



An
Bord
Pleanála

Inspector's Report

ABP-320464-24

Development	Construction of a retirement village consisting of 50 apartments, a facility building, and all associated site works.
Location	Glenconnor, Clonmel, Co. Tipperary
Planning Authority	Tipperary County Council
Planning Authority Reg. Ref.	2460368
Applicant(s)	Gerard Norris.
Type of Application	Planning Permission.
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant	Gerard Norris.
Observer	<ol style="list-style-type: none">1. Margaret Rochard2. Patrick and Gertie Delahunty3. Residents of Glenview Close4. John and Caroline Blanche5. Christine Sheehan6. Jimmy and Maire Fenlon
Date of Site Inspection	11 th October 2024.
Inspector	Peter Nelson

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1.0 Site Location and Description

- 1.1. The site is located in the townland of Glenconnor, 2km northwest of the Clonmel Town Centre. The site has a stated area of 1.8ha. The site is located in a larger undeveloped residential area part of which is under construction. The appeal site has recently been cleared of vegetation.
- 1.2. The established Glenview Close residential development is directly to the west of the site. The existing access road through Glenview Close is included within the red line boundary of the site. To the north is a new residential development, granted under permission ABP. Ref: 31876-21.
- 1.3. The lands to the east are undeveloped, and beyond that, a residential development is currently under construction. These lands are accessed off Glenconnor Road and are in the same landholding as the appeal site. To the south of the site is the established Cherrymount residential development.

2.0 Proposed Development

- 2.1. The proposed development is a retirement village containing 50 no. residential units. These consist of 28 no. two-bed units, 22 no. one-bed units. All the units are single-storey. A 97.6 m² facilities building is also proposed. Vehicular and pedestrian access to the proposed retirement village is through the existing Glenview Close. The units are arranged in nine blocks with small areas of open space. There is only one access point to the site, and it is proposed that this entrance will be gated.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority refused planning permission on the 9th July 2024 for the following three reasons:

1. The subject proposal is for the construction of a 50-unit retirement village and a facilities building. The site is identified as being within lands which are to be the subject to the preparation of a masterplan (Policy 5-2 of the Clonmel and Environs Local Area Plan 2024) which must provide;

"for a coordinated approach to delivery and sequencing of residential development, a neighbourhood centre, public open space, playground / play spaces, road access, active travel and permeability; and an evidence-based assessment to demonstrate that there is adequate capacity in the existing road network to accommodate traffic impact from further proposed development. Any identified road upgrade requirements, including footpaths and cycle paths, are to be provided as part of the proposed development".

A Masterplan has not been submitted in support of the application and a Masterplan has not been agreed for the overall landholding. In the absence of the required Masterplan it is considered that the proposal is a standalone development, lacks clarity, is piecemeal, uncoordinated and premature pending the agreement of a Masterplan and the determination of phasing and linkages for the overall landbank. The proposed development would, therefore, be contrary to a stated objective of the Clonmel and Environs Local Area Plan 2024 (Policy 5-2) and to the proper planning and sustainable development of the area.

2. The application is not supported by a Traffic Impact Assessment, and it is considered that the proposed development will give rise to a substantial and yet unquantified volume of additional vehicular, pedestrian and bicycle traffic on a road network with identified capacity constraints. The proposed development lacks any connectivity to the wider Masterplan lands and to and from adjoining residential estates and community /social facilities in the nearby town centre of Clonmel.

Therefore, in the absence of definitive provision for the rectification of these deficiencies, the proposed development would be premature, pending the determination by the planning authority of a road layout for the Masterplan area and would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is a stated policy of the Planning Authority (Policies 5-2 and 5-5 of the Tipperary County Development Plan 2022) to support and facilitate the delivery of new residential development in towns and villages and where the

applicant has demonstrated compliance with a number of stated criteria including the submission of a Sustainability Statement and evidence-based Statement of Housing Mix (for 10 or more units). In the absence of a Sustainability Statement and Statement of Housing Mix the applicant has failed to demonstrate the manner in which the proposal complies with the policies and objectives of the Development Plan in relation to housing mix, climate action, Part V, 10-minute town etc. The proposal is therefore considered to be contrary to stated policies of the Tipperary County Development Plan 2022 and is contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The main points raised in the planner's report signed on the 4th July 2024 can be summarised as follows:

- It is noted that supplementary information presented with the application is limited.
- No details were submitted regarding the nature of the retirement village and the management of the same.
- No assessment of the traffic impacts, sustainability statement, or environmental screening reports were submitted.
- The applicant did not submit a masterplan for the remainder of the landholding in the wider area.
- There is planning policy support for the provision of a retirement village on new residentially zoned land in the town of Clonmel.
- The site is part of a landbank, the most substantial landbank of residentially zoned land in the town.
- The LAP has a specific policy (5-2) which requires the preparation of a masterplan for the area that will provide for a coordinated approach to the delivery and sequencing of future residential development.

- A planning report setting out how the scheme would integrate into a wider landbank was not provided.
- As currently presented, the scheme is ad hoc, unplanned and piecemeal.
- There is a serious concern that in the absence of an acceptable masterplan for this land bank, the land holding will be developed in a standalone, unplanned manner.
- Without a coordinated masterplan for the landbank from which the site is taken, the scheme presented is contrary to a stated objective of the Clonmel Local Area Plan 2024 (Policy 5-2), and permission should be refused.
- The current application is to be assessed under the Clonmel and Environs Local Area Plan 2024, which provides clear and specific details on the requirements for a masterplan at this location.
- No masterplan has been submitted with the current application and the planner considers that the previously submitted Masterplan does not address the LAP requirements.
- Regard was given in the assessment of this application to the Draft Design Guide for Long-Term Residential Care Settings for Older People, published by the Department of Health in December 2023 and the Pre-Planning Guidance for residential care homes published by Age Friendly Ireland in June 2021.
- It appears from the scheme presented that the proposal would function as a more conventional housing scheme. In the absence of a masterplan for the wider area, it is impossible to determine if the mix proposed (one and two-bed units only) is acceptable.
- The provision of a gated community, in the absence of a justifiable need for the same, would conflict with the principle of providing inclusive development that integrates with the wider receiving environment.
- When assessed against the standards for conventional housing set out in Quality Housing for Sustainable Communities, there is a shortfall in the storage space provided for the proposed units, particularly the one-bed units.

- Consideration should be given to replacing curtilage parking in place and allowing units to front directly onto the public footpath.
- An area of outdoor amenity space should be provided to the front of the unit, which would allow for a more active and engaged street front.
- The open space to the north, while overlooked by some units, has a poor relationship to Block 8, with the open space adjoining the rear boundary wall of these units.
- The rear garden space of units 13 and 15 are shallow as are the garden spaces for units 29-35.
- The applicant has submitted details of a Part V agreement with the Local Authority.
- The parking provision is acceptable.
- It is noted that a retaining wall is proposed to the rear of Blocks 7 and 8. The wall to the rear of block 7 is a particular concern as it fronts onto the principal access point to the scheme.
- The relationship between the proposed development and the surrounding properties is acceptable, subject to more substantive boundary treatments.
- Policy 5-2 of the Clonmel and Environs Local Area Plan requires an evidence-based assessment to demonstrate adequate capacity in the existing road network to accommodate traffic impact from further development in this area. No such assessment was provided.
- The Planning Authority is not satisfied that spare capacity has been demonstrated in the local road network to accommodate the traffic demands arising from the works proposed.
- The applicant has not provided a letter of consent from the Municipal District to include the public road within the application site boundary.
- The applicant has no legal entitlement to demolish part of this wall and traverse the green area at its base, which is within Glenview Close.
- The requirements of Uisce Eireann need to be addressed.

- There is little evidence of a sustainable SUDS solution being implemented on-site; the issue of surface water management needs to be addressed.
- The applicant ought to be requested to submit an EIA screening report.
- A refusal reason on AA grounds is not warranted in this instance.
- There is a serious concern that this proposal could undermine the development of the remainder of the landholding as it would impede future pedestrian and cycle connection from the new development to the east of the site (Glenconnor Road) to the residential areas west of the site.
- If the units proposed are intended for private occupation, the same quantum of smaller units could be delivered as part of a wider housing scheme covering the entire landholding.
- The applicant has failed to demonstrate consent to include the public road within the application site boundary or to demolish the mutual boundary wall and traverse the verge at its base.

3.2.2. Other Technical Reports

In the report dated the 19th June 2024, the District Engineer requests the applicant to submit on-site drainage details. The report also raised serious concerns regarding the local road network's capacity to absorb the traffic volume likely to be generated by the proposal.

3.3. **Prescribed Bodies**

Uisce Eireann's report dated 19th June 2024 requires the applicant to submit further information. They request the applicant to submit a pre-Connection Enquiry to assess the feasibility of connection to the public water and wastewater infrastructure.

3.4. **Third Party Observations**

Twenty-one observations were received. The main points raised can be summarised as follows:

- Most of the observations stated that they are not against the development in principle of a retirement village.
- Opposition to the proposed new vehicular entrance through Glenview Close.
- The existing Glenview Close roads are too narrow to be an access point for the proposed development.
- The road from the Ballingarrane Access Road to the proposed entrance is only a single lane as residents park their second cars on the road.
- The houses in Glenview Close were bought because they were in a cul-de-sac.
- There are traffic issues on GAA match days, and the proposed development will add to the problem.
- There is an alternative route for the proposed development through lands being developed in Glenconnor.
- The increase in traffic through Glencore will greatly impact the existing residents and create additional delays at the junction with the Ballingarrane Access Road and the R707.
- All construction traffic should access the site from Glenconnor Road.
- The site is part of a larger land bank, which requires a masterplan to guide the development of the overall lands.
- The proposed development would be piecemeal and be contrary to the Clonmel and Environs Development Plan 2024.
- The lack of childcare facilities is at variance with the Childcare Facilities Guidelines for Planning Authorities.
- The proposed dwellings will increase overlooking and noise nuisance on adjoining estates.
- The application does not include an adequate assessment of the adequacy or capability of the L7624 or its junction with the R707.
- The application does not show if there is capacity in the existing foul and surface water sewers for the proposed development.

- Emergency vehicles to Glenview Close would be impacted if the proposed access goes ahead.
- There are existing water shortages, which will increase with the occupation of the proposed development.
- Further information is needed as practically no information was given in relation to the management and operation of the proposed retirement village.
- How will emergency vehicles access the proposed development after the gates are locked at 8 pm?
- No assessment has been made on the impact a 125% increase in traffic will have on the residents of Glenview Close.
- Concerns that there will not be adequate parking for the proposed development.
- Concerns relating to the location of ESB poles for the proposed development.
- Existing boundary walls adjoining the proposed development should remain intact.
- Construction hours should be specified and should not start before 8 am.
- The proposed development is not in line with the objectives of the local and national planning policy and could be contrary to the proper planning and sustainable development of Clonmel.

4.0 Planning History

P.A. Ref: 18600418

Permission was granted on the 29th August 2018 for a Nursing Home, vehicular entrance, roadway, car-parking, streetlights and all associated site development works

Site to the North

ABP Ref: 311876-21

Permission was granted on the 4th May 2022 for the construction of 46 residential units in 8no. 1.5, 2 and 2.5 storey blocks comprising of 14 no.1-bedroom apartments, 6no. 2-bedroom apartments, 12 no. 2 bedroom houses, 12 no. 3 bedroom houses and 2no. 4-bedroom houses. Permission was also granted for a new vehicular and pedestrian access from Wheatfields, access roadways, footpaths, lighting and associated site services and all associated site boundary and site development works, including connections to public drainage on Glenconnor Road.

Sites to the East

P.A. Ref: 19/601108

Permission was granted on the 4th March 2020 for construction of 77. no residential units comprising of 28 no. semi-detached houses, 2 no. detached houses, 33 no. terraced houses, 14 no. apartments and all associated site development works including local equipped area of play, entrance, roads, footpaths, boundary, treatments and connection to all underground services.

P.A. Ref: 21/11350

Permission was granted on the 2nd November 2021 to modify the permitted site layout on planning file reference 19/601108, by the addition of 2 no. proposed residential units, by changing a terrace of 3 no. dwellings into a terrace of 5 no. dwellings, including all associated site development works.

P.A. Ref: 22/60123

Permission was granted on the 26th May 2022 for modifications to the permitted site layout on planning file reference 19/601108, by (a) the addition of 8 no. proposed residential units, by changing 8 no. semi-detached dwellings into 16 no. apartments (in two blocks of eight units each), and, (b) changing a terrace of 3 no. 3-bed dwellings into a terrace of 3 no. 2-bed dwellings, including all associated site development works.

P.A. Ref: 23/60415

Permission was granted on the 29th September 2023 for the modification of part of the submitted site layout on planning file reference no. 19601108 by the provision of an extra eight residential units (i.e. 41 no. units where 33 no. are permitted). The

new layout shall comprise 7 no. terraces of 3 houses with a mix of 2, 3 & 4 bedrooms, 2 no. terraces of 4 houses with a mix of 2 & 3 bedrooms and 2 no. terraces of 6 one bedroomed own door apartment units, all proposed units are two storeys. The changes do not require modification to the permitted site layout

P.A. Ref: 24/60042

Permission was granted on the 14th March 2024 to modify part of the submitted site layout on planning file reference no. 2360415 by the provision of 29 no. residential units where 35 no. residential units are permitted. The new layout shall comprise 2 terraces of 4 houses with a mix of 3 & 4 bedrooms, 6 no. terraces of 3 houses with a mix of 3 & 4 bedrooms and 1 no. terrace of 3 houses with a mix of 2 & 4 bedrooms, the proposed residential units are a mix of two and three storey. The changes do not require modification to the permitted site layout

5.0 Policy Context

5.1. Development Plan

The Tipperary County Development Plan 2022-2028 is the operational development plan for the area. The plan became effective on the 22nd August, 2022.

Strategic Objectives

SO-1:

To facilitate and promote the development of Clonmel, Nenagh and Thurles as Key Towns, economic drivers and significant population and service centres for the Southern Region

Clonmel Strategy for Growth

Clonmel is designated as a self-sustaining regional growth centre in the Southern RSES and is a strategic employment location providing regional level services in the county. It acts as a major centre for the delivery of higher order retail provision, transport and public services including education, government functions and health care. In this role, it is targeted to grow by at least 30% in terms of population, and to attract a range of large employers and regional services, amenities and infrastructure. The Council will continue to support the role of Clonmel as a strategic

location for large-scale industry, including life-sciences, technology, food production and manufacturing. The Council will continue to actively support the sustainment and expansion of the third-level sector and health services in the town. The Council will support the further development of Clonmel as a strong and attractive residential centre.

The Council will work with the community to support more sustainable transport patterns, active travel and modal shift and will continue to support investment in the Limerick to Waterford rail line and enhanced provision of bus services to improve inter-regional connectivity. In particular, the Council will seek to maximise support under the 'Town Centre First' policy to develop Kickham Barracks and town centre areas, implement the Masterplan for Suir Island and the tourism product plan under 'Flights of Discovery'. The Core Strategy has outlined a population and housing projection, and a projected residential land zoning allocation. The Clonmel Town and Environs Development Plan 201327 will remain applicable to its Plan area, until a detailed assessment and review of land zoning for residential development will be carried out in line with the NPF' Methodology for a Tiered Approach to Land-zoning' to inform the preparation of a new Clonmel and Environs LAP.

Policy 5-2

Facilitate residential development, in accordance with the policy and objectives for residential development for towns and villages, as set out in Volume 2, in the relevant LAPs (and any review thereof) and as set out in the relevant Development Plan for each town (and any review thereof) and the Development Management Standards set out in Volume 3.

Policy 5-5

Support and facilitate the delivery of new residential development in towns and villages and where the applicant has demonstrated compliance with the following:

- a) New residential development shall meet the relevant Development Management Standards as set out in Volume 3.
- b) New residential developments of 10 or more units shall be accompanied by a 'Sustainability Statement', and a 'Statement of Housing Mix'.

c) New development shall be of an appropriate density and quality in accordance with the Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, (DHLGH, 2009), and any amendment thereof, and shall demonstrate that all opportunities for connectivity and linkages have been explored and incorporated in accordance with the 10-Minute Town concept and supporting active travel options.

d) Residential development in rural settlements shall be appropriate to the scale, character and infrastructural capacity of the settlement in which it is to be located.

5.2. Local Area Plan

Clonmel and Environs Local Area Plan 2024-2030 is the current Local Area Plan operating in the area. This plan came into effect on the 25th March 2024

The site is zoned 'New Residential'. The objective of this zoning is *'To provide for new residential development.'*

The description of this zoning is:

'New residential areas/town extensions to ensure the provision of high quality and connected new residential environments. Provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities.'

Policies

Policy 1.1

Assess all new development proposals within the boundary of the Clonmel and Environs Local Area Plan 2024-2030 in accordance with the policies, objectives and requirements of the Tipperary County Development Plan 2022-2028 (and any review thereof), and this Plan. Where conflicts arise, the Tipperary County Development Plan 2022-2028 (and any review thereof) shall have primacy in decision-making.

Section 5 of the LAP refers to Sustainable Communities and states that;

Over its lifetime, this Clonmel LAP, as part of a larger multi-stakeholder social and economic framework, will help facilitate the development of sustainable and socially inclusive communities, where high-quality and age friendly housing is provided

consistently, and integrated with the delivery of community and social infrastructure to support a high quality of life for the residents of the town.

The plan area is divided into 6 residential development neighbourhoods and the subject site is located within the "West of Glenconnor Road on the west side of the town neighbourhood".

Policy 2.4

Support and permit compact residential growth in Clonmel through the sustainable intensification and consolidation of the town centre and established residential areas to meet identified housing targets and requirements in line with the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DHLGH, 2024) and any review thereof.

Policy 5.1

Support new development and growth in the town and within the identified 'Neighbourhoods', in accordance with the principles for each 'Neighbourhood' as set out in Section 5.2.1, ensuring appropriate residential densities on central areas in accordance with the relevant Section 28 planning guidelines.

Policy 5.2

Require the preparation of a masterplan for the landbank of 'New Residential' zoned land on the west side of Glenconnor Road, north of the Glenoaks housing estate. A masterplan must provide

- 1) for a coordinated approach to delivery and sequencing of residential development, a neighbourhood centre, public open space, playground / play spaces, road access, active travel and permeability; and
- 2) an evidence-based assessment to demonstrate that there is adequate capacity in the existing road network to accommodate traffic impact from further proposed development. Any identified road upgrade requirements, including footpaths and cycle paths, are to be provided as part of the proposed development.

Policy 5.4

Require new development proposals relating to housing, public realm, amenity, accessibility and public transport etc. to be designed in accordance with 'Universal

Design' and 'Age Friendly' principles, in particular in relation to the provision of rest and dwell spaces in the town centre.

Policy 6.1

Support new development that will improve accessibility and movement within Clonmel, reduce dependency on private car transport, increase permeability in the town, and encourage the use of energy efficient forms of transport through the promotion of walking, cycling and public transport.

Policy 6.3

Require that new developments are designed to comply with Design Manual for Urban Roads and Streets (DoT, 2019) and supplementary Advice Notes including making provision for pedestrian and cycle infrastructure, enhancing connectivity and accessibility to the town and providing universal access (in particular for persons with disabilities, reduced mobility and older people) where a whole journey approach is considered.

Policy 6.4

Support the sequential development of lands zoned for development and to ensure that provision is made for the orderly expansion into areas that may be zoned in the future. In assessing new planning applications, and on a case-by-case basis, the Council may require the maintenance of a corridor to provide for future connectivity with adjoining un-zoned lands.

5.3. Regional Policy

Regional Spatial and Economic Strategy for the Southern Region

The RSES 2020-2032 is a strategic document, which primarily aims to support the delivery of the programme for change set out in Project Ireland 2040, the National Planning Framework (NPF) and the National Development Plan 2018-27 (NDP). As the regional tier of the national planning process, it will ensure coordination between the City and County Development Plans (CCDP) and Local Enterprise and Community Plans (LECP) of the ten local authorities in the Region.

County Tipperary is included in this Plan. Clonmel is included as a larger 'Key Town'. Each benefit from proximity to Waterford, but have their own distinct function, catchment area and influence. These have capacity for significant growth and to act as critical drivers and compliment the role of the Waterford Metropolitan Area.

5.4. **National Policy**

Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024).

The Guidelines 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. There is a renewed focus in the Guidelines on, inter alia, the interaction between residential density, housing standards, and quality urban design and placemaking to support sustainable and compact growth.

Table 3.3

Metropolitan Towns (>1,500 population) – 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 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 35 dph to 50 dph (net) shall generally be applied at suburban and edge locations of Metropolitan Towns, and that densities of up to 100 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations (as defined in Table 3.8).

Table 3.8

Accessible Location Lands within 500 metres (i.e. up to 5-6 minute walk) of existing or planned high frequency (i.e. 10 minute peak hour frequency) urban bus services.

5.5. **Natural Heritage Designations**

The proposed development is not located within or immediately adjacent to any European site.

Lower River Suir Special Area of Conservation is located approximately 0.8km from the appeal site.

5.6. EIA Screening

See Forms 1 and 2 in the appendix. Having regard to the nature of the proposed development comprising the construction of 50 dwellings and associated site works on a greenfield site, adjoining an existing residential estate where infrastructural services are available, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The main points of the first-party appeal can be summarised under the following headings:

Masterplan

- There is already a Masterplan in place, which An Bord Pleanála considered sufficient to guide the balance of the unpermitted and undeveloped lands when considering application 20/1062.
- Policy 5-2 in the current LAP seeks the preparation of a masterplan for the landbank of 'New Residential' zoned land on the west side of Glenconnor Road, north of the Glenoaks housing estate.
- The masterplan must provide a coordinated approach to the delivery and sequencing of residential development and proof of adequate capacity in the existing road network. Any upgrades including footpaths and cycle paths are to be provided as part of the development.
- The development accessed through Glenview is a sequential extension of housing.

- The proposed layout provides for open space for the residents and a playground/play space is addressed in planning permission ref.19/601108 which is under construction.
- Active travel facilities are not proposed anywhere on the landholding, but active travel is addressed in the Sustainability Statement and Statement of Housing Mix, which is included with the appeal.
- In terms of permeability, vehicular and pedestrian access is limited to the adjoining housing estate. If required, controlled access is feasible to future housing lands to the east.
- The appeal is accompanied by a TIA. As no upgrade was required for the housing permitted under planning permission 20/2062 to the north through Wheatfields, there should be no requirement for any upgrades through Glenview.
- A new masterplan would, therefore, serve no meaningful purpose.
- A survey carried out by the applicant showed demand for retirement housing.
- The council has previously permitted standalone retirement housing for older persons to be developed without pedestrian and cycle connectivity with neighbouring estates.
- A revised masterplan would serve no meaningful purpose.
- Refusal reasons were not warranted given that a masterplan for the landholding has previously been prepared and could have readily been adapted, if required.

Traffic Impact Assessment

- The submitted Traffic Impact Assessment demonstrates and concludes that the traffic impact of the proposed development would be slight and not significant.

- The traffic impact would be similar to or less than the traffic impact of the housing permitted under application ref: 20/1062 at Wheatfield. As highlighted in the TIA, the nature of the proposed housing for retired persons would generate less traffic at peak times, thereby minimising impacts.

Sustainability Statement and Statement of Housing Mix.

- A Sustainability Statement and Statement of Housing has been submitted with the appeal.

Other Matters

- The Draft Design Guidelines for Long-Term Residential Care Settings for Older People (Department of Health, December 2023), as mentioned in the planner's report, are not applicable to the proposed development as they focus on residential care homes.
- The planner underestimated the proposed density as it is a gross density and not a net density. The nature of the single-storey dwellings results in a greater footprint.
- The planner states that having a gated development would conflict with the principle of inclusive development. It is proposed that the gates be opened during the day for residents and visitors. The gates will be closed in the late evening in the interests of the safety and security of the retired households.
- Concern was raised about the level of car parking in front of the units. Given the nature of the housing and the potential low level of car usage, the car parking could be reduced to 1 space per unit with a small garden plot for each unit.
- The open space adjacent to Block 8, which the planner states is not overlooked, can be used for a maintenance building.
- Given the nature of the housing, it is considered appropriate to limit the size of the garden areas.
- Each dwelling will have adequate storage, including a loft storage.

Third Party Submissions

- The proposed development complies with the area's zoning objective.
- The TIA demonstrates that the Glenview Close, wider road network, including the R707/Ballingarrane junction, have capacity for the proposed development.
- The distribution of the traffic generated by the overall landholding is better served by the availability of new and existing access.
- The purchase of the proposed dwellings will be limited to retired people.
- There is capacity in the water services network to facilitate the proposed development.
- The proposed development will not generate demand for childcare facilities.
- The separation distances between the proposed and existing dwellings are acceptable and in accordance with the guidelines.

6.2. Planning Authority Response

The main points of Tipperary County Council's response to the appeal dated the 30th August, 2024 can be summarised as follows:

- The planning authority had due regard to both national and local planning policy, especially the Clonmel and Environs Local Area Plan 2024.
- Policy 5-2 of the LAP requires the preparation of a masterplan for the entire landbank of 'New Residential' zoned land on the west side of the Glenconnor Road, north of the Glenoaks housing estate.
- In the appeal the applicant draws attention to the previous application for the site to the north. The planning authority's decision to refused was overturned by ABP (ABP-311876-21), however the planning inspector concurred with Tipperary County Council and recommended permission be refused as the proposal was piecemeal in nature.

- The masterplan of file ref: 20/1062 did not form part of any statutory land use plan prepared by the Local Authority.
- New national and local policies have come into effect since the last application was assessed, particularly the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024 and the Clonmel and Environs Local Area Plan 2024.
- The Traffic and Transport Assessment submitted does not describe the adjoining road which serves Glenview Close.
- Tipperary County Council still has concerns in respect of the capacity of the local road network to absorb the volume of traffic likely to be generated by the proposal.
- Tipperary County Council respectfully submit that their decision to refuse should be upheld.

6.3. Observations

Six observations were received by the Board. The issues raised can be summarised as follows:

- The applicant should have been made aware of the Clonmel and Environs Local Area's Plan 2024 requirement for a masterplan to develop the overall landholding.
- The applicant did not submit a Pre-Application Enquiry to Uisce Eireann before lodging the application.
- Contrary to the appeal submission, Wheatfields and Glenview Close roads are not similar as there is a 1.4m difference in width and Wheatfields has only houses on one side.
- The Traffic Impact Assessment (TIA) is not up to date, as the traffic count used was conducted in May 2019.
- Traffic volumes have increased since the traffic count.
- No road safety audit was carried out.

- The TIA did not include the effect pedestrians cause to traffic waiting times as they cross the Ballingarrane Access Road at its junction with the R707.
- Glenview Close does not have the space or capacity to take the traffic from the proposed development.
- There is inadequate capacity in the existing water services.
- There are not adequate services in close proximity to the proposed retirement village.
- An access road from Glenconnor Road to the proposed development would give a clear carriageway, as parking bays could be provided along its length.
- There are concerns relating to construction traffic using the Ballingarrane Access Road.
- The residents of Glenview Close, in principle, welcome the development of a retirement village; however, the entrance from Glenview Close Estate would be detrimental to the existing residents.
- Consent to partially demolish the wall between Glenview Close and the proposed development and cross the grass verge was not sought or given by the residents or the County Council.
- Emergency and service vehicles will not be able to access the proposed development due to the narrowness of the existing road through Glenview Close.
- The proposed development should be accessed off the Glenconnor Road.

6.4. Further Responses

None

7.0 Assessment

- 7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having visited the site, and having regard to the relevant

local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Masterplan
- Road Capacity and Traffic Impact Assessment
- Sustainability Statement and Statement of Housing Mix
- Density
- Water Services
- Other Matters

7.2. Masterplan

- 7.2.1. The first reason for refusal relates to the lack of an agreed masterplan for the overall landholding. The reason for refusal states that *'in the absence of the required Masterplan it is considered that the proposal is a standalone development, lacks clarity, is piecemeal, uncoordinated and premature pending the agreement of a Masterplan and the determination of phasing and linkages for the overall landbank.'*
- 7.2.2. The proposed development consists of a gated retirement village of 50 residential units. Aside from the entrance through the Glenview close there are no linkages to other developments in the area. As designed, there are no potential links to future developments in the overall landbank. The site forms part of a larger landbank of undeveloped lands zoned for residential development that extends from the eastern boundary to Wheatfields/Glenview Close to the Glenconnor Road.
- 7.2.3. The Clonmel and Environs Local Area Plan 2024-2030 came into effect on the 25th March, 2024, and the planning application was submitted on the 15th May, 2024. Policy 5.2 of the plan requires the preparation of a masterplan for the landbank of 'New Residential' zoned land on the west side of Glenconnor Road, north of the Glenoaks housing estate.
- 7.2.4. The plan states that the masterplan must provide 1) for a coordinated approach to delivery and sequencing of residential development, a neighbourhood centre, public open space, playground/play spaces, road access, active travel and permeability; and 2) an evidence-based assessment to demonstrate that there is adequate

capacity in the existing road network to accommodate traffic impact from further proposed development.

- 7.2.5. No such up-to-date masterplan was submitted with the planning application.
- 7.2.6. In the grounds of appeal, the applicant refers to the Board decision on the site directly to the north (ABP.311876). In the Board Direction on the appeal, the Board noted that a masterplan was submitted with the application, and it considered that it contained adequate information on the future of the development of the remaining landbank, that such development proposals would require the bringing forward of a planning application(s). This masterplan was also included in the planning application for 77 residential units on the lands to the east (P.A. ref: 19/601108).
- 7.2.7. I note that the masterplan referenced above did not include a retirement village. The masterplan indicated potential linkages to the appeal site from Glenview Close, what is now Garden Close and through the future development to the east accessed from Glenconnor Road.
- 7.2.8. There is one additional live permission on the landholding: 19601108 – Permission was granted for a residential development of 73 units (as amended by P.A. ref: 2111350, 2260123, 2360415 and 2460042). This development is accessed from the Glenconnor Road and includes measures to allow for widening of this road. Ref. 19601108 includes the development of Local Equipped Areas of Play (LEAP) and a reserve area of land to provide for a neighbourhood centre.
- 7.2.9. The appeal includes the previous masterplan adapted to include the proposed retirement village and the development to the north as built. I consider that the proposed development has not been integrated into the existing masterplan. I also note that the masterplan was originated in 2019 before the adoption of the current Clonmel and Environs Local Area Plan 2024-2030 and the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024)
- 7.2.10. The Design Manual for Urban Roads and Streets 2019 provides guidance in relation to street design and design of residential areas. Four key design principles are interconnected street networks, multi-functional streets, a pedestrian focus and a multi-disciplinary approach. The provision of good pedestrian and vehicular permeability is a requirement.

- 7.2.11. The proposed development will result in a lack of permeability and would prevent any linkages, especially pedestrian, with the existing and future residential development and proposed neighbourhood centre to the east of the appeal site. The proposed development will result in a missed opportunity for pedestrian linkages from the existing and future residential development to the east of the appeal site and the Poppyfield Retail Park, which includes a supermarket, pharmacy and coffee shop.
- 7.2.12. I note in the Sustainability Statement, submitted with the appeal, that the applicant is prepared to provide a pedestrian connection to the future residential lands to the east if it can be controlled with a security gate that can only be accessible with a controlled entrance/exit during the day. It is claimed that this is to safeguard the security and amenity of the residents of the retirement village. I do not consider that a retirement village needs to be a gated development, and I consider that pedestrian movement and permeability with the wider community should be prioritised.
- 7.2.13. I considered that the proposed development has not had regard to the existing masterplan or any updated masterplan and has not been designed for a coordinated approach to the delivery of residential development with sufficient permeability. Therefore, the proposed development would result in a piecemeal and uncoordinated residential development and would be contrary to the proper planning and sustainable development of the area.

7.3. Road Capacity and Traffic Impact Assessment

- 7.3.1. The second reason for refusal states that the proposed development would give rise to a substantial and yet unquantified volume of additional vehicular, pedestrian and bicycle traffic on a road network with identified capacity constraints. The reason also stated that the proposed development lacked any connectivity to the wider Masterplan lands and to and from adjoining residential estates and community /social facilities in the nearby town centre of Clonmel. In the absence of definitive provision for the rectification of these deficiencies, the Planning Authority considered that the proposed development would be premature, pending the determination by the planning authority of a road layout for the Masterplan area and would endanger public safety by reason of traffic hazard.

- 7.3.2. No Traffic Impact Assessment (TIA) was submitted with the planning application. A Traffic Impact Assessment Report prepared by Will McGarry & Associates, Consulting Engineers, has been submitted as part of the appeal.
- 7.3.3. The TIA states that the assessment was prepared in July 2024, which is outside school term time, and therefore, the Garden Close TIA (ABP. Ref 311876-21) figures were used as they provided a robust basis for expected existing baseline traffic volumes. I note that these on-site traffic counts were carried out in May 2019. Aside from the Garden Close development which is included in the baseline figures, as there have been no significant new developments using the Ballingarrane Estate Access Road, I am satisfied with the baseline figures.
- 7.3.4. The proposed development is accessed from Glenview Close. The TIA states that the existing Glenview Close, with its typical road carriageway width of 5.7m, is a Local Street in the context of the Design Manual for Urban Roads and Streets (DMURS). DMURS requires a standard carriageway width for local Streets between 5-5.5m. I therefore consider that the access road is the required width for a local road.
- 7.3.5. All the observations received on file raise concerns about using Glenview Close as an access to the proposed development. It is stated that there are no on-road parking bays and parking on the road reduces street width. They also state that there is no capacity to increase the road width or provide off-street car parking or cycle lanes in the Glenview close residential development. I note that all of the dwellings, apart from on in Glenview have on site parking for at least one car.
- 7.3.6. I note that in the Clonmel Borough District report dated the 19th June, 2024, the Executive Engineer notes that there were cars on both sides of the road at the time of his site inspection. He notes his serious concerns from a Road Traffic perspective, adding traffic of this magnitude to an already congested road. It was requested that the applicant submit a masterplan of their intentions for all their lands, as it is difficult to assess the planning applications in a piecemeal manner. At the time of my site inspection, several cars were parked on the road. The existing Glenview Close access road serves 44 dwellings.
- 7.3.7. In the TIA for the proposed development of 77 residential units on the lands to the east (P.A. ref: 19/601108) the traffic impact of the proposed masterplan development

was assessed. It was stated that all the land holding, including the current appeal site, was to be accessed via a new single new access and that the masterplan indicated potential pedestrian/cycle linkages on the west side of the zoned lands, with Wheatfields and Glenview Close. The proposed development is to be accessed from Glenview Close contrary to the previously accepted masterplan.

- 7.3.8. I note that the proposed development has not been subject to a Road Safety Audit (RSA) as required under Section 6.3 *Road Safety Audit*, of Volume 3 *Development Management Standards* of the Tipperary County Development Plan 2022-2028. I would recommend that if the Board is minded to grant planning permission, an RSA with recommendation is agreed upon with the Planning Authority prior to commencement.
- 7.3.9. The TIA notes that retired occupants of the proposed development will have virtually no work-based commuter trips during the morning and evening peak traffic hours. It is noted that the proposed development would increase morning and evening peak traffic hour volumes at the Cahir Road/Ballingarrane Access Road Junction by 17 vehicles and eight vehicles, respectively. These would equate to increases of up to 1.3% and 0.5%, respectively and would result in an estimated increase in the absolute maximum number of vehicles waiting in the Ballingarrane Estate Access Road, at the Cahir Road/Ballingarrane Access Road T-Junction from nine to ten vehicles, at any one time, based on the expected existing baseline provided by the Garden Close TTA.
- 7.3.10. I note that in the summary and conclusion, the TIA states that the proposed residential development includes provision for future pedestrian and cyclist access links with the zoned residential lands to the east of the site as part of the proposed masterplan. No such access was shown on the original planning application drawings; however, in the Sustainability Statement, the applicant states their willingness to allow such pedestrian access provided it can be controlled during the day. The applicant is not proposing cycle access due to the nature of the housing scheme and the intended occupants. There is an assumption in this statement that the retired occupants will not be cycling. I consider that this may not be the case, and I believe that future occupants should be provided with cycle access.

- 7.3.11. Notwithstanding the lack of an up-to-date masterplan and the lack of permeability for pedestrians and cyclists, and having regard to the submitted TIA, I am satisfied that there is adequate capacity in the road network to accommodate the proposed development in isolation.

7.4. Sustainability Statement and Statement of Housing Mix

- 7.4.1. The third reason for refusal states that in the absence of a Sustainability Statement and Statement of Housing Mix, the applicant has failed to demonstrate how the proposal complies with the policies and objectives of the Development Plan in relation to housing mix, climate action, Part V, 10-minute town as required under policy Policies 5-2 and 5-5 of the Tipperary County Development Plan 2022.
- 7.4.2. As part of the appeal, the applicant has submitted a Sustainability Statement and a Statement of Housing Mix.
- 7.4.3. The submitted statement comments that the site is a natural extension of the existing built-up area and forms part of a wider infill site within Clonmel, which is in close proximity to local services and public transport. The site is part of a landbank, the most substantial landbank of residentially zoned land in the town. The applicant claims that the site is part of a priority site and arguably sequential superior to most other such zoned land.
- 7.4.4. As noted above, the applicant is prepared to provide a pedestrian connection to the future residential lands to the east if it can be controlled with a security gate that can only be accessible with a controlled entrance/exit during the day. It is claimed that this is to safeguard the security and amenity of the residents of the retirement village. I do not consider that a controlled pedestrian entrance will contribute to the permeability of the area.
- 7.4.5. Housing strategy identifies with an average age of 38.5, Clonmel Town is one of the top 5 oldest population of towns in the State. The statement notes that the house size and type range is limited within the proposed development. However, it states that in the context of the wider residential area, the proposed development will add to the overall mix and be conducive to maintaining a healthy, balanced community.

- 7.4.6. I recognise that there is a benefit to the type of housing proposed as it will provide a different house type and size that will allow for downsizing within the area. The proposed site is close to services such as Clonmel Park Hotel and the Poppyfield Retail Park, which includes a supermarket, pharmacy and coffee shop and is therefore in close proximity to certain services.
- 7.4.7. I note that the applicant has submitted the results of research that the applicant undertook into the feasibility of developing a retirement village. This showed a strong demand for retirement housing.
- 7.4.8. Regarding the above, I consider that taking the proposed mix of units in the general area is acceptable in isolation.

7.5. Density

- 7.5.1. The applicant states that the planner's calculation of 27.7 dwellings is underestimated as it is a gross density. Appendix B of the Sustainable Residential Development and Compact Settlements: Guidelines for Planning Authorities gives guidance for measuring residential density. As the site area does not include a major road, commercial development, a larger park or an area of environmental constraint, I consider that the net area of the site is 1.830 hectares. As the proposed is for 50 dwellings, the proposed density is 27.3 dwellings per hectare.
- 7.5.2. Policy 2.4 of the Clonmel and Environs Local Area Plan 2024-2030 states it is the policy of the Council to *'support and permit compact residential growth in Clonmel through the sustainable intensification and consolidation of the town centre and established residential areas to meet identified housing targets and requirements in line with the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DHLGH, 2024) and any review thereof'*. The site is located in a suburban/urban extension of Clonmel, which, according to the guidelines, is classed as a metropolitan town. It is a policy and objective of the Guidelines that residential densities in the range 35 dph to 50 dph (net) shall generally be applied at suburban and edge locations of Metropolitan Towns, and that densities of up to 100 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations. The site is less than 500m from an urban bus service. The bus service is less than a 10-minute peak hour frequency and therefore

the area is not classed as 'accessible'. Therefore, to comply with the guidelines, the site should have a residential density in the range of 35 dph to 50 dph. The density of the proposed development at 27.3 is below this recommended range.

- 7.5.3. The applicant states in the appeal that the nature of the proposed housing necessitates single-storey units and, therefore, a greater footprint than conventional housing and lower net density. While I recognise that a retirement village may result in a lower density, all the units are single-storey, and no apartments are proposed. I consider apartments to be a suitable dwelling type for a retirement village. The sketch master plan does not give density figures for the remaining undeveloped landholding, and no compensatory higher-density areas have been suggested. I consider that in the absence of an up-to-date, detailed masterplan, a density as low as that proposed is hard to justify and would not contribute to the compact growth of Clonmel and would, therefore, be contrary to the provisions of the *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities* (DHLGH, 2024).

7.6. Water Services

- 7.6.1. One of the observations notes that the applicant did not submit a Pre-Application Enquiry to Uisce Eireann before lodging the application and that there is inadequate capacity in the existing water services.
- 7.6.2. The report on the planning application from Uisce Eireann, dated the 18th June, 2024 states that to assess the feasibility of connection to the public water/wastewater infrastructure, the applicant is required to engage with Uisce Eireann through a Pre-Connection Enquiry (PCE).
- 7.6.3. I note that the Uisce Eireann Water Supply Capacity Register states that capacity is available subject to a level of service (LoS) improvement. Leakage reduction and/or capital investment will be required to maintain and improve levels of service as demand increases.
- 7.6.4. The Uisce Eireann Wastewater Treatment Capacity Register stated that spare capacity is available.

- 7.6.5. I am satisfied that in principle, there is adequate capacity in the existing water service subject to improvement works. If the Board is minded to grant permission, I recommend that a condition be attached requiring the developer to enter into a Connection Agreement with Uisce Éireann to provide for service connections to the public water supply and wastewater collection network.

8.0 AA Screening

- 8.1. I have considered the retirement village consisting of fifty dwellings, in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 8.2. The subject site is located in the western suburbs of Clonmel and is located approximately 0.8 km from the Lower River Suir Special Area of Conservation.
- 8.3. The proposed development comprises the construction of a retirement village consisting of fifty dwellings, a facility building, and all associated site works. No nature conservation concerns were raised in the planning appeal.
- 8.4. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
- Nature of works in a serviced area.
 - The distance from the nearest European site and the lack of connections.
 - Taking into account screening report/determination by LPA
- 8.5. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 8.6. Likely significant effects are excluded and therefore, Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

I recommend that permission be refused for the following reasons:

10.0 Reasons and Considerations

1. Having regard to Policy 5-2 of the Clonmel and Environs Local Area Plan 2024, which requires the preparation of a masterplan for the landbank of 'New Residential' zoned land on the west side of Glenconnor Road, north of the Glenoaks housing estate in order to provide a for a coordinated approach to delivery and sequencing of residential development, a neighbourhood centre, public open space, playground/play spaces, road access, active travel and permeability and the lack of an up-to-date integrated masterplan, which has regard to the current Local Area Plan and the Compact Settlements Guidelines for Planning Authorities 2024, the proposed development is piecemeal, lacks any significant permeability to the remaining landbank and premature pending the determination of phasing and linkages for the overall landbank. The proposed development would, therefore, be contrary to a stated objective of the Clonmel and Environs Local Area Plan 2024 (Policy 5-21) and to the proper planning and sustainable development of the area.
2. Having regard to Policy and Objective 3.1 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in January 2024, which is supported by Policy 2.4 of the Clonmel and Environs Local Area Plan 2024-2030; it is considered that the proposed development would constitute an insufficient and unacceptable level of density at this location. The proposed density would constitute an inefficient use of zoned lands, which would fail to contribute to compact sustainable development as envisioned in local, regional, and national planning policy. The proposed development would be contrary to Policy 2.4 Clonmel and Environs Local Area Plan 2024-2030 and would, therefore, be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Peter Nelson
Planning Inspector

6th January 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-320464-24		
Proposed Development Summary	Construction of a retirement village consisting of 50 apartments and a facility building, together with all associated site works.		
Development Address	Glenconnor, Clonmel, Co. Tipperary		
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	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	√	Part 2 Class 10. (b) (i)	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	Tick/or leave blank	State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
No	√		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	√	Part 2 Class 10. (b) (i): 500 dwellings	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	√	Screening determination remains as above (Q1 to Q4)
Yes		

Inspector: _____ Date: _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP- 320464-24	
Proposed Development Summary	Construction of a retirement village consisting of 50 apartments and a facility building, together with all associated site works.	
Development Address	Glenconnor, Clonmel, Co. Tipperary	
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development.</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment.</p>	<p>The proposed development of 50 residential units adjacent to an established residential area in the suburbs of Clonmel is not considered exceptional in the context of the existing environment.</p>	NO
<p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>The proposed development of 50 residential units will not result in the production of any significant waste, emission or pollutants.</p>	NO

<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and / or permitted projects?</p>	<p>The size of the development is not considered exceptional in the context of the existing residential environment.</p> <p>While adjoining sites are being development for residential schemes there will not be significant cumulative considerations having regards to other existing and/or permitted projects.</p>	
<p>Location of the Development</p> <p>Is the proposed development located on, in, adjoining, or does it have the potential to significantly impact on an ecologically sensitive site or location, or protected species?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the</p>	<p>While the Lower River Suir Special Area of Conservation is located approximately 0.8km from the site, given the nature of the proposed development and the surrounding residential areas, the proposed development does not have the potential to significantly impact an ecologically sensitive site or location, or protected species.</p> <p>The proposed development does not have the potential to significantly affect other</p>	

