



An
Coimisiún
Pleanála

Inspector's Report

ACP-323332-25

Development	Construction of 78 dwellings, new site entrance from Clara Road, estate road connection to adjoining Knockowen estate, landscaped public open space, street lighting, boundary treatments and all associated site works.
Location	Clara Road, Tullamore, Co. Offaly
Planning Authority	Offaly County Council
Planning Authority Reg. Ref.	2460411
Applicant	Tullamore Vita Stilo trading as Capital Homes
Type of Application	Permission
Planning Authority Decision	Grant permission subject to conditions
Type of Appeal	Third Party
Appellants	Knockowen Residents Association Pat and Fiona Brophy

	Mark Goodings
	Knockowen Road Residents Association
Observers	None
Date of Site Inspection	17 th November 2025
Inspector	John Duffy

Contents

1.0 Site Location and Description	5
2.0 Proposed Development	5
3.0 Planning Authority Decision	7
3.1. Decision	7
3.2. Planning Authority Reports	8
3.3. Prescribed Bodies	12
3.4. Third Party Observations	12
4.0 Planning History.....	15
5.0 Policy Context.....	16
5.1. National Guidance	16
5.2. Climate Action Plan.....	22
5.3. National Biodiversity Plan.....	22
5.4. Regional Policy.....	23
5.5. Development Plan	23
5.6. Natural Heritage	26
6.0 EIA Screening.....	26
7.0 The Appeal	27
7.1. Grounds of Appeal	27
7.2. Applicant Response	33
7.3. Planning Authority Response.....	36
7.4. Observations.....	36
7.5. Further Responses	36
8.0 Assessment.....	38
9.0 AA Screening.....	61

10.0 Recommendation 62

11.0 Reasons and Considerations..... 62

12.0 Conditions 62

Appendix 1 – Form 1: EIA Pre-Screening

Form 2: Preliminary Examination

Appendix 2 – AA Screening Determination

Appendix 3 – WFD Screening

1.0 Site Location and Description

- 1.1. The subject site is located within the settlement of Tullamore, approximately 0.6km north of the Grand Canal which defines the town centre. Tullamore Train Station is located approximately 1.2km to the south of the appeal site as the crow flies.
- 1.2. The site, measuring approximately 2.84 hectares, comprises an undeveloped field accessed off the Clara Road (R420) by an existing construction entrance. It forms part of a wider parcel of lands in the applicant's ownership between the Clara Road and the Kilbeggan Road, with residential development permitted on adjoining lands to the east, which does not appear to have commenced as yet. The relatively new 'Redwood' residential development is completed to the south-east of the subject lands. The northern and parts of the western site boundaries adjoin the low-density and predominantly single storey housing development at Knockowen Road. The south-western and southern boundaries adjoin existing, predominantly detached housing located along Clara Road.
- 1.3. The proposed development constitutes the third and final phase of the applicant's overall residential development on their landholding. Redwood is the first phase and Hastings East, adjoining to the east is the second phase. There is a masterplan for the lands on file which indicates how the three individual developments / phases might be integrated.

2.0 Proposed Development

- 2.1. The proposed development as described in the public notices comprises:
 - (a) The construction of 78 no. dwellings, comprising the following:
 - **Type A:** 2 no. three-bedroom two storey semi-detached houses; 8.87m in height.
 - **Type B:** 18 no. four-bedroom two storey semi-detached houses; 9.042m in height.
 - **Type C and D:** 12 no. three-bedroom two storey end-terrace houses and 16 no. three-bedroom two storey mid-terraced houses; 8.8m in height.
 - **Type J:** 5 no. 2-bed terrace houses; 9.23m in height.
 - **Type L and M:** 12 no. three-bedroom two storey semi-detached houses; 8.164m in height.

- **Type N and O:** 2 no. three-bedroom two storey corner end-terrace houses and 3 no. three-bedroom two storey mid-terrace houses; 7.568m in height.
- **Type Q and R:** 8 no. one-bedroom apartments (4 at ground floor level and 4 at first floor level).

(b) Associated site development works including new site entrance from Clara Road (which is presently used as the permitted construction access), estate road connection to adjoining Knockowen estate, internal roads, paths, paving, parking, drainage, amenity space, landscaped public open space, street lighting and associated boundary treatments; and all associated site development works to complete the development.

2.2. The application, lodged with the planning authority on 17th October 2024, is accompanied by the following documents in addition to the normal plans and elevation drawings:

- Architectural Design Statement
- Access Statement
- Residential Energy Efficiency and Climate Change Adaptation Design Statement
- Private Outdoor Space and Parking Assessment document
- Appropriate Assessment (AA) Screening Report
- Part V Cost Summary
- Green Infrastructure Plan Report
- Civil Engineering Planning Report
- Quality Audit Report (including a Stage 1 / 2 Road Safety Audit)
- Outdoor Lighting Report
- Housing Quality Assessment (HQA)
- Resource Waste Management Plan (RWMP)

2.3. A range of Further Information (FI) was submitted on 15th May 2025 following a request from the planning authority which issued on 11th December 2024. A FI item of

particular note is the revised proposal to increase the number of units from 78 to 86 arising from the substitution of 16 no. houses (11 no. 3 bedroom units and 5 no. 2 bedroom units) and 8 no. 1 bed apartments with the following:

- 6 no. 3 bed houses (Type C and D)
- 8 no. 1 bed apartments (Type U) in a single two storey building measuring 9.23m in height.
- 8 no. 2 bed duplex apartments (Type T) in a single three storey building measuring approximately 12.8m in height.
- 10 no. 2 bed apartments (Type S) in a single two storey building measuring c 10m in height.

2.4. The revised proposal, as detailed in the FI response, relates to the development of 8 no. 1 bed apartments (Type U), 18 no. two bed apartments / duplexes (Types S and T), 44 no. 3 bed units and 16 no. 4 bed units, all of two storey design (Types A, B, C, L, M, N, and O).

2.5. The FI response was accompanied by revised plans and drawings, correspondence relating to the FI Items, a revised Private Outdoor Space and Parking Assessment, a revised HQA, correspondence from Consulting Engineers relating to Item 6 (Roads) of the FI request, details of materials and finishes, a response to matters raised by third parties, a revised Landscape Management and Maintenance Plan, and a revised Green Infrastructure Plan Report.

3.0 Planning Authority Decision

3.1. Decision

On 15th July 2025 the planning authority decided to grant permission for the proposed development subject to 20 conditions, including:

C3 – Part V

C4 – Restriction on initial ownership by corporate entity.

C5 – Construction standards.

C6 – Development contribution condition.

C7 – Bond.

C8 – Revised proposals for a full vehicular link between proposed Molloy Mews Street and Knockowen Road; a revised phasing map; all roads, footpaths, open spaces landscaping, public lighting and underground services in phase 1 to be completed prior to occupation of any phase 1 dwellings; no house in phase 2 to be occupied until a road is constructed between Molloy Mews and Knockowen estate; all roads, footpaths, open spaces landscaping, public lighting and underground services in phase 2 to be completed prior to occupation of any phase 2 dwellings.

C9 – Naming and numbering condition.

C10 – Boundary treatments and bin storage.

C11 – Landscaping and planting.

C12 – Open spaces.

C13 – External finishes of units.

C14 – Management company for apartments.

C15 – Waste management; construction site welfare facilities.

C16 – Water and wastewater; waste management; construction noise.

C17 – Area engineer requirements.

C18 – Car parking and ducting.

C19 – Installation of Swift boxes.

C20 – Construction access solely through Kearney’s Avenue.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The first planning report, dated 10th December 2024, recommended that FI be sought in relation to the following matters which are summarised:

- **Item 1 – Density / Apartments:** Reference made to SPPR 1 of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2022) and the nature of the proposal which involves 8 no. 1 bed apartment units. Reference also made to the Sustainable Residential Development

and Compact Settlements Guidelines for Planning Authorities (2024). It is considered that the current proposal which provides a net density of 28.6 units is below the range of 30 dph to 50 dph which shall generally be applied at suburban and urban extension locations of key town and large towns. The applicant is invited to address these issues.

- **Item 2 – 3D Drawings:** Provide a 3D aerial drawing of the proposed development particularly having regard to cumulative impacts between Knockowen Road and Kearney's Walk.
- **Item 3 – Construction access:** Indicate proposals for how construction traffic will access the site.
- **Item 4 – Finishes, Design, Landscaping, Boundary Treatment:** (a) Indicate if proposed finishes of the dwellings will match those of the houses already permitted under Reg. Ref. 19/39 and ABP-319341-24. (b) Submit proposals for dual frontage house at 18 Kearney's Avenue (DMS-11 refers).(c) Submit revised landscaping plan for creeper planting along all proposed screen walls open to public view. (d) Submit proposal for revised landscaping plan with additional planting at rear of proposed houses 7 and 8 on Molloy Mews. (e) Submit details of temporary boundary fencing between phases of development on this landholding.
- **Item 5 – Third party concerns:** (a) Applicant invited to address issues raised by third parties in respect of the proposal. (b) Address the issue raised by the third party who raises concerns regarding the proximity and positioning of house number one Kearney's Walk and house No. 56 Knockowen Road. (c) Submit sections illustrating the heights of existing housing and boundary treatments along Clara Road and those proposed at Crofton Court.
- **Item 6 – Roads:** (a) Submit drawings of vehicle tracking for car parking spaces 13, 16, 28 Kearney Avenue and 18 Molloy Mews. Reconsider space 17 beside the raised pedestrian crossing on Kearney Avenue with a view to pedestrian safety concerns.(b) Provide Taking in Charge (TIC) drawing.(c) Submit proposal to move the first raised pedestrian crossing on Kearney Avenue to the entrance to the estate off the R420. (d) Proposed gully locations to be revised to ensure no water is left ponding at any point throughout the estate. (e) Provide details on construction make up of proposed raised surfaces, concrete apron on road and

surfacing at car spaces for semi-detached houses.(f) Dropped kerbs shall not be standard kerbs laid flat; submit alternative proposal. (g) Submit revised external light drawing to include lighting for Kearney's Walk and the footpath linking it with Kearney's Avenue. (h) Ramps to be no sharper than 1:15 slope as per DMURS; address this issue.

- **Item 7 – Vehicular link:** The proposal shows a vehicular link to Knockowen Road; however this link is outside the boundaries of the site. Amend site boundaries to fully encapsulate a full vehicular link into Knockowen Road and submit consent of Tullamore Municipal District to include this link as part of the application.
- **Item 8 – Part V:** Submit evidence that a 10% Part V contribution is applicable. Submit proposals for ground floor units to be fully vehicular liveable and include associated car parking spaces.
- **Item 9 – Swift nest boxes:** Submit proposals for 20 no. Swift nest bricks / boxes to provide for common swifts.

The second planning report, dated 11th July 2025, reflects the decision to grant permission for the proposed development on 15th July 2025. It provides an assessment of the FI submitted, which is summarised as follows:

- **Item 1 – Density / Apartments:** Revised proposal of 86 units is put forward. Density and housing mix considered acceptable.
- **Item 2 – 3D Drawings:** These have been provided as requested (Drawing No. 2207-KLA-00-ZZ-DR-A-305-P01 refers).
- **Item 3 – Construction Access:** Confirmation that construction access traffic will be restricted to where permission was granted under Reg. Ref. 22/329 (ABP-314599-22) from Clara Road through Kearney's Avenue.
- **Item 4 – Finishes, Design, Landscaping, Boundary Treatment:** (a) Proposed finishes to match those of houses already permitted under Reg. Ref. 19/39 and ABP-319341-24. (b) Revised elevations for dual frontage house at 18 Kearney's Avenue provided (c) Native hedgerow planting proposed along screen walls open to public view. (d) Houses 7 and 8 at Molloy Mews replaced with apartments. The rear boundary between units 10 – 14 consists of a 2m wall and planting should be

conditioned. (e) Temporary boundary fencing (2.1m high) with creeper plants are proposed.

- **Item 5 – Third party concerns:** (a) Responses are provided in a submission prepared by Peter Thompson Planning Solutions. (b) A revised design (House Type A) is proposed which allows for an increased separation distance between No. 56 Knockowen Road and No. 1 Kearney’s Walk. (c) A section drawing is provided showing heights of existing housing and boundary treatments along Clara Road and those proposed at Crofton Court.
- **Item 6 – Roads:** In relation to responses received regarding matters (a) to (h) Tullamore Municipal District Office has indicated it has no objections subject to conditions.
- **Item 7 – Vehicular link:** Noted that revised particulars extending Kearney’s Walk into Knockowen Road are provided however the revised layout does not show site boundaries extended nor the road built linking onto Knockowen Road from Molloy Mews. This should be conditioned. Reference made to correspondence from Tullamore Municipal District Office at Appendix C of the report, which confirms no objection to the proposed inter-linking of roads between the proposed and existing estate once all current design and road safety measures are implemented in the design.
- **Item 8 – Part V:** Housing report indicates no objections based on the proposal received.
- **Item 9 – Swift nest boxes:** Proposed on the apartment blocks.

3.2.2. Other Technical Reports

- Chief Fire Officer (21.10.2024): No objection subject to conditions.
- Area Engineer (First report – 9.12.2024): FI recommended as per Item 6 above. Second report dated 10.6.2024 noted no objections subject to conditions.
- Housing (First report – 13.11.2024): FI recommended as per Item 8 above. Second report dated 30.06.2025 notes that nine units are offered for Part V provision and has no objections.
- Water Services (Report dated 22.11.2024): No objection subject to conditions.

- Architects (First report – 14.11.2024): Recommends that proposed layout and landscape plan issued to local Crime Prevention Officer and that the development provides for 20 no. Swift next bricks / blocks. Second report dated 4th June 2025 notes dual aspect houses and welcomes provision of Swift boxes on the apartment units.
- Environment and Water Services (Report dated 22.11.2024): No objection subject to conditions.

3.3. Prescribed Bodies

Report from Uisce Éireann (UÉ) received on 30th October 2024 which confirms 'No Objection in Principle' to the proposal. Standard UÉ conditions are given and the report also requests that the following is included as a condition:

The applicant submitted a Pre-connection enquiry to Uisce Éireann (Customer Ref: 0452179579) and received a response in September 2018. The response stated wastewater connection was feasible subject to upgrades including a pump station. The Uisce Éireann response also noted the presence of an existing 375mm combined sewer which traverses the site. The applicant has stated it is intended to upgrade this sewer to a 450mm and in the process divert the upgraded sewer away from the proposed development in accordance with UE CoP. The applicant has stated a diversion offer was issued by UE in December 2023.

The water connection was deemed feasible without upgrade. It is noted the PCE enquiry is over 6 years old however the applicant stated in their engineering report submission that they have re-engaged with Uisce Éireann who have stated the existing conditions are still applicable. The applicant is asked to submit an up date Confirmation of feasibility from Uisce Éireann to the Local Authority.

3.4. Third Party Observations

Approximately 18 no. third party submissions were received in connection with the proposed development, mainly from existing residents in the area. The FI received by the planning authority was deemed to be Significant FI and as such revised public notices were erected / published, following which several further third party

submissions were received. Issues raised as set out in the Planner's Reports are summarised as follows:

Observations received on foot of the planning application

- Increase in traffic on a dangerous bend on Knockowen Estate would increase risk. Increased traffic impacts will impact on the elderly
- Proposed development is incompatible with Knockowen Road.
- Road opening and proposed apartments causing fear amongst residents.
- Density of the scheme is excessive.
- Design elements such as two storey building height will result in overlooking and impacts on privacy.
- Merging existing green area in Knockowen road will result in loss of privacy to existing residents.
- Proposal out of character with Knockowen.
- Lack of consultation with residents.
- Children from Redwood development will gain access to Knockowen Road Green and congregate for games and possible anti-social behaviour and noise pollution. Concerns that non Knockowen residents would avail of open space in Knockowen.
- Proposal involves knocking of hedgerows.
- Construction traffic could use Knockowen Road.
- Location of proposed apartments does not encourage inclusion.
- A third proposed access through an existing housing estate appears excessive.
- Proposal will encroach on a green area.
- Lack of a formal boundary between proposed Kearney's Walk and Knockowen Road.
- Kearney's Walk housing out of character with Knockowen Road.
- Walkway between Kearney's Avenue and Kearney's Walk is unnecessary.

- Original Planning permission in Knockowen was single storey dwellings. Proposal contravenes the original planning permission.
- The two storey houses and apartments will overshadow existing properties impinging on privacy, light and valuation of property.
- The apartments are in an isolated position and not integrated with the proposed development.
- Applicant is proposing a roadway through the Knockowen Road estate. There is a dangerous turn in the road and it is unsuitable for more dense traffic.
- If permission is granted a condition should be included that the existing unauthorised entrance onto the Clara Road which is subject to a current Enforcement Notice (Enforcement File number UD 23/33) is not to be used for any type of entrance (either temporary or permanent) serving the proposed development.
- Concerns regarding lack of EIA screening report for the masterplan.
- Concerns regarding sight lines at proposed Clara Road junction.
- Requests a 2.4 metre wall be built to prevent dust and debris during withdrawal of soil.
- Concerns regarding drainage.
- Concerns regarding vermin displaced during construction.
- The proposed cycleway will result in the existing green becoming a gathering place for people from outside their estate and possible anti-social behaviour.
- Proposed houses will change the visual identity of Knockowen.
- Introduction of semi-detached houses into Knockowen will feel wholly out of place and unsuitable.
- Possible overlooking impacts from Crofton Court onto housing on Clara Road.
- Not feasible to give cycle / pedestrian access from Redwood to Knockowen.

Observations received following receipt of Significant FI by the planning authority

- Concerns regarding impacts on Knockowen Road.

- Issues raised include layout of Kearney's Walk.
- Concerns regarding overlooking and overshadowing
- Questions whether there will be a management company for the public open spaces for the development
- Original concerns raised in initial objections still stand.
- Consider the process is not transparent as the proposal has been revised to include more housing.
- Concern regarding the siting and design of the proposed three-storey apartment block (Apartment Type T), which is directly adjacent to single storey family home to the north of the proposed development site 29.

4.0 Planning History

Subject site

Planning Authority **Reg. Ref. 2360014** refers to a September 2023 decision to refuse permission for 80 no. dwellings, associated site development works including road access connection via adjoining Redwood development, internal roads, paths, paving, parking, drainage, amenity space, landscaped public open space, street lighting and associated boundary treatments; and all associated site development works at Clara Road, Tullamore, Co. Offaly.

Refusal reasons relate to poor layout with no connections with existing adjoining housing estates, non-compliance with the provisions of DMS-03 and DMS-21 of the County Development Plan, and that the proposal would be injurious to the residential amenities of future occupants and contrary to the Urban Design Manual (particularly criteria numbers 2 and 7, 'Connections' and 'Layout' respectively) and the provisions of 2.2.1 of DMURS.

Adjoining to the east

Ref. ABP-319341-24 / PA Ref. 23259 refers to a September 2024 decision to grant permission for 99 no. dwellings, a creche, remote working hub and gym at Clara Road, Tullamore, Co. Offaly.

To the south-east

ACP-323332-25

Planning Authority **Reg. Ref. 21/174** refers to an August 2021 decision to grant permission for the construction of 8 no. dwellings, and alterations to Reg. Ref. 19/39 (see below).

Planning Authority **Reg. Ref. 19/39** refers to a June 2019 decision to grant permission for 99 no. dwellings, provision of site development works including new site entrance, roads, paths, paving, parking, drainage including new surface water and storm drainage connections at Clara Road, Tullamore, Co. Offaly.

Adjoining to the west

Ref. ABP-314599-22 / PA Ref. 22329 refers to a November 2023 decision to grant permission for demolition of an existing house to create a construction entrance at Clara Road, Tullamore, Co. Offaly.

Adjoining to the south-west

Ref. ABP-317562-23 / PA Ref. DEC23/15 refers to an October 2024 decision in which it was decided that the construction of a hardstanding area for storage of material and vehicles and resurfacing of the existing entrance route off Clara Road to facilitate delivery and construction traffic is development and is not exempted development.

5.0 Policy Context

5.1. National Guidance

5.1.1. Revised National Planning Framework (NPF)

The First Revision of the NPF was recently approved by the Houses of the Oireachtas following the decision of Government on 8th April 2025 to approve the Final Revised NPF.

Chapter 2 of the First Revision of the NPF is entitled ‘A New Way Forward.’ Relevant National Policy Objectives (NPOs) include:

NPO 7: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.

NPO 9: Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints and ensure compact and sequential patterns of growth.

Chapter 4 is entitled 'Making Stronger Urban Places' and it sets out to enhance the experience of people who live, work and visit the urban places of Ireland.

A number of key policy objectives are noted as follows:

- NPO 12 seeks to 'Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being'.
- NPO 20 provides that 'In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.'

Chapter 6 'People, Homes and Communities' sets out that place is intrinsic to achieving a good quality of life.

A number of key policy objectives in Chapter 6 are noted as follows:

- NPO 37: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.
- NPO 42: To target the delivery of housing to accommodate approximately 50,000 additional homes per annum to 2040.
- NPO 43: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location
- NPO 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.

5.1.2. **Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness**

This Action Plan aims to build on this recent progress to further accelerate the delivery of new homes, to deliver 300,000 by the end of 2030. To build the number of homes needed in this timeframe, an estimated €20 billion in development finance will be required each year. To reach this level of delivery, the State will continue to commit significant funds towards the provision of social and affordable homes. Government has committed in excess of €9 billion in funding for housing through the Exchequer, the Land Development Agency (LDA) and the Housing Finance Agency in 2026. The remaining required funding will need to come from investment by the private sector to support homeownership and a well-functioning private rental market.

Reaching the housing 300,000 target will only be achieved through the individual and collective effort of the key delivery partners. Local authorities, together with Approved Housing Bodies (AHBs), the Land Development Agency (LDA) and the construction sector, will be critical to delivering and enabling the delivery of the quantum of homes needed over the lifetime of the plan. Central government will provide the policy, regulatory and funding frameworks to support housing delivery.

The Plan is built around two pillars Activating Supply and Supporting People, with four key priorities under each pillar.

Pillar 1 - Activating Supply focuses on activating the supply of 300,000 homes. This will be achieved through activating more land, providing more housing-related infrastructure, securing more development finance for home building, addressing viability challenges particularly those seen in apartment delivery, increasing the adoption of Modern Methods of Construction, increasing the skills in the residential construction sector and working toward ending dereliction and vacancy.

Key Priorities

1. Ensure a strong pipeline of zoned and serviced land is available.

Government will take action across a range of areas to ensure suitable zoned land is available for housing development, and to provide a greater level of certainty in relation to the planning process and timelines. Key actions include zoning more land to support the delivery of 300,000 homes right across the country; fully implementing the

Planning and Development Act 2024 to simplify and speed up the planning process; and accelerating the delivery of new urban communities, building on the successes in Clonburris and Adamstown.

Delivering infrastructure — such as water, wastewater, electricity capacity and roads — is essential to supporting new housing developments. By investing in infrastructure, Government will ensure that more land is shovel ready when needed, creating a conducive environment for housing development. Key actions include investing a total of €12.2 billion secured for the water sector; allocating €3.5 billion in equity funding to grid infrastructure between 2026 and 2030; introducing a €1 billion Infrastructure Investment Fund and fully embedding the Housing Activation Office to enhance collaboration and co-ordination across infrastructure providers.

2. Create the conditions to attract the required investment.
3. Increase skills and support the adoption of Modern Methods of Construction in the residential construction sector.
4. Work toward ending dereliction and vacancy.

The re-use and regeneration of vacant and derelict properties in villages, towns and cities provide much needed housing and transforms and revitalises communities. Key actions include introducing a new derelict property tax, administered and collected by the Revenue Commissioners; bringing back a total of 20,000 homes into use, supported by the Vacant Property Refurbishment Grant; and a strengthened and extended Living City Initiative, now including all residential properties built before 1975

Pillar 2 - Supporting People sets out a series of key actions that work towards ending homelessness, support affordability and address the housing needs of people as they progress through life. In partnership with local authorities, the LDA and AHBs, the Plan will address the needs of the most vulnerable in our communities, make buying and renting homes more affordable and support the development of villages, towns and cities across the country.

Key Priorities

1. Focus on ending homelessness, deliver homes for older people and support social inclusion.

2. Deliver an average of 12,000 new social homes every year over the lifetime of the Plan.

Government is committed to providing record levels of new social homes and to strengthening the management and maintenance of existing social housing so that more households have access to good quality homes. Key actions include introducing a new single stage approval for applicable social housing projects; expanding and streamlining the operation of the Land Acquisition Fund; financially incentivising local authorities to exceed annual 'own build' social housing targets; and ensuring the right mix of social homes is delivered by local authorities, AHBs and the LDA to meet the specific needs identified through strengthened Housing Delivery Action Plans.

3. Promote affordable homeownership, protect renters and make buying and renting homes more affordable.
4. Invest in the built environment of towns, villages and cities across the country to enhance community well-being.

The planned growth of rural and urban communities is essential to meet the needs of a changing society. A significant focus has been placed on enhancing the lives and wellbeing of those who make their homes in existing communities in our villages, towns and cities by addressing challenges such as population decline and economic stagnation. Key actions include supporting small and medium sized builders to develop new mixed tenure communities on serviced sites in towns and villages; supporting affected communities through the implementation of Defective Concrete Block and Defective Apartment Remediation Schemes; publishing a National Planning Statement on rural housing; and providing the funding needed to advance the Town Centre First Model to ensure a high quality of life for those who live in rural towns.

5.1.3. **Sustainable Residential Development and Compact Settlement Guidelines 2024**

These Guidelines set out national planning policy and guidance in relation to the creation of settlements that are compact, attractive, liveable and well designed. There is a focus on the renewal of settlements and on the interaction between residential density, housing standards and placemaking to support the sustainable and compact growth of settlements.

According to the results from the 2022 Census, Tullamore has a population of 15,598 people and is identified within the Offaly County Development Plan 2021-2027 as a Key Town. As such in accordance with Table 3.5 of the guidelines which identifies areas and density ranges for Key Towns and Large Towns sites should aim to achieve a density of 40-100 units per hectare (net) in respect of Centre and Urban Neighbourhood locations, and a density of 30-50 units per hectare (net) at Suburban and Urban Extension locations.

Development standards for housing are set out in Chapter 5, including:

1. SPPR 1 in relation to separation distances (16 m above ground floor level),
2. SPPR 2 in relation to private open space (2-bed 30 m²; 3-bed 40 m²; 4+bed 50 m²),
3. SPPR 3 in relation to car parking (1.5 spaces per dwelling in accessible locations) and
4. SPPR 4 in relation to cycle parking and storage.

Section 4.4 of the Guidelines set out Key Indicators of Quality Design and Placemaking. It considers that achieving quality urban design and creating a sense of place is contingent on the provision of an authentic identity that is specific to the settlement, neighbourhood or site in question. Section 4.4 (V) relates to responsive built form.

Policy and Objective 4.2 states that it is a policy and objective of these Guidelines that the key indicators of quality urban design and placemaking set out in Section 4.4 are applied within statutory development plans and in the consideration of individual planning applications

Policy and Objective 5.1 relates to public open space provision and requires development plans to make provision for not less than 10% of the net site area and not more than a min. of 15% of the net site area save in exceptional circumstances. Sites with significant heritage or landscape features may require a higher proportion of open space.

5.1.4. Ministerial Guidelines

Having regard to the nature of the proposed development and to the location of the appeal site, I consider the following Guidelines to be pertinent to the assessment of the proposal:

- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DoHLGH, 2023).
- Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities (2021).
- Design Manual for Urban Roads and Streets (2019).
- Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes Sustaining Communities (2007).
- Childcare Facilities Guidelines for Planning Authorities (2001).

I note that the *Planning Design Standards for Apartments, Guidelines for Planning Authorities* were published on 8th of July 2025. Section 1.1 of the guidelines state that they only apply to planning applications submitted after the publication of the guidelines. I am therefore satisfied that these guidelines are not relevant to the current appeal.

5.2. **Climate Action Plan 2025**

The 2025 Climate Action Plan builds upon last year's Plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024. The 2025 Plan provides a roadmap to deliver on Ireland's climate ambition. The expected outcome of the 2025 plan seek for the continued cross-organisational cooperation which will help to deliver Irelands climate goals and Improved monitoring and reporting structures (a lower number of high impact actions) should help streamline the reporting process and make it easier to identify challenges as they arise.

5.3. **National Biodiversity Plan 2023-2030**

The National Biodiversity Plan sets the national biodiversity agenda for the period 2023-2030. The plan strives for a "whole of government, whole of society" approach

to the governance and conservation of biodiversity. The aim is to ensure that every citizen, community, business, local authority, semi-state and state agency has an awareness of biodiversity and its importance, and of the implications of its loss, while also understanding how they can act to address the biodiversity emergency as part of a renewed national effort to “act for nature”.

The plan has identified 5 objectives which include for:

1. Adopt a Whole-of Government Whole-of-Society Approach to Biodiversity;
2. Meet Urgent Conservation and Restoration Needs;
3. Secure Nature’s Contribution to People
4. Enhance the Evidence Base for Action on Biodiversity; and
5. Strengthen Ireland’s Contribution to International Biodiversity Initiatives.

5.4. **Regional Policy: Regional Spatial and Economic Strategy 2019-2031 (RSES)**

The RSES provides for the development of nine counties / twelve local authority areas, including Offaly County Council. It is a strategic plan which identifies regional assets, opportunities and pressures and provides appropriate policy responses in the form of Regional Policy Objectives (RPOs). It provides a framework for investment to better manage spatial planning and economic development throughout the region.

Tullamore is designated as a Key Town and it is described on pages 88 and 89 of the RSES. Under the sub-heading ‘Residential Development’ it is stated: *Relevant to the delivery of housing in Tullamore is support for a range of housing types which are well designed with consideration to tenures and density, integrated green infrastructure, active travel links and renewable energy options. The provision of housing at the right locations will play a fundamental role in the overall economic, social and environmental success of the settlement.*

5.5. **Local Policy: Offaly County Development Plan 2021-2027**

The operative Plan is the Offaly County Development Plan 2021-2027. The majority of the site is zoned ‘New Residential’ while a portion accommodating part of the access road from the Clara Road to the lands is zoned ‘Existing Residential’ as indicated in the Tullamore Town Zoning Map (Volume II). Table 12.1 sets out the Land Use Zoning Matrix. The relevant objectives, policies and Development Management Standards in the County Development Plan include:

LUZO-01: *Ensure that development progresses in accordance with the land use zoning objectives as set out in Section 12.4 and the Land Use Matrix contained in Table 12.1.*

Existing Residential: LUZO-03: *Protect and enhance the amenity and character of developed residential communities.*

New Residential: LUZO-04: *Provide for new residential development and other services incidental to residential development.*

Core Strategy Policies

CSP-01 *It is Council policy to implement the Core Strategy for Offaly in order to be consistent with policies at a national and regional level, in particular population targets and distribution.*

CSP-02 *It is Council policy to support the compact growth of towns and villages to ensure that development proceeds sustainably and at an appropriate scale, density and sequence and in line with the Core Strategy Table.*

CSP-03 *It is Council policy not to exceed, through the facilitation of residential development, the allocated housing requirements set out in the Core Strategy. In this regard, development shall not be permitted where it conflicts with the Core Strategy*

Relevant Housing Policies (HP) and Housing Objectives (HO)

HP-05 *It is Council policy to promote social integration and to counteract undue segregation in housing between persons of different social backgrounds.*

HP-06 *It is Council policy to ensure that new social and affordable housing developments are designed and constructed on the principles of universal design and life-long adaptability, are energy efficient, and of excellent design and contribute to healthy place-making.*

HP-07 *It is Council policy to ensure that a mixture of house types, tenures and sizes is developed to reasonably match the requirements of different categories of households, and ensure that the special requirements of older persons, persons with disabilities and persons with learning difficulties are developed in convenient, easily accessible and permeable locations.*

HP-08 *It is Council policy as required under Section 95 of the Planning and Development Act 2000 (as amended) that 10% of all land zoned for residential or for a mixture of residential and other uses shall be reserved for the provision of housing for the purposes of meeting social and affordable housing need arising in the county.*

HP-09 *It is Council policy to promote social inclusion by ensuring that new social and affordable housing developments are strongly integrated into the structure of existing settlements at locations with access to public transport services and community facilities, to ensure that settlements grow in a manner that is self-sustaining with sufficient social and economic infrastructure.*

HP-11 *It is Council policy to ensure that there is a balanced supply of private, social and affordable housing such that no settlement in the county experiences an over-concentration of any one type of accommodation.*

HO-02 *It is an objective of the Council to monitor the effectiveness of the Housing Strategy in meeting and resolving identified housing needs, and to review and revise the Housing Strategy as necessary should a variation to this Plan be made or if Part V planning legislation is amended during the lifetime of this plan.*

HO-04 *It is an objective of the Council to increase and effectively manage the stock of social housing within the county in order to meet the long-term housing needs of those households on the local authority housing list.*

HO-06 *It is an objective of the Council to secure implementation of the Part V Housing Strategy in accordance with Section 95(1) of the Planning and Development Act 2000 (as amended), in particular, through the reservation of 10% of all land zoned solely for residential use, or for a mixture of residential or other uses, to be made available for the provision of social and affordable housing referred to in Section 94(4)(c) of the Planning and Development Act 2000 (as amended) and shall be provided in accordance with an Agreement referred to in Section 96 of the Planning and Development Act 2000 (as amended) and in accordance with Part V Ministerial Guidance or any future revised Guidance.*

Section 2.4.6 Urban

The Settlement Strategy seeks to strengthen the urban fabric of the county, with an emphasis on building critical mass in the Key Town of Tullamore, the Self-Sustaining

Growth Town and Self Sustaining Towns. The focus is on achieving the consolidated growth of the settlements, with a significantly high proportion of housing in the existing built-up footprints of each settlement, strengthening town centres to their full potential by utilising under-utilised land and buildings and developing the settlements in a sequential manner.

Relevant **Development Management Standards** (DMS) as set out in Chapter 13 include:

DMS-01 Development Capacity; DMS-02 Density; DMS-03 Layout; DMS-04 Design of Streets; DMS-05 Housing Mix; DMS-06 Life Long Adaptability; DMS-07 Design Statement; DMS-08 Apartments; DMS-09 Building Heights; DMS-12 Daylight, Sunlight and Overshadowing; DMS-13 Separation Distances/Overlooking; DMS-14 Space around Buildings; DMS-21 Public Open Space; DMS-27 Part V; DMS-28 Phasing of Residential Developments; DMS-31 Residential Energy Efficiency and Climate Change Adaptation Design Statement; DMS-32 Childcare; DMS-102 Car Parking Requirements; DMS-104 Electric Vehicle Charging Points; DMS-105 Traffic and Transport Assessments and Road Safety Audits; DMS-114 Construction and Demolition Waste Management Plan.

5.6. **Natural Heritage Designations**

Charleville Woods SAC – Site Code 000571 is located c 1.3km south-west of the subject site.

The Grand Canal proposed NHA (Site Code 002104) is located c 0.6km south of the appeal site.

6.0 **EIA Screening**

6.1. Class 10(b)(i) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for a development comprising construction of more than 500 dwelling units. Class 10(b)(iv) provides that mandatory EIA is required for urban development in an area greater than 10 ha. Refer to Form 1 in Appendix 1 (EIA Pre-Screening).

6.2. 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 Appeals

7.1. Grounds of Appeal

7.1.1. Four third party appeals have been received.

7.1.2. An appeal has been submitted by Kevin Doheny representing Knockowen Residents Association. The grounds include:

- Proposed two storey semi-detached housing at 1-12 Kearney's Walk is inconsistent with existing detached single storey house design of Knockowen Road.
- Removal of trees and hedgerows contrary to promoting biodiversity.
- No efforts made by developer to meet residents.
- Concerns of residents not considered by the local authority.
- Proposed 12 houses at Knockowen Road would increase traffic volumes, exacerbating problems at the junction of Knockowen Road and Clara Road.

The appeal includes the following attachments:

- Photographs of existing green space serving Knockowen Road.
- Copies of the appellant's submissions made to the planning authority, summarised as follows:

- New housing at Kearney's Walk is out of character with existing development.
- Increased density in the area.
- Devaluation of housing in the area.
- Increase in traffic volumes.
- Removal of trees and native hedges.

- The existing green / open space will be used by others from outside the area and there is potential for anti-social behaviour.
- FI response does not address points of objection.

7.1.3. An appeal has been submitted by Pat and Fiona Brophy of 56 Knockowen Road. Their house is immediately to the north of proposed house No.1 Kearney's Walk. The grounds include:

- Two storey housing is a significant departure from the established single storey housing at Knockowen Road.
- Failure to have regard to prevailing scale and pattern of development in the area; house types should be revised to single storey or dormer type.
- Complete absence of space between appellant's property and unit proposed at no. 1 Kearney's Walk. Additional space and tree planting would improve the transition and amenity of the development.
- House type proposed at no. 1 Kearney's Walk was adjusted from a 4 bedroom to a 3 bedroom house; no measurements on plan to confirm separation distance from appellant's house.
- Side gable has a clear line of sight to appellant's master bedroom. Overlooking impacts on front garden, utility room and bathroom. Unacceptable loss of privacy.
- Light from south will be significantly impacted.
- No daylight and shadow projection diagrams provided as required by DMS-9.
- House 1 protrudes in front of the building line.
- DMS11 relating to corner development has been ignored.
- Visual disharmony between appellant's house and proposed new unit at No.1.
- Applicant's responses to third party concerns lack detail.
- There is no side/gable access to No.1.
- The Council erred in not adhering to its guidance.

7.1.4. An appeal has been submitted by Mark Goodings of Duhallow, Knockowen Road. His property is located north of the proposed three-storey duplex block proposed at the north-east corner of the site, as indicated on the site layout plan received with the FI response. The grounds include:

- The site layout changed at FI stage whereby the initially proposed two storey houses to the south of the appellant's single storey house are substituted with a three storey apartment block. This results in excessive height transition and overbearing impact.
- Negative visual impact in terms of integration with existing streetscape in Knockowen Road.
- Photomontages do not depict the streetscape impact at the appellant's property from Knockowen.
- Non-compliance with *DMS-07*, *DMS-09* and *DMS-13*.
- Council's decision did not reference appellant's suggestion regarding mitigation, nor the issue of height transition.
- Inadequate consideration given to the submission and Development Plan provisions.
- Requests refusal unless the design is modified to comply with *DMS-07*, *DMS-09* and *DMS-13*, or conditions are attached requiring relocation of Block T, provision of revised photomontages and any design changes necessary to ensure an appropriate transition in scale, and protection of residential amenity.

The appeal includes a copy of the appellant's submission made in connection with the FI provided to the planning authority. This is summarised as follows:

- Proposed siting of three storey block (Type T) does not adequately respect the character and scale of surroundings.
- Abrupt transition between single storey development and the three storey block is visually discordant.
- Suggest switching the position of Block T and the adjoining two storey block (Type S), which would reduce impact and provide a more gradual sympathetic integration.
- More detailed visualisations requested.

7.1.5. An appeal has been submitted by Axis Architecture on behalf of Knockowen Road Residents Association. The grounds include:

- Proposal inconsistent with policies and objectives in the Development Plan.

- CSP-02 relates to compact growth. At FI stage density increased to 30 units per hectare. The proposal is not consistent with national guidelines and should be redesigned to a more appropriate density.
- CSP-03 relates to core strategy; the proposed development loosely applied the core strategy. The decision to grant permission conflicts with the core strategy.
- Proposal does not meet minimum standards set out in Chapter 13 of the Plan.
- Part V proposal inconsistent with Objective HP-06 and HO-06. All Part V units are provided in a block of 1 bed apartments; this engenders social exclusion and limits the potential demographic of tenants to adults without children.
- Universal design and lifelong adaptability are not considered. No accessible parking spaces are provided.
- Criticism of mix of house types, with reference made to Objective HP07. In terms of Objective HP08 it is noted that mix of social and affordable units is limited to 1 bed units, while the units are considered to be isolated with reference made to Objectives HP09 and HP11.
- Alternative layouts to facilitate permeability are put forward.

This appeal assesses the proposed development against multiple development management standards included in Chapter 13 as follows:

- DMS-01 Development Capacity:
 - The proposed development only meets the minimum density threshold in the Compact Settlement Guidelines.
 - No statement on the capacity of services in Tullamore to accommodate the increase in population. No details provided of the community facilities within walking distance of the site; an audit should have been undertaken.
 - Creche facility on adjoining site has capacity for 50 children and is to cater for 268 units. The Development Plan and Childcare Guidelines require 20 spaces per 75 dwellings. Concern the creche is inadequate to cater for the new population.
- DMS-02 Density
 - For residents to consider a lower density, all other development standards must be met.

- DMS-03 Layout
 - All potential linkages to adjoining estates not assessed.
 - Insufficient information and assessment of the permeability of surrounding developments.
 - No complete Traffic Impact Assessment provided.
 - No value in having a vehicular access from the proposed development into Knockowen as it would be dangerous and detrimental to residential amenity.
- DMS-04 Design of Streets
 - Current proposal does not satisfy DMURS and it has not been universally applied across other phases of development.
 - Proposed connection into Knockowen Road would fail to meaningfully achieve many core aims of DMURS. The safety and comfort of residents and vulnerable road users would be compromised. Further, the environmental impact (e.g. increased noise and traffic) would not align with sustainable DMURS goals.
- DMS-05 Housing Mix
 - The choice of unit types and balance of the mix is not supported by evidence. The proposed units do not meet the needs of people with disabilities or older people.
- DMS-06 Lifelong Adaptability
 - The submitted access statement fails to provide sufficient detail and is not in accordance with requirements.
- DMS-07 Design Statement
 - Fails to identify minimum separation distances and does not note that green space is less than 10% of site area.
 - The statement does not comply with this DMS.
- DMS-08 Apartments
 - Type T (3 storey) apartments are too close to existing houses at Knockowen Road.
 - There are no 3 bed apartments and as such the proposal is not consistent with SPPR1 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities.
- DMS-12 Daylight, Sunlight and Overshadowing
 - Proposal does not comply with this standard. New dwellings close to Knockowen Estate should be subject to an overshadowing study.

- DMS-13 Separation Distances / Overlooking
 - Separation distances between apartment units (Type T) and an existing house to the north-east is 12m (less than the required 22m minimum). Further, these units have rear first floor balconies overlooking properties to the north and east.
 - Separation distances between proposed houses and No. 56 Knockowen Road are below 22m.
 - The introduction of two storey houses into a residential estate consisting of single storey housing would be out of scale and not align with the character of existing development.
- DMS-21 Public Open Space
 - Public open space is less than 10% when narrow tracts of land are excluded. Therefore this proposal does not meet the minimum required open space threshold of 15% of total site area.
- DMS-27 Part V
 - 8 no. 1 bed units as proposed will not cater for families and no social mix is provided. This is not consistent with DMS-27 or section 95 of the Planning and Development Act.
- DMS-28 Phasing
 - There is conflict between the phasing plan and the waste management plan. Phase 1 cannot be constructed due to the location of the construction compound at the southern part of the site near the new access. Concern that the proposed phasing arrangement would require access from Knockowen Road to facilitate phase 1. A more detailed phasing study and a Construction Traffic Management Plan should be requested.
- DMS-32 Childcare
 - A minimum of 72 spaces are needed in the creche, however 50 are provided in an earlier phase of development. Proposal does not meet the required standard.
- DMS-102 Car Parking Requirements
 - No accessible car parking is indicated on the site plan. As such the proposal does not meet this standard.
- DMS-104 Electric Vehicle Charging Points
 - No electric charging points are shown on the site plan. As such the proposal does not meet this standard.

- DMS-105 Traffic and Transport Assessments and Road Safety Audits
 - Concerns raised in connection with traffic safety.
 - No TTA was provided with the application; no assessment was undertaken of the traffic proposed to go through Knockowen Road. The capacity of the junction between Knockowen Road and Clara Road was not assessed.
- DMS-114 Construction and Demolition Waste Management Plan (CDWMP)
 - The submitted CDWMP is inconsistent with the phasing plan.

7.2. Applicant Response

7.2.1. The applicant's response to the appeals, received on 3rd September 2025 is summarised as follows:

Response to Knockowen Residents Association appeal

- Required separation distances between houses are observed.
- There is no presumption against two storey units next to single storey houses provided there are no unacceptable impacts. Applicant satisfied that no such issues / impacts arise.
- Hedgerows / trees to be removed are those in front of units 1-12 Kearney's Walk. The implication of Refusal reason 2 of Reg. Ref. 2360014 means these trees are to be removed. The Landscape Plan provides for retention of other trees at southern end of Kearney's Walk and enhanced planting with additional birch trees. Overall it is proposed to plant in excess of 80 new semi-mature trees along with extensive planting throughout the proposed development.
- It was not logistically possible to meet those who made submissions on the proposal. Issues raised were dealt with in the context of the planning application and in the FI submission. The planner's report considered the third party issues raised.
- The increase in traffic onto Clara Road via Knockowen Road is not considered significant and no objection was raised by the Area Engineer.

Response to Mark Goodings appeal

- Increase in density was to meet standards in the Compact Settlement Guidelines.

- There is a separation distance of 23m between the Type T units and the appellant's house. The high trees to the rear of the appellant's property will substantially screen these duplex units. No overbearing impact is anticipated.
- Proposed houses to the rear of the proposed duplex units in the Hayfield East development are sufficiently removed from the rear wall of the apartments to avoid unacceptable overlooking, overbearing and overshadowing impacts.
- Position of Type T units considered appropriate however An Coimisiún Pleanála can amend by condition.
- Visual impact deemed acceptable within Knockowen Drive.
- Architectural Design Statement and visualisations provided at application stage.
- Planning authority had due regard to the third party submissions.

Response to Pat and Fiona Brophy's appeal

- The width of the pedestrian link maximises natural surveillance from nearby houses and roads and is important from a visual amenity perspective.
- Having regard to the appellant's concerns the adjoining house type was changed as it was lower in height and narrower in width, allowing an increase in separation distance between the appellant's boundary and No. 1 Kearney's Walk by 1m to 2.5m.
- The only window facing the appellant's house is a first floor gable window to be fitted with obscured glazing.
- No loss of privacy from rear windows which face east, away from the appellant's property.
- The shadow study (provided with the applicant's response to the appeal) confirms no unacceptable overshadowing will occur to No.56 Knockowen Road.
- DMS11 is not relevant as No. 1 Kearney's Walk is not a corner site.

Response to Knockowen Road Residents Association appeal

- Proposed density is consistent with policy CSP-02 and it is also consistent with and appropriate relative to earlier phases of the overall development.
- The site is zoned for new residential development and the quantum of such zoned land was allocated in the Development Plan to ensure core strategy targets were met.

- The layout is not substandard; it provides for two connections to the Knockowen Estate which provide vehicular, pedestrian and cycle connections, representing good urban design which maximises permeability and integration with existing developments. This follows refusal of a previous application on the lands which identified lack of connectivity in contravention of DMS-03.
- The engineering report details safety features incorporated into the road design layout which accords with DMURS. Proposed layout received approval from the area engineer and planning authority.
- 15.4% of the site comprises public open space and this is above the minimum 15% Development Plan requirement. All open space allows for active recreation except for strips lining pedestrian and road corridors, essential to maximise natural surveillance and discourage anti-social behaviour.
- Required separation distances are met. No overlooking impacts arise onto No. 56 Knockowen Road.
- In terms of housing mix, the developer is local and knows the market. This scheme caters for housing types which are in demand. SPPR1 of the Apartment Guidelines does not restrict apartment mixes.
- In terms of Part V provision, the Housing Department had a specific requirement for 1 bed units, which are located in Block U, at the heart of existing and proposed housing.
- The development is designed to meet needs of disabled people and older people and it is adaptable, as confirmed in the Architectural Design Statement. Accessible car parking spaces are located outside the apartments while all in-curtilage parking is sufficiently wide to be accessible.
- EV charging infrastructure forms part of Building Regulations and will be provided.
- Area Engineer is satisfied the proposed development complies with DMURS. Application details relating to Phase 1 of the overall development included a Transport Impact Assessment (TIA) for the entire landholding and a total of 270 units. Only 12 new houses access Knockowen Road via Kearney's Walk. A TIA was not deemed necessary by the planning authority / area engineer.
- In terms of phasing, it is agreed that there is an inconsistency between the phasing plan and the waste management strategy. Effectively, three phases of development are now proposed. Phase 1 excludes the area of the construction

compound, comprising Crofton Court. When Phases 1 and 2 are completed, the final 14 houses in Crofton Court will be delivered as Phase 3. Revised CEMP and CWMP Are attached with the appeal response.

- Childcare: The planning authority did not seek any increase in childcare provision. The ratio set out in the Childcare Guidelines (20 spaces per 75 residential units) is a general guide. Increasingly, babies are not being catered for in creches to the same extent as in previous times. It is estimated that the 10 baby space room in the permitted creche could accommodate 26 children (ages 3 to 5). It is considered the childcare facility is adequate to meet the needs of existing and proposed housing.

The applicant's response submission includes:

- A Resource Waste Management Plan incorporating a Construction Waste Management Plan (CWMP) and a Construction Environmental Management Plan (CEMP).
- A Shadow Analysis Report which demonstrates the shadow effect of the proposed Hayfield West residential development on No. 56 Knockowen Road. It concludes that shadow effects are minor and occur only for a brief period around the Winter Solstice.

7.3. Planning Authority Response

- 7.3.1. The planning authority responded on 4th September 2025 drawing attention to the technical reports on file and requesting that its decision to grant permission is supported.

7.4. Observations

None.

7.5. Further Responses

- 7.5.1. The applicant's response to the appeals was circulated to all parties under section 131 of the Planning and Development Act 2000, as amended. The submissions received in response are summarised below.

Response from planning authority

ACP-323332-25

- Overshadowing impacts will not have significant adverse impacts on amenity.
- Requests that the grant of permission is supported.

Response from Knockowen Residents Association

- Appeal grounds reiterated.
- Definite shadow effect on No. 56 Knockowen Road if adjoining new two storey houses are constructed.
- Proposed housing at 1-12 Kearney's Walk are inconsistent with existing houses.
- Consultation with developer never took place, although assurances were given that it would.
- Planning authority did not take on board concerns raised.
- Concerns reiterated regarding traffic at Knockowen and Clara Road junction.

Response from Pat and Fiona Brophy

- Appeal grounds reiterated.
- Original grant of permission for Knockowen from 1979 stipulated that only single storey structures to be erected and that windows should not overlook adjoining sites. It would be inconsistent if this situation is altered.
- Nature of the appellant's boundary would be totally altered by the addition of a two storey gable wall, 2.5m from the walled boundary.
- Existing building line is not respected.
- Open space should be relocated adjacent to the appellant's boundary.
- The existing boundary also adjoins proposed house No. 31 and this would result in a loss of evening sun, diminishing the residential amenity of the appellant's rear garden.
- The layout / design should be altered to increase the separation distance of the proposed development from the appellant's property.
- Only a partial shadow analysis was provided and it was not prepared in accordance with guidance set out in DMS-12. Inconsistency in drawings and accuracy of results questioned.
- Sky views from the appellant's property will disappear.
- Privacy adversely impacted. First floor rear windows from No.31 will overlook rear garden and front garden also overlooked.

- Right to light may be impacted upon.

Response from Knockowen Road Residents Association

- Critical of appellant's response to appeals and contend the concerns raised are not addressed.
- Criticism of shadow analysis report.
- Appeal grounds reiterated in detail, including criticism of residential unit types and heights, impacts on residential amenity, removal of trees and hedgerows, increase in traffic volumes, absence of contact / communication from developer, inconsistency with core strategy, sub-standard layout, insufficient quality and quantum of open space, shortage of accessible parking spaces, absence of TIA, Road Safety Audit and Visual Impact Assessment.

8.0 **Assessment**

8.1. I consider, following a review of all the documentation available to me including the floor plans, the housing and apartment quality assessment, the Planning Officer's assessments and the Design Statement, that the proposed development would comply with the relevant sections of the Offaly County Development Plan 2021-2027, the requirements of the Sustainable Development and Compact Settlement Guidelines (2024), the Design Standards for New Apartments (2023), and the Quality Housing for Sustainable Communities (2007), and will therefore provide for a high level of residential amenity for all future potential residents.

8.2. Having examined the application details and all other documentation on file, including the reports of the local authority, and having inspected the site, and having regard to the relevant local and national policies and guidance, I consider the substantive issues in this appeal to be considered as follows:

- Principle of development
- Core Strategy
- Residential Amenities
- Development Management Standards
- Other issues

- Water Framework Directive - Screening
- Planning Authority conditions
- Appropriate Assessment

8.3. Principle of development

8.3.1. The vast majority of the application site is zoned LUZO-04 'New Residential' while a small section of the proposed access road at the south-western part of the site is zoned LUZO-03 'Existing Residential.' Having regard to the applicable land-use zonings and the nature of the proposed development comprising a residential development, which I note is a final phase (Phase 3) of a wider permitted residential development on adjoining and nearby lands, I consider the proposal is acceptable in principle at the subject location. I also note that under section 2.1.4 *Principles of Growth*, the County Development Plan identifies that compact growth is key and that at least 30% of all new homes will be on brownfield or infill lands, as is proposed in this application, rather than continually sprawling outwards.

8.4. Core Strategy

8.4.1. Grounds of appeal reference that the proposed development 'loosely' applies the Core Strategy and that the proposed development, due to purported discrepancies with County Development Plan policies and objectives, conflicts with the Core Strategy of the Plan.

8.4.2. The Core Strategy of the Offaly County Development Plan 2021-2027 identifies Tullamore as a 'Key Town,' which is the highest level within the settlement hierarchy of the county. In accordance with NPO 17 of the First Edition of the NPF, a settlement that is not a city / associated suburb or regional growth centre may be identified for significant rates of population growth (i.e. 30% or more above 2022 population levels to 2040), and I note that, in this regard, the Key Town of Tullamore is suitable for significant increased population growth, and this is identified in the County Development Plan.

8.4.3. Table 2.2 'Core Strategy Table' provides for a projected population increase of 4,382 for Tullamore over the Development Plan period, translating into a housing supply

target of 1379 for the Development Plan period 2021-2027. The number of residential units that can be accommodated on brownfield/infill sites is given as 1392.

8.4.4. Having regard to the foregoing, I consider that the proposal comprising the development of 78 residential units as applied for on lands zoned for residential purposes, which was increased to 86 units at FI stage, would not breach or be in conflict with the Core Strategy of the County Development Plan or Policy CSP-03. Furthermore, in my view the Core Strategy aligns with national and regional policies as required by Policy CSP-01 including those set out in the First Revision of the NPF. The proposal also complies with Policy CSP-02 in that the site comprises infill lands thereby facilitating compact growth which is supported and encouraged by local, regional and national planning policies. The issues raised in the appeals regarding density are addressed in Section 8.6 of this report.

8.5. Residential Amenities

8.5.1. Built form, height and layout

8.5.2. The built form and height of the proposed development are of concern to appellants residing at Knockowen Road, which comprises a low density residential area. These existing dwellings which are predominantly of single storey and dormer design are situated on relatively generous plots. The majority of proposed units are of two storey design and appellants consider that this housing typology is out of character with the area, contending that single storey units would be appropriate.

8.5.3. The first two Strategic Objectives of the County as envisioned in the County Development Plan relate to planning for a population increase in County Offaly during the plan period, and consolidation of settlements to avoid undesirable and inefficient sprawl to be achieved 'through targeting a significant proportion of future development on infill / brownfield / underutilised sites within the existing built-up footprint of all settlements in accordance with the principle of Compact Growth set out in the National Planning Framework.'

8.5.4. In order to achieve such objectives, changes to the traditional form and scale of development to facilitate appropriate densities and more intensive use of infill sites

(such as these subject lands located within the Key Town of Tullamore) are encouraged, in order to ensure compact development is delivered. My opinion is that the development of low rise two storey housing at Knockowen Road / Kearney's Walk considers the built form of existing housing stock in Knockowen Road and is not out of character with residential development in the area. In my view, the introduction of two-storey housing typology further enhances the variety of dwelling types in the area.

8.5.5. The appeal from Pat and Fiona Brophy of no. 56 Knockowen Road contends that the proposed two storey dwelling at no. 1 Kearney's Walk would protrude in front of the established building line and has no side access. Upon review of the site layout plan, this appears not to be the case as the façade of the proposed new unit is set back from the façade of no. 56 and side access through to the rear garden is achieved along the northern elevation through a side passage. This appeal also suggests that *DMS11 Corner Site Development* is not considered in the application, however I note no. 1 Kearney's Walk does not constitute a corner site and therefore this standard is not applicable in this instance.

8.5.6. Matters raised in the appeals regarding the permeable layout of the proposed development and its connectivity into adjoining residential areas are set out under the heading *DMS-03 Layout*, at section 8.6.6 below.

8.5.7. Separation distances

8.5.8. The appeal submitted by Axis Architecture on behalf of Knockowen Road Residents Association raises the concern that the minimum separation distance of 22m outlined in *DMS-13* is not met in a number of instances, specifically between proposed apartment units and an existing house at the end of the western side of Knockowen Road adjoining the lands to the north and also between the proposed new unit at no. 1 Kearney's Walk and the existing house at No. 56 Knockowen Road.

8.5.9. *DMS-13* requires a separation distance of a minimum of 22m between directly opposing rear first floor windows shall be observed. The proposed three-storey apartment block within the scheme does not adjoin the site containing the aforementioned existing house, located at the end of the western side of Knockowen

Road, and it appears the appellant may be referring to a block of six two storey terraced units, the rear gardens of which adjoin that existing property to the south. In this regard the proposed new units have garden depths ranging from c 11m to c 15.8m. The existing adjoining property to the north is a single storey house, with no opposing first floor windows and with its gable wall facing the appeal site. As such *DMS-13* is not applicable in this instance and I am satisfied there is sufficient separation distances between the terraced housing units and the existing house to ensure no undue overlooking impacts arise.

8.5.10. This appeal also considers that the separation distance between the proposed unit at no. 1 Kearney's Walk and the existing dormer dwelling at no. 56 Knockowen Road is below the 22m standard given in *DMS-13*. If permitted, I note that the side gable of no.1 Kearney's Walk would adjoin that of no. 56 Knockowen Road and as such there are no rear or side directly opposing windows serving habitable rooms between the houses. As such *DMS 13* is not applicable in this instance.

8.5.11. Chapter 13 (Development Management Standards) of the current Offaly County Development Plan notes that regard should be had to Section 28 Guidelines and that Specific Planning Policy Requirements (SPPRs) apply, notwithstanding the objectives and requirements of the Development Plan. For information, I advise the Commission that SPPR 1 of the *Sustainable and Compact Settlements – Guidelines for Planning Authorities (2024)* refers to a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. Separation distances below 16 metres may be considered acceptable where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.

8.5.12. Concerns are raised in the appeal from Knockowen Road Residents Association that the proposed three storey apartment block (Type T which contains apartments 7 to 14 at Molloy Mews) would, by reason of first floor balconies overlook existing houses to the east and the north. The appeal from Mark Goodings who resides to the north of this proposed block considers that this c 12.8m high block would have an overbearing

impact on his property at Duhallow, located on Knockowen Road. In this regard, I note the separation distance between the side / northern elevation of the proposed block and the appellant's property is c 23m, which in my view is sufficient to ensure that no overbearing impacts arise. Further, having regard to the scale, massing and design of this block and its location on zoned lands in an urban area, I do not consider development of this nature to be unreasonable at this location. I do however have a concern that the first floor balcony of the duplex unit at No.7 Molloy Mews would have the potential to overlook the rear private open space of a permitted unit to the east, within the adjoining Hayfield East development. In this regard I recommend to the Commission that the three-storey building accommodating units 7 and 8 only be substituted with a two storey block (Type S), whereby the first floor apartment is served with an integrated front balcony. In my opinion, this would resolve the potential issue of overlooking as identified above, while maintaining the density of the development.

8.5.13. Concerns are raised in the appeal from Pat and Fiona Brophy of 56 Knockowen Road that there is an absence of space between their property and the proposed unit (no. 1 Kearney's Walk) to the south. I note that on foot of similar concerns raised by the appellants during the course of the application that the applicant amended the house type from a 4 bedroom unit (Type B) to a 3 bedroom unit (Type A), which the applicant indicates is slightly lower in height and narrower in width. The appellants also note that no separation measurements are indicated on plan between their house and the proposed new dwelling to the south.

8.5.14. The appellant's property is a dormer type dwelling and it has been extended by way of a single storey addition to the south and rear, which is set-back from the front building line of the house. I have measured on plan the separation distance from the northern gable wall of the proposed new unit at no. 1 Kearney's Walk to the appellant's house, specifically to their side extension, and it equates to approximately 4.8m. Furthermore the separation distance between the gable wall of the new unit to the northern boundary is approximately 2.5m. These separation distances exceed those set out in *DMS-14 Space around Buildings* which require a minimum distance of 2.5m for single storey, and 3m for two-storey buildings to be maintained between the side walls of adjacent dwellings or dwelling blocks with each building having a minimum of 1 metre to the boundary. Having regard to the foregoing I conclude that the separation

distances as outlined above are in excess of the minimum standards as identified in the County Development Plan and are appropriate.

8.5.15. The residents of No. 56 Knockowen Road raise concerns that the side gable window of the proposed unit at no.1 Kearney's Walk (Type A unit) would overlook their bedroom, front garden, utility room and bathroom. I note there is one modestly sized window proposed on the northern elevation of the new unit which serves the stairs and landing area. I do not consider this window, which does not serve a habitable room, would unduly overlook the adjoining property at No. 56 Knockowen Road. Notwithstanding, I note from the applicant's response to the appeal that this window will be fitted with obscure glazing, which eliminates any potential overlooking on to the adjoining property to the north. Rear first floor windows associated with the proposed new unit at no.1 Kearney's Walk are oriented east and as such I would not foresee undue overlooking impacts arising on adjoining properties.

8.5.16. Concerns are also raised in the appellant's submission received on foot of the applicant's response to the appeal that overlooking impacts would arise from unit 31 a two storey terraced property adjoining No. 56 Knockowen Road to the south-east. The rear first floor windows of this property are oriented to the west and as such I would not anticipate undue overlooking opportunities from the new unit onto No. 56 Knockowen Road.

8.5.17. Overshadowing

8.5.18. The appeal from Pat and Fiona Brophy of 56 Knockowen Road considers that southern light onto their property would be significantly impacted by the proposed location of housing on lands adjoining their property and it is contended that a daylight and shadow projection diagram should have been provided with the planning application as required by *DMS-09 Building Heights*. In this regard and as noted below in section 8.6.17, *DMS-09* appears to relate only to applications on sites deemed suitable for consideration of taller buildings (defined in the County Development Plan as 6+ storeys in height) and as such does not apply in this instance.

- 8.5.19. In their response to the appeal the applicant has provided a Shadow Analysis Report which makes reference to *Site Layout planning for daylight and sunlight: A guide to good practice* (BRE 209, 2022) and BS EN 17037:2018+A1:2021 *Daylight in Buildings*. However, as noted by an appellant, it is apparent that the layout on the drawings used in this analysis is inaccurate when compared to the site layout plan provided in the context of the planning application. As such I do not propose to have regard to the submitted Shadow Analysis Report as provided by the applicant in the response to the appeals.
- 8.5.20. Notwithstanding, having regard to the orientation of the site relative to the path of the sun, the separation distance of approximately 4.8m between the proposed new unit at no. 1 Kearney's Walk and the existing house at no. 56 Knockowen Road along with the high boundary wall at the southern side of this property measuring approximately 1.8m to 2m in height, my opinion is that the proposed development would not overshadow the property at no. 56 Knockowen Road to any significant additional extent. In my view, the southern side of the existing property along with its associated attached garage is already overshadowed by the high boundary wall at its southern boundary.
- 8.5.21. *DMS-12* requires submission of a Daylight, Sunlight and Overshadowing study where new dwellings are proposed very close to adjoining buildings and may impact upon residential amenities. In my opinion the proposed development is well laid out and I do not consider the new residential units to be very close to existing dwellings located in adjoining residential areas. As such, I am of the view that the submission of a Daylight, Sunlight and Overshadowing study is not required in this instance.
- 8.5.22. The submission received from Pat and Fiona Brophy of 56 Knockowen Road in reply to the applicant's response to the appeals which was circulated to parties refers to legal rights to light. As the issue of determining rights to light is a matter for the Courts, I do not consider that the Commission is in a position to draw any conclusions in relation to the matters raised in this regard as set out in this appellant's submission, which was received by the Commission on 3rd October 2025.

8.6. **Development Management Standards (DMS)**

- 8.6.1. Chapter 13 of the County Development Plan sets out general development management principles and standards to ensure that future development accords with policies and objectives set out elsewhere in the Plan. The third party appeals contend that the proposed development is inconsistent with multiple Development Management Standards. In this context I have examined the proposed development against these standards below.
- 8.6.2. **DMS-01 Development Capacity:** This standard lists considerations to be taken into account in the assessment of planning applications for residential developments and includes reference to the capacity of the physical and social infrastructure in the area. I note that *DMS-01* does not require the proposer of a development to submit a statement of services or an audit of community facilities in the vicinity. Compliance with this standard is appropriately assessed in the first planner's report which notes that the lands are zoned for residential purposes and the proposal is compatible with the zoning objective.
- 8.6.3. **DMS-02 Density:** This standard states that the appropriate residential density of a site shall be determined by reference to the *Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009)* and the accompanying *Urban Design Manual (2009)*, *Sustainable Urban Housing: Design Standards for New Apartments 2020*, the *Urban Development and Building Heights Guidelines 2018* and the prevailing scale and pattern of development in the area. I note however that the Development Plan (Chapter 13) provides that regard should also be had to Section 28 Guidelines issued by the Minister and that future planning guidelines or amendments to existing guidelines will be considered in the assessment of planning applications. Having regard to this and also the nature of the proposed development comprising predominantly housing units and also apartments, the appropriate Section 28 Guidelines to have regard to in this assessment include the *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)* and the *Sustainable Urban Housing: Design Standards for New Apartments 2023*.
- 8.6.4. The third party appeal made on behalf of Knockowen Road Residents Association suggests that the proposal should be redesigned to a more appropriate density. I note that the FI request made by the planning authority invited the applicant to address the

matter of density given that a net density of 28.6 units as initially proposed is below the range of 30 dph to 50 dph to be generally applied at suburban and urban extension locations of key towns and large towns, with reference being made to, inter alia, the *Compact Settlements Guidelines*. In response to this aspect of the FI request, the number of residential units was increased from 78 to 86, equating to a revised density of 30 uph (net).

8.6.5. I note that the subject site lies outside the Grand Canal which defines the town centre of Tullamore. The *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)* identify densities in the range of 30 dph to 50 dph (net) to be applied at suburban and urban extension locations of Key Towns and Large Towns. While the proposed development is at the lower end of the range of appropriate densities, having regard to the surrounding area and the pattern of development in the area, I consider the density proposed to be acceptable at this location.

8.6.6. **DMS-03 Layout:** This standard seeks to encourage developments with, inter alia, permeable layouts, supervised spaces, provision of high quality green infrastructure and developments to be designed to comply with DMURS. While the planning authority is satisfied that the proposal complies with this standard, the appellants raise concerns regarding the permeable layout and connectivity into adjoining residential estates, specifically Knockowen, and question the value of such linkages.

8.6.7. Section 13.2.4 of the Development Plan relates to permeability and sustainable mobility and identifies a key aim to '*promote compact, connected neighbourhoods based on street patterns and forms of development that will make walking and cycling, especially for local trips, more attractive, promoting sustainable travel movements and encouraging people to find alternative ways to travel reducing car dependency.*' The site layout drawing indicates two proposed connections into the adjoining Knockowen estate which facilitate pedestrian, cycle and vehicular connectivity between these residential areas. Connectivity for pedestrians, bicycles and vehicles is also proposed from the subject lands to the adjoining permitted development at Hayfield East, which in turn connects into the Redwood development further south. Such connections integrate developments and facilitate high levels of permeability which in turn support

the use of sustainable active travel modes of transport and I am satisfied that the layout proposed in this application achieves a high degree of permeability across adjoining lands.

8.6.8. Concerns are also raised in the appeals about potential increased traffic volumes at Knockowen, insufficient information and assessment of permeability proposals and the absence of a Traffic Impact Assessment (TIA). I note the Quality Audit Report submitted with the application includes an audit on the essential aspects of street design, specifically connectivity, the self-regulating street environment, pedestrian and cycling environment and visual quality. Additional audits in terms of access, walking and cycling are provided, while a Road Safety Audit is also submitted. I note that the Area Engineer's reports have not raised concerns regarding the aforementioned information and the planning authority is satisfied with same. In my view the submitted information is appropriate and provides a proper assessment of issues relating to connectivity and the pedestrian and cycling environment. The applicant notes in their response to the appeals that a TIA was submitted for the entire landholding on the basis of 270 residential units with the Phase 1 planning application and that the submission of a further TIA for the proposed development was not deemed necessary by the planning authority. I have reviewed the submitted TIA as provided with Reg. Ref. 19/39 (Phase 1) and I do not consider that a further TIA is required for the current proposal. While I accept that the cumulative quantum of residential development for Phases 1, 2 and 3 is above 270 units at approximately 291 units, this excess of approximately 21 units is not significant or material, in my view.

8.6.9. The Area Engineer did not raise concerns regarding the possibility of significantly increased traffic volumes through the Knockowen residential estate as a result of this proposal. In my view, the majority of traffic generated by this proposed development would use the proposed new vehicular entrance (now the permitted construction entrance) from the Clara Road or the existing vehicular entrance to the existing Redwood development which shall also connect into the permitted Hayfield West (Phase 2) residential development. As such I would not anticipate adverse traffic impacts arising from the proposed development on the Knockowen Road residential area.

8.6.10. **DMS-04 Design of Streets:** This standard refers to specific guides, including DMURS, which applications for residential development shall adhere to. The appeal made on behalf of Knockowen Road Residents Association suggests that the proposed development is not DMURS compliant and that it is not universally applied in the other phases of development. It is also stated that the proposed connection to Knockowen Road would not achieve many of the core DMURS aims. I would note that part 4 of the Quality Audit report relates to the DMURS Street Design Audit and it is designed to ensure that the key considerations outlined in DMURS have been properly addressed and these are set out under *DMS-03 Layout* above. Furthermore, section 7 of the Engineering report relates to the design of streets and footpaths in the development which are based on DMURS guidance. While I note the third party contention that DMURS is not universally applied to the preceding phases of development, this is not of particular significance to the current appeal before the Commission, which is concerned with this Phase 3 development only.

8.6.11. Section 2.2.3 of DMURS (2019) identifies four core principles, namely (a) connected networks which promote higher levels of permeability for all and more sustainable forms of transport, (b) multi-functional and self-regulating streets that cater for, inter alia, the various movement functions of a street, (c) a pedestrian focus and (d) a more integrated approach to street design. In my view, the site layout plan incorporates the aforementioned elements thereby prioritising pedestrians and cyclists and encouraging active travel through the subject site and adjoining lands. I do not concur with the appellants' view that the proposal would not align with the core aims as set out in DMURS and I note also that the Area Engineer raised no such concerns on foot of their assessment of the proposed development.

8.6.12. **DMS-05 Housing Mix:** This standard requires that applications for residential development of 10 houses or more contain a mix of house types, heights and sizes with reference made of apartments, duplexes terraces, semi-detached and detached units. The appeal made on behalf of Knockowen Road Residents Association raises concerns about the housing mix (including proposed social and affordable units) on the basis that it does not cater for disabled persons or older people. I note the wide variety of residential units proposed as set out in section 2 of this Inspector's Report. In my view the proposed mix of residential units is acceptable and appropriate and it

would meet a wide range of tenure types. While I acknowledge the content of HP-06, which seeks to ensure that new social and affordable housing is constructed on the principles of universal design, I also note HP-07 which seeks to ensure that a mixture of house types, tenures and sizes is developed to reasonably match the requirements of different household categories, and ensure that the requirements of older persons, those with disabilities and learning difficulties are developed in convenient, easily accessible and permeable locations. It is my view that the proposed development offers an extensive and suitable housing mix which caters for a wide range of household categories including older persons and disabled people. The submitted Housing Quality Assessments and Private Outdoor Space and Parking Assessments provide a breakdown of floor areas and outdoor space for each unit and all units either meet or exceed minimum requirements.

8.6.13. The Architectural Design Statement (ADS) assesses the proposed development against the 12 criteria as set out in the Urban Design Manual Best Practice Guide (2009). Under the 'Inclusivity' standard, it is noted that proposed housing scheme is accessible and adaptable to support residents through all life stages, with one and two bedroom units suitable for young people starting out or older people seeking to downsize, and larger units comprising 3 and 4 bedrooms suitable for families. All public open spaces are accessible to all. I am satisfied that the proposed development is inclusive and would offer housing options for people at various stages of their lifecycle.

8.6.14. **DMS-06 Lifelong Adaptability:** Part M of the Building Regulations sets out standards to ensure that buildings are accessible to and usable by everyone, with the Technical Guidance Document in relation to Part M providing guidance on the access requirements for public buildings and for residential dwellings. The Council seeks to encourage the implementation of best practice standards with regard to access in both indoor and outdoor environments and *DMS-06* requires housing applications of five units or more to be accompanied by an Access Statement in accordance with Appendix 6 of *Buildings for Everyone: A Universal Design Approach (National Disability Authority, 2012)*. An Access Statement is provided within the ADS with a view to detailing how the scheme responds to the needs of all potential users. An overall / general assessment is given which highlights that the site layout provides the best universal access layout to serve the needs of all users including wheelchair and

other disabled persons who may live within or visit the proposed residential estate. The Statement notes the provision of generous footpaths, cycle lanes and approaches to housing units will serve the needs of all potential users. While the appeal on behalf of Knockowen Road Residents Association contends that the Access Statement is insufficiently detailed and not in accordance with requirements, I note that the planning authority did not express any dissatisfaction with the submitted Access Statement and in my view it accords generally with Appendix 6 of the aforementioned stated document and it is acceptable.

8.6.15. **DMS-07 Design Statement:** This standard requires preparation of a design statement for residential developments in excess of 10 units. The appeal made on behalf of Knockowen Road Residents Association considers that the Statement does not comply with the standard, that minimum separation distances are not identified and that the quantum of green space is below standard. The planning authority accepted the ADS and I consider it to be compliant with the standard as set out in *DMS-07*. As detailed above, the ADS assesses the proposed development against the 12 criteria as set out in the Urban Design Manual Best Practice Guide (2009). Reference is also made in the ADS to other supporting documentation submitted in connection with the proposal including the Green Infrastructure Plan and the Landscape Plan. Matters raised regarding public open space provision are assessed in section 8.6.18 of this report.

8.6.16. **DMS-08 Apartments:** The appeal made on behalf of Knockowen Road Residents Association contends that the proposed development is not consistent with the provisions of SPPR 1 of the Sustainable Urban Housing: Design Standards for New Apartments on the basis that no three bed or more units are proposed, and as such it is considered that units must be removed or amendments made. I would note however that the applicable Apartment Guidelines (2023) under the relevant part of SPPR 1 state the following: *Housing developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms.* Therefore, having regard to SPPR 1 it is apparent there is no minimum requirement for units with 3+ bedrooms and as such this ground of appeal may be set aside.

- 8.6.17. **DMS-09 Building Heights:** A third party appellant considers that the proposed three storey duplex apartment block (Type T units) proposed at the north-eastern side of the site does not accord with *DMS-09 Building Heights*. I note that this standard relates to applications on sites deemed suitable for consideration of taller buildings as set out in Chapter 7 of the County Development Plan. Chapter 7 identifies taller buildings as those which are six storeys or higher with reference made to the *Urban Development and Building Heights - Guidelines for Planning Authorities (2018)*. I consider that the proposed three storey duplex apartment block does not fall within the scope of a tall building as defined by the Development Plan and that *DMS-09* does not apply to the proposed development on the basis that the subject site does not include lands earmarked for taller buildings.
- 8.6.18. **DMS-21 Public Open Space:** This standard sets out several requirements for the provision of public open space within a residential development. The appeal made on behalf of Knockowen Road Residents Association considers that the quantum of public open space provided is below 10% of the total site area when narrow tracts open space lands are excluded. The minimum area of public open space to be provided in greenfield sites is 15% of the total site area, while in brownfield sites or large infill sites, the minimum area of public open space required is 10% of the total site area.
- 8.6.19. Drawing 2207-KLA-00-00-DR-A-024 Rev P03 provided at FI stage indicates public open space of 15.4% of the total site area. Having reviewed the proposed public open space provision I agree with the appellant that there are narrow and linear tracts of land within the proposed development which do not constitute useable public open space. These are evident on both sides of the proposed new access road and between Kearney's Avenue and Kearney's Walk. In my view, the remaining areas of public open space, including that at Crofton Court to the south, the large open space area at Molloy Mews, along with the open space at Kearney's Walk which will enlarge and link into the existing public open space at Knockowen Road are acceptable and will provide good amenity value. In my opinion the subject site may be classified as a large infill site and in this context, I am satisfied that the proposed development would provide public open space above the minimum threshold of 10% for such sites. I conclude therefore that public open space provision is acceptable.

8.6.20. **DMS-27 Part V:** This standard requires planning applications to include details how the applicant intends to discharge their Part V obligations and of the housing units / land to be provided, along with indicative costs, calculations and methodology. The appeal made on behalf of Knockowen Road Residents Association considers that proposed Part V provision is inconsistent with Objectives HP-06 and HO-06, that all such units comprise a block of 1 bedroom apartments which engender social exclusion and are isolated, with reference made to Objectives HP09 and HP11. The applicant's response notes that it was a specific requirement of the Housing Department to provide one bedroom apartments and that these units are provided at the heart of the development (Block U).

8.6.21. Proposed Part V units are indicated on Drawing No. 2207-KLA-00-00-DR-A-027 Rev P03 submitted at FI stage. This indicates that 8 no. 1 bedroom apartments (Type U) and 1 no. 3 bedroom mid-terraced house are provided to fulfil the applicant's Part V obligations. I have no evidence which would support the appellant's contention that the proposed Part V units on account of their typology would give rise to social exclusion. The applicant has indicated that one bedroom units are required by the Housing Department and as such I accept there is a demand for this unit typology. The report of the Housing Department indicates satisfaction with the proposal relating to Part V provision. I also consider these apartments to be well located on the subject site. Both the one bedroom apartments and the mid-terraced unit are conveniently located, being proximate to the main area of public open space within the subject site. Having regard to the foregoing, I conclude that the proposed development is consistent with *DMS-27* and Development Plan Policies / Objectives HP-05, HO-06, HP-08, HP09 and HP11.

8.6.22. **DMS-28 Phasing of Residential Developments:** This standard requires a phasing programme for housing developments of 50 dwellings or more. The appeal made on behalf of Knockowen Road Residents Association, having regard to the phasing plan provided with the planning application, notes that phase 1 of this proposed development cannot be constructed due to the location of the construction compound at the southern part of the site near the new access. Concern is raised that the proposed phasing arrangement would require access from Knockowen Road to facilitate Phase 1 development.

8.6.23. The applicant in its response to the appeal accepts there is inconsistency between the Phasing Plan and the Construction and Demolition Waste Management Plan (CDWMP). A revised CDWMP is provided within which the revised phasing arrangements identify three phases of development, with phase 1 on the subject lands now excluding the area to be used for the construction compound at the southern part of the site. This area, which will accommodate housing at Crofton Court, will be developed in phase 3. Phase 2 lands are located at the western part of this development site. I note the CDWMP confirms that all construction vehicles will access the lands through the permitted construction entrance off the Clara Road (Ref. ABP-314599-22 refers). I consider the revised phasing arrangements on the subject site to be acceptable and should the Commission decide to grant permission I recommend a revised phasing plan be provided for the agreement of the planning authority prior to commencement of development.

8.6.24. **DMS-32 Childcare:** This standard requires that all childcare facilities be provided in accordance with the *Childcare Facilities: Guidelines for Planning Authorities* (DEHLG, 2001). In particular, one childcare facility is generally required to cater for 20 places in developments of 75 houses. The appeal made on behalf of Knockowen Road Residents Association notes that the creche permitted in a previous phase of development caters only for 50 children and it considers that a minimum of 72 spaces should be provided on the basis of the total number of residential units permitted and proposed. It is contended that the proposal does not accord with the standard required in *DMS-32*.

8.6.25. While I acknowledge the appellant's views as set out above, my assessment in terms of childcare provision relates to the development of 86 residential units on the appeal site. Based on *DMS-32*, and the *Childcare Facilities Guidelines*, one childcare facility is generally required to cater for 20 places in developments of 75 houses. I note the provision as set out in section 4.7 of the *Sustainable Urban Housing: Design Standards for New Apartments* (DHLGH, 2023) which issued under Section 28 of the Planning and Development Act 2000, as amended. Referring to the threshold for childcare provision as detailed in the *Childcare Facilities Guidelines*, it states that 'One bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in

part or whole, to units with two or more bedrooms.' In this context, I note the total number of 1 and 2 bedroom apartments equate to 26 units and when omitted for the purposes of childcare provision in accordance with the Apartment Guidelines as set out above, I consider that the provision of a childcare facility on the subject lands would not be warranted. I am of the view that the proposal is consistent with *DMS-32*.

8.6.26. ***DMS-102 Car Parking Requirements:*** This standard sets out maximum car parking provision on the basis of land use. Two spaces per unit are indicated for houses outside town centres and, in relation to apartments, one space per unit plus one visitor space per four apartments in suburban locations, towns and villages is required. The standard requires that a minimum of 5% of car parking spaces shall be accessible spaces, however an appellant contends that no accessible parking is indicated on plan and that the proposal does not meet this DMS standard.

8.6.27. I note that the Parking Assessment submitted at FI stage provides for two parking spaces for each house and 1.25 spaces for each apartment, and thus compliance with *DMS-102* is achieved in terms of the car parking quantum per unit. At FI stage the proposed unit type changed to 26 apartments and 60 no. houses. In addition to provision of 1.25 parking spaces per apartment, two accessible spaces serving these units are indicated on the site plan, which is in excess of the 5% DMS minimum standard. In terms of the proposed houses, each of which has two in-curtilage spaces, I note from the site plan that the majority of front driveways can accommodate accessible parking by reason of sufficient plot width. Having regard to the foregoing, I conclude that the proposed development both meets and exceeds the minimum standard for accessible car parking.

8.6.28. ***DMS-104 Electric Vehicle Charging Points:*** This standard requires a minimum of 10% of the proposed car parking spaces for the development category listed in *DMS-102* to be provided with electrical connection points, and remaining car parking spaces to be fitted with ducting to facilitate future fit out of charging points. The appeal made on behalf of Knockowen Road Residents Association contends that no charging points are shown on plan and as such the proposed development does not meet this DMS standard. Firstly, I would note there is no requirement for electric charging points to be

reflected on the site plan. Sections 3.4 and 11 of the ADS relates to electric vehicle charging and car parking respectively. These confirm installation of electric vehicle charging points in accordance with the requirements of *DMS-104* in addition to the installation of ducting infrastructure to enable all remaining car parking spaces to be fitted with ducting for future fit out of charging points. As such, I am satisfied that the proposed development accords with *DMS-104*.

8.6.29. ***DMS-105 Traffic and Transport Assessments (TTA) and Road Safety Audits***

(RSA): This standard requires developers to provide a TTA where new developments will significantly affect travel demand and the capacity of surrounding transport links. An RSA is also required for significant developments. The appellants consider that a TTA / Traffic Impact Statement (TIA) should have been provided for the proposed development. I have noted above the various audits undertaken in relation to the proposed development relating to street design, connectivity, the self-regulating street environment, pedestrian and cycling environment and visual quality. Additional audits in terms of access, walking and cycling are also provided, in addition to a Road Safety Audit. Furthermore, having regard to the TIA provided by the applicant with Reg. Ref. 19/39 (Phase 1) I do not consider that a further TIA is required for the current proposal.

8.6.30. ***DMS-114 Construction and Demolition Waste Management Plan***: This standard

requires a Construction and Demolition Waste Management Plan (CDWMP) to be prepared in line with the *Best Practice Guidelines on the Preparation of Waste Plans for Construction and Demolition Projects* (Department of the Environment, Heritage and Local Government, 2006), and any updated version of these guidelines for any development that would meet specific thresholds, including new residential development of 10 houses or more. The appeal made on behalf of Knockowen Road Residents Association notes that the CDWMP is inconsistent with the proposed Phasing Plan. The applicant concurs with this ground of appeal and has provided both a Resource Waste Management Plan (incorporating a CWMP and CEMP) and revised phasing arrangements with its response to the appeal. Having regard to the foregoing, in my view the proposed development complies with *DMS-114*.

8.6.31. Third party grounds relating to *DMS-12 Daylight, Sunlight and Overshadowing*, and *DMS-13 Separation Distances* are assessed under the heading of 'Residential Amenities' as set out in section 8.4 above.

8.7. Other issues

8.7.1. Tree and Hedgerow removal

8.7.2. Third party concerns are raised in relation to possible biodiversity impacts arising from the loss of trees and hedgerows to facilitate the proposed development.

8.7.3. The updated Green Infrastructure Plan Report provided at FI stage identifies the site as including fields previously used for agriculture and spoil and bare ground. As set out in that Report and as shown therein in Figure 5, the landscaping scheme seeks to build upon existing green corridors to provide a connected network of public amenity space which prioritise native tree, hedge, shrub and meadow planting to support provision of habitat and increased biodiversity. The Landscape Proposals Drawing submitted at FI stage details the proposed planting scheme, and provides a comprehensive listing of native trees, hedges, shrubs and other planting across the subject site which accord with species types as set out in Table 4.16 'List of Native Trees and Shrubs' included in the County Development Plan. I note that over 80 native trees are proposed for planting across the site along with retention and enhancement of existing trees at the southern end of Knockowen Road. The Landscape Management and Maintenance Plan states that the landscape design will include an appropriate variety of habitat types to encourage the creation and enhancement of habitats and biodiversity.

8.7.4. In order to facilitate connectivity into existing and permitted adjoining residential areas including Knockowen Road, Redwood and the permitted Hayfield East development, some existing field boundary hedging, vegetation and trees are required to be removed. While this is regrettable, I note that *DMS-03 Layout* requires, inter alia, permeable layouts with multiple connections to adjoining sites / estates for pedestrians and cyclists. I am also cognisant that one of the refusal reasons for the previous application on the subject lands (Reg. Ref. 2360014 refers) related to the absence of connectivity with existing adjoining housing estates and non-compliance with the

provisions of *DMS-03*. In my view, the proposed planting scheme mitigates the loss of existing hedges and trees and I consider that the landscaping and planting strategy will support increased biodiversity and the creation of habitats across the subject site.

8.7.5. Visual Impact

8.7.6. The appeal made by Mark Goodings of Duhallow on Knockowen Road refers to a number of DMS standards which do not align with those set out in the current County Development Plan. For instance, reference is made to *DMS-13 Visual Impact and Design Statements* on page 393, however I note there is no such DMS standard and that *DMS-13* relates to Separation Distances / Overlooking (page 394). Notwithstanding, this appellant raises concerns regarding visual impact, specifically the transition in scale from the proposed three storey apartment block relative to his property which is of single storey design, noting that the submitted photomontages do not reflect this view.

8.7.7. The Offaly County Development Plan does not require provision of a Visual Impact Assessment (VIA) for new housing developments, although section 13.8.4 'Other Assessments' lists various assessments which may be deemed necessary in applications including a VIA. As part of the FI request, the planning authority requested the applicant to provide a 3D aerial drawing of the proposed development with particular regard to cumulative impacts between Knockowen Road and Kearney's Walk. This was duly provided and accepted by the planning authority. In my opinion there is sufficient information on file which allows me to conclude that the proposed low-rise residential estate would not seriously injure the visual amenities of the area. Further, as detailed in section 8.5.12 of this report, I consider the proposed three storey apartment block (c 12.8m height) at the north-eastern side of the site to be sufficiently removed from existing adjoining development to the north to ensure no undue impacts on residential amenity arise.

8.7.8. Devaluation of Property

8.7.9. I note the concerns raised in the grounds of appeal in respect of the devaluation of neighbouring property. However, having regard to the assessment and conclusion set

out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

8.7.10. Contact / Discussions with Developer

8.7.11. Appellants contend that the developer made no efforts to meet with them in connection with their concerns. In response, the applicant's agents advise that it would have been inappropriate and inconsistent to contact some residents and not others and note that concerns raised were addressed as part of the FI response. I note there is no requirement on the applicant to contact or meet with third parties who make observations or submissions on planning applications.

8.7.12. Building Regulations

8.7.13. I note the matters raised in relation to access requirements for the residential units. Part M of the Building Regulations sets out standards to ensure that buildings are accessible to and usable by everyone, with the Technical Guidance Document in relation to Part M providing guidance on the access requirements for public buildings and for residential dwellings. The issue of compliance with Building Regulations will be evaluated under a separate legal code and thus need not concern the Commission for the purposes of this appeal.

8.7.14. Submissions not considered by planning authority

8.7.15. A number of appellants contend that their submissions made in relation to the proposed development were not considered by the planning authority. In this regard I note that Appendix B in both the Area Planner's reports list the main points of objection raised by each appellant. Furthermore, it is apparent that the FI request which issued was partly informed by submissions made by third parties in connection with the proposal. For instance, Item 5 required the applicant to address the issues and concerns raised by third parties in the observations made on the planning application. In my view, the views of third parties were considered by the planning authority in its assessment of the planning application.

8.8. Water Framework Directive - Screening

8.8.1. As amended by the submission of FI, the proposed development comprises 86 no. residential units, new site entrance from Clara Road, estate road connection to adjoining Knockowen estate, landscaped public open space, street lighting, boundary treatments, and all associated site works.

8.8.2. I have assessed the proposal 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 and groundwater bodies 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 groundwater bodies either qualitatively or quantitatively. The reasons for this are as follows:

- The nature of works comprising a medium scale of development on a greenfield / infill site zoned for new residential development within the settlement of Tullamore.
- Location-distance from nearest waterbodies and lack of direct hydrological connections from the site to any surface and transitional water bodies.
- Standard pollution controls that would be implemented.

8.8.3. I conclude that on the basis of objective information, that the proposed development would not result in a risk of deterioration on any water body (rivers, canals, 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.

8.9. Planning Authority Conditions

8.9.1. Overall, I consider the planning authority conditions attached to the permission to be appropriate and acceptable.

- 8.9.2. I concur with the planning authority's decision to include a condition requiring revised proposals to be submitted, prior to commencement, for a full vehicular link between the proposed Molloy Mews Street and Knockowen Road.
- 8.9.3. Should the Commission decide to accept my recommendation to substitute the three-storey building, accommodating apartment units 7 and 8 - Type T unit - with a two storey block - Type S unit, a suitably worded condition in this regard should be attached.
- 8.9.4. Finally, I also recommend a revised Phasing Plan to be submitted to the planning authority prior to commencement of development.

9.0 AA Screening

- 9.1. An Appropriate Assessment Screening Report was submitted with the planning application.
- 9.2. I have considered the proposed development of the construction of 78 no. residential units, increased to 86 no. dwelling units (on foot of the FI request), new site entrance from Clara Road, estate road connection to adjoining Knockowen estate, landscaped public open space, street lighting, boundary treatments, and all associated site works in light of the requirements of sections 177S and 177U of the Planning and Development Act 2000, as amended.
- 9.3. In accordance with section 177U (4) of the Planning and Development Act, 2000, as amended, I conclude that the proposed development (project) would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (Stage 2) under section 177V of the 2000 Act is not required. See Appendix 3 of this Inspector's Report.
- 9.4. This conclusion is based on:
- The nature of the works comprising a medium scale of development.
 - Standard pollution controls that would be implemented when working on a construction site regardless of proximity to a European Site and the effectiveness of same.

- Qualifying interests and conservation objectives of the European site.
- Distances from European sites.
- Absence of any direct and indirect pathways to any European site.
- Scientific information provided in the Screening Report.

9.5. No measures intended to avoid or reduce harmful effects on European Sites were taken into account in reaching this conclusion.

10.0 Recommendation

10.1. I recommend that permission be granted based on the Reasons and Considerations below.

11.0 Reasons and Considerations

Having regard to the provisions of the Offaly County Development Plan 2021-2027 and to the pattern of existing and permitted development in the area, it is considered that subject to compliance with the conditions set out below, the proposed development would be in accordance with the policies and objectives of the Offaly County Development Plan 2021-2027, would not seriously injure the residential and visual amenities of the area, would not devalue property in the area, and would align with national policy to achieve higher density and compact settlements in key towns. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 15 th day of May 2025, 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
----	---

	<p>development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>This permission is for the construction of 86 residential units comprising 16 number four bedroom houses, 44 number three bedroom houses, 18 number two bedroom duplexes / apartments and 8 no. one bedroom apartments.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>Prior to commencement of the development, the developer shall submit a revised site layout plan for the written agreement of the planning authority to demonstrate the substitution of the three storey apartment building (Type T) at numbers 7 and 8 Molloy Mews with a two storey apartment building (Type S).</p> <p>Reason: To protect the residential amenity of the adjoining permitted unit to the east.</p>
4.	<p>Prior to commencement of development, the developer shall submit revised proposals for a full vehicular link between the proposed Molloy Mews Street and Knockowen Road, for the written agreement of the planning authority. The existing hedge to be retained at the north of the site between Molloy Mews and Knockowen Road shall be removed to facilitate the building of a link road between the proposed estate and Knockowen Road.</p> <p>Reason: To facilitate connectivity to adjoining lands and in the interest of the proper planning and sustainable development of the area.</p>
5.	<p>The development shall be carried out on a phased basis, in accordance with a revised phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development.</p> <p>Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.</p>
6.	<p>Details of the materials, colours and textures of all the external finishes to the proposed residential units shall be submitted to, and agreed in writing</p>

	<p>with, the planning authority prior to commencement of development. Roof colour shall be blue-black, black, dark brown or dark grey in colour only.</p> <p>Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.</p>
7.	<p>(a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).</p> <p>(b) Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
8.	<p>Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.</p> <p>Reason: In the interest of public health.</p>
9.	<p>Drainage arrangements, including the attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
10.	<p>Site development and building 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
11.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located</p>

	<p>underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.</p> <p>Reason: In the interest of visual amenity</p>
12.	<p>Proposals for an estate/street name, house and 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 estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. 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).</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.</p>
13.	<p>(a) The site shall be landscaped in accordance with the Landscape Plan (Drawing number 7631-PHL-SW-ZZ-DR-L-3000-Rev05) submitted to the planning authority on the 15th day of May 2025. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>(b) Prior to commencement of development, the trees, hedging and shrubs which are to be retained shall be enclosed within stout fences not less than 1.5 metres in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum radius of two metres from the trunk of the tree or centre of the shrub, and to a distance of two metres on each side of the hedge for its full length, and shall be maintained until the development has been completed.</p>

	<p>(c) No construction equipment, machinery or materials shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work shall be carried out within the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.</p> <p>Reason: In the interest of visual amenity and to protect trees and planting during the construction period.</p>
14.	<p>The areas of public open space shown on the lodged plans shall be reserved for such use. These areas shall be levelled, soiled, seeded and landscaped in accordance with the landscaping scheme submitted to the planning authority on the 15th day of May 2025. This work shall be completed before any of the residential units are made available for occupation and shall be maintained as public open space by the developer until taken in charge by the local authority.</p> <p>Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.</p>
15.	<p>(a) Unless otherwise detailed in this Order, boundary treatments shall be in accordance with Drawing 2207-KLA-00-00-DR-A-028 P03 received by the planning authority on the 15th day of May 2025</p> <p>(b) Rear boundary treatments on dwellings units 1 to 6 on Molloy Mews shall consist of a 2.1 metre high cavity block wall capped and rendered along public facing walls with appropriate native hedgerow planting on the public facing side of the wall.</p> <p>(c) Native species hedgerow shall be planted on the public side of all walls indicated as '2.1 metre high fair faced concrete wall capped and rendered' in the above-mentioned boundary treatment plan.</p> <p>(d) All bin storage shall be fully enclosed structures with closable doors.</p> <p>Reason: In the interests of visual and residential amenities.</p>

16.	<p>The Swift nest boxes on the proposed Types S, T and U blocks shall be made operational prior to occupation of these residential units.</p> <p>Reason: In the interest of wildlife protection.</p>
17.	<p>A plan containing details for the management of waste within the apartments, including the provision of facilities for the storage, separation and collection of the waste, and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment shall be submitted to, and agreed in writing with, the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.</p> <p>Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.</p>
18.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; (b) Location of areas for construction site offices and staff facilities; (c) Details of site security fencing and hoardings; (d) Details of on-site car parking facilities for site workers during the course of construction; (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; (f) Measures to obviate queuing of construction traffic on the adjoining road network; (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

	<p>(h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;</p> <p>(i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</p> <p>(j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;</p> <p>(k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>(m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>(n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.</p> <p>Reason: In the interest of amenities, public health and safety and environmental protection.</p>
19.	<p>Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate details for the following: collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.</p>

	<p>Reason: In the interest of environmental protection, protection of residential amenities and public health and safety.</p>
20.	<p>Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p>Reason: In the interest of reducing waste and encouraging recycling.</p>
21.	<p>The development hereby permitted shall be carried out and completed at least to the construction standards set out in the planning authority's Residential Site Development Standards document. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.</p> <p>Reason: To ensure that the development is carried out and completed to an acceptable standard of construction</p>
22.	<p>Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any residential unit.</p> <p>Reason: In the interests of amenity and public safety.</p>
23.	<p>Construction traffic shall access the subject site solely from the existing construction access on Clara Road leading into Kearney's Avenue.</p> <p>Reason: In the interests of clarity and traffic and pedestrian safety.</p>
24.	<p>The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking In Charge Standards. In the absence of specific local standards, the</p>

	<p>standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.</p> <p>Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.</p>
25.	<p>(a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.</p>

	<p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>
26.	<p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.</p> <p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.</p>
27.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>
28.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the</p>

<p>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 Coimisiún Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
--

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

John Duffy
Planning Inspector

25th November 2025

Form 1 - EIA Pre-Screening

No EIAR Submitted

Case Reference	ACP-323332-25
Proposed Development Summary	78 no. residential units, new site entrance from Clara Road, estate road connection to adjoining Knockowen estate, landscaped public open space, street lighting, boundary treatments, and all associated site works. At FI stage the number of residential units proposed increased to 86.
Development Address	Clara Road, Tullamore, Co. Offaly.
	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)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> 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)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> 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?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2,	

<p>Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	<p>State the Class and state the relevant threshold</p>
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>State the Class and state the relevant threshold</p> <p>Appropriate thresholds in accordance with Class 10(b):</p> <ul style="list-style-type: none"> - Class 10(b)(i) – more than 500 dwelling units. - Class 10(b)(iv) – urban development in an area greater than 10 ha. <ul style="list-style-type: none"> - 86 residential units proposed. - Site area is stated as 2.84 ha.

<p>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)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____

Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	
Proposed Development Summary	78 no. residential units, new site entrance from Clara Road, estate road connection to adjoining Knockowen estate, landscaped public open space, street lighting, boundary treatments, and all associated site works. At FI stage the number of residential units proposed increased to 86.
Development Address	Clara Road, Tullamore, Co. Offaly.
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).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. This is a standard residential development on predominantly greenfield lands within the built-up area of Tullamore town. The surrounding area is urban in nature primarily consisting of housing. The proposed development known as Hayfield West forms Phase 3 of a larger residential development on adjoining lands to the east and south. Phase 1 (Redwood) is complete while works have not yet commenced in relation to Phase 2 (Hayfield East). It is noted that the total number of residential units permitted and proposed for all 3 phases is approximately 291 units. The proposed development would not result in the production of significant waste, emissions of pollutants. No demolition works are proposed. The Project will cause physical changes to the appearance of the site during the site development works. The project connects to the public water and wastewater systems which have sufficient capacity to cater for demands arising from the project. Construction activities will require the use of potentially harmful materials, such as fuels, hydraulic oils and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and implementation of a Construction Environmental Management Plan will satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.

<p>Location of development</p> <p>(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, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>Briefly comment on the location of the development, having regard to the criteria listed</p> <p>The subject site is predominantly greenfield in nature. The site is relatively distant from European Sites. The nearest is Charleville Woods SAC – Site Code 000571 - located c 1.2km south-west of the subject site.</p> <p>The proposed development is not located within or adjoining an ecologically sensitive site or location.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</p> <p>Some cumulative traffic impacts may arise during construction and operational stages.</p> <p>No trans-boundary effects arise as a result of the proposed development.</p>
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.	<p>Schedule 7A Information required to enable a Screening Determination to be carried out.</p> <p>Not applicable.</p>

<p>There is a real likelihood of significant effects on the environment.</p>	<p>EIAR required. Not applicable.</p>
---	--

Inspector: _____ **Date:** _____

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

(only where Schedule 7A information or EIAR required)

**Appendix 3: AA Screening Determination
Test for likely significant effects**

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	<p>Normal Planning Appeal</p> <p>78 no. residential units, new site entrance from Clara Road, estate road connection to adjoining Knockowen estate, landscaped public open space, street lighting, boundary treatments, and all associated site works. At FI stage the number of residential units proposed increased to 86.</p> <p>Proposed development comprises residential development on zoned and serviced land.</p> <p>See section 2 of this Inspector's Report.</p>
Brief description of development site characteristics and potential impact mechanisms	<p>The appeal site, measuring c 2.84 ha lies within the settlement boundary of Tullamore, Co. Offaly, to the north of the town centre, on the north-eastern side of the Clara Road (R420). The site comprises an undeveloped field with a construction access onto the R420 along with an existing construction road traversing the site. The site forms part of a wider parcel of lands between the Clara Road and the Kilbeggan Road. The 'Redwood' residential development to the south is completed while development of dwellings on adjoining lands to the east (known as Hayfield East) has not commenced. The northern and parts of the eastern site boundaries adjoin low-density and single storey housing at Knockowen Road. The south-western and southern boundaries adjoin existing, predominantly detached housing located along Clara Road.</p> <p>The nearest European Site is Charleville Woods SAC (Site Code 000571) located c 1.3km to the south-west of the subject site.</p>
Screening report	Yes (Prepared by Panther Ecology Limited)
Natura Impact Statement	No.

Relevant submissions	None.
----------------------	-------

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Charleville Woods SAC (000571)	Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016] CO000571.pdf NPWS, 2021	c 1.3 km	None.	N

¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report
² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species
³if no connections: N

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: Charleville Woods SAC (000571) Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion	None.	The proposed development is not located within this SAC. The subject site is located at a distance of approximately 1.2 km at its closest point. This distance from receiving features connected to the

<p>incanae, Salicion albae) [91E0]</p> <p>Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]</p>		<p>SAC makes it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SAC for the QIs listed.</p> <p>Standard construction measures would reduce impacts, and such measures would be implemented regardless of proximity to a European Site.</p> <p>Conservation objectives would not be undermined.</p>
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No	
<p>* It is not considered that the project would compromise the conservation objectives of restoration of (i) the favourable conservation condition of Petrifying springs with tufa formation and (ii) Old sessile oak woods with Ilex and Blechnum or make restoration more difficult, having regard to the above commentary given under 'Effects' above.</p>		
<p>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</p>		
<p>I conclude that the proposed development (alone) would not result in likely significant effects on Charleville Woods SAC. I conclude also that the proposed development would have no likely significant effect in combination with other plans and projects on any European sites. No further assessment is required for the project.</p> <p>No mitigation measures are required to come to these conclusions.</p>		

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Charleville Woods SAC or any other European Sites in view of the conservation objectives of these sites and they are therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Scientific information provided in the Screening Report.
- The nature of the works comprising a medium scale of development.
- Standard pollution controls that would be implemented regardless of proximity to a European Site and the effectiveness of same.
- Qualifying interests and conservation objectives of the European sites.
- Distances from European sites.
- Absence of any direct and indirect pathways to any European site.

No mitigation measures aimed at avoiding or reducing impacts on European Sites were required to be considered in reaching this conclusion.

Appendix 4

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	ABP-323332-25	Townland, address	Clara Road, Tullamore, Co. Offaly
Description of project	78 no. residential units, new site entrance from Clara Road, estate road connection to adjoining Knockowen estate, landscaped public open space, street lighting, boundary treatments, and all associated site works. At FI stage the number of residential units proposed increased to 86.		
Brief site description, relevant to WFD Screening,	The site is located within the settlement boundary of Tullamore, approximately 0.6km of the Grand Canal. The site also lies approximately 0.9km from the Tullamore River. The site is not located within Flood Zones A and B. There are no watercourses traversing or adjacent to the site. The site comprises an undeveloped field with a construction access onto the R420 along with an existing construction road traversing the site. The site, which may be classified as a greenfield / infill site forms part of a wider parcel of lands between the Clara Road and the Kilbeggan Road, with residential development relatively recently completed on lands to the south-east at Redwood. Housing on adjoining lands to the east is permitted but not yet commenced. The northern and parts of the eastern site boundaries adjoin low-density and single storey housing at Knockowen Road. The south-western and southern boundaries adjoin existing, predominantly detached housing located along Clara Road.		

<p>Proposed surface water details</p>	<p>As part of the Redwood housing development to the south-east a dedicated surface water outfall line was constructed to allow connection of the subject site to outfall downstream of the Redwood attenuation system, and ultimately into the local authority surface water network in Clara Road. The surface water network line is designed to cater for attenuated flow from the subject lands and the permitted Hayfield East development. Surface water will be attenuated in two public open spaces on the lands (one at the north and one at the south) by way of attenuation tanks / Geocellular storage systems and flow controlled to greenfield run off rates prior to outfall into the dedicated surface water drainage sewer. The submitted Engineering Report notes other sustainable measures including rain gardens, bio-retention systems and catchpit manholes.</p>
<p>Proposed water supply source & available capacity</p>	<p>The 10 Year Water Supply Capacity Register for Tullamore published by Uisce Éireann (UÉ) in August 2025 indicates there is potential capacity available to meet 2034 population targets and a Level of Service improvement is required. Leakage reduction and/or capital investment will be required to maintain/improve levels of service as demand increases. These proposals will be developed and prioritised through the National Water Resources Plan and investment planning process.</p>
<p>Proposed wastewater treatment system & available capacity, other issues</p>	<p>The Confirmation of Feasibility (COF) letter received from Uisce Éireann in September 2018 confirmed that there is sufficient capacity in the existing wastewater network to service the proposed development subject to the upgrading of the existing 375mm combined sewer which traverses the site immediately east (Hayfield East) of this development to a 450mm diameter sewer. The subject site will be connected to an upgraded wastewater sewer in two locations to the east of the site. All internal wastewater drainage will be separate to surface water drainage infrastructure in accordance with Uisce Éireann standards.</p> <p>The UÉ Capacity Register for Tullamore published by Uisce Éireann (UÉ) in August 2025 indicates the Tullamore WWTP has spare capacity available. Wastewater from the proposed development will be discharged to the sewer as set out above, to the east front of the site. Tullamore WWTP discharges its effluent, following treatment, to the Tullamore River. UÉ's Annual Environment Report (AER) for 2023 notes that the WWTP is compliant with the Emission Limit Values (ELVs) set in the Wastewater Discharge Licence. The AER for 2023 states that a deterioration in water quality has been identified, however it is not known if it is or is not</p>

	caused by the WWTP. It also states that the discharge from the wastewater treatment plant does not have an observable negative impact on the Water Framework Directive status.
Others?	No

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
Surface water body - Canal	c 0.6km	Grand Canal Main Line (Lower Shannon) IE_25A_AWB_G CMLW	Good	Not at risk	No significant issues or pressures identified	Surface water run-off, drainage
Surface water body - River	c 0.9 km	Tullamore_040 IE_SH_25T0304 00	Poor	At risk	Agriculture pressures identified	Wastewater Drainage, Surface water run-off, drainage

					(Identified in Cycle 2)	
Groundwater body	Underlying site	Tullamore IE_SH_G_232	Poor	Risk calculation is under review	Anthropogenic Pressures and Agriculture (neither of which were deemed significant).	Surface water run-off, drainage

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact / what is the possible impact	Screening Stage Mitigation Measure	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Grand Canal Main Line (Lower Shannon)	Indirect impact via potential hydrological pathway	Surface water pollution / Hydrocarbon spillages / Potential for silt to enter watercourse	Standard Construction Practices / CEMP mitigation measures.	No	Screened out

					Distance to canal.		
2.	Surface	Tullamore_40	Indirect impact via potential hydrological pathway	Surface water pollution / Hydrocarbon spillages / Potential for silt to enter watercourse	Standard Construction Practices / CEMP mitigation measures Distance to watercourse	No	Screened out
3.	Groundwater	Tullamore IE_SH_G_232	Pathway exists	Hydrocarbon spillages	Standard Construction Practice / CEMP mitigation measures	No	Screened out
OPERATIONAL PHASE							
1.	Surface Water Run-off	Grand Canal Main Line (Lower Shannon) Tullamore_40	Indirect impact via Potential hydrological pathway	None. Surface water will be attenuated prior to outfall to public mains. Run-off from all road surfaces will be intercepted via a SuDS component (Geo-Cellular system)	Surface water will be attenuated prior to outfall to public mains. Run-off from all road surfaces will be intercepted via a Geo-Cellular system.	No	Screened out

2.	Wastewater	Tullamore_40	Indirect impact via potential hydrological pathway	Pollution	Sufficient capacity in public system to cater for wastewater. Treatment mechanism of WWTP.	No	Screened out
6.	Discharges to ground	Tullamore IE_SH_G_232	Pathway exists	Hydrocarbon spillages	Standard operational management	No	Screened out
DECOMMISSIONING PHASE							
1.	NA	NA	NA	NA	NA	NA	NA