessment, showing all bends and junctions including the main entrance, is required before any increase in traffic can be considered through Knockowen Road Estate.
- Re. proposed two storey buildings adjacent to Knockowen Road Sites, the 1979 permission, PD 1194, required that dwellings in Knockowen Road Estate be single storey, and that windows in one house should not closely overlook adjoining sites: condition 16. There should be a comparable condition in adjacent dwellings either side of the estate boundary. The most recent development at 'Ballin Rí' took account of this when merging the two estates at their mutual boundary.
- The embedded phase 2 area – drawing 2207-KLA-00-00-DR-A-004 refers, (shaded out in this drawing). The previous site layout plan, from the original application, included this area. It has now been removed. It is an isolated area which suggests 'possibilities' in any future planning application.
- The phase 3, two storey buildings, are predetermined by phase 2; although outside the site it is of interest because of the possibilities of connection to Knockowen Road.
- Treating the Knockowen Road Estate connection in isolation, means that its full design and impact can only be understood with the future phase 3. The residents of Knockowen Road Estate, are deprived of any real opportunity, within the subject appeal, of highlighting the impact of the adjoining phase 3 two storey houses, although this development will be strongly prescriptive for phase 3 design.

6.1.6. An appeal has been submitted by Michael & Yvonne Bracken. The grounds include:

- The construction entrance beside their house has de-facto been linked to this application, despite no mention of it being used for that purpose under planning application 22/329.

- The planner's report states – all construction traffic for the proposed development shall only access the site using the construction entrance granted under An Bord Pleanála reference number 314599-22, (22/329).
- 22/329 was to provide a construction access to the housing development granted under 19/39 and 21/174.
- The planning drawings for 23/259 clearly show the redline boundary which does not extend to the construction access, which is on the western side of the blue ownership boundary. This clearly excludes the 22/329 construction access from the 23/529 development.
- The High Court cases Deryadd and Balscadden are referenced, regarding the importance of clarity and detail in plans and particulars of planning applications.
- The planner's report states:

'I consider the reference in the notices of 22/329 to planning permission 19/39 and 21/174 was for information purposes only and not a restriction on the construction entrances use to these particular permissions is questionable, as subsequent conditions of 22/329 grant state that the development shall be in accordance with plans and particulars submitted on 28/06/2022.'

'The Board Conditions include no such restrictions'.

The plans and particulars clearly state that the purpose of the construction entrance is to provide construction access for 19/39 and 21/174.

- The planner's report states that the Board conditions include no such restrictions, however An Bord Pleanála was assessing 22/329 which did not reference 23/259.
- They consider that observations on 22/329 did not get due consideration by the planning authority.
- They note that drawings 2207-KLA-00-00-DR-A-201 P02 (Jan 2024) and 'Green Infrastructure Master Plan Hayfield' show the applicants intention for a permanent access to the broader housing development. This contradicts the ORS report 2019 that one single entrance was needed for the entire development.

- They consider that the planner, by way of condition, has linked an unrelated construction entrance to this application and has not given due consideration to their observations and concerns.

6.1.7. An appeal has been submitted by Padraig Smollen on behalf of Arden Heights Residents Association. The grounds include:

- Interference with their amenities and property rights to maximise density and ensure profit.
- The building line, forward of Arden Heights, was altered in response to further information. There is still housing in advance of the building line which reduces light and overlooks their property. They use the front of their property in the evening and this will be compromised. This line of housing should be removed.
- Cycling & pedestrian access to Arden Heights is unacceptable. Retrofitting a cycle path is dangerous and imposes a structure for which the road was not designed. The minimum width of any proposed cycle way will be 1.75m and may have to be on 1 side only, which will restrict houses on that side having visitors park on the roadway.
- Safety concerns for residents - Cycle speeds are based on 11km per hour but, with scooters and electric bikes, considerably greater speeds are achieved.
- Use of the footpaths would be unacceptable as the light poles and trees are in the paths.
- Re. consent from Tullamore Municipal Authority, to opening up the new estate to Arden Heights, no application can be lodged in advance of the consent of the landowners as the opening will be onto other property. The consent of Tullamore Municipal Authority has not been sought.
- A pedestrian and cycleway has security issues for Arden Heights. Its location beside a small grassed area increases the potential for anti-social behaviour. With no vehicular access it will be difficult for Gardai to monitor.
- There are safety concerns with an access in the middle of a turning circle.
- The proposed open space beside Arden Heights is token, and should be integrated into the larger space.

- The area adjacent to Arden Heights needs to be redesigned with a focus on good design and community activation, not density.
- The new community and gym facilities are conditioned to be for the residents only, this is not community integration. This condition should be removed.
- The construction time needs to have a penalty system to ensure compliance. Work noise and dust, at times, is ongoing from 6.30 to 20.00.
- Dumping of soil onsite – excess soil is dumped adjacent to Arden Heights and is a considerable negative imposition: dust and dirt. They need to see the operational plan, where is the new spoil to be located? The existing spoil is higher than 2 storeys in places.
- Site security is required.
- Development Contribution – part of it should be used to upgrade facilities in Arden Heights: lighting upgrade, road and path upgrade, water supply upgrade.
- The entire development plan for the whole site should have been submitted as it affects the whole area around the site.

6.2. Applicant Response

The applicant has responded to the McGlinchey / Cooney appeal, including:

- Drawings are to scale and can be measured.
- Section EE on drawing 2207-KLA-00-00-DR-A-201 P02 clearly shows the impact of 9-14 Dame Avenue on Knockowen Road. Distances of 29m and 31.5m have been provided, to the dwellings concerned, and poses no threat of overshadowing overlooking. SPPR1 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities is quoted, which requires a distance of 16m between opposing windows serving habitable rooms above ground level. There are no opposing habitable rooms.
- Re. DMS 12 re. daylight – the proposed new dwellings are not considered to be very close to the existing adjoining buildings.
- The private open space (per drawings 2207-KLA-00-00-DR-A-010 P02) are 66, 68 84, 82, 62 and 73 sq m. in area.

- Proposed boundary (per drawings 2207-KLA-00-00-DR-A-008 P02) with appellant 1, proposes a 2.1m high fair faced concrete block wall with precast concrete capping, flush with the existing timber fence to prevent a no-man's land. The existing boundary, a fair faced concrete block wall, to the rear of appellant 2, is sufficient.
- The clarification re. the height of the timber fence (1.66m) is noted.
- The rear windows to bathroom/landing in the development has been designed to avoid habitable rooms, to reduce long-term impact. The developer cannot control future homeowners but they are unlikely to change the glass type especially in bathroom / ensuite areas.
- Drawing 2207-KLA-00-00-DR-A-003 P02, provided on request from OCC, is an indicative drawing and to be used only as a guide.
- Re. building line on Dame Avenue – omitting houses would negatively affect the density and result in rear boundaries facing open space. A shallower house type was selected, based on H9 Design Manual for Quality Housing. It achieves the correct outdoor space while creating a more sympathetic transition.

6.2.1. The applicant has responded to the appeals: Francis & Patricia Mollen, Michael & Yvonne Bracken, Padraig Smollen on behalf of Arden Heights Residents Association and Thomás Donoghue representing Knockowen Road Residents Association. The responses include:

- Re. construction access - the claim that the entrance serves only 19/39 and 21/174, is incorrect. Those permissions expire in 2024 the construction entrance is permitted to 27th November 2028. The inspector's report on 314599 is quoted.
- The layout of 23/60014 west of the site, was incorporated into a masterplan that initially accompanied the application but was amended on the refusal of 23/60014. The amended masterplan, submitted with a further information response, shows the removal of two proposed houses to the rear of the construction entrance. This is indicative only. The layout to the west will be the subject of a further application for permission at which time the suitability of the access off Clara road as a permanent

access to serve housing, will be assessed, if such is proposed. The appellant's will then have an opportunity to make submissions.

- Other matters raised in relation to the construction access relate to an existing permission.
- The red-line boundary did not need to include the construction entrance, being within the applicant's ownership, this and other areas can be used for access and other temporary activities associated, for the duration of the construction.
- They consider that each issue raised was given due consideration by the planning authority.
- They accept that the ORS 2019 report stated that all proposed 270 houses were to use a single entrance. At that time the applicant did not own the site on Clara Road adjacent to the appellant's home.
- The houses adjacent to 21A and 22 Arden Heights are slightly forward of the existing building line. This is necessary to achieve rear garden space. There will be no overlooking, loss of privacy, or unacceptable loss of sunlight or daylight.
- Cyclist and pedestrian linkage to Arden Heights is a requirement of the PA. it would be envisaged that pedestrians would utilise the existing and proposed footpaths, and cyclists and those on scooters would use the road carriageway. The PA will carry out the works.
- There is no evidence that making a connection between Arden Heights and the development will be a security risk.
- There will be good natural surveillance of the open space, from housing.
- Residents in Arden Heights will benefit from increased permeability and access to 'Axis' and 'IDA' business parks and Clara Road.
- Residents in the proposed development will benefit from increased permeability onto Arden Road, which is a bus route, and direct access to local schools.
- Re. inappropriate open space adjacent to Arden Heights. It is ideally located.
- There is no condition requiring the community hub and gym facilities to be for residents. They will be operated on a commercial basis and open to residents of adjoining estates.

- Construction hours – they are detailed in the CEMP and conditioned in condition 15.
- Dumping of soil – there is a CEMP and Waste Management Plan that deals with this issue and is enforceable.
- General development contributions are a matter for OCC.
- There is no connection with Knockowen Road as part of the current proposal. The master plan, showing a possible future connection, is indicative only. The red line boundary includes an essential water service upgrade connection from Knockowen Road to the application site. This is acknowledged on page 16 of the second planner's report.
- The planner's report indicates that future connection with Knockowen Road will be expected in a future planning application for the final phase.
- The permission, PD1194, was for very low-density housing. Standards and density requirements have changed.
- The Ballin Rí development is from early 2000s when housing standards including densities were lower.
- The embedded phase 3 area was originally planned to be developed with terraced and semi-detached housing, as part of the current proposal. In response to the request for further information the road layout was amended. It was not possible to develop this area. The red line is due to the need to provide for water service upgrade. The master plan shows how this area can be accessed without requiring vehicular access from Knockowen Road.
- The phase 3, two storey buildings, predetermined by phase 2 - this is also shown as accessed without requiring vehicular access from Knockowen Road.
- The planner's report references the recently released Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities noting that the density of 30.1 units per ha satisfies the density requirement for Key Towns. This density is acceptable given the context of the surrounding lower-density development and the provision of generous open space of 17%, some of which will also serve the final phase of development.

6.3. Planning Authority Response

- 6.3.1. The planning authority has responded to the appeals requesting the Board to support its decision to grant much needed housing on this residential zoned site.

6.4. Further Responses

- 6.4.1. Francis & Patricia Mollen have responded to the other appeals supporting the grounds.
- 6.4.2. Michael & Yvonne Bracken have responded to the other appeals supporting the grounds.

7.0 Assessment

- 7.1.1. I consider that the main issues which arise in relation to this appeal are appropriate assessment, principle of the development, site boundaries, residential amenities, construction access and other issues and the following assessment is dealt with under those headings.

7.2. Appropriate Assessment / AA Screening

- 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.
- 7.2.2. Appendix 3 to this report details my assessment under this heading.
- 7.2.3. There is no likelihood of impact on any Natura site.

7.3. Principle of the Development

- 7.3.1. The site is zoned LUZO-03 Existing Residential with the objective to: protect and enhance the amenity and character of developed residential communities. The plan notes that compact growth is a core principle and in relation to density refers to the

documents Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009) and the accompanying Urban Design Manual (2009); Sustainable Urban Housing: Design Standards for New Apartments 2020; the Urban Development and Building Heights Guidelines 2018; and the prevailing scale and pattern of development in the area.

- 7.3.2. The 2009 Guidelines ‘Sustainable Residential Development in Urban Areas’ recommend densities in the general range of 35-50 dwellings per hectare, with net densities less than 30 dwellings per hectare being discouraged in the interests of land efficiency.
- 7.3.3. The Sustainable Residential Development and Compact Settlements Guidelines, recommends the application of densities in the range 30 dph to 50 dph (net) and also advocates higher densities. It is stated that the density proposed represents 30 dwellings per hectare. The site is just outside the canal which defines the town centre of Tullamore. The development is at the lower end of the range of suitable densities.
- 7.3.4. Taking account of the surrounding area and the pattern of development in the area I consider that the density proposed is acceptable.
- 7.3.5. I am satisfied that the proposed development is acceptable in principle.

7.4. Site Boundaries

- 7.4.1. It is an issue raised as in the grounds of appeal, that the proposed rear boundary treatment for the boundaries with two existing residential properties on Knockowen Road, to the rear of proposed units 11-14 Dame Avenue, is of concern.
- 7.4.2. That the applicant was directed by OCC to consult with adjoining owner/occupiers at Arden View, to agree a boundary treatment and avoid an inter boundary no man’s land, is referred to; and they question why there was no reference to consulting with them.
- 7.4.3. It is stated as a concern that that in the application the existing boundaries with an appellant’s property is incorrectly identified as a 2.4m timber fence, which it is proposed to leave, whereas it is in fact a 1.66m high timber fence. The proposal is stated to be wholly inadequate.

- 7.4.4. The reference to the applicant being directed by OCC to consult with adjoining owner/occupiers at Arden View, is a reference to an item in the request for further information. This was directed at addressing the fact that alterations to boundaries, to the rear of residential properties at Arden View, have taken place, with some properties appearing to have been extended into the field behind (the location of the subject site) and some remaining as originally developed. The red line boundary shows the boundary with Arden View as indented. The planning authority was concerned that there should not be a boundary which allowed pockets of land to be left as no man's land.
- 7.4.5. In response to the further information request the applicant stated that they have agreed the approach for this area with the Area Engineer, which is similar to what was agreed for the Arden View boundary with Redwood. They state that they propose to build the new boundary as close to the existing boundary as possible, as agreed with OCC. In my opinion this is acceptable.
- 7.4.6. In response to the grounds of appeal, the applicant states that the proposed boundary (per drawings 2207-KLA-00-00-DR-A-008 P02) proposes a 2.1m high fair faced concrete block wall with precast concrete capping, flush with the existing timber fence to prevent a no-man's land, to the rear of units 13 and 14, where the appellant, appellant 1, would have the option of removing the 1.66m high timber fence. The existing boundary, between units 11 and 12 and appellant 2, is a fair faced concrete block wall, which the applicant considers sufficient.
- 7.4.7. It seems to me that the circumstances whereby the issue of consulting with adjoining owner/occupiers, was raised in the further information request, is different to boundaries in other locations. In my opinion the proposed boundary treatment is largely acceptable.
- 7.4.8. Condition no 11 of the PA's decision refers to boundary treatment. It states:
- a) Boundary treatments shall be in accordance with drawing 2207-KLA-00-DR-A-008 and 2201-KLA-00-00-DR-A-202 except where amended by conditions below.
 - b) The proposed 2.1 high capped block wall, shown in blue on the legend of drawing 2207-KLA-00-DR-A-008 shall be omitted and replaced by brick walls matching the brick to be used on the proposed houses.

- c) The proposed boundary treatments between the proposed development and Arden Heights and the Oaklee Housing Estate shall be brick walls matching the brick to be used on the proposed houses.
- d) The proposed 2m high concrete post and bottom rail fencing specified on drawing 2207-KLA-00-DR-A-008 shall be replaced with concrete post and rail fencing.
- e) Other than box hedges in front gardens, the development shall be open plan, and no front boundary walls / fences shall be erected, notwithstanding any 'exempted development' provision. This shall be included in the sales agreement of each dwelling house.

Reason: In the Interests of residential amenity and privacy.

- 7.4.9. I consider that this condition requires modification as the layout on which it is based has been altered, in response to the further information request; and also to ensure clarity, condition no.10 refers.

7.5. Residential Amenities

7.6. Built Form, Height and Layout

- 7.6.1. The built form and height is of concern to adjoining residents. There is reference to a planning requirement which applied to existing residences, built in the 1980's, that they be single storey. A requirement, for development to be single storey, may have had some justification in the 1980's but could only be applied in very exceptional circumstances today. It would, in general, be entirely incompatible with current guidelines. The proposed two storey low rise design takes account of the built form and height of adjoining development.
- 7.6.2. The front building line at Dame Avenue, vis a vis Arden Heights, is of concern to adjoining residents. The building line was modified in response to the further information request and set back to better align with development at Arden Heights. There remains a difference between the front of the proposed buildings and the line of buildings along Arden Heights, which mostly comprise detached properties. As stated in the response to the grounds of appeal, the line of dwellings proposed at this location, modified to allow for the building line set back, avoids a poorer design

solution where the rear of properties at Knockowen Road would be exposed to open space. The division between Dame Avenue and Arden Heights is clearly demarcated by boundaries and the building line difference would not be unduly incongruous and in my opinion is not significant.

7.6.3. The extent of private open space to be provided has been raised as a concern. The applicant has responded detailing rear garden sizes, which were given in the application.

7.6.4. All private space areas meet the required standards

7.6.5. In my opinion built form, height and layout are acceptable.

7.7. Separation Distance

7.7.1. Separation distance is a cause of concern. It is of concern to adjoining residents that the proposed units, at the northern boundary, to the rear of Knockowen Road are close to the site boundary and that separation distances are achieved by the length of rear gardens of the Knockowen Road properties.

7.7.2. The County Development Plan (CDP) refers to a separation distance of 22 metres between directly opposing rear first floor windows which may be relaxed in village and town centre locations where high quality design is achieved and where alternative provision has been designed to ensure privacy. The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities recommends 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 and also states that 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.

7.7.3. The proposed development is not unduly close to the rear of existing dwellings but it is close to the rear site boundary. The design of the development takes this into account by placing only windows which can have obscured glass, without loss of amenity to future occupants, in the first floor rear elevations. The windows involved are bathroom, en-suite and landing windows. In general bathroom / en-suite

windows use obscured glazing. The location of the window on the landing is noted as offering overlooking opportunities with reference to the height above floor level. The window design for all these rear windows, being a single pane of glass, cannot be conditioned to open only from a minimum height above floor level, however a condition should be attached restricting the opening, in order to safeguard the privacy of adjoining residential properties.

7.8. Overshadowing

- 7.8.1. The Arden Heights Residents Association have raised concerns in relation to the building line, which although altered in response to the further information request, remains forward of the dwellings in Arden Heights. They consider that the units involved (9-14) will reduce their light and overlook their property and should be removed.
- 7.8.2. They state that they use the front of their property in the evening and this will be compromised.
- 7.8.3. A high hedge currently forms the boundary between the garden to the front of the nearest dwelling at Arden Heights and the subject development. I do not consider that the proposed development will unduly overshadow the dwelling or its front garden. Any concern regarding increased activity affecting the use of the front of the dwelling at Arden Heights should take into account that the area to the front of the dwelling is a turning head on a public road and the increase in activity, to which the proposed development will give rise, will have a marginal impact on the level of privacy currently enjoyed by this dwelling.
- 7.8.4. The proposed development of predominantly storey housing does not result in any undue overshadowing.

7.9. Connectivity

- 7.9.1. It is a matter of concern to appellants that there will be connectivity to adjoining residential areas. Concerns include safety of pedestrians in adjoining areas from cyclists, from the use of motorised scooters and electric bikes, and from anti-social behaviour.
- 7.9.2. The lands of which the site forms part has boundaries abutting existing residential areas, where roads or open space at road ends would enable access. These

locations are Knockowen Road Estate (at two locations) Arden Heights, Arden View and Mapel Grove. One of these possible connections, that to Arden View, is closed off by proposed housing. The other possible connections are retained. Some are given consideration in the subject application as pedestrian / cyclist access points.

- 7.9.3. Cul-de-sac development creates barriers to free movement and mobility, particularly for pedestrians and cyclists. It is to the benefit of all residents in a locality that there should be connectivity with proposed development, to the maximum extent possible, and that the layout of proposed development should allow permeability through the site for residents of the new estate and for residents of the adjoining residential areas. This connectivity encourages transport modes other than private cars. It seems to me that the proposed development largely addresses the need to achieve this.
- 7.10. It is a matter of concern to appellants that there is a lack of detail in the current application, regarding the connection to Knockowen Road, in comparison to the other connections. They have concern regarding lack of clarity re. possible connection to Knockowen Road Estate. The applicant response is that this route is required for services, i.e. the rerouting of the trunk sewer is through this gap. It is worth noting that the link, as proposed in the current application, is for pedestrian / cyclist use and that the area in proximity to the link has been omitted from the subject application, as part of the response to the further information request. It is also worth noting that the document termed 'masterplan' is a document to assist the planning authority in placing the development in context of a possible layout for the remaining development lands. It is of use in ensuring that opportunities are not closed off by the subject development.
- 7.11. The argument is made that vehicular access to Knockowen Road Estate is not of benefit to the proposed development since both exits would be to Clara Road, a short distance apart. The benefit of permeability and connectivity is to allow for maximum mobility, such that users can select the route that best serves their needs. The amount of potential traffic arising will be limited, having regard to the small residential area involved, and the proximity of exits, as pointed out in the grounds of appeal.

- 7.12. It is of concern that residents of Knockowen Road Estate are deprived of the opportunity to express their concerns in relation to the link to their estate and to have those concerns considered. In the subject application / appeal the nature of the link is pedestrian / cyclist. Any future development will fall to be considered at such future time as a planning application is made, and the residents of Knockowen Road Estate will have the opportunity to express their concerns in relation to whatever proposals are contained in that application.
- 7.12.1. Danger to pedestrians from unregulated motorised bicycle and scooter use is a matter of concern to appellants. It is stated that an evaluation should be carried out of the existing road network, to which pedestrian and cycle access links are intended. Use of 'roundabouts' as connection points is raised as a concern. In my opinion the proposed connection to existing roads, for pedestrian and cycle usage, is acceptable and the limited level of traffic of these residential roads makes examination of the roads for such additional usage unnecessary.
- 7.12.2. Regarding concerns re. motorised scooters, new regulations (S.I. No. 199 of 2024) have been introduced to control e-scooters which have been subject to regulation since 20th May 2024. This should help to allay any concerns with regard to their use.
- 7.12.3. Condition requiring bungalow development – the 50 year existence of the development referred to is evidence of the historic nature of the standards which applied, when Knockowen Road estate was developed. Single storey dwellings would now be exceptional in the context of having reasonable densities to achieve compact settlement with all the associated benefits, mainly related to reduction in private car use and the increased use of other transport modes. Good design is now expected to achieve privacy and other residential amenity safeguards, in lieu of previous rule of thumb standards.
- 7.12.4. Re. the embedded phase 2 area – drawing 2207-KLA-00-00-DR-A-004 refers. The previous site layout plan, from the original application, included this area, now removed. It is stated to be an isolated area which suggests 'possibilities' in any future planning application.
- 7.12.5. I agree with the grounds of appeal that the subject development does not close off the possibility of a future vehicular connection to Knockowen Road Estate. Such a proposal would fall to be assessed at the appropriate time. The subject development

is not dependent of such access and the subject development, if permitted, does not preclude third parties from raising any concerns they may have about such a vehicular connection, for consideration at such time as one is proposed.

7.12.6. There is concern that proposed links with the adjoining residential area at Arden Heights will create opportunities for anti-social behaviour, and there is concern regarding open space adjoining the boundary. The applicant's response is that there is no evidence that making a connection between Arden Heights and the development will be a security risk, and there will be good natural surveillance from housing of the open space.

7.12.7. In my opinion the layout ensures natural surveillance of open spaces and links.

7.13. Use of the Gym / Community Benefit

7.13.1. It is stated that the area adjacent to Arden Heights needs to be redesigned with a focus on good design and community activation, not density. It is stated that the new community and gym facilities are conditioned to be for the residents only, this is not community integration, and the condition should be removed.

7.13.2. In response the applicant states that there is no condition requiring the community hub and gym facilities to be for residents; they will be operated on a commercial basis and open to residents of adjoining estates.

7.13.3. It was stated in the application that the gym would be for residents. It may have been the intention to avoid generating traffic through a residential area. No condition limiting to such users applies. The proposed hub and gym represent a small facility which would not generate excessive traffic. Their use, other than by residents of the development, would not be of concern.

7.13.4. In my opinion redesign of the area adjacent to Arden Heights is not necessary, and, as previously stated, the proposed density is the minimum acceptable at this location.

7.14. Masterplan

7.14.1. Changes to the masterplan, from that shown on previous occasions, is raised as a concern. The drawing referred to as a 'masterplan' is a drawing which shows how the development under consideration might fit into an overall development, as a means of illustrating that the proposed development would not obstruct a future

layout / development and that an overall development of these lands, to an acceptable layout, is possible. The concerns expressed imply that appellants regard the 'masterplan' as fixed. If a master planning exercise had been carried out by or on behalf of a planning authority, with formal public consultation and adoption by elected members, it would have some formal status. Even then it would be likely to have in-built flexibility. As previously stated, the masterplan in this case, is simply a means of setting a possible context for the proposed development.

- 7.14.2. In my opinion residential amenities of existing and future residents are adequately safeguarded by the proposed development and residential amenity should not be a reason to refuse or modify the proposed development.

7.15. Construction Access

- 7.15.1. The use of the construction entrance is of concern to adjoining residents. They have various concerns regarding the appropriateness (sightline requirement, impact on their amenities etc) of the construction access and concerns regarding its continued use as a construction access, for the proposed development. The construction access is not part of the subject application.
- 7.15.2. The Board has no role in relation to permitted development or enforcement, which are matters for the planning authority. The proposed development is accessed via the Redwood development. The Board may consider it appropriate not to attach a condition similar to condition 5a of the Planning Authority decision: which requires the use of the construction entrance. In my opinion the proposed development is capable of being implemented with or without the construction entrance. Access for construction should not be a reason to refuse or modify the proposed development.

7.16. Other Issues

7.17. Construction Management

- 7.17.1. It is stated in an appeal that the construction time needs to have a penalty system to ensure compliance; that work noise and dust, at times, is ongoing from 6.30 to 20.00.

It is stated that dumping of soil onsite is of concern, that excess soil is dumped adjacent to Arden Heights and is a considerable negative imposition from dust and dirt. Appellant's need to see the operational plan, such as where the new spoil is to be located. They point out that the existing spoil is higher than 2 storeys in places. They state that site security is required.

7.17.2. The applicant's response is that these matters are detailed in the CEMP and conditioned in condition 15. Regarding the dumping of soil, there is a CEMP and Waste Management Plan that deals with this issue and is enforceable.

7.17.3. In my opinion all these are matters which should be addressed in a Construction Management Plan.

7.18. Use of the Development Contributions

7.18.1. One appeal suggests that part of the Development Contribution should be used to upgrade facilities in Arden Heights: lighting upgrade, road and path upgrade, water supply upgrade. The applicant's response is that general development contributions are a matter for OCC.

7.18.2. The Board has no function in this matter.

7.19. Ownership

7.19.1. It is stated in an appeal that consent from Tullamore Municipal Authority is required to opening up the new estate to Arden Heights, that no application can be lodged in advance of the consent of the landowners, as the opening will be onto other property; and that the consent of Tullamore Municipal Authority has not been sought.

7.19.2. A letter of consent to the making of the application was submitted.

7.19.3. In relation to any ownership issues which arise, the provisions of Section 34 (13) of the Planning and Development Act 2000 as amended, apply ³

³ 34 (13) A person shall not be entitled solely by reason of a permission under this section to carry out any development.

8.0 Recommendation

- 8.1.1. In accordance with the foregoing I recommend that the proposed development be permitted, for the following reasons and considerations, in accordance with the following conditions.

9.0 Reasons and Considerations

- 9.1.1. The proposed development comprising residential development, a creché facility, a remote working hub space and gym for residents, alterations and diversion of the existing combined sewer crossing the site, providing an upgraded foul sewer with a separate storm sewer to connect to existing drainage infrastructure in the adjoining Redwood development and all associated site development works to complete the development, would not unduly impact on the natural environment or the amenities of the area, would align with national policy to achieve higher density compact settlements, would align with policy objectives for the area and would, subject to the following conditions, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

- 1 The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 31 day of January 2024, 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 and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

- 2 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.

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.

- 3 Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

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.

- 4 The development hereby permitted shall be carried out and completed at least to the construction standards set out in the ALTS [Planning Authority's Residential Site Development Standards document] [the Planning Authority's Taking in Charge Policy} ["Recommendations for Site Development Works for

Housing Areas” issued by the Department of the Environment and Local Government in November 1998]. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.

Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.

- 5 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.

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.

- 6 Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or 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.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

- 7 Prior to commencement of development, the developer shall enter into water and waste water connection agreements with Uisce Eireann.

Reason: In the interest of public health.

- 8 Surface water drainage arrangements for the site, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of visual amenity.

- 9 Prior to commencement of the development the developer shall submit details for the written agreement and consent of the planning authority of a revised accessway to the south of Dame Avenue unit no. 1 to form both a pedestrian and cycle link. No houses in Dame Avenue shall be occupied until the proposed cycle and pedestrian connection into Arden Heights has been completed. No houses in Alicia Grove shall be occupied until the proposed cycle and pedestrian connection into the adjoining Oaklee Development has been completed.

Reason: To comply with the requirements of the Design Manual for Urban Roads and Streets.

- 10 Prior to commencement of development, the developer shall submit for the written agreement of the planning authority an updated drawing showing

boundary treatment, generally in accordance with drawing 2207-KLA-00-DR-A-008 and 2201-KLA-00-00-DR-A-202 except where amended by conditions below.

- a) Where public areas abut the site boundary, on either side, the proposed boundary wall shall either be finished in brick or as otherwise agreed with the planning authority.
- b) The proposed 2m high concrete post and bottom rail fencing with treated timber panels, specified on drawing 2207-KLA-00-DR-A-008 Rev P01, forming the boundaries between rear gardens of individual sites, shall be amended by substituting the timber panels with concrete panels.
- c) Other than box hedges in front gardens, the development shall be open plan, and no front boundary walls / fences shall be erected, notwithstanding any 'exempted development' provision. This shall be included in the sales agreement of each dwelling house.
- d) Unless their function and location can be justified to the satisfaction the planning authority, the short abutment walls to the front of house type J1/J2 shown on drawing 2207-KLA-00-ZZ-DR-A-103, Rev P01, should be omitted.

Reason: In the Interests of residential amenity, visual amenity and privacy.

- 11 The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

- 13 Prior to commencement of development, the developer shall submit for the written agreement of the planning authority, details of the proposed first floor rear windows to houses numbered 9-14 Dame Avenue (per drawing number 2207-KLA-00-00-DR-A-201 P02) to ensure that windows shall have restricted

opening, in order to safeguard the privacy of adjoining residential properties to the rear. Glazing of these windows shall utilise obscured glass.

Reason: In the interest of residential amenity.

- 14 The areas of public open space shown on the lodged plans shall be reserved for such use. These areas shall be levelled, soiled, seeded, and landscaped in accordance with the landscaping scheme submitted to the planning authority. This work shall be completed before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer until taken in charge by the local authority.

Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.

- 15 The construction of the development shall be managed in accordance with a Construction 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:

(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;

(j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

(k) 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;

(l) Off-site disposal of construction waste and details of how it is proposed to manage excavated soil;

(m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

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.

Reason: In the interest of amenities, public health and safety.

- 16 All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

- 17 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 estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the names of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed names.

Reason: In the interest of urban legibility.

- 18 The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,

(b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and

(c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

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.

Planning Inspector

29th July 2024

Appendices

Appendix 1 EIA Pre screening

Appendix 2 EIA Preliminary Examination

Appendix 3 Screening for AA

Appendix 4 Offaly County Development Plan 2021-2027, extracts

Appendix 5 Photographs

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	319341			
Proposed Development Summary	Construction of 99 dwellings, a creché, a remote working hub space and gym			
Development Address	Clara Road, Tullamore, Co. Offaly			
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	/	
		No	No further action required	
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?				
Yes		Class.....	EIA Mandatory EIAR required	
No	/		Proceed to Q.3	
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]?				
		Threshold	Comment (if relevant)	Conclusion
No		N/A		No EIAR or Preliminary Examination required
Yes	/	part 2, 10 Infrastructure projects (b)(i) construction of 500 dwelling units		Proceed to Q.4
4. Has Schedule 7A information been submitted?				
No	/		Preliminary Examination required	
Yes			Screening Determination required	

Appendix 2

EIA – Preliminary Examination

An Bord Pleanála Case Reference	319341		
Development Summary	Construction of 99 dwellings, a creché, a remote working hub space and gym		
Examination			
			Yes / No / Uncertain
1. Is the size or nature of the proposed development exceptional in the context of the existing environment?			No
2. Will the development result in the production of any significant waste, or result in significant emissions or pollutants?			No
3. Is the proposed development located on, in, adjoining or have the potential to impact on an ecologically sensitive site or location*?			No
4. Does the proposed development have the potential to affect other significant environmental sensitivities in the area?			No
Comment (if relevant)			
Conclusion			
Based on a preliminary examination of the nature, size or location of the development, is there a real likelihood of significant effects on the environment **?			
There is no real likelihood of significant effects on the environment	EIAR not required	Not required	
There is significant and realistic doubt in regard to the likelihood of significant effects on the environment	Screening Determination required	Not required	
	Sch 7A information submitted?		No
There is a real likelihood of significant effects on the environment	EIAR is required (Issue notification)	No	

Inspector: _____

Date: _____

Screening for Appropriate Assessment Screening Determination

Step 1: Description of the project

I have considered the proposed development:

the construction of 99 no. dwellings, provision of a creché facility, a remote working hub space and gym for residents incorporated as part of the residential apartment building associated site development works, alterations and diversion of the existing combined sewer crossing the site, providing an upgraded foul sewer with a separate storm sewer to connect to existing drainage infrastructure in the adjoining Redwood development and all associated site development works to complete the development,

in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The subject site is located at Clara Road, Tullamore, Co. Offaly c1.3km straight line distance from the site the nearest European Site Charleville Wood SAC (site code 000571).

The proposed development comprises urban development on zoned, serviced land.

Step 2: Potential impact mechanisms from the project

No impacts are likely

Step 3: European Sites at risk

There are no European Sites at risk. The nearest European Sites i Charleville Wood SAC to which there is no connectivity.

Step 4: Likely significant effects on the European site 'alone'

Taking account of baseline conditions, and the effects of ongoing operational plans and projects, there is no likely significant effect 'alone'.

I conclude that the proposed development would have no likely significant effect 'alone' on any qualifying feature of European site Charleville Wood SAC (site code 000571). Further AA screening in-combination with other plans and projects is not required.