



An
Coimisiún
Pleanála

Inspector's Report ABP-320882-24

Development	Permission for change of use and building works to alter the building to create 11 apartments with all associated site development works.
Location	Lands at Market Square, Longford Town, Co. Longford
Planning Authority	Longford County Council
Planning Authority Reg. Ref.	2460164
Applicant(s)	Mynah Unlimited Company
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	As above
Observer(s)	None
Date of Site Inspection	4 th April 2025
Inspector	Kenneth Moloney

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1.0 Site Location and Description

- 1.1. The subject site is located in Longford town centre at Market Square.
- 1.2. Market Square is characterised by two-storey and three-storey building heights surrounding the Square. There are established commercial uses and residential uses in the immediate vicinity of the subject site.
- 1.3. The front elevation of the appeal building is 4-bay wide, and the existing building is 3-storeys in height with attic conversion at roof level.
- 1.4. The existing building at ground floor level is subdivided into two units, comprising of a betting office in one unit. The second unit, which provides access to the upper floors via lift and stairway, is currently vacant.

2.0 Proposed Development

- 2.1. The proposed development is for a change of use of an existing commercial building to provide for 11 no. apartments on the first, second and third floor level.
- 2.2. Table 1 below sets out the number of proposed apartments on each floor level and the overall mix of unit types.

Apartments	1-bed units(2P)	2-bed units (3P)	2-bed units (4P)	Total
First Floor	1	2	1	4
Second Floor	0	1	3	4
Third Floor	0	0	3	3
Total	1	3	7	11
Overall Mix	9%	27%	64%	

- 2.3. The proposed development is accessed at ground floor level off Market Square. The proposed ground floor provides for a communal home office, general storage area, bike storage and bin storage area.
- 2.4. The access to the upper floors is by both lift and stairwell.
- 2.5. The proposal includes an external communal open space (75 sq. m.) and a communal winter garden (26.5 sq. metres) both situated at first floor level.

2.6. Each apartment is served with private open space in the form of a balcony. In addition, each apartment also includes storage provision.

2.7. The application is accompanied by the following documentation:

- Planning Statement
- Housing Quality Assessment
- Operational Waste Management Plan
- Daylight Analysis
- Building Life Cycle Report

3.0 Planning Authority Decision

3.1. The Planning Authority decided to **refuse** permission for the following reasons.

1. Permission was previously granted for tourist accommodation for this site under planning reference PL04-700131. Due to the lack of tourist accommodation in Longford town and the stated policy objectives within the Longford County Development Plan, 2021-2027, CPO 10.28 Facilitate the development of high-quality tourist accommodation such as hotels, hostels, B&B's / guesthouses, camping and glamping etc. at suitable locations, in both urban and rural settings throughout the county, subject to ensuring a high standard of design, layout, landscape and environmental protection, the provision of adequate infrastructure. The Planning Authority is not in a position to grant a change of use to residential accommodation at the expense of potential tourism facilities. It is considered detrimental to the role of Longford town as a Tourism Hub in both the Longford Tourism Strategy 2023-2027 and the Ireland's Hidden Heartland's Regional Tourism Development Strategy 2023-2027.
2. Development Management Standards as stated in the Longford County Development Plan 2021-2027 DMS16.60 notes that applications will be assessed given due attention to room widths. It is noted that Bedroom 2 of Apartment 10 does not meet the required room width of 2.8m. Therefore, it is

not considered acceptable as it is contrary to both the Longford County Development Plan 2021-2027 and the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (July 2023). In addition, the submitted floor plans show limited space with the identified bathrooms serving apartments no.1, no.2, no.4, no.5, no.6, no.8, no.9 and no.11 appear very small and cramped. Further the width of the door accesses are of additional concern given no door widths identified on the floor plans.

The submitted Planning Statement makes reference to a communal gym area, the proposed facility is not identified and presented within the submitted floor plans.

3. The application has not taken into account the car parking requirements as set out in the Longford County Development Plan 2021-2027. The Planning Authority considers that a proposal with no car parking or EV charging points is contrary to the proper planning and sustainable development of the area and is therefore not appropriate.

3.2. Planning Authority Reports

3.2.1. The Planning Officer's report dated 13th September 2024, notes the following.

- Proposal meets the zoning objective in principle.
- PA is concerned with the potential loss of tourist accommodation in town centre granted under PA Ref. PL04/700022.
- Longford CDP objective CPO 10.28 provides for the development of high-quality tourist accommodation in suitable urban locations.
- Longford Tourism Strategy, 2023 – 2027, highlights the need to attract more hotel accommodation and bed spaces within Longford Town.
- Failte Ireland's – Ireland Hidden Heartlands Regional Tourism Development Strategy, 2023 – 2027, highlights the need for tourism accommodation in the area and notes low availability of such accommodation in the area.

- Bedroom no. 2 in apartment no. 10 should be 2.8m wide, however the width is 2.479m, and less than the requirements in the Apartment Guidelines (2023).
- Other concerns in relation to the apartments include
 - No details or measurements in relation to hallways, bathrooms and store facilities.
 - No dimensions confirmed for bathrooms serving apartment no.s 1, 2, 4, 5, 6, 8, 9 and 11.
 - No soil vents or air ventilation system proposed.
 - Width of apartment door access not confirmed.
 - A suggested café and gym are not identified on the plans.
 - No details of communal space maintenance.
 - No details of surface water management from balconies.
 - PA considers that the balconies are inadequate for private open space provision.
- No car parking spaces provided. Despite CDP policy objective DMS16.74 there is an expectation that some car parking is provided.
- Development not subject to a Part V agreement.
- No potential significant effects on the Natura 2000 network.
- EIA not required.

3.2.2. Other Technical Reports

- **Housing:** Recommended that proposed apartments shall comply with the Guidelines for Housing Authorities in Implementation of Minimum Standards for Rented Accommodation, apartments comply with minimum standards for private open space consistent with Longford CDP, ensure Part M compliance for apartments, clarify the location of sewer vent pipes, and provision for adequate bin ventilation to storage area at ground floor level, clarification for maintenance of common areas. Bedroom No 2 Apartment 10 has a room width less than the recommended widths for double bedroom in accordance with Department Guidelines and the Longford County Development Plan. (2.8

meters width is required for double bedrooms). A Clarification/revision is required. Indicate how surface water drainage will be drained from balconies, consider provision of natural light for third floor bathrooms, compliance with fire regulations. Agree materials with Planning.

3.3. Prescribed Bodies

- **TII:** No objections.
- **Uisce Eireann:** No objections. Further information requested requiring the applicant to engage with IW through the submission of a Pre-Connection Enquiry in order to determine the feasibility of connection to public water / waste infrastructure and to submit the Confirmation of Feasibility. Standard conditions recommended for a grant of permission.
- **Environmental Health Service:** No objections.

3.4. Third Party Observations

- None

4.0 Planning History

4.1. On-site

PA24/60061 – Permission **refused**, May 2024, for a development consisting of the change of use of the previously granted, partially completed retail / hotel development granted under planning ref. no. 04700022 to a four-storey apartment building comprising of 11no. two bed apartments (4no. on first floor, 4no. on second floor & 3no. on third floor), private open spaces will be provided in the form of balconies, elevational alterations, bin / bike / bulk storage areas and all associated site development works. The reasons for refusal are as follows:

1. The application has not taken into account the car parking requirements as set out in the Longford County Development Plan 2021-2027. The Planning Authority considers that a proposal with no car parking or EV charging points is contrary to the proper planning and sustainable development of the area and therefore not appropriate.

2. Permission was previously granted for tourist accommodation for this site under 04700131. Due to the lack of tourist accommodation in Longford town, the Planning Authority is not in a position to grant a change of use to residential accommodation at the expense of potential tourism facilities. It is considered detrimental to the role of Longford Town as a tourism hub in both the Longford Tourism Strategy and the Ireland's Hidden Heartland's Regional Tourism Development Strategy 2023-2027.
3. DMS 16.60 of the Longford County Development Plan 2021-2027 notes that applications will be assessed given due attention to room widths. It is noted that Bedroom 2 of Apartment 10 does not meet the required room width of 2.8m. Therefore, it is not considered acceptable as it is contrary to both the Longford County Development Plan 2021-2027 and the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (2022).

PA Ref. PL04/700131 – Permission **granted**, subject to conditions, for the change of use from retail and hotel to office with ancillary accommodation. **An Bord Pleanála Ref. PL 68.212789** – Permission granted, on appeal, December 2005, subject to 7 no. conditions.

PA PL04700022 – Permission **granted**, July 2004, subject to conditions, for the change of use from retail and offices to retail unit, financial services and hotel accommodation and development of additional floors to provide for a 4-storey building consisting of ground floor retail unit, stores, bar, lounge and financial services; 35 hotel bedrooms and ancillary accommodation.

PA Ref. PL98/702085 – Planning permission **refused**, December 1998, for 4 no. first floor apartments and erect ground floor retail unit. The reasons for refusal include.

1. The proposed development would be contrary to the policies and requirements of the Longford Town Development Plan, 1997, in that no provision for rear garden / private or public amenity space has been made.

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

2. The proposed development has made no provision for car/ vehicle parking or for off-street delivery of goods at a location in the town which suffers at present from traffic congestion and inadequate car parking facilities. The proposed development would therefore, create serious traffic congestion as such would be contrary to the proper planning and development of the area.

5.0 Policy Context

5.1. National Policy

5.1.1. The National Planning Framework – First Revision (April 2025)

Several national policy objectives (NPOs) are applicable to the proposed development. These include NPO 7 (compact growth), NPO 9 (compact growth), NPO 12 (high quality urban places), NPO 22 (standards based on performance criteria), and NPO 45 (increased density).

5.1.2. Eastern Regional Assembly – Regional Spatial and Economic Strategy (RSES) 2019 - 2030

This RSES provides a high-level development framework for the Eastern Region that supports the implementation of the National Planning Framework (NPF). The vision of the RSES is to create a sustainable competitive region that supports the health and well-being of people and places, with access to quality housing, travel and employment opportunities for all.

- 5.1.3. Under the RSES, Longford Town is designated as a 'Key Town'. The RSES recognises that key priorities for Longford are to promote compact growth, the regeneration of the town centre, and expand Longford's role as a hub for enterprise, employment and tourism. RSES acknowledges that the delivery of housing in Longford Town is essential to support the overall role and success of the settlement.

5.1.4. Section 28 Ministerial Planning Guidelines

Note: Circular Letter NSP 03/25 confirms that the Design Standards for New Apartments, Guidelines for Planning Authorities (2025) are not applicable to the current development before the Commissioners. The Apartment Guidelines (2025) are applicable to any application for planning permission or to any subsequent appeal or direction application to An Coimisun Pleanála submitted after the issuing of the Guidelines, i.e. from 9th July 2025. The Design Standards for New Apartments, Guidelines for Planning Authorities (2023) applies to current appeals or applications that were the subject of consideration within the planning system on or before the 8th of July 2025.

The relevant guidelines for the proposed residential development include the following:

- Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities, 2023 (Apartment Guidelines). Applicable policy for the proposed development includes:
 - Standards and requirements of SPPR 2 (discretion of standards on a case-by-case basis for certain building refurbishment schemes) SPPR 3 (minimum floor areas, and by reference to Appendix 1, minimum storage, private open space areas for apartments), SPPR 4 (33% to be dual aspect units in more central and accessible urban locations).

5.2. Longford County Development Plan, 2021 – 2027

- 5.2.1. Longford Town is designated as a 'Key Town', in the County Longford Settlement Hierarchy. This is the highest settlement tier in the county. The Plan states that Key Towns are *'large economically active service and/or county towns that provide employment for their surrounding areas and with high-quality transport links and the capacity to act as growth drivers to complement the Regional Growth Centres'*.
- 5.2.2. The appeal site is zoned '**Town Core**'. The stated objective for such lands is: *"To provide for the development and enhancement of town core uses including retail, residential, commercial, civic and other uses"*.
- 5.2.3. Appendix 1A: Key Town Longford Town of the Development Plan notes that the purpose of this zoning is to protect and enhance the special character of the town centre and to provide for and improve retailing, residential, commercial, cultural and

other uses appropriate to the centre of Longford. The DP also states the following in respect of this zoning objective;

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

5.2.4. Chapter 4 – Core, Settlement and Housing Strategies

Key policy provisions include

- CPO 4.6 – Town Centre Regeneration
- CPO 4.49 – Support compact growth in towns and villages

5.2.5. Chapter 5 – Transport, Infrastructure, Energy and Communications

Key policy includes

- CPO 5.37 – Reduction in car parking requirements to encourage modal shift

5.2.6. Chapter 8 – Economic Development

Key policy includes

- CPO 8.3 – Support the development of a cross sectoral approach to promote Longford as a key tourism hub in the Midlands, building on Fáilte Ireland's Hidden Heartlands brand and the Shannon Tourism Masterplan.

5.2.7. Chapter 10 – Tourism

Key policy provisions include

- CPO 10.1 – Support the implementation of the County's Tourism Strategy in line with national and regional policy.
- CPO 10.19 – Support the development and promotion of Longford Town as the principle visitor services centre and hub for Fáilte Ireland's Hidden Heartlands in the County.

- CPO 10.28 – Facilitate the development of high-quality tourist accommodation such as hotels, hostels, B&B's / guesthouses, camping and glamping etc. at suitable locations, in both urban and rural settings throughout the county, subject to ensuring a high standard of design, layout, landscape and environmental protection, the provision of adequate infrastructure.

5.2.8. Chapter 16 – Development Management Standards

Relevant sections include

- Section 16.4.4.10 Apartments

5.2.9. Section 16.4.4.10 states as follows; *'The provision of apartment schemes shall only be considered in appropriate locations, at a suitable scale and extent. Primarily this will be in town centre locations and proximate to public transport and in the settlements as listed in the settlement hierarchy. Proposals for new apartment schemes should be designed in line with design criteria as set out in the 2018 Ministerial Guidelines - Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (or any subsequent update).'*

DMS 16.58 states as follows.

'A detailed design statement is required to be submitted with any development containing multiple apartments and/or duplex units, including private and communal amenity space, as per the minimum apartment design standards requirements detailed in the Urban Development and Building Heights Guidelines for Planning Authorities (2018) SPPR3'.

Minimum Apartment Floor Areas and Private Open Space

- Studio apartment (1 person) 37sq.m. Private Open Space 4sq.m.
- 1-bed apartment (2 persons) 45sq.m. Private Open Space 5sq.m.
- 2-bedroom apartment (4 persons) 73sq.m. Private Open Space 7sq.m.
- 3-bedroom apartment (5 persons) 90sq.m. Private Open Space 9sq.m.

DMS 16.60 states as follows.

Proposals for apartment development will be assessed with due attention to:

- a. Appropriate mix to cater for different household sizes;*

- b. Floor areas and room widths;*
- c. Aspect – dual aspect units are encouraged;*
- d. Floor to ceiling height;*
- e. Lift / stair core access;*
- f. Storage provision (for general, refuse and bulky items);*
- g. Private and communal amenity space;*
- h. Communal facilities;*
- i. Car, EV (Electric Vehicle) Charging Points and bicycle parking; and*
- j. Adaptability*

- Section 16.4.5.1 Upper Floors / Living over the Shop

DMS 16.72 – Encourage residential uses in existing under-utilised or vacant building stock as a mechanism to combat vacancy in town centres.

DMS 16.73 – Require a high level of residential amenity ensuring natural light in living rooms and bedrooms and minimum standards are met in relation to overall floor areas and storage space requirements as set down in the Sustainable Urban Housing: Design Standards for New Apartments (DoHPLG, 2018).

DMS 16.74 – Allow a reduction in open space and car parking standards for ‘living over the shop’ accommodation proposals in town centre locations, subject to protecting residential amenity, where considered appropriate by the Planning Authority.

- Section 16.4.8 Car parking

Table 16.1 sets out relevant car parking standards and the following standard is relevant

‘1 space per unit + 1 visitor space per 4 apartments in suburban locations towns and villages’.

The following car park policies are relevant.

DMS 16.124 – The standards set out in Table 16.1 Car Parking Standards shall apply to all new developments, be it new construction or a new extension or a material change of use of existing buildings.

DMS 16.126 – The Non-residential car parking standards are set down as maximum standards and the number of spaces should not exceed the maximum provision set out in the table 15.11.

DMS 16.127 – Allow a reduction in car parking standards having regard to the availability and adequacy of on street parking, and existing or proposed off street parking.

- Table 16.2: Cycle Parking Standards

Table 16.2 requires for apartments ‘1 stand per bedroom and 1 visitor stand per 2 units’.

5.3. Longford Town Local Area Plan, 2025 – 2031

5.3.1. Chapter 5 – Core Strategy Compliance

Key policy provisions include

- CS 03 – Compact Growth through sustainable intensification and consolidation of the town centre
- CS 05 – Compact Growth development of Longford Town

5.3.2. Chapter 6 – Residential Sustainability and Placemaking

Key policy provisions include

- RES 09 states the following.

‘Encourage the reuse of upper floors above commercial premises (existing retail / office units) in the Town Centre for residential accommodation’.

- RES 12 states the following.

‘Comply with the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, published in January 2024, constitute Ministerial Guidelines and any other relevant Guidelines and Specific Planning Policy Requirements (SPPRs) issued under Section 28(1) of the Planning and Development Act 2000 (as amended)’.

5.3.3. Chapter 8 – Tourism

The following policy objective is relevant.

- TOU 15 – Facilitate, where appropriate, the provision of high-quality tourism products and services within the Town and in particular the provision of quality hotels and accommodation facilities, and the development of tourism activities, attractions and events and the development of linked tourist trails.

5.4. **Non-Statutory Plans**

The Longford CDP, 2021 – 2027, includes objectives to support the implementation of the non-statutory plans below. These objectives are contained in CDP policy objectives CPO 8.3, CPO 10.1 and CPO 10.19 (all stated above in para. 5.2).

5.4.1. Longford Tourism Strategy 2023 – 2027

Sustainable tourism forms the basis of the strategy, accounting for the needs of visitors, tourism industry stakeholders, local communities, and the environment. The key tourism assets in Longford are outlined and Ireland's Hidden Heartlands vision and objectives are highlighted, along with the relevant policies and plans that this strategy supports. The range of strengths, opportunities and challenges facing Longford are also detailed in the document.

5.4.2. Ireland's Hidden Heartlands Regional Tourism Development Strategy, 2023 – 2027

- 5.4.3. Section 2.3 of the Strategy sets out the strategic objectives (SO) and SO 2 is relevant to the proposed development. SO 2 states as follows '*enhance the range and quality of our visitor experiences to underpin the Hidden Heartlands brand proposition, leveraging the natural and cultural assets of the region in a sustainable way with a focus on ecotourism*'.

5.5. **Natural Heritage Designations**

- Brown Bog SAC (Site Code 002346) 3.3km west
- Lough Forbes Complex SAC (Site Code 001818) 5km northwest
- Mount Jessop Bog SAC (Site Code 002202) 4.9km south
- Ballykenny-Fisherstown Bog SPA (Site Code 004101) 5km northwest

- Lough Ree SPA (Site Code 004064) 13.5 km southwest
- Royal Canal pNHA: (Site Code 002103) 0.25 km south
- Brown Bog pNHA (Site Code 000442) 3.3km west
- Carrickglass Demesne pNHA (Site Code 000442) 3.5km northeast

6.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. The appeal submission includes details on the site context and background, relevant national, regional and local policy provisions and the grounds of appeal. The grounds of appeal may be summarised as follows:

7.1.2. Refusal Reason no. 1

- The current planning status of the subject building is not a hotel use. The current use is office use with ground floor retail units.
- It is assumed that the PA are referring to PA Ref 04700022 (granted 6th July 2004) which provides for hotel use. However, this permission no longer applies to the site given permission, appeal reference 212789, (granted 19th December 2005) was implemented for office use.
- As such there is no net loss of tourist accommodation on the site.

- Figure 5 illustrates the existing tourist bed accommodation in Longford Town. A total of 274 no. bed spaces are identified which is considered adequate provision.
- The refusal reason is ultra vires as the existing zoning provision of Town Centre permits residential use.
- The PA refusal reason is contrary to the zoning objective and the proper planning and sustainable development of the area. The refusal of permission would ensure that the existing building remains vacant.
- The appeal site zoning objective (Town Centre) provides for residential use. The CDP highlights that the zoning provides for consolidated development and growth of the town centre.
- The development will contribute to a dynamic, vibrant and pedestrian focussed town core with strong urban design approach.
- There is no site objective requiring a specific use within the building as a hotel use. The refusal reason is an incorrect application of the development plan zoning objective.
- It is acknowledged that High Court Judgement 'Michael Redmond & An Bord Pleanala, refers that the zoning objective enjoys enhanced status over that of other policies and objectives in the development plan.
- There is an acute shortage of residential units in the town. Less than 10% of core strategy targets have been met in the last 3-years for the Town. Longford County has the lowest volume of commencement notices in the country.
- The refusal reason is not justified as the proposed use is consistent with the zoning and relevant policy context and also will result in proper planning and sustainable development of a town centre site.

Refusal Reason no. 2

- Section 16.4.4.10 'Apartments' of CDP advises that proposals for new apartments should be designed in line with design criteria as set out in the 2018 Ministerial Guidelines - Sustainable Urban Housing: Design Standards

for New Apartments – Guidelines for Planning Authorities (or any subsequent update).

- SPPR 2 allows planning authorities to exercise discretion on a case-by-case basis having regard to the overall quality of a proposed development.
- Only one room in the entire proposal would fall marginally short of the minimum required area recommended in the Apartment Guidelines.
- The PA did not acknowledge the design quality of this apartment which would achieve a floor area of 117 sq. metres against the minimum requirements in the Guidelines 73 sq. metres. Further the apartments will achieve compliance with the Daylight recommendations of the BRE Guidelines.
- The Guidelines do not specify a minimum area for bathrooms. As such it is not clear on what basis bathrooms 1, 2, 4, 5, 6, 8, 9 and 11 are deemed not to be acceptable. The Housing Quality Assessment indicates that the minimum floor area of proposed apartments exceeds the minimum standards in the guidelines by approximately 20%.
- The bathrooms proposed are comparable to a LRD residential scheme in Sandyford www.rbcentrallrd2.com, which is currently under construction. The proposed bathrooms are typically sized.
- No gym area is proposed for residents. A resident's lounge and external communal space is proposed.
- SPPR 2 of the Apartment Guidelines addresses refusal no. 2 as the proposed development is a building refurbishment.
- Should the Commission consider that bedroom no. 2 in apartment 10 is too narrow this unit can be conditioned to a 2-bed 3-person unit instead, ensuring full compliance with the Guidelines.

Refusal Reason no. 3

- Planning permission, appeal reference 212789, is the current planning status for the subject site. This is the basis on which the proposed change of use is to be assessed.

- High Court Judgement 'Molly V Minister for Justice and Law Reform (2004) establishes that an authorised development cannot lose its planning status. An abandonment of a planning permission cannot take place.
- The existing building as per the parent permission on-site are authorised in terms of land use and therefore matters in relation to car parking are to be assessed in this context.
- 11 spaces is the required car parking provision for the proposed development in accordance with Table 4 of the CDP.
- The proposal will result in a reduced parking provision from its current planning status (office development). This was not considered in the planner's report.
- In the planning permission PA Ref 04700022 the PA considered a development contribution acceptable in lieu of car parking.
- The PA's position fails to recognise that the planning history of the site in respect of car parking was deemed to be settled when the change of use (PL68/212789) was granted permission.
- Ample car parking exists within a 500-metre radius of the site. Figure 9 illustrates a total of 593 spaces. Designing out designated parking provision is entirely justified in this instance, as with the previous permission on the site.
- The car parking requirement for residential would have a lesser parking requirement than a hotel use on the same site. Refusal reason no. 3 contradicts refusal reason no. 1 in that the PA deem the site as having potential for a tourism facility.
- Para. 4.21 of the Apartment Guidelines is relevant, given the location of the subject site regarded as 'central urban location'. The default position for these locations is that car parking shall be minimised, substantially reduced or eliminated.
- Local policy objectives provide for flexibility in parking provision.
 - CPO 3.6 (reduction in energy demand and greenhouse gas emissions)
 - CPO 7.3 (prioritise and promote cycling and walking)

- CPO 7.4 (promote sustainable travel)
- CPO 7.5 (encourage sustainable and low carbon transport modes)
- CPO 5.37 (allow suitable reduction in car parking standards in suitable town centre locations).
- DMS 16.127 (car parking standards applied at the discretion of the PA in respect of rural towns and villages).
- There is an acceptable scenario for the above policies to be applied, and this includes.
 - To ensure sustainable use of brownfield lands.
 - The existing building is in-situ.
 - There are no lands available for in-curtilage parking.
 - Consistent with the national policy context in the Apartment and Compact Settlement Guidelines, and the NPF.
 - Local policy which seeks to transition away from car-dependent developments.
 - Local policy provides for discretion.
 - It achieves urban regeneration and consolidation in accordance with NPO 13.

Mobility Management

- Mobility management is best achieved in town centres where no designated car parking is available to residents.
- The mobility management approach manages parking/car ownership from the first occupancy of all residents. This approach will self-regulate resident parking on the basis that persons who require a parking space will not live in the apartment scheme.
- On this basis residents will not be dependent on existing public car parking facilities in the area, as residents will be aware that no dedicated car parking is available.

- This is consistent with the wider policy approach in NPF, Smarter Travel, Apartment Guidelines and local policy context.

Delivery of Housing

- CSO data confirms that only 222 housing units have been constructed in towns across Longford County (77 per annum), which equates to 21% of the core strategy target.
- In 3 years only 117 units were delivered in Longford Town averaging 39 units per annum, against the CDP target which sought to achieve 217 units per annum.
- This equates to less than 10% of the core strategy targets being met for both Longford County and Longford Town.
- The proposed development, providing for 11 no. units, is consistent with the proper planning and sustainable development of the area.
- Housing delivery has not been considered in the PA's planning assessment.

Other Matters: Development Management Guidelines

- The PA refusal reasons are solely design based.
- The PA assessment fails to balance issues such as urban regeneration, the zoning objective of the site and wider policy context in national, regional and local objectives. These objectives address vacant buildings by increasing residential units in town centres.
- Section 7.15 of the DM Guidelines (2007) infers that a statement of objectives in a development plan should not be regarded as imposing a blanket prohibition of particular types of development and that the PA has responsibility to consider each application on its own merits.
- Section 6.4 of the DM Guidelines (2007) advises that appropriate weighting is applied to all relevant planning matters.

8.0 Planning Authority Response

- None

9.0 Assessment

Having examined the application details and all other documentation on file, including reports of the Planning Authority, carried out a site inspection, and having regard to the relevant local/regional/national policies and guidance, I consider that the key issues on this appeal are as follows:

- Principle of Development
- Tourism Development
- Proposed Residential Amenities
- Impacts on Established Amenities
- Car Parking Provision
- Other Matters

9.1. Principle of Development

- 9.1.1. The appeal site is located in the centre of Longford Town, and in accordance with the Longford County Development Plan, 2021 – 2027, the zoning objective for the appeal site is ‘Town Core’. The stated objective for such lands is:

“To provide for the development and enhancement of town core uses including retail, residential, commercial, civic and other uses”.

- 9.1.2. Appendix 1A: Key Town Longford Town of the Development Plan notes that the purpose of this zoning objective is to protect and enhance the special character of the town centre and to provide for and improve retailing, residential, commercial, cultural and other uses appropriate to the centre of Longford.

- 9.1.3. Appendix 1 ‘Land Use Zonings’ of the CDP includes a Land Use Zoning Matrix, and residential is permitted in principle within the ‘Town Core’ zoning objective. This section of the CDP advises that ‘Permitted in Principle’ means that the proposed use is generally acceptable subject to the normal planning process and compliance with the relevant policies, objectives, standards and requirements as set out in the

County Development Plan, in accordance with the proper planning and sustainable development of the area.

- 9.1.4. Having regard to the above considerations I am satisfied that the proposed development, which relates to 11 no. apartments, is consistent in principle with zoning provisions of the current Development Plan.
- 9.1.5. Furthermore, a key component of the Longford CDP is the achievement of town centre regeneration through the reduction in vacancy by supporting initiatives that promote the reuse, refurbishment and retrofitting of existing buildings within urban centres (Policy Objective CPO 4.6). The Longford CDP also supports achieving compact growth (CPO 4.49) and 'living over the shop' in section 16.4.5.1 '*Upper Floors / Living over the Shop*'. The Longford Town LAP, 2025 – 2031, also includes policy objectives (CS 03 and CS 05) that support town centre intensification.
- 9.1.6. The development on the subject site is consistent with national planning policy, including the National Planning Framework – First Revision¹ and policies such as NPO 7 (compact growth), NPO 9 (compact growth) and NPO 45 (increased density).
- 9.1.7. Furthermore, regional policy objectives in the EMRA Regional Spatial Economic Strategy (2019 – 2031) supports compact growth (RPO 3.2) and infill development (RPO 3.3).
- 9.1.8. The principle of the development which involves a change of use to accommodate residential development in the town centre, is therefore consistent with national, regional and local policy objectives to achieve town centre regeneration and compact growth. The development is also consistent with all other development plan standards.

9.2. **Tourism Development**

- 9.2.1. The PA's first refusal reason states that the subject site previously obtained planning permission for tourist accommodation and that the PA is not in a position to grant permission for a change of use to residential development, given the lack of tourist accommodation in Longford town and having regard to CDP policy objective CPO 10.28.

¹ April 2025

- 9.2.2. The refusal reason concluded that the proposed development is considered detrimental to the role of Longford town as a Tourism Hub in both the Longford Tourism Strategy, 2023-2027, and the Ireland's Hidden Heartland's Regional Tourism Development Strategy, 2023-2027.
- 9.2.3. I would note from section 10.7 'Tourism Infrastructure and Visitor Services' of the development plan that the Council recognises that the provision of accommodation such as hotels, guesthouses, hostels, and glamping sites are essential to enable growth in the tourism sector. In this respect section 10.7 states that the Council will support the provision of a wide range of tourist accommodation types and restricting development that would be likely to reduce the capacity of the resource and/or have a detrimental impact on the local environment.

- 9.2.4. Longford CDP policy objective CPO 10.28 is relevant, and states as follows.

Facilitate the development of high-quality tourist accommodation such as hotels, hostels, B&B's / guesthouses, camping and glamping etc. at suitable locations, in both urban and rural settings throughout the county, subject to ensuring a high standard of design, layout, landscape and environmental protection, the provision of adequate infrastructure.

- 9.2.5. Section 8.5 'Tourism Infrastructure' of the Longford Town LAP, 2025 – 2031, notes that the lack of an appropriate tourist accommodation base is also recognised as a severe limiting factor in terms of tourism growth. The LAP considers this a limiting factor for the development of the town as a tourism product, and also in terms of its cultural and economic growth. The LAP outlines that the development of such facilities would be an important step forward for the leisure industry and the entire economy of the town and County, and further the establishment of appropriate tourism facilities, including hotel and conferencing facilities will be encouraged in suitable locations in the town. Policy objective TOU 15 of the LAP, similar to CPO 10.28 of the CDP, seeks to facilitate the provision of high-quality tourism products including the provision of quality hotels and accommodation facilities.
- 9.2.6. In addition to both the CDP and the LAP, 'Ireland's Hidden Heartlands, 2023-2027' identifies 'Shannon Gateway Towns', which are towns of scale located just outside the Shannon Waterway corridor and this includes Longford Town. These gateway

towns offer existing visitor services such as accommodation, with direct links to regional and national airports.

- 9.2.7. Notwithstanding the policy intent to improve tourism infrastructure, such as tourist accommodation, in Longford Town, the zoning objective for the appeal site is 'Town Core', and residential development is a permitted use within this zoning objective. I would acknowledge the economic benefits to provide tourist accommodation in Longford Town, however and as noted above in para. 9.1.3, Appendix 1 'Land Use Zonings' of the CDP includes a Land Use Zoning Matrix. As noted above residential is permitted in principle within the 'Town Core' zoning objective. Further the appeal site does not include any CDP specific objectives which would stipulate that hotel or tourist accommodation shall only be considered.
- 9.2.8. The appellant submits that a hotel permission pertaining to the site PA Ref 04700022 (granted 6th July 2004) no longer exists as a subsequent permission on the site PL68/212789 (granted 19th December 2005) was implemented for office use. As such the appellant considers that there is no net loss of tourist accommodation on the site. I would agree with this assertion as I noted from my site assessment that the existing building is not in use as a hotel or for a tourist accommodation use and is currently vacant at ground, first, second and third floor level.
- 9.2.9. Notwithstanding the importance of tourism accommodation in Longford Town, the Longford CDP, 2021 – 2027, is clear in its zoning matrix that residential development within sites zoned 'Town Core' is permitted in principle. As such the proposed development shall be considered on its own merits, having regard to the the zoning and relevant policy context, which I have considered in section 9.1 above, and on the proper planning and sustainable development of a town centre site. Accordingly, and having regard to the above considerations, I would not support the PA's refusal reason no. 1.

9.3. **Proposed Residential Amenities**

9.3.1. **Residential Standards**

The proposed development provides for 11 no. apartments over 3 no. floors in an existing building. In terms of assessing the standard of residential amenity for future

occupants, relevant considerations include private open space provision, individual floor areas, storage provision and bedroom floor areas.

- 9.3.2. The Longford CDP² advises that the provision of apartment schemes shall only be considered in appropriate locations, at a suitable scale and extent, which will include primarily town centre locations and proximate to public transport. The appeal site is located in the centre of Longford Town and c. 300 metres from the Longford train station, ensuring that the location of the proposed development is consistent with the Longford Town CDP.
- 9.3.3. Section 16.4.4.10 (Apartments) of the Longford CDP advises that proposals for new apartment schemes should be designed in line with design criteria as set out in the 2018 Ministerial Guidelines - Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (or any subsequent update). I would acknowledge at this point that while s. 16.4.4.10 refers to compliance with the guidelines and any subsequent updates, that both policy objective DMS 16.58 (compliance with minimum apartment design standards) and DMS 16.73 (compliance with minimum floor area and storage requirements) only states compliance with the 2018 Guidelines.
- 9.3.4. The Apartment Guidelines (2023) have replaced the 2018 guidelines and therefore they are a relevant consideration for this development proposal. Furthermore, Longford CDP development management standard DMS 16.58 requires that apartments comply with minimum floor area standards and minimum private open space standards. I would note that these respective CDP standards in relation to minimum floor areas and private open space are identical to those in the Apartment Guidelines (2023).
- 9.3.5. The Longford CDP does not include guidance on minimum bedroom standards; however, the Apartment Guidelines (2023) requires the following minimum bedroom sizes for apartment units as follows:
- One bedroom unit – 11.4 sq. m.
 - Two bedroom unit (3 person) – 13 + 7.1 sq. m. = 20.1 sq. m.

² Section 16.4.4.10 of LCDP

- Two bedroom unit (4 person) – 11.4 + 13 sq. m. = 24.4 sq. m.

9.3.6. Table 2 below sets out the private open space provision, floor areas, storage provision and bedroom floor areas for the apartments proposed relative to the minimum standards recommended in the Apartment Guidelines (2023).

Unit Type	No. of units	Min. Required Floor Area	Floor Area	Min. Required Amenity space	Proposed Private Open Space	Min. Required storage space	Storage Provision	Min aggregate bedroom requirement	Agg. bedroom provided
1-bed unit (2P)	1	45 m ²	92 m ²	5 m ²	11.9 m ²	3 m ²	8.6 m ²	11.4 m ²	13.4 m ²
2-bed unit (3P)	3	63 m ²	> 82 m ²	6 m ²	> 6.5 m ²	5 m ²	> 5.3 m ²	20.1 m ²	> 22.m ²
2-bed unit (4P)	7	73 m ²	> 85 m ²	7 m ²	> 7 m ²	6 m ²	> 6 m ²	24.4 m ²	> 25.m ²

9.3.7. As set out in Table 2 above, the proposed floor areas, the private open space, the storage provision and the aggregate bedroom sizes exceeds the minimum requirements for each parameter set out in the Apartment Guidelines 2023. In terms of these parameters the proposed development would therefore provide a good standard of residential amenity for future occupants.

9.3.8. Room Widths

In respect of bedroom widths, the PA's second refusal reason refers to Bedroom 2 of Apartment 10 as not having the required room width of 2.8m. I have reviewed the proposed bedroom widths relative to the minimum requirements in the Apartment Guidelines (2023) and these are illustrated in Table 3 below.

Apartment no. and type	Single bedroom width (Required 2.1m)	Double bedroom width (Required 2.8m)	Double bedroom width (Required 2.8m)
Unit no. 1 – 2 bed (3P)	3m	3m	
Unit no. 2 – 2 bed (3P)	3.6m	3.3m	
Unit no. 3 – 1 bed (1P)	3.6m		
Unit no. 4 – 2 bed (4P)		3.8m	3.8m
Unit no. 5 – 2 bed (3P)		3m	3m
Unit no. 6 – 2 bed (4P)		3m	3.1m
Unit no. 7 – 2 bed (4P)		3m	3.7m

Unit no. 8 – 2 bed (4P)		3.8m	3.8m
Unit no. 9 – 2 bed (4P)		3m	4m
Unit no. 10 – 2 bed (4P)		2.4m	4m
Unit no. 11 – 2 bed (4P)		2.9m	2.9m

- 9.3.9. It is evident from Table 3 above that there is one bedroom, within the overall scheme, which has an inadequate room width, i.e. Bedroom 2 of Apartment 10. The bedroom in question has a room width of 2.4m and the required room width is 2.8m as per the Apartment Guidelines (2023). I would note that the appellant invites the Commission to grant permission with a condition requiring that apartment no. 10 is a 2-bed 3-person unit, to address any concerns in relation to bedroom width.
- 9.3.10. Appendix 1 of the Apartment Guidelines (2023) allows for a variance of 5% to room widths subject to overall compliance with required minimum overall apartment floor areas. In this case the variance is approximately 15%. The PA in their second refusal reason considered Bedroom 2 in Apartment 10 not acceptable as it is contrary to both the Longford County Development Plan, 2021-2027, and the Apartment Guidelines (July 2023).
- 9.3.11. The Longford CDP advises, as noted above, that proposals for new apartment schemes should be designed in line with design criteria as set out in the 2018 Ministerial Guidelines - Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (or any subsequent update). Furthermore DMS 16.60 (b) of the Longford CDP states proposals for apartment development will be assessed with due attention to *‘floor areas and room widths’*.
- 9.3.12. I would acknowledge that the PA have not stated in their refusal reason that the inadequate room width would be a material contravention of a development plan design standard. I would accept that the proposed room width of 2.4m in Bedroom 2, Apartment 10 would be contrary to a design standard of the Apartment Guidelines (2023). However, the proposed room width of 2.4m in Bedroom 2 would not contravene a development plan standard as DMS 16.60 (b) refers that apartment development will be assessed with due to attention to *‘floor area and room widths’*, which is not a specific standard.

9.3.13. Nonetheless the Guidelines, that require compliance with minimum room widths, provide for flexibility, having regard to SPPR 2 of the Apartment Guidelines (2023). SPPR 2 states as follows:

'All standards set out in this guidance shall generally apply to building refurbishment schemes on sites of any size, or urban infill schemes, but there shall be scope for planning authorities to exercise discretion on a case-by-case basis, having regard to the overall quality of a proposed development'.

9.3.14. The proposed change of use is a refurbishment scheme and as noted from Table 2 above the floor area from the proposed individual apartments exceeds the minimum required floor areas by at least 16%.

9.3.15. In respect of Apartment no. 10, the overall floor area of this unit is 118 sq. metres, therefore exceeding the minimum required floor area for a 2 bed 4-person unit, which is 73 sq. m, by 45 sq. metres. This represents an exceedance of the minimum required floor area by 62%. The proposed apartment would therefore offer a good standard of overall quality in terms of residential amenity for future occupants.

9.3.16. I would therefore consider that the bedroom width of 2.4m in Bedroom 2 of Apartment no. 10 is acceptable having regard to SPPR 2 of the Apartment Guidelines (2023), which allows such flexibility for building refurbishment schemes. Therefore, and allowing for the flexibility in the Guidelines (2023) as noted above, and accepting that the proposal complies with the guidelines, it is therefore in compliance with the development plan, as section 16.4.4.10 of the CDP requires compliance with the Apartment Guidelines or any subsequent update.

9.3.17. In addition to the room width of bedroom no. 2 in apartment no. 10, a second issue not raised by the PA in respect of this bedroom is the floor area. Bedroom no. 2 has a proposed floor area of 10.7 sq. m.

9.3.18. Notwithstanding that the aggregate bedroom floor area for apartment no. 10 is 29 sq. metres and would exceed the minimum aggregate bedroom floor area of 24.4 sq. m., as required in the Guidelines (2023) for a two-bed unit (4 person), the Guidelines also advise that the minimum floor area for the second bedroom in a two-bed (4-person) unit is 11.4 sq. metres. The variance in floor area with the minimum required floor area is therefore c. 6%.

9.3.19. Although there is a shortfall in floor area for the proposed bedroom no. 2, I would consider it acceptable having regard to SPPR 2 and the reasons outlined above in respect of the generous floor area of apartment no. 10 relative to the minimum required floor area for this unit type.

9.3.20. Bathroom Sizes

The PA have also raised concerns in relation to the small size bathrooms serving apartments no. 1, no. 2, no. 4, no. 5, no. 6, no. 8, no. 9 and no. 11. I have reviewed the floor area of the bathrooms in question, and I would note their respective floor areas as follows.

Apartment unit no.	Bathroom Floor Area
Unit no. 1	4.75 sq. m.
Unit no. 2	6.3 sq. m.
Unit no. 4	6.46 sq. m.
Unit no. 5	4.75 sq. m.
Unit no. 6	5.92 sq. m.
Unit no. 8	6.46 sq. m.
Unit no. 9	6.48 sq. m.
Unit no. 11	5.32 sq. m.

9.3.21. The Apartment Guidelines (2018 and 2023) or the Longford CDP do not specify minimum floor area for bathrooms in apartment units. However, I would note that Section 5.8.2 'Bathrooms' of the 'Quality Housing for Sustainable Communities', Department of the Environment, Heritage and Local Government, 2007, advises

'that a bathroom should be of adequate size to allow for the suitable location and layout of sanitary appliances, space for normal activities associated with bathing, use of WC, etc., space for fitting suitable shelving and storage presses and door opening without obstruction'.

9.3.22. Having regard to a typical bathroom layout as referred to in the above guidelines, I would agree with the appellant that the proposed bathrooms are typically sized and

they would provide adequate space to accommodate this layout referred to in the guidelines (2007).

- 9.3.23. Furthermore, in the appeal submission the appellant submits a drawing from a Large-Scale Residential Development (LRD) from a permitted residential scheme illustrating bathroom sizes. I would note that the bathrooms illustrated in the LRD scheme would be similar in size to those proposed in the current scheme.
- 9.3.24. In the absence of any guidance specifying minimum standards for bathroom sizes, I would consider, having regard to the guidance on bathrooms in s. 5.8.2 of the Quality Housing for Sustainable Communities guidelines (2007), and also having regard to the bathroom sizes illustrated in the submitted LRD scheme, that the bathroom sizes in the proposed development, as illustrated in Table 4 above, would be an adequate size.
- 9.3.25. The PA internal report from the Housing Department recommend incorporating a source of natural light to the third-floor bathrooms (e.g. rooflight or light well). I note from the submitted plans that there are 3 no. bathrooms at the proposed third floor level and that the proposed third floor is at attic level of the building. I would acknowledge that the provision of a rooflight or light well would improve the amenity value of these bathrooms. However, in the absence of a submitted drawing I would consider that the extent of intervention for a proposed lightwell is unclear. As such I would consider that a light tunnel or tube would serve the same purpose in terms of improving amenity with less intervention to the building. I would consider that the provision of light tunnels / tubes can be addressed by condition, should the Commission be minded to grant permission.

9.3.26. Door Widths

The PA second refusal reason also refers to the width of the internal door accesses which are of additional concern given the submitted floor plans have not identified door widths.

- 9.3.27. I have reviewed the submitted plans, and it is evident from the proposed first, second and third floors that the width of the shared corridor is 1.5m and I would note that that door widths exceed 1m in most cases, which are typically acceptable for internal door widths.

9.3.28. Notwithstanding Part M of the Building Regulations sets out the provision that must be made in a building to enable people with disabilities to safely and independently gain access to and use the building. Guidance as to how the requirements can be met is given in Technical Guidance Document M - Access for People with Disabilities. However, the Building Regulations are a separate code to the Planning and Development Act, 2000 (as amended) and having regard to the advice in section 7.8 of the Development Management Guidelines (2007) which advises that the planning system will not free a developer from responsibilities under other codes. As such the developer in this case will have to ensure compliance with Part M of the Building Regulations separately to this planning application, which would ensure that the door widths are acceptable.

9.3.29. Other Amenity Standards for the Proposed Apartments

Dual aspect orientations are proposed for 7 no. apartment units which represents approximately 64% of the overall development. SPPR 4 of the Apartment Guidelines (2023) specifies that a minimum of 33% of dual aspect units will be required in more central and accessible urban locations. The proposed development would exceed the minimum requirements of SPPR 4 therefore ensuring a good standard of residential amenity for future occupants.

9.3.30. The Apartment Guidelines (2023) recommend a minimum floor area for communal amenity space of 72 square metres for the proposed development. The proposed development includes communal space totalling approximately 101 sq. metres, comprising of an external landscaped courtyard of c. 75 sq. metres and a winter garden of c. 26 sq. metres. I would therefore be satisfied that the proposed communal space provision in the development would satisfy the minimum requirements in the Apartment Guidelines (2023), therefore offering a good standard of residential amenity for future occupants.

9.3.31. I would note that both the external space and the winter garden are accessible from the first floor, and that the proposed landscaping and design in relation to the external courtyard space, as illustrated in submitted drawing Landscape Communal Space (drawing number 2365-P-500-A), would be a good standard and size to allow adequate light which would enhance the amenity value of the space.

- 9.3.32. The proposed development provides for bin storage facilities, bike storage and bulk storage (28 sq. m.) provision at ground floor level. The applicant's submitted Planning Statement, that accompanied the planning application, indicates that there is capacity to accommodate bicycle storage at ground floor level for 28 no. spaces along with additional visitor storage, which would meet the CDP standards of approximately 26 spaces.
- 9.3.33. Section 4.5 of the Apartment Guidelines recommend communal facilities, particularly in larger apartment schemes and the current proposal provides for a communal home office space, which is approximately 19 sq. metres in size. The proposal also includes, as noted above, a winter garden (lounge area). The communal facilities would enhance the amenity value of the proposed development therefore providing a good standard of residential amenity for future occupants.
- 9.3.34. I would note that PA refusal reason no. 2 refers to the submitted Planning Statement making reference to a communal gym area, and that the proposed facility is not identified and presented within the submitted floor plans. The appellant in response submits that no gym is proposed, and that a resident's lounge (winter garden space) and an external communal space is proposed. I would consider that the proposed development provides adequate communal space, as recommended in s. 4.5 of the Apartment Guidelines (2023), and that the appellant's response addresses the issue raised by the PA.
- 9.3.35. The application documentation includes a Daylight Analysis Report for the proposed apartments. The report tests the daylight performance by creating a 3D computer analysis model of the scheme based upon the planning drawings in relation to BS EN 17037 which gives a target illuminance value for residential settings being 200 lux for kitchens, 150 lux for living rooms, and 100 lux for bedrooms.
- 9.3.36. The daylight assessment report evaluates all bedrooms proposed and 11 no. kitchen/living/dining areas, and the results are tabulated within the report and demonstrate a compliance rate of 100% is achieved. The Report notes that the quality of daylight provision across the development is excellent.
- 9.3.37. I would accept that the applicant's report has adequately demonstrated that the rooms tested within the proposed apartments will exceed the target levels in the BS

EN 17037:2018, as such the proposed development is considered to provide an acceptable standard of amenity from a daylight perspective.

9.3.38. Conclusion

In conclusion therefore, the proposed development, catering for 11 no. apartments, provides for a standard of residential amenity that exceeds the minimum requirements of the Apartment Guidelines (2023), and generously exceeds the minimum floor areas, and is also consistent with the provisions of the Longford CDP, 2021 – 2027. Overall, having regard to the above considerations, I am satisfied that the proposed development would provide a good standard of residential amenity for future occupants.

9.4. Impacts on Established Amenities

9.4.1. Although not raised by the PA, or any third parties, I have briefly assessed potential impacts that may arise on neighbouring amenities due to the proposed development.

9.4.2. As noted above the location of the development proposal is within the town core and the appeal building is surrounded by established commercial properties. Given the town centre location a degree of overlooking can be expected. The existing building has established windows at first, second and third floor level on its southwestern and northeastern elevations, which will be retained within the proposed development.

9.4.3. Northeastern Elevation

In respect of the northeastern elevation, which overlooks an existing commercial roof space to the immediate east of the appeal site, the proposed development will include the introduction of 5 no. balconies over the first, second and third floor levels respectively. Two of the proposed balconies, located to the south of the elevation, will not introduce any additional overlooking concerns, as the balconies are positioned at the location of existing windows, and further the balconies are internalised within the floor area of the proposed apartments.

9.4.4. The remaining 3 no. balconies onto the northeastern elevation will give rise to potential for additional overlooking. The proposed balconies, situated at the northern end of the elevation, will replace existing windows however the level of glazing proposed is larger than the pre-existing level. The design of these 3 no. balconies

are also internalised within the existing floor plans of the respective apartments, and therefore similar to the design of a winter garden.

- 9.4.5. I would consider, having regard to the town centre location, the established degree of overlooking from the northeastern elevation that currently exists, and also given that all proposed balconies onto this elevation are internalised within the floor plans of the apartments, and not projecting beyond the existing building line, that the proposed northwestern elevation would not unduly impact on the established amenities.

9.4.6. Southwestern Elevation

The southwestern elevation of the building overlooks the proposed communal courtyard external space, situated at first floor level, and beyond the proposed external courtyard space there are neighbouring commercial properties. The southwestern elevation is set back from the site boundary by approximately 7 metres.

- 9.4.7. In respect of the proposed southwestern elevation the development will introduce 3 no. external balconies. The proposed balcony serving apartment unit no. 2 is situated at the same level as the external courtyard space and will not unduly overlook neighbouring properties given its level and set back distance. The remaining two proposed balconies on the southwestern elevation are attached to existing windows on the second floor (apartment unit no. 6) and third floor (apartment unit no. 9) and will primarily overlook the communal external courtyard area. In the interest of minimising potential overlooking within the development, I would recommend to the Commission, should they be minded to grant permission, that a 2-metre-high solid screen is placed on the northwest elevation of proposed balconies serving apartment unit no. 2, apartment unit no. 6 and apartment unit no. 9.

- 9.4.8. I would be satisfied having regard to the setback distance of the southwestern elevation from the site boundary, the level of pre-existing overlooking from established windows and the town centre location, that the proposed balconies on the southwestern elevation would not unduly impact on the amenities of neighbouring properties.

9.4.9. Setback Southeast Elevation

The existing building includes a setback southeast facing elevation, which overlooks the proposed external courtyard space. The proposal includes 3 no. balconies situated on this elevation. The proposed balcony serving unit no. 3 (first floor level) is situated at the same level as the external courtyard space and will not introduce any overlooking concerns to neighbouring properties given orientation towards the courtyard space and its level. The proposed balconies to unit no. 7 (second floor level) and unit no. 10 (third floor level) will replace established windows located on these elevations and the proposed balconies will primarily look towards Market Square and the communal courtyard space. Furthermore, and as noted above, a degree of overlooking can be expected within a town centre site.

9.4.10. In order to minimise potential overlooking from the proposed balconies towards neighbouring properties to the immediate west of the development site, I would recommend to the Commission, should they be minded to grant permission, that a 2-metre-high solid screen is placed on the southwest elevation of proposed balconies serving apartment unit no. 3, apartment unit no. 7 and apartment unit no. 10.

9.4.11. I would therefore conclude that the proposed balconies onto the southeast facing elevation, which is set back from the front building line, would be acceptable having regard to the level of the pre-existing overlooking from established windows that currently exists and the town centre location of the site.

9.4.12. A positive feature of the proposed balconies described above, which face towards the external courtyard space, is that they will all overlook Market Square, which would provide additional surveillance of a public space in the town centre, contributing to the public safety of this urban space.

9.4.13. Northwestern Elevation and Southeastern Elevation

There are no changes proposed to the northwestern elevation situated to the rear of the building, or the southeastern facing elevation situated to the front of the building.

9.4.14. External Communal Courtyard Space

The proposed external communal courtyard space includes landscaping along the perimeter of the space, which will mitigate overlooking from the courtyard space beyond the development site.

9.4.15. Conclusion

9.4.16. Overall, I would consider, having regard to the pre-existing southwestern and northwestern elevations with established windows orientated towards existing commercial buildings in this town centre location and also given the commercial nature of neighbouring properties, that the proposed development would not unduly impact on established amenities. In addition, I would consider the proposal acceptable having regard to Longford CDP policies, including policy objectives to utilise upper floors for residential uses and living over the shop to combat town centre vacancy (DMS 16.72).

9.4.17. Furthermore, and having regard to Longford CDP policies that promote the reuse, refurbishment and retrofitting of existing buildings within urban centres (policy objective CPO 4.6) and achieving compact growth (policy objective CPO 4.49), the proposed residential development in this town centre location would, in my view, be consistent with policy objectives of the Longford CDP.

9.5. **Car Parking Provision**

9.5.1. I would note from the information on the file and my site assessment that the existing building has no in-curtilage car parking provision. The PA in refusal reason no. 3 have refused permission on the basis that the development has not taken into account car parking requirements as set out in the Longford CDP, 2021 – 2027, and that the proposal would be contrary to the proper planning and sustainable development of the area.

9.5.2. Table 16.1 of the Longford CDP sets out relevant car parking standards and for apartments the requirement is 1 space per unit and 1 visitor space per 4 apartments in suburban locations, towns and villages. Accordingly, the Table 16.1 car parking requirement for the proposed development is $11 + 2 = 13$ car parking spaces. The existing permitted use (PA PL04700022) within the building is office, and considering the floor area of the existing building, i.e. 1,417 sq. m., the permitted office use would have a car parking requirement in the current development plan of 47 spaces. The proposed development would therefore have a significantly lower car parking requirement than the extant permission on the subject site having regard to the current development plan standards. Although I would accept that the grant for office permission on the subject site preceded the current development plan.

9.5.3. I would acknowledge the PA have not stated in their refusal reason that the proposed development would be a material contravention of the development plan car parking standards. Moreover, I note that the PA's Planner's Report, in the assessment of car parking, refers to the Longford CDP DMS 16.74 which allows for reductions in car parking standards. In this regard I will consider whether the Longford CDP includes flexibility in relation to car parking standards, for developments such as the current proposal before the Commission.

9.5.4. Firstly, the Longford CDP, 2021 – 2027, allows for reductions in car parking standards for living over the shop proposals in town centres. DMS 16.74 of the CDP states as follows,

'Allow a reduction in open space and car parking standards for 'living over the shop' accommodation proposals in town centre locations, subject to protecting residential amenity, where considered appropriate by the Planning Authority'.

9.5.5. The proposed development provides for 11 no. apartments above existing ground floor commercial use in a town centre location, and the principle of this residential development would be consistent with DMS 16.74.

9.5.6. Furthermore, Policy objective CPO 5.37 of the CDP also allows for reductions in car parking standards, and states as follows:

'Allow for the reduction in car parking standards in suitable town centre locations in order to encourage a modal shift away from the private car to more sustainable forms of transport'.

9.5.7. The Longford CDP recognises the promotion of the use and increased delivery of sustainable modes of transport is fundamental to achieving carbon emission reduction requirements of 30% by 2030. Further the CDP acknowledges that the overarching policy (A Sustainable Transport Future: A New Transport Policy for Ireland (Department of Transport, 2009) is promoting a shift towards smarter, more sustainable modes of travelling and reducing the overreliance on the private car. The appellant argues that mobility management is best achieved in town centres where no designated car parking is available to residents and that this approach manages parking/car ownership from the first occupancy of all residents. The appellant considers that this approach will self-regulate resident parking on the basis that persons who require a parking space will not live in the apartment scheme. I would

consider that the appellants assertions are consistent with the objectives of the CDP in promoting a shift towards sustainable modes of transport. On the basis of the above I am of the view that CPO 5.37 would be applicable to the proposed development.

9.5.8. I would therefore conclude based on the above Longford CDP policy provisions that there would be flexibility in respect of Table 16.1 of the Longford CDP, nonetheless on the basis that the requirements of Table 16.1 is not met I would consider that the proposed development would materially contravene a development plan standard. Notwithstanding the material contravention of the development plan the Commissioners are entitled to grant permission in such circumstances, having regard to s.37(2)(a) of the Planning and Development Act, 2000 (as amended).

9.5.9. As such I will now consider whether it is acceptable for the Commission to grant permission having regard to s. 37(2)(a) of the Planning and Development Act, 2000 (as amended).

9.5.10. I would consider that the policy objectives DMS 16.74 and CPO 5.37 as outlined above, would support the development proposal without car parking provision. Further, the Longford CDP strongly supports the creation of compact urban growth (CPO 4.49), consolidation of existing settlements and prioritisation of the development of brownfield lands across the settlement hierarchy, which in turn will encourage the use of public transport, cycling and walking as viable alternatives to the private car.

9.5.11. A key policy provision in this regard is CDP CPO 5.1, which supports the development of sustainable compact settlements which are well served by public transport. The development site is located within the centre of Longford town, accessible to public transport, including the Longford train station which is situated c. 300 metres from the appeal site.

9.5.12. I would also note that the appellant's submission includes an analysis of existing car parking provision in Longford town and has identified a total of 593 car parking spaces within a 500-metre radius of the development site, and submits that the design approach, for no car parking, is justified. The appellant argues that the PA have not considered the availability of car parking spaces in the area.

- 9.5.13. In addition to the Longford CDP, the Apartment Guidelines (2023) advise in para. 4.21 in respect of car parking provision for apartment developments in central and/or accessible urban locations. The Guidelines advise that in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances. As noted above the development site is centrally located and well served by public transport.
- 9.5.14. Furthermore, I would have regard to the status of the existing building, which has no car parking provision for an existing permitted use. The most recent planning permission on the development site relates to PA Ref. PL04/700131 (appeal ref. PL 68.212789) for a grant of permission for a change of use from retail and hotel to office use and the Board's order is dated 19th December 2005.
- 9.5.15. In addition, a planning condition was previously attached to a grant of permission requiring development contributions in relation to a car parking shortfall on the site. The PA permission in relation to PA PL04700022 included a condition requiring a development contribution in lieu of a car parking shortfall.
- 9.5.16. Therefore, in conclusion, I would consider given the location of the proposed apartment development, within a town centre site, and its proximity to public transport provision, and having regard to national, regional and local policy objectives to achieve compact forms of development and to encourage a modal shift away from the private car to more sustainable forms of transport, that the proposed development, without car parking provision, would be acceptable. Furthermore, in considering the proposed development acceptable I would have regard to the PA decision in respect of PA Ref. PL04/700131 (appeal ref. PL 68.212789), which permitted development on the appeal site without car parking provision. I would also acknowledge that the PA granted permission for a development on the site under PA PL04700022 which required a financial contribution in lieu of car parking spaces. Accordingly, having regard to the foregoing, I would consider that the proposed 11 no. apartments, without car parking provision, would be acceptable in this instance.

9.6. **Other Matters**

- 9.6.1. The PA's planning report raises an issue in respect of surface water management from the proposed balconies. In addition, the internal report from the Housing

Department requires the indication of the location of sewer vent pipes and greywater drainage pipes on floor plans for each apartment. I would consider that these drainage and surface water drainage issues can be addressed by condition to be agreed with the PA prior to the commencement of development. Therefore, in this instance, I would recommend a condition to the Commission should they be minded to grant permission, addressing these drainage issues.

- 9.6.2. The PA report also raises concerns in respect of the maintenance of the proposed communal open space and the maintenance of communal areas within the development. The standard approach for apartment developments to maintenance of the communal areas is the establishment of a management company, and this is recognised in section 6.13 of the Apartment Guidelines (2023) which refers to the Multi-Unit Development Act, 2011 (MUD Act). The MUD Act sets out legal requirements regarding the management of apartments. The guidelines advise that this issue is addressed by condition when granting permission, as such I would recommend to the Commission the inclusion of a management company condition should they be minded to grant permission.
- 9.6.3. The PA internal report from the Housing Department raises a number of issues in relation to the Building Regulations, including provision for adequate ventilation, ensuring automatic opening vents are incorporated into the design of both existing stairwells to allow for smoke control, and ensuring the bedroom windows are adequately sized for fire escape. The Development Management Guidelines, 2007, refer, in section 7.8, to 'Conditions Relating to Other Codes'. In this instance the guidelines advise that the existence of a planning condition, or its omission, will not free a developer from responsibilities under other codes. The guidelines advise against the use of the development management process to attempt to force a developer to apply for other code licences, approvals, consents, etc. Issues in relation to ventilation and smoke control are addressed by the Building Regulations.
- 9.6.4. The PA issued a certificate in accordance with s. 97 of the Planning and Development Act, 2000 (as amended) in relation to Part V Housing Supply. Accordingly, I would not recommend a condition, should the Commission be minded to grant permission, requiring the applicant to enter into an agreement with the PA in respect of Part V housing provision.

- 9.6.5. I would note that the internal report by the PA raises an issue requiring that the life expectancy of the building materials are confirmed, and shall be agreed with the PA. I would recommend to the Commission, should they be minded to grant permission, that this issue can be dealt with by condition.

10.0 AA Screening

- 10.1. I have considered case ABP-320882-24 in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 10.2. The proposed development comprises of the change of use of an existing building to provide for 11 no. apartments on first, second and third floor level of the building. The closest European Site, part of the Natura 2000 Network, is the Brown Bog SAC (Site Code 002346) situated approximately 3.3km west of the appeal site. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 10.3. The reason for this conclusion is as follows:
- The absence of any ecological pathway from the development site to the nearest European Site.
 - Location-distance from nearest European site.
 - The urban nature of the proposed development which will be connected to public water mains and public foul sewer.
- 10.4. I conclude, 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.
- 10.5. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

11.0 Water Framework Directive

- 11.1. The subject site is located in the centre of Longford Town and the nearest water body is the River Camlin, situated approximately 600m north of the development site.
- 11.2. The proposed development comprises of the change of use of an existing building to provide for 11 no. apartments on first, second and third floor level of the building.
- 11.3. The development is an urban development fully serviced, and no water deterioration concerns were raised in the planning appeal or during the course of the application.
- 11.4. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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 surface and/or groundwater water bodies either qualitatively or quantitatively.
- 11.5. The reason for this conclusion is as follows.
- The site is fully serviced in an urban area.
 - The absence of any hydrological connections.
 - The nature of the change of use application and the minor scale of development works.
- 11.6. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

12.0 Recommendation

I recommend that planning permission for the proposed development should be granted for the reasons and considerations set out below.

13.0 Reasons and Considerations

Having regard to the nature of the proposed development, the 'Town Core' zoning objective of the site which permits in principle residential development, the design and layout of the proposed development, it is considered that subject to the conditions set out below, the proposed development would be acceptable in terms of standard of residential amenity, car parking and achieving town centre regeneration and vitality, the proposed development would not seriously injure the amenities of the area, and would be in accordance with the provisions of the Longford County Development Plan 2021-2027, and the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023). The subject development would, therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to the commencement of the development, the developer shall submit revised drawings for written agreement of the Planning Authority showing the following amendments;

- a. Inclusion of a light tunnel or tube to serve each of the third-floor bathrooms.
- b. Inclusion of a 2-metre-high solid screen on the southwest elevation of proposed balconies serving apartment unit no. 3, apartment unit no. 7 and apartment unit no. 10, and on the northwest elevation of proposed balconies serving apartment unit no. 2, apartment unit no. 6 and apartment unit no. 9.

Reason: In the interest of residential amenity and the protection of established amenities.

3. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

4. Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

5. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of external landscaped space and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

6. Details of the materials, colours and textures of all the external finishes to the proposed building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

7. Proposals for apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all street signs, and apartment numbers, shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility.

8. Site development works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

9. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

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

10. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials within each duplex and apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

11. The external communal space shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

12. 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.

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.

Kenneth Moloney
Senior Planning Inspector

2nd October 2025

Form 1 - EIA Pre-Screening

Case Reference	ABP-320882-24
Proposed Development Summary	Change of use and building works to alter the building to create 11 apartments with all associated site development works. The development will comprise of the change of use and building works to alter the existing building to provide an apartment complex comprising of 10no. two bed apartments (3no. on first floor, 4no. on second floor & 3no. on third floor) along with 1no. one bed apartment on first floor level. Private open spaces will be provided in the form of balconies. The development also includes provision of bin, bike and bulk storage areas along with communal spaces.
Development Address	Market Square, Longford Town, Co. Longford
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	N/A

☐ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	N/A
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	N/A
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10(b)(i) of Part 2: threshold 500 dwelling units. Class 10(b)(iv) of Part 2: threshold 2 ha.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)

No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)
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Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ABP-320882-24
Proposed Development Summary	Change of use and building works to alter the building to create 11 apartments with all associated site development works.
Development Address	Market Square, Longford Town, Co. Longford
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposed development relates to the change of use from an existing commercial building to accommodate 11 no. apartments. The overall proposed floor area is 1,417 sq. metres. The floor plans will comprise of communal spaces at ground floor level, 4 no. apartments at first floor level, 4 no. apartments at second floor level, and 3 no. apartments at third floor level. The existing building is a vacant commercial office building. Given the town centre location there are established commercial uses and residential uses in the immediate vicinity of the subject site. The proposal is not considered exceptional in the context of the established pattern of development in the area. During the construction phases the proposed development would generate waste. However, given the moderate size of the proposed development, I do not consider that the level of waste generated would be significant in the local, regional or national context. No significant waste, emissions or pollutants would arise during the construction or operational phase due to the nature of the proposed use. The proposed development does not involve any demolition works. The development, by virtue of its residential type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones,	The subject site is not located within or adjoins any environmentally sensitive sites or protected sites of ecological importance, or any sites known for cultural, historical or archaeological significance. The nearest designated site to the appeal site is the Brown Bog SAC (Site Code 002346) situated 3.3km to the west. Lough Forbes Complex SAC (Site Code 001818) is situated 5km to the northwest of the appeal

nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	site. The Mount Jessop Bog SAC (Site Code 002202) is located 4.9km south of the development site. Ballykenny-Fisherstown Bog SPA (Site Code 004101) is situated 5km northwest of the appeal site. Lough Ree SPA (Site Code 004064) is located 13.5 km southwest of the subject site. The Royal Canal pNHA (Site Code 002103) is situated 0.25km to the south. The Brown Bog pNHA (Site Code 000442) is located 3.3km to the west, and Carrickglass Demesne pNHA (Site Code 000442) is situated 3.5km northeast of the development site. I have concluded in my AA Stage 1 Screening that the proposed development would not likely have a significant effect on any European site. I consider that there is no real likelihood of significant cumulative impacts having regard to other existing and/or permitted projects in the adjoining area.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the scale of the proposed development and the nature of construction works associated with the development, its location removed from any sensitive habitats / features, the likely limited magnitude and spatial extent of effects, and the absence of in combination effects, there is no potential for significant effects on the environment.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	N/A

There is a real likelihood of significant effects on the environment.	N/A
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Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)