



##

An
Coimisiún
Pleanála

Inspector's Report PL-500053-WH

Development

Construction of 38 residential units across 5 blocks. The development provides for both private open space at ground and upper (balcony) levels and communal open space totalling 1,125 sqm.

Location

Glenmore Wood, Dublin Road,
Mullingar, Co. Westmeath

Planning Authority

Westmeath County Council

Planning Authority Reg. Ref.

2560368

Applicant(s)

Andrews Construction Ltd.

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party Normal Planning Appeal

Appellant(s)

Andrews Construction Ltd.

Observer(s)

The Residents of the Avenue
Caroline Smith

**Concerned Residents of Glenmore
Wood**

Martina Fay-Geoghegan

David Devereaux

Date of Site Inspection

14th January 2026

Inspector

Elaine Sullivan

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1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.59 ha and is located on the eastern side of Mullingar town, approximately 1.6km from the town centre. It is a corner site and is bounded to the north by the R392 – Dublin Road and by the Glenmore Wood access road to the east. The site is an infill site to the front of the Glenmore estate and is currently in use as a storage yard for construction equipment and materials.
- 1.2. To the west the site is bounded by residential development which is characterised by detached houses on large sites with access from the Dublin Road. Glenmore House bounds the site to the west. It is a mid-nineteenth century detached house that is listed on the Record of Protected Structures, (RPS Ref. 019-213). To the east, is Ashling House, a HSE run residential facility that backs onto the Glenmore access road. Further to the east, the Petitswood Manor housing estate adjoins Ashling House with parts of the estate extending to the Glenmore access road to the south. There is a high blockwork wall forming the site boundary with Ashling House that extends along the access road, opposite the subject site.
- 1.3. On the opposite side of the road and to the north of the site is a mix of commercial uses that are all accessed from the Dublin Road. They include a petrol / service station with parking and an Aldi supermarket. There is a small office building to the west of the service station at the entrance to the Meadow Court housing estate.
- 1.4. The site has a sloping topography with the northern section approximately 2m higher than the southern site boundary and the housing to the south of the site. There is a 4-way signalised junction on the Dublin Road to the east of the site and there are bus stops in place on both sides of the Dublin Road to the west of the site. A Part 8 was approved by Westmeath County Council in 2025 for Active Travel upgrade works to the Dublin Road to the north of the site. These include dedicated cycleways and a bus stop and bus shelter directly to the north of the subject site.

2.0 Proposed Development

- 2.1. Planning permission is sought for the development of 38 no. residential units on a site of c. 0.59 Ha.
- 2.2. The proposed development will comprise the construction of,

- 19 no. 2 bed ground floor apartments with
- 19 no. 3 bed duplex apartments above,

- 2.3. The apartments will be arranged in 5 no. 3-storey blocks around a centralised open space of 1,125 sqm.
- 2.4. Private open space would be provided at ground and upper (balcony) level.
- 2.5. Car parking would be provided in a courtyard arrangement providing 38 no. car parking spaces. Cycle parking for 116 bicycles would also be provided to the front of the units and within the individual boundaries.
- 2.6. The proposed development would have a density of 64.4 units per hectare (uph).

	No. of Units	No. Beds
Ground Floor Apt.	19	2
Duplex Apartment	19	3
Total	38	95 (bed spaces)
Site Area	0.59 Ha	
Density	64.4 uph	
Open Space %	0.11 Ha / 19%	

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority refused permission for the development for the following four reasons,

1. *The proposed development provides a density contrary to the density range requirements set out in Table 3.5 of the Sustainable and Compact Settlements Guidelines for Planning Authorities, 2024. Further, The proposed development, by reason of height, scale, massing, and separation distances to boundaries, its design and abrupt transition in scale, relative to the receiving environment, would result in a visually incongruous, discordant, and*

overbearing development, would materially detract from the character of the surrounding urban landscape, and would seriously injure the amenities and depreciate the value of property in the vicinity. Accordingly, the development if permitted would fail to integrate successfully into the surrounding area.

Furthermore, to permit the development as proposed would be contrary to the provisions of the Mullingar Local Area Plan 2014-2020 (as extended) most notably Council's policies P-H1, P-APT3, P-APT4 and P-SR13, would depreciate the value of property in the vicinity and accordingly would be contrary to the proper planning and sustainable development of the area.

- 2. Having regard to the predominantly north- and east-facing orientation and the limited depth of the private amenity spaces associated with the proposed apartments, it is considered that these areas will receive minimal direct sunlight throughout the day. In addition, their proximity to the Dublin Road and Glenmore Estate Road would expose them to significant noise and air pollution. As such, these spaces would offer limited usability and poor amenity value for future residents, representing a substandard layout that detracts from residential quality and fails to comply with SPPR 2 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).*

Furthermore, the proposed development would be contrary to the provisions of the Mullingar Local Area Plan 2014–2020 (as extended), in particular Policies P-RLD1, P-RLD5, and P-RLD6, and would therefore be contrary to the proper planning and sustainable development of the area.

- 3. Having regard to the proposed vehicular access, car parking provision, manoeuvres and overall layout of the development proposed, and in the absence of a Road Safety Audit or sufficient documentation submitted with this application to the contrary, it is considered that to permit the development as proposed would pose a serious risk to traffic safety and would endanger public safety by reason of a traffic hazard and would therefore be contrary to the proper planning and sustainable development of the area.*
- 4. In the absence of sufficient documentation submitted which confirms that the applicant has engaged with Irish Water in terms of securing a connection to*

the public mains water supply and public wastewater system, and lack of surface water drainage details, it is considered that to permit the development as proposed would be premature, may be prejudicial to public health and accordingly would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer dated the 12th of September 2025 informed the decision of the PA and is summarised below.

- The residential development is in accordance with the ‘Established Residential’ zoning objective for the site under the Mullingar Local Area Plan 2014-2020 (as extended). Consideration is also given to the Draft Mullingar Settlement Area Plan 2025-2031, which is contained in the Proposed Variation No. 1 of the Westmeath County Development Plan 2021-2027.
- Guidelines on Sustainable Residential Development and Compact Settlements Planning Authorities Urban Areas (DHLGH 2024), (hereinafter the Compact Settlements Guidelines) recommends a density range of 30-50 uph for sites that are designated as ‘Suburban / Urban Extension’ in ‘Key Town / Large Towns’. The PO considers the density of 64 units per hectare (uph) to be excessive for the site, which is in a suburban location with no public transport.
- Concerns are raised regarding the design and layout of the development. The PO does not support the overall design of the development and is of the opinion that rear elevations facing onto the public road would result in a poor interface with the streetscape and does not provide active frontage. The orientation of the front elevations towards a central open space is considered to further exacerbate the issue by creating an insular and disconnected layout that fails to engage with the wider urban context.

- Blocks are too close to the public roads which would result in an overbearing visual impact when combined with the topography of the site and the proposed ridge height of the blocks.
- The scale of the development within the context of detached and semi-detached houses is also considered to be excessive.
- Comments are included in the report regarding the quality of information provided. The PO states that the housing quality assessment / schedule of accommodation submitted is not accurate and that the drawings are substandard with blank sections on elevations that appear to be unfinished. No details are provided regarding the provision of communal open space.
- Private amenity spaces for ground floor (and some first-floor units) units are predominantly north and east-facing which would limit sunlight access. The PO considers the provision of public / communal open space (19% of the site area) to be acceptable.
- Concerns are raised regarding the quantum of car parking spaces (38) and the lack of visitor spaces provided. A quantum of car parking in the order of 50-57 spaces is considered to be appropriate for the site. Revisions to the internal road layout is required to ensure compliance with DMURS.
- Although the development would be connected to the public water and wastewater services, the applicant did not submit a Confirmation of Feasibility from Uisce Éireann.
- Clarification on SuDS features is required.

3.2.2. Other Technical Reports

- **Area Engineer Report** – Further information recommended regarding the design and layout of the internal road layout and surface water drainage system. Additional design details regarding road widths, sightlines and compliance with DMURS are required. A shortfall of 12 car parking spaces for visitors is noted. Correspondence from Uisce Éireann regarding a pre-connection enquiry is also requested.

- **Chief Fire Officer** – Further information requested regarding the road layout and the provision of adequate turning circles.
- **Active Travel Department** – No objection. Stage 2, 3 and 4 Road Safety Audit (RSA) requested for different stages of the project.
- **Environment Section** – Further information requested regarding Operational Waste Management Plan, Noise Impact Assessment, SuDS measures

3.3. Prescribed Bodies

- No responses received.

3.4. Third Party Observations

The PA received 18 submissions during the public consultation period. The issues raised relate to the following,

- Increase in traffic and parking requirements.
- Low level of parking provided for the development.
- Safety concerns for pedestrians and cyclists.
- Lack of public transport.
- Disturbance during the construction phase.
- Poor design and layout.
- Excessive density.
- Does not integrate with existing development.
- Overlooking of existing houses.
- Lack of operational details and tenure of the development, (i.e. build to rent).
- Lack of capacity in existing services.

4.0 Planning History

- **PA Ref. 03/5038** – Planning permission refused for a development comprising 26 apartments, 966 m² office space and 2,150m² commercial space comprising creche, medical suites and a restaurant/pub. The reason for refusal related to excessive design and overdevelopment, conflict of uses on the site would result in substandard residential amenity and lack of sewage facilities/capacity in the area.

On sites nearby –

- **ABP-321494-24 (PA Ref. 24/60376)** – Planning permission was granted for an LRD development of 245 residential units (comprising 202 houses, 8 no. duplex units and 35 no. apartments) on a site of 9.72ha along with a 2-storey creche building of 824 sqm. The density of this development was approximately 30.4 units per hectare.

This development was proposed by the same applicant as the subject proposal (Andrews Construction Limited) and is on a site approximately 300m to the east of the subject site with access onto the Dublin Road.

- **ABP-318498-23 (PA Ref. 23/60192)** – Development proposed by the same developer as the subject proposal / applicant on a site approximately 300m to the east of the subject site. Planning permission was refused in January 2024 for an LRD development of 245 residential units (comprising 202 houses, 8 no. duplex units and 35 no. apartments) on a site of 9.72ha along with a 2-storey creche building of 824 sqm. The density of this development was approximately 30.4 units per hectare. The development was refused for the following reason,

The site is located within the Ardmore/Marlinstown Framework Plan area as set out in the Mullingar Local Area Plan 2014-2020 (as amended and extended). OFP1 states that it is an objective, inter alia, to secure the provision of appropriate infrastructure to support the phased development of Ardmore/Marlinstown. Map Refs. MLAP 07 (Strategic Transportation Map) and MLAP 14 (Land Use Zoning Map) include an arterial road connecting Dublin and Ardmore Roads along the western boundary of the

site. The Framework Plan also makes a number of references to this road. However the proposed development makes no provision for it and the road through the site connecting the Dublin and Ardmore Roads is described as intentionally circuitous. Having regard to the layout of the proposed development the proposed development would materially contravene objective OFP1 of the Mullingar Local Area Plan 2014-2020 (as amended and extended) and would be contrary to the proper planning and sustainable development of the area.

- **ABP-306661-20 (PA Ref. 19/6049)** – Planning permission refused for a development of 13 no. 2-storey houses on a site approximately 200m to the west of the subject site. The refusal reason states that the density proposed for the development (19 units per hectare) was too low to provide an acceptable level of efficiency in the use of serviced urban lands and would be contrary to national and local policy.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The **Westmeath County Development Plan 2021-2027 (WCDP)** is the operative county plan.
- 5.1.2. The subject site is located within the settlement boundary of the **Mullingar Town Local Area Plan (LAP) 2014-2020**. The LAP was extended for a period of 5 years at a council meeting held on the 25th of March 2019 and was further extended to the 20th of January 2025. This LAP has now expired.
- 5.1.3. The WCDP is currently subject to a variation process to incorporate Variation No. 1 into the plan. Variation No. 1 would incorporate a Settlement Area Plan for Mullingar which would replace the previous LAP. It would also integrate the Specific Planning Policy Requirements (SPPRs) from the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) into the Development Plan. At the time of writing, Variation No. 1 had completed a second round of public consultation that related to material alterations to the draft plan but

had not yet been adopted. Any proposed objectives and/or policies contained in the Settlement Plan / LAP that relate to the subject site will be noted below.

5.1.4. Section 18(3)(a) of the Planning and Development Act 2000, as amended, states the following:

5.1.5. *“(3) (a) When considering an application for permission under section 34, a planning authority, or the Board (now the Commission) on appeal, shall have regard to the provisions of any local area plan prepared for the area to which the application relates, and the authority or the Board may also consider any relevant draft local plan which has been prepared but not yet made in accordance with section 20”.*

5.1.6. The main policies/objectives that relate to the development proposal are set out below. This is not an exhaustive list and should not be read as such.

Westmeath County Development Plan 2021-2027

Mullingar is a Key Town in the settlement strategy for the county.

It is a policy objective of the Council to -

Chapter 2 – Core Strategy

- CPO 2.6 - Prepare a Local Area Plan for Mullingar to align with the RSES and this Core Strategy.
- CPO 2.17 - Support the regeneration of underused town centre and brownfield / infill lands along with the delivery of existing zoned and serviced lands to facilitate population growth and achieve sustainable compact growth targets of 30% of all new housing to be built within the existing urban footprint of targeted settlements in the County.

Chapter 3 – Housing

- CPO 3.2 - Ensure that settlements grow in a manner that is self-sustaining with sufficient social and economic infrastructure, and to a scale which aligns with the Settlement Hierarchy prescribed in the Core Strategy.
- CPO 3.3 - Secure the provision of social and affordable housing accommodation, to meet the needs of all households and the disadvantaged sectors in the county, including the elderly, first time buyers, single person

households on modest incomes, people with disabilities, and special needs etc.

- CPO 3.4 - Ensure in accordance with Part V of the Planning & Development Act 2000 (as amended) that arrangements for the provision of Social and Affordable Housing are made in accordance with the current Housing Strategy.
- CPO 3.5 - Ensure that a suitable variety and mix of dwelling types and sizes is provided in developments to meet different needs, having regard to demographic and social changes.
- CPO 3.7 - Apply higher densities to the higher order settlements of Athlone and Mullingar to align with their roles as Regional Growth Centre and Key Town, subject to good design and development management standards being met.
- CPO 3.14 - In developments of 20 units or above, the development should achieve, where possible, a minimum of 5% of units designed and built to facilitate occupation by persons with a disability without structural changes, in accordance with 'Universal Design Guidelines for Homes 2015'.
- CPO 3.15 - To support the development of quality residential schemes with a range of housing options having regard to the standards, principles and any specific planning policy requirements (SPPRs) set out in the 'Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities' (2009); 'Urban Development and Building Heights Guidelines for Planning Authorities' (2018) and the 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2018).

Chapter 4 – Sustainable Communities

- CPO 4.1 - Support sustainable transport infrastructure, by developing mixed use schemes, higher densities close to public transport hubs, safe walking routes in developments, promoting alternative modes of transport and reduce the need to travel.

- CPO 4.7 - Achieve densities for new housing that respect the local character of surrounding areas, whilst making efficient use of land.

Chapter 10 – Transport, Infrastructure and Energy

- CPO 10.119 - Require that planning applications are accompanied by a comprehensive SUDs assessment that addresses run-off quantity, run-off quality and its impact on the existing habitat and water quality.

Chapter 16 – Development Management Standards

- CPO 16.1 - Apply flexibility in the application of development standards with the consideration of performance-based criteria appropriate to general location, which will provide high quality design outcomes, where appropriate. This more dynamic performance-based approach, applicable to town centre locations, will facilitate flexible design solutions in instances where a proposal fulfils specific planning requirements.
- CPO 16.2 - Achieve the delivery of high-quality built environments ensuring that development is designed to a high standard in line with the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities and Best Practice Urban Design Manual (DoECLG 2009), the ‘Urban Development and Building Heights Guidelines for Planning Authorities’ (2018) and ‘Specific Planning Policy Requirements’ (SPPRs) 1 – 4 (inclusive), the Core Strategy for the county and other planning considerations.
- CPO 16.11 - Planning proposals for housing schemes are required to present a considered design approach to tailor the scale, design, layout and density of housing in responding to the individual character of the respective town or village.
- CPO 16.12 – Contains a set of criteria for new housing layouts under the following headings: Physical Criteria, Social Criteria and Environmental Criteria.
- CPO 6.13 - Where new developments are proposed adjacent to existing and established neighbourhoods, the design, layout and housing mix should be

designed in such a way to enable positive integration, both physically and socially towards building strong integrated communities and social cohesion.

- CPO 16.19 - Proposals for new apartment schemes should be designed in line with design criteria as set out in the 2018 Ministerial Guidelines - Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (or any subsequent update) and ‘Specific Planning Policy Requirements’ (SPPRs) 1 – 9 (inclusive).
- CPO 16.21 – Public Open Space - In general, 15% of gross site area should be provided for multifunctional open spaces at suitable locations within new residential schemes... Where public open space cannot be provided or where it is not appropriate to provide this, a contribution in lieu of provision towards public open space or recreational facilities in the wider area may be required. This will take the form of a contribution on a per capita basis towards capital investment in creating and/or upgrading parks and spaces and revenue costs for the maintenance of these spaces for a 20-year period.
- CPO 16.24 – Density - Increased residential density within Athlone Regional Centre and Mullingar (key town) in principle where the subject lands are:
 - within walking distance of the town centre, or
 - are adequately serviced by necessary social infrastructure and public transport and/or
 - designated regeneration sites and development lands which comprise in excess of 0.5ha, subject to quality design and planning merit in ensuring compact growth and the creation of good urban places and attractive neighbourhoods.
- CPO 16.36 – Parking Standards – Table 16.2 – For residential development a maximum of 1 car parking space per dwelling is allowable with 1 additional visitor space for every 3 dwellings (i.e. the proposed development could yield a maximum of 50 car parking spaces).
- CPO 16.37 – Bicycle Parking – For housing developments, 1 private secure bicycle space per bedspace and 1 visitor bicycle space per two housing units.

Mullingar LAP 2014-2020 (expired)

5.1.7. The decision of the PA referenced policies from the Mullingar LAP 2014-2020. In the previous LAP the site was located in the Ardmore-Marlinstown Framework Plan area and had the zoning objective *'Existing Residential'*.

5.1.8. The average density of new development in the Ardmore-Marlinstown Framework Area was to be 35 uph with Outer Suburban /Greenfield sites having a general density of 30-35uph.

In the reason for refusal, the PA considered that the proposed development would be contrary to the following policies of the LAP,

- *P-H1 – To facilitate residential development in Mullingar in line with its designation as a Linked Gateway Town, as prescribed in the Regional Planning Guidelines and the County Development Plan, and to ensure that this development reflects the character and setting of the existing built form, in terms of structure, pattern, scale, design and materials with adequate provision of open space, and which also protects the amenities of existing dwellings.
- *P-APT3 - To restrict apartment developments generally to town centre locations or suitably located sites adjoining public transport connections. Higher density schemes will only be considered where they exhibit a high-quality architectural design standard and create an attractive and sustainable living environment.,
- *P-APT4 - To require standards for open space provision to be met in all Apartment Schemes in accordance with Sustainable Urban Housing: Design Standards for New Apartments, Department of the Environment, Heritage and Local Government (2007) or as may be amended.
- *P-SR13 - To encourage appropriate densities for new housing development in different locations in the town, whilst recognising the need to protect existing residential communities and the established character of the area
- *P-RLD1 - To achieve attractive and sustainable development and create high standards of design, layout and landscaping for new housing development.

- *P-RLD5 - To ensure that all residential properties are designed with flexible and adaptable layouts to suit the home owner with regard to Lifetime Homes.
- *P-RLD6 - To ensure that all new urban development especially in and around the town centre is of a high design and layout quality and supports the achievement of successful urban spaces and sustainable communities.

Note – Policies marked with an Asterix (*) are referenced in the PA’s reasons for refusal.

Draft Mullingar Settlement Area Plan 2025-2031

- 5.1.9. The subject site is within the Ardmore-Marlinstown Framework Area.
- 5.1.10. As part of the Material Alterations public consultation phase, the Draft Settlement Plan proposed that the subject site is rezoned to *‘Proposed Residential’* from *‘Established Residential’*.
- 5.1.11. The *‘Established Residential’* objective applies to areas that reflect the settled residential character of Mullingar’s neighbourhoods. Sustainable intensification within these areas is encouraged through the appropriate re-development of gap sites, underutilised or derelict lands, and the development of infill, backland, and corner sites.
- 5.1.12. Policy Objective LU1, relates to lands with the *‘Established Residential’* zoning and seeks to: *Support high quality residential consolidation and sustainable intensification at appropriate locations in a manner that does not impact negatively on the amenities or character of an area.*
- 5.1.13. The *‘Proposed Residential’* zoning objective is primarily intended to facilitate new residential development. Complimentary uses are open for consideration within this zoning where they are consistent to the overall vision of the Settlement Plan.
- 5.1.14. Policy Objective LU2 relates to lands within the *‘Proposed Residential’* zoning and seeks to: *Provide for high quality residential development and associated services in line with the provision of the necessary social and physical infrastructure.*

(I note to the Commission that the reason given by the applicant to rezone the site is to allow for development that is not constrained by Policy Objective LU1 and that allows for a diversion from the established character of the area.)

5.1.15. Apart from the land use zoning objective, no other specific objectives relate to the site.

5.1.16. For the information of the Commission, the main policies/objectives in the draft plan that relate to the development proposal are set out below. This is not an exhaustive list and should not be read as such.

Chapter 3 – Settlement Strategy & Housing

5.1.17. **Section 3.4.1 – Density, Design and Mix** - The Compact Settlements Guidelines set out set out indicative area / dwellings per ha (dph) for Key Towns. While proposed residential densities should normally fall within these parameters, it may be necessary in certain instances to consider densities that are higher or lower than the ranges specified. A benchmark of **35 uph** is considered appropriate for future residential development in Mullingar, with some local circumstances requiring higher or lower density as the case may arise.

5.1.18. **Section 3.4.2 – Apartments** - new apartment developments in Mullingar will only be considered where they exhibit a high architectural design standard and create an attractive living environment for residents. Higher density schemes (+35 no. units per hectare) should be strategically located within, or proximate to, Mullingar's town core and key public transportation nodes.

RD1 – Support and enable the delivery of local housing by supporting the implementation of *'Housing for All – A New Housing Plan for Ireland'*, or any future strategy iterations, to address Mullingar's specific housing needs.

RD2 - Promote the principles of 'Sustainable Communities' by supporting and encouraging innovative housing solutions that ensure high levels of accessibility and connectivity to social infrastructure, employment facilities and the natural environment.

RD3 - Support the application of residential densities in accordance with the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), or any future iterations of the same, unless

demonstrated that such densities would be contrary to the proper and sustainable development of the area. Residential densities will be evaluated on the following basis:

- Site specific characteristics.
- Local context (e.g. accessibility, amenity, character and natural environment).
- Design sensitivities and development constraints.
- Provision of adequate social and community infrastructure; and
- Overall quality of the scheme (i.e., housing typologies, tenure, mix and provision of high quality public open space).

RD5 - Require planning applications for new residential development in Mullingar to demonstrate a suitable mix of house types, sizes and tenures that positively contribute to the diversification of the local housing stock.

RD6 - Encourage the implementation of universal design principles and lifetime adaptability in new residential development to ensure, as far as practicable, that dwellings are capable of accommodating both the immediate needs of occupants and their evolving requirements throughout their lifetime.

RD7 - Support the provision of new apartment developments in Mullingar where they exhibit a high architectural design standard, create an attractive living environment for residents and comply with the *'Urban Development and Building Heights Guidelines for Planning Authorities'* (2018) and the *'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities'* (2020-2023), or any future iterations of the same, subject to normal planning and environmental considerations.

Ardmore-Marlinstown Framework Plan –

The subject site is within the lands designated as the Ardmore Marlinstown Framework Plan.

A set of 12 development principles are contained in the LAP to guide the development of the Framework Plan area. These include supporting the principles of Compact Growth, promoting good design to integrate new infill development,

provision of good quality public realm, good connections and the provision of well-defined streetscapes with active frontage.

The Framework Area is sub-divided into a further 9 specific character areas. The subject site is not included in any of these character areas and is not covered by any specific local objectives.

5.2. National Planning Policy

5.2.1. Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031 (RSES-EMR). The primary statutory objective of the Strategy is to support implementation of Project Ireland 2040 - which links planning and investment through the National Planning Framework (NPF) and ten-year National Development Plan (NDP) - and the economic and climate policies of the Government by providing a long-term strategic planning and economic framework for the Region.

5.2.2. National Planning Framework First Revision (2025) (NPF)

The NPF is the Government's strategic plan for shaping the future growth of the country to the year 2040. The framework contains a set of ten National Strategic Outcomes (NSOs) which include 'compact growth', 'sustainable mobility', 'transition to a carbon neutral and climate resilient society' and 'sustainable management of environmental resources'.

The first revision of the NPF was approved by Government in April 2025 and projects a population increase of an additional 1 million people in Ireland between 2022 and 2040. This would require a significant increase in housing needs, with the NPF anticipating an average of 50,000 new homes per year to 2040. An additional 470,000 people are anticipated for the Eastern and Midland Region between 2022 and 2040. Section 2.7 of the revised NPF states that an updated Implementation Roadmap will be published to translate national and regional planned growth projections to city and county levels.

5.2.3. Climate Action Plan (CAP) 2025

This revision of the CAP builds on the previous 2024 CAP. It refines and updates the measures and actions required to deliver carbon budgets and sectoral emissions ceilings and provides a roadmap for taking decisive action to halve Ireland's

emissions by 2030 and achieve climate neutrality by no later than 2050. The Commission is required to perform its functions in a manner consistent with the Climate & Low Carbon Development Act.

5.2.4. **The National Biodiversity Action Plan (NBAP) 2023-2030**

The NBAP includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Commission to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Commission. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local Level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, EIA Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

Section 28 Ministerial Guidelines

5.2.5. Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I believe the directly relevant Section 28 Ministerial Guidelines are:

- *Design Standards for Apartments, Guidelines for Planning Authorities (2025).* (Note – These Guidelines are currently subject to a court challenge under Judicial Review).
- *Urban Development and Building Heights Guidelines, 2018.*
- *Sustainable Residential Development and Compact Settlement Guidelines 2024* (density / height / separation distances / open space).

(Note - These Guidelines replace the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (2009) and support the application of densities that respond to settlement size and different contexts within each settlement type).

5.3. Natural Heritage Designations

- 5.3.1. No natural heritage designations apply to the subject site.
- 5.3.2. The closest designated area to the site is the Royal Canal proposed Natural Heritage Area (pNHA), which is located approximately 0.7km to the west of the site. A second pNHA, the Lough Sheever Fen/Slevin's Lough Complex pNHA, is approximately 2.4km to the north of the site.
- 5.3.3. The Wooddown Bog NHA is approximately 2km to the north-east of the site. The NHA also contains the Wooddown SAC (Site Code 002205) with the closest part of the SAC approximately 2.9km to the north-east of the site.
- 5.3.4. I am satisfied that given the separation distances between the subject site and the NHA and pNHAs, that there would be no impact on these sites.
- 5.3.5. The potential impact of the proposal on the closest designated European sites is assessed in Section 8.0 of this report.

5.4. EIA Screening

- 5.4.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in the 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.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal address the reasons for refusal and contain responses to the recommendations for further information in the internal reports from the PA. The main points of the appeal are summarised below.

Planning context -

- The applicant notes the status of the Draft Mullingar Settlement Area Plan, which at the time of writing was going through a public consultation period, and references their submission to rezone the site from *'Established Residential'* to *'Proposed Residential'*. In support of the submission the applicant refers to the *'advantageous location; fronting the Dublin Road, adjacent planned active travel and public transport infrastructure, proximity to the Town Centre and south of a mixed commercial centre with retail services'*. The Chief Executive's report is supportive of the proposal and recommends that the site is rezoned. It is also noted that the submission from the OPR advocates for a review of density assumptions to ensure higher residential densities are applied, with a minimum of 40 uph for Key Towns.
- It is acknowledged that the Mullingar LAP 2014-2020 has expired and it is the opinion of the applicant that references to the expired plan in the reasons for refusal undermines the decision of the PA.
- Whilst the applicant notes that the pre-planning process is non-prejudicial, they state that the fundamental reasons for refusal were not discussed during pre-planning meetings and that the focus was on more detailed design elements of the scheme.
- The applicant puts forward a case for consideration of Section 145 of the Planning and Development Act 2000 (as amended), which allows for the applicant to be compensated by the planning authority for expenses incurred. In this instance, the applicant argues that the judgement of the planning authority to refuse permission for the development on the basis of an expired policy where known 'emerging' Draft policy and established county and national policies would favour the development has caused the applicant to incur costs as a result of an 'unnecessary appeal'.

Refusal Reason 1 – Density & Design

Density -

- The scheme has a density of 64 uph, which the applicant considers to be appropriate for a corner site, on the approach to the town centre of a Key Town which also benefits from a 'mixed commercial and infrastructural-rich location'.

- Based on the location of the site, the applicant considers it to be an 'accessible' suburban / urban extension site as defined in the Compact Settlement Guidelines, which would allow for densities of up to 80 uph (net). Furthermore, the Guidelines state that it is a policy and objective that residential densities in the range of 40-100 uph (net) shall generally be applied in the centres and urban neighbourhoods of Key Towns.

Design –

- An Architectural Design Response was submitted by the project Architects in response to the reasons for refusal that relate to visual impact and design. The response notes that the minimum separation distance between dwellings is 18m, the units are set back from the road edge to prevent overbearing impact and that the use of a 'Dutch' roof design (double pitched) reduces the massing of the buildings and reflects existing development.
- The applicant considers that sufficient separation distance is provided between the proposed and existing developments to allow for a change in design and scale without a significant impact on existing development.
- It is also submitted that the corner location of the site provides an opportunity for 'Placemaking' by increasing the density and scale of development. The appeal notes that NPO 22 of the Revised National Planning Framework recommends a performance-based approach to development instead of a prescriptive approach that may result in missed opportunities for specific sites.
- Whilst the policies of the expired LAP are referenced in the PA's decision, the applicant is of the opinion that the most relevant policy documents are the WCDP, the Draft Settlement Area Plan (SAP) which aligns with the NPF, the Compact Settlements Guidelines and the Apartment Guidelines (2025). To this end, the applicant refers to Policy CPO 3.5, 3.7, 3.14 and 4.1 of the WCDP, all of which support the principles of providing higher density developments with a mix of units and in accordance with the Universal Design Guidelines. Policies RD1, RD2, RD3 and RD7 of the Draft SAP also support the provision of higher densities to provide sustainable communities in accordance with the Compact Settlements Guidelines, the Height Guidelines and Apartment Guidelines.

Refusal Reason 2 – Poor Residential Amenity of Proposed Units

- The Architectural Design Response also responds to this reason for refusal and puts forward that all units are dual aspect and are provided with private open space that is above the minimum requirements of the WCDP and the Section 28 Apartment Guidelines. This is demonstrated in the Schedule of Accommodation provided with the appeal.
- Notwithstanding the north and east facing, ground-floor amenity areas, which range in size from 30-48m², the appeal notes that these units are dual aspect and also have amenity space to the front of the units which would have a different orientation.
- In terms of environmental considerations associated with noise and air pollution, the applicant acknowledges the established road conditions. However, they argue that compact forms of development at higher densities in combination with lower levels of parking and planned active travel and public transport will allow for a shift from private car use.
- The applicant has provided a detailed rebuttal to the specific design details that were called out in the report of the PO. In summary the applicant argues that the layout presents an active frontage and is also dual aspect which allows for engagement with the street and the internal space. A previously permitted development in Mullingar of a similar nature is referenced in support of the argument, (PA Ref. 22/74).
- Errors on the Housing Quality Assessment are noted but the applicant submits that these are a drafting error and that the details regarding the quantum of space are correct.
- It is submitted that concerns raised by the PO regarding boundary treatments and privacy of ground floor units can be addressed through planning conditions.

Refusal Reason No. 3 – Road Safety and Traffic Hazard.

- In response to refusal reason 3, a technical response was prepared and submitted by the consulting engineers for the project and includes the following,

- A revised site layout plan was prepared (Drawing No. P250100889-PIN-XX-DR-D-120-S1) which shows sightlines of 2.4m x 23m at the proposed site access, which is compliant with DMURS for a 30km/h design speed, and which allows for clear visibility for both emerging and oncoming vehicles.
- A revised swept path analysis for both fire/emergency and refuse collection vehicles, confirming that all service vehicles can enter, circulate and exit the site safely without reversing onto any public road or junction. Drawings include P250100889-PIN-XX-DR-D-115-S1-P01 – Autotrack Layout (Refuse Vehicle) and P250100889-PIN-XX-DR-D-110-S1-P01 – Autotrack Layout (Fire Tender). Following consultation with the Chief Fire Officer, an additional hammerhead turning area was included in the layout to ensure no reversing is required within the estate.
- A combined DMURS Street Design Audit and Stage 1 Road Safety Audit (RSA) was undertaken for the development. All audit recommendations were accepted and implemented in the revised design. Drawing No. P250100889-PIN-XX-DR-D-140-S1-P01 (RSA Review) relates.
- The applicant is satisfied that the additional information submitted with the appeal demonstrates that all road safety issues have been addressed and that the development no longer poses a traffic hazard or safety risk.
- Regarding car parking, the applicant notes that the car parking standards in the WCDP are maximum standards. They submit that the level of parking provided (38 car spaces and 116 bicycle spaces) is appropriate for the site, which is in an accessible suburban location, on a principal (Regional) access road, within walking distance to the centre of a Key Town. Reference is made to planned infrastructure improvements associated with active travel and local bus connections and to ongoing national rail and bus connections for the town which is on an identified NTA/TII Route corridor. The applicant also states that the level of parking provided is in accordance with national policy guidance in the Compact Settlements Guidelines and the Apartment Guidelines.

Refusal Reason 4 – Lack of engagement with Irish Water & lack of surface water details.

- The applicant states that a Pre-Connection Enquiry was submitted to UE and a reference number for the application (CDS25006119) was received by email on the 21st of August 2025, (copy submitted). A Confirmation of Feasibility (CoF) has since been received and is dated the 8th of October 2025, (copy submitted). The CoF states that a foul sewer connection is feasible without upgrades. A water connection is also feasible subject to a length of pipe being installed by the developer to connect to the network.

Other issues raised –

- The applicant acknowledges that there is a disparity between the schedules for cycle parking between the Planning Statement and the Schedule of Areas and confirms that the overall parking is 116 spaces.
- An Operational Waste Management Plan has been provided as part of the appeal and in response to the PA.
- Regarding the PA's comments regarding the lack of EV infrastructure, the applicant states that EV Ducting Drawing (25015-MAE-00-DR-E-6001) was included in the application pack. They also confirm that EV charging infrastructure has been integrated into the design with ducting provided to all car parking spaces.

6.2. Planning Authority Response

- No further comments received from the PA.

6.3. Observations

6.3.1. Five observations on the appeal were received within the statutory time frame. A number of similar issues were raised by the observers and to prevent repetition I will summarise the main concerns below.

- Overall design – the scale, height, density and massing are excessive and will result in an overbearing impact on existing development. The layout of the development will not contribute to the streetscape and is a poor urban design response.

- Overlooking – the open balconies will result in overlooking of existing properties. In particular, the balconies on Blocks D and E will overlook existing properties on Glenmore Wood to the south of the site. This will be exacerbated by the change in levels which are higher on the subject site.
- Private open space – the balconies for the units will provide a poor level of amenity by virtue of the depth and orientation and position facing onto the public road.
- Traffic – emergency access for vehicles has not been resolved. Access arrangements would result in a traffic hazard.
- Car parking – the low level of car parking would result in overflow parking in the neighbouring estate. No visitor parking spaces are provided and EV charging has not been considered. The site is not served by public transport and people still require cars.
- Access to units – the units are not suitable for long term living. There is no disabled access to the duplex units above.
- Character – the nature and design of the development is not in keeping with existing housing in the estate. It is essentially a build-to-rent development. No flexibility in unit type and size.
- Existing services – the additional residents will impact on existing services, e.g. schools are at capacity.
- Water and Drainage – there is a lack of engagement with Uisce Éireann and there is a lack of details regarding water & drainage for the site.
- Inadequate open space for the number of residents.
- There is a safety concern regarding housing in proximity to a petrol station.
- Lack of information on waste management for the units and how the development will be managed. A concern was also raised regarding noise from balconies.
- Construction phase – no details on how this will be managed and where workers will park.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the substantive issues raised can be condensed into the following issues:

- Principle of Development
- Density
- Design & Layout
- Future Residential Amenity
- Road Layout
- Water & Drainage
- Other Issues

7.2. Principle of Development

- 7.2.1. The subject site is within the settlement boundary of the Key Town of Mullingar. It is also located within the settlement boundary of the **Mullingar Town Local Area Plan 2014-2020** (now expired). A new settlement plan is being prepared to guide the development of Mullingar and is currently in draft form. The ***Draft Mullingar Settlement Area Plan 2025-2031*** will be integrated into the WCDP under Variation No. 1. At the time of writing the variation and settlement plan had been on public display but was not yet been adopted.
- 7.2.2. Under the Mullingar LAP 2014-2020, the site was zoned for development under the *'Established Residential'* zoning objective. The initial draft of the **Mullingar Settlement Area Plan (SAP) 2025-2031** retained this zoning objective for the site, but the applicant submitted a proposal during the public consultation proposed phase to alter the zoning objective of the site to *'Proposed Residential'*.
- 7.2.3. As the previous statutory LAP has expired and the new plan has yet to be adopted the zoning of the site is undetermined. Therefore, the policies and objectives of the

development plan will determine the suitability of the site for the proposed development.

7.2.4. The Core Strategy of the WCDP seeks to consolidate town centres in urban areas through the development of underutilised sites, in accordance with national planning policy. Policy Objective CPO.2.17 of the WCDP relates.

7.2.5. I am satisfied that the proposed development is in accordance with the overarching objective of the Core Strategy to deliver compact development in urban areas and that the location of the infill site, within the settlement boundary of Mullingar and surrounded by existing residential development is suitable for the consideration of residential development. Therefore, the principle of development is acceptable and that the development proposal can be assessed on its merits.

7.3. **Density**

7.3.1. The proposed development would have a density of 64 uph. The PA considered this to be excessive for the site based on its location on the outskirts of the town centre with limited access to public transport. This is refuted by the applicant who submits that the site is suitable for higher densities as it can be considered as an 'accessible' suburban/urban location or an 'urban neighbourhood' as defined in the Compact Settlements Guidelines (CSGs).

7.3.2. Section 3.7 of the WCDP states that higher densities will be applied to the higher order settlements, including Mullingar which is a Key Town, subject to good design and compliance with development management standards. (Policy Objective CPO 16.24 relates). The development plan does not prescribe site-specific density ranges. However policy objective CPO 3.15 seeks to support the development of quality residential schemes whilst having regard to the standards, principles and any specific planning policy requirements (SPPRs) set out in the '*Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities*' (2009); '*Urban Development and Building Heights Guidelines for Planning Authorities*' (2018) and the '*Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities*' (2018). Prior to their replacement with the Compact Settlement Guidelines, the Sustainable Residential Guidelines 2009 provided

guidance on appropriate density for urban areas. The 2009 guidelines gave a general recommendation for a density of up to 50 uph for urban locations.

- 7.3.3. I note to the Commission that since the development plan was adopted the *'Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities' (2009)* has been replaced with the Compact Settlements Guidelines, and the Apartment Guidelines 2018 has been superseded by the *'Design Standards for Apartments, Guidelines for Planning Authorities (2025)*.
- 7.3.4. In terms of site -specific guidance for density, the CSGs are more prescriptive than the WCDP as they address site context and advocate for performance-based criteria. Based on its characteristics, the report of the PO considered the site to be a 'Suburban / Urban Extension' in a Key Town where residential densities in the range of 30-50 uph shall generally be applied. The PO noted that whilst densities up to 80 uph can be considered at 'accessible' suburban locations, the subject site did not qualify for such consideration as it has no public transport.
- 7.3.5. In the CSGs, suburban areas are categorised as low density car-orientated residential areas constructed at the edge of the town, while urban extension refers to greenfield lands at the edge of the existing built-up footprint area that are zoned for residential or mixed-use (including residential) development. An 'Accessible Location' is defined as, *'Lands within 500 metres (i.e. up to 5–6-minute walk) of existing or planned high frequency (i.e. 10-minute peak hour frequency) urban bus services'*.
- 7.3.6. Having visited the site and the surrounding area, I would agree with the PO that the site is best categorised as a 'Suburban / Urban' extension. The site is approximately 1.6km from the town centre and is a brownfield, infill site, surrounded on three sides by low-density residential development. Although the site is in close proximity to bus stops that provide local and regional services, they would not qualify as 'high frequency' services. Therefore, I do not consider the site to be an 'accessible' location as defined in Table 3.8 of the CSG as it is not within 500m of existing or planned high frequency urban bus services.
- 7.3.7. The proposed density of 64 uph is above the recommended range for a site in a 'suburban / urban extension' in a Key Town. Whilst the PO and third-party submissions refer to a lack of public transport in the area, the site is near two bus

stops, one on either side of the Dublin Road to the west of the site. These stops are served by several local and regional services that include routes to, Athlone, Dublin and Drogheda. Some of the bus services also provide connections to Mullingar train station which is approximately 2km from the site. A Part 8 was also recently approved by the Council to provide dedicated cycleways and a new bus stop and shelter on the Dublin Road to the north of the site. A local bus service for the town is also planned for Mullingar, but the service has not yet commenced. Although the site is not served by 'high frequency' bus services as defined in Table 3.8 of the CSGs, I consider the site to have access to all public transport services currently available in the town. The proximity of the site to services is also noted and for these reasons, I am satisfied that density above the recommended range of 30-50 uph can be considered subject to good design. Furthermore, the location of the infill site allows for the creation of its own character. It is directly opposite a main road with commercial uses on the opposite side the adjoining residential uses are separated from the site to the east by a road and a boundary wall to the estate and to the west by a large treeline along the boundary with the adjoining houses. Therefore, I am satisfied that the higher level of density can be considered as part of the overall assessment and subject to the quality of the overall development and its response to the receiving environment, which will be assessed in the following sections.

7.4. Design & Layout

Height & Massing

- 7.4.1. The proposed development has a perimeter layout with 5 no., 3-storey blocks arranged around the north, east and southern boundaries and adjacent to the public roads. All blocks would have ground floor apartments with 3-bedroom duplex units above. In the first reason for refusal, the PA considered that the development would be discordant, incongruous and overbearing due to the scheme's height, scale, massing and separation distances as well as the abrupt transition in scale.
- 7.4.2. I do not consider the height of the 3-storey blocks to be excessive or that the proposal would represent an abrupt transition in scale. The Building Height Guidelines (2018) acknowledge the changing form of housing in urban / suburban areas and consider a mix of apartment and duplex units with heights of 3-4 storeys

to be acceptable in principle. The prevailing built form in the surrounding area is that of 2-storey buildings of residential or commercial uses with the single storey Ashling House to the east. I consider an additional storey above the prevailing height to be acceptable within the urban context and I am satisfied that it would not represent an abrupt transition in scale. I also note there would be separation distances of 26-34m between the existing buildings to the south of the site and the proposed buildings in Block E. To the east there would be separation distances of c. 20-22m between existing and proposed development with the shortest distance of 18m between the adjoining property to the west. I am satisfied that the separation distances proposed would be sufficient to prevent any visual impact to existing properties from abrupt transitions in scale.

- 7.4.3. Third parties raised concerns regarding the topography of the site, which increases in level from south to north. It was submitted that due to the elevated site, that the impact of the 3-storey buildings would be amplified. The site levels are shown as +109.2m at the southern end of the site and +114.0m at the northern end. The proposed Site Layout Plan shows a level of +107.68m adjacent to the closest house to the south of the site at Glenmore Wood. This would indicate a level different of approximately 1.5m from the entrance to the Glenmore estate and the southern site boundary.
- 7.4.4. Although there is a difference in level from south to north, I do not consider that the degree of difference will significantly impact on the existing environment in terms of an overbearing impact. The site would be at a level of approximately 1.5m higher than the closest house to the south-west but is positioned forward of the established building line of the existing houses. This would allow for a level of separation between the proposed urban form and the new houses, which would not be within the sightline for existing houses. When exiting Glenmore Wood, the access road curves to east which creates an additional separation between proposed and existing housing.
- 7.4.5. I accept that third parties are concerned about overlooking of existing houses to the east of the site by virtue of the change in levels. However, I am satisfied that direct overlooking of the gardens in the houses on the Avenue at Petitswood Manor would be prevented by the existing boundary wall (c. 2m in height) to the properties and adjoining the footpath, and the separation distances which range from 20 – 33m.

- 7.4.6. The PA also objected to the massing of the blocks, which they considered to be excessive. In the grounds of appeal, the applicant states that the building form was designed to break up the overall massing of the buildings and that the Dutch roof design, setbacks and projections are successful in this endeavour. I would agree with this conclusion. The roof profile reflects the traditional, double-pitched profile of existing housing whilst also allowing for variations in height as the site levels increase from south to north. The changes in materials, setbacks and projections at the upper level also contribute to visual interest and division of the built form and overall massing.
- 7.4.7. I consider the overall height, scale and massing of the development to be acceptable for the infill urban site. The three-storey development would provide a mix of unit types that would allow for a range of typologies in the area, which is characterised by two-storey housing. The three-storey height is not excessive for an urban area and is supported by the Building Height Guidelines. Whilst there is a change of level within the site, the proposed building form and pitched roof profile would allow for a graduated massing of the building as the levels increase.

Urban Design

- 7.4.8. The PA considered that the perimeter block layout did not respond well to the receiving environment and did not present an appropriate urban design response to the public streets adjoining the site. This is mainly due to the amenity spaces for the units facing towards the public roads and the proximity of the blocks to the Glenmore access road. In their appeal the applicant argues that their design response is appropriate as they have provided dual-frontage and dual-aspect units, that address the street and the internal areas in the development whilst also providing appropriate setbacks from the footpath and passive supervision of the public street.
- 7.4.9. I note development plan guidance in Section 16.3.1 – Design, Layout & Housing Mix, which includes a table of policy objectives that relate to criteria to be applied to new residential developments. They include, the provision of a mix of unit types, good pedestrian and cycle connections, the delivery of active frontages with dual frontage on corner sites, the avoidance of blank façades, fencing and garden walls fronting on to streets and dual aspect designs to ensure active and passive surveillance of street frontages. The general principles of design and placemaking are similar in the CSGs,

where Chapter 4 states that, '*Buildings should generally present well-defined edges to streets and public spaces to ensure that the public realm is well-overlooked with active frontages*'.

- 7.4.10. The corner site is bounded by roads of different scale and character. To the north the Dublin Road carries traffic to and from the town centre and to the neighbouring commercial developments to the north. It is proposed to retain the existing boundary treatment at this location, which comprises a mature, evergreen hedge. Blocks A and B would be set back by c. 7m from the northern site boundary and the private open space for the ground floor units would be provided in this space. The first-floor balconies for the duplex units would face north towards the Dublin Road and the public footpath. This layout would not result in an improvement to the public realm on the Dublin Road. However, I accept that a balance is struck between providing defensible space and privacy from the busy road to the ground floor units. The existing hedge would provide visual screening to the ground floor units and would also absorb some noise from traffic. Whilst the balconies on the first-floor level would provide some level of passive supervision, they would contribute little to the overall streetscape along the northern site boundary. I note that the recently approved Part 8 for Active Travel improvements would include a bus shelter and dedicated cycle lanes to the front of the site and along the Dublin Road. The design proposal does not engage in any way with these proposals.
- 7.4.11. A different boundary treatment is proposed along the eastern boundary. This boundary would comprise a low-level wall (0.6m high) with a 1.2m metal railing above with planting behind. The landscaping plan shows a Copper Beech (*Fagus Sylvatica*) hedge in place behind the boundary wall. Blocks C and D would be positioned along the eastern boundary and would be set back from the site boundary by approximately 3m. In a similar layout to Blocks A and B, the private open space for the ground floor units would be provided between the site boundary with first floor balconies for the duplex units above. The eastern site boundary would be broken up by the main vehicular access to the site between Blocks B and C and a pedestrian access is provided further south and between Blocks D and E. First floor terraces would be set back from the eastern site boundary by c. 3m (as shown on site layout drawings).

7.4.12. I would agree with the conclusion of the PA that the proposed arrangement does not present a well-considered urban design response to the existing environment. Whilst the first-floor balconies could provide overlooking of the areas, the ground floor layout and design do not contribute or respond to the public realm. Screening is required to provide sufficient levels of privacy for the private open spaces of the ground floor units. This prohibits visual engagement to and from the site. For this reason, I do not consider that the proposal would comply with the design guidance in Section 16.3.1 of the Development Plan as it would not provide active frontage and would result in screening to the street. A more traditional design approach would be to orient the private open space to face the internal spaces with balconies on the upper floors on the opposite side of the building. However, if the orientation of the private space was altered to face the internal spaces, this could conflict with the provision of utilitarian functions such as bin and bike storage. In turn this could impact on the amenity of ground floor spaces.

7.4.13. Third party submissions question the logic of the layout and submit that an alternative layout with the block set further back within the site would allow for a better relationship with the street and a more open development. I note that the Architectural Design Statement submitted with the application includes a section on the evolution of the layout and includes alternative layouts which were rejected. One of the alternative layouts shows Blocks C and D positioned along the western side boundary with the public open space to the front of these blocks and along the eastern side of the site, adjacent to the public footpath. No reason is given as to why this layout was not selected. However, I accept that whilst this layout appears to be the most logical on paper, it may have resulted in different constraints that the design team were party to.

7.4.14. Whilst I do not consider the design response of the ground floor units to present a favourable design response to the public realm, there are a number of positive design elements to the scheme. The design of the blocks would provide dual-aspect residential units that are above the minimum development standards and the public realm along the access road would be enhanced through the provision of a pedestrian footpath and additional landscaping. The corner elements of the blocks would address both corners, and the first-floor terraces would provide some supervision of the public realm when in use. The Commission may consider that

these elements are sufficient to support the proposal. However, the existing site context and public realm warrants consideration. The footpath along the eastern side of the road is flanked by a high blockwork wall which provides an unwelcoming pedestrian environment. Development on the subject site offers an opportunity to improve this environment by providing a positive response to the street. Although the planting along the site boundary would be a softer response than a high wall, its primary function would be to screen the private spaces, and such would not engage with the street. For this reason, I consider the urban design response to be unsatisfactory. The quality of the private open space in the development was also questioned and will be assessed below.

7.5. Future Residential Amenity

- 7.5.1. The PA had no objection to the internal layout of the individual units or to the quantum of private and public open space. However, refusal reason no. 2 relates to the orientation, location and depth of the private amenity areas, which the PA considered to be unsatisfactory.
- 7.5.2. I have reviewed the details submitted with the application and I am satisfied that the development is in accordance with the development management requirements set out in the WCDP, and the Apartment Guidelines (2025 & 2023) as they relate to internal floor areas standards, storage and private open space for the individual units. The PA considered that the depth and orientation of the private open space for Blocks A, B, C and D would be inadequate. Blocks A and B are positioned along the northern site boundary and Blocks C and D are along the eastern boundary. All ground floor units have terraces and open spaces that extend to the site boundaries, (as shown on the site layout plans and the landscaping plans). The duplex units would have first floor balconies in the same orientation and facing onto the public roads. The Schedule of Accommodation submitted with the appeal states that the ground floor units in Blocks A and B would have between 41-48 m² of private open space and Blocks C and D would have between 30 and 34 m² private open space. This is over and above the minimum requirement of 7m² for a 2-bed unit and 9m² for a 3-bed unit. Balconies of c. 17m² are provided for the duplex units.

- 7.5.3. Although the quantum of open space is above the minimum requirements, the PA were not satisfied that the orientation of the open space would offer an adequate level of amenity. In response, the applicant notes that each ground floor unit also has a terrace to the front, which would be adjacent to the main living area. The larger terraces to the rear would be accessed through a bedroom. The application or appeal did not include any assessment of the quality of the spaces in terms of daylight and/or sunlight, and this was not requested by the PA.
- 7.5.4. I am satisfied that the ground floor units would have an acceptable level of amenity. Each unit would have two separate outdoor areas with different orientations. A smaller terrace of c. 10m² would be provided adjacent to the living area to the front of the unit and a second, larger area to the rear would be accessed from a bedroom. Whilst the north and east facing units would get restricted sunlight, they would still receive daylight, and they would benefit from the generous amenity space to the rear of the units. The north-facing balconies in the duplex units would receive the lowest levels of sunlight but would have sufficient daylight due to the large window/door openings and a balcony depth of c. 2.2m. These balconies would have an open aspect due to their proximity to the road and would not be overshadowed or constrained by buildings to the north. The constraints of the corner, infill site are acknowledged and on balance, I consider the private amenity space for the units to be acceptable as the quantum of space is generous and above minimum requirements, the ground floor units have two areas of open space and the north facing balconies will receive adequate sunlight due to their open and unrestricted access and from the large glazing proposed.
- 7.5.5. I accept that the quantum of private open space per unit exceeds the minimum standards in the Apartment Guidelines in all ground floor units. Units orientated north will be limited in the level of sunlight they will receive; however, these units will also have a south-facing terrace which would be accessed from the living area. The east facing units are similar. All units would have private open space that would be more than the minimum standards and would have secondary west-facing terraces to the front of the units. On this basis, I do not consider the orientation of the units to warrant a reason for refusal alone. Furthermore, I note that of the 38 units proposed, only 7 would have north facing balconies which would have restricted access to sunlight due to their northerly orientation.

- 7.5.6. The PA also raised a concern regarding the quality of the private amenity areas in terms of noise and disturbance given their proximity to the public roads. I do not share this concern. Blocks A and B would face onto the Dublin Road, which is the main access road to Mullingar from the east. This road would carry a lot of traffic at peak times. Directly to the north of the site are the commercial uses of Aldi and Applegreen service station, which would also generate traffic. There is a 4-way signalised junction directly to the east of the site and the road to the front of the site has a speed limit of 50 kmph. Whilst the road may be heavily trafficked to the front of the site, I consider that the current conditions such as the signalised junction, speed limit and vehicles accessing the supermarket to the right would act/serve to slow down traffic on the road which would reduce the noise level. Furthermore, the nature of the road at this location is similar to any urban access road and has a mix of residential and commercial development along both sides in proximity to the site. Drawings submitted with the application and the appeal also show that the existing evergreen hedge to the north of the site would be retained. This would act as a buffer for the ground floor units for privacy and noise. I note that similar housing developments are in place along the Dublin Road that have houses with similar separation distances between the road carriageways.
- 7.5.7. The internal access road to Glenmore Wood is quieter in character with less traffic movements. I am satisfied that the private amenity spaces facing east along the access road and north along the Dublin Road would not experience undue disturbance from noise as a result of road traffic due to the separation distances between the private amenity areas and the site boundaries, the boundary treatment, (particularly along the northern boundary) and the nature and character of the roads bounding the site.
- 7.5.8. I have noted the positive elements of the scheme above and whilst the development does not present an optimal design response to the streetscape at ground floor level, the proposal would provide some supervision of the street from the upper levels of the blocks. Improvements would also be made to the public realm through the provision of additional landscaping and a public footpath along the access road to connect with Glenmore Wood. The development would also result in the delivery of 38 residential units that are in accordance with the development standards and which would provide an alternative typology to the traditional two-storey houses in

the area. The Commission may consider these elements to be sufficient to overcome the lack of integration with the streetscape. However, given the increased level of density proposed, the development should offer a better design response and contribution to the existing public realm.

7.5.9. Third parties raised a concern regarding the suitability of the units for disabled access as the duplex units do not have lifts. I note that CPO 3.14 of the WCDP requires that development over 20 units provide a minimum of 5% of units that are designed and built to facilitate occupation by persons with a disability without structural changes in accordance with '*Universal Design Guidelines for Homes 2015*'. Should planning permission be granted for the development I recommend that a planning condition requiring same should be attached. The construction of the units will be subject to compliance with the Building Regulations and their requirements for disabled access.

7.5.10. **Road Layout**

7.5.11. Refusal reason No. 3 relates to the vehicular access and road layout for the scheme. The PA considered that the proposed access, car parking provision, vehicular movements and overall layout of the development would pose a risk to traffic safety. It was also noted that a Road Safety Audit was not prepared for the development that would demonstrate circumstances to the contrary.

7.5.12. A technical response was prepared by consultants for the applicant in response to the issues raised in the refusal. As well as responding to the reason for refusal, it contains information to address the internal reports of the PA which recommended that further information was requested. Additional information submitted with the appeal includes the following drawings;

- DR-D-110-S1-P02 & DR-D-115-S1-P02 showing Autotrack Layouts for fire tender and refuse vehicles respectively,
- Drawing DR-D-120-S1-P02 – Sight Lines and,
- Drawing DR-D-140-S1-P01 – Road Safety Audit Review.

A DMURS Quality Audit and a DMURS Street Design Audit, including a Stage 1 Road Safety Audit, was also submitted.

- 7.5.13. The Stage 1 RSA identified four potential problems that could lead to safety issues within the scheme. They related to pedestrian safety due to overhanging trees, restricted visibility at the entrance due to proposed pillars, the length of the internal access road for refuse vehicle manoeuvres and the layout of parking spaces which would overhang the footpath and have restricted movements due to the width of the carriageway. The applicant accepted all audit recommendations of the RSA and incorporated them into the design and layout of the development. To address the concerns of the Fire Officer and the issue raised in the RSA, a hammerhead turn was designed to intersect the public open space to allow for manoeuvrability for fire tenders.
- 7.5.14. I have reviewed the information and drawings submitted with the appeal and I am satisfied that the applicant has demonstrated that the development will comply with the requirements of DMURS and that the potential problem areas identified in the Stage 1 RSA have been addressed by revisions incorporated into the design. I am also satisfied that the applicant has demonstrated that adequate sightlines can be achieved within the development and at the vehicular access to the development. (Drawing DR-D-120-S1-P02). I note that the internal report from the Active Travel department requested that a Stage 2 and Stage 3 RSA be required by condition. This request is reasonable and would generally be required as a standard planning condition. Should planning permission be granted, I recommend that a condition requiring the preparation of a Stage 2 and Stage 3 RSA be attached.
- 7.5.15. Refusal reason No. 3 also refers to car parking provision, although it is unclear if it relates to the parking layout, (which was identified as a potential hazard), or the number of spaces proposed, or to both. In their technical response the applicant addresses the level of car parking proposed for the development. They state that a total of 38 no. surface car spaces would be provided for the development, which would amount to one space per unit, including visitor provision, (my emphasis). To justify this provision, the applicant refers to the WCDP and notes that parking standards are maximum rather than minimum standards. Reference is also made to car parking policy in the CSGs and the Apartment Guidelines (2025) which promote performance and location-based assessments to determine adequate parking provision.

Section 16.4.1 of the WCDP relates to car parking standards and notes that development proposals should generally comply with the standards contained in Table 16.2, which are maximum standards. The development plan also states that a reduction in the level of car parking can be considered within the designated town centre of Mullingar as it is a Key / County Town. There is no clear map of the designated town centre of Mullingar in the WCDP. Maps in the expired LAP indicate the 'Town Centre – Regeneration' area to be the area bounded by the river to the east, west and north. The subject site is outside of this area. Third party observations raise a concern that the lack of car parking and dedicated visitor car parking, would result in overspill car parking in the surrounding areas and in the housing development to the south.

- 7.5.16. Car parking spaces for 38 cars, including 2 disabled spaces, would be provided in the development. The applicant states that all car spaces will be designated to either individual units or as visitor spaces. Spaces would be managed through the management company, and all residents will be informed that parking in the neighbouring estate is not permitted. All spaces would be fitted with EV charging infrastructure. The provision of a shared car club space will also be explored. The applicant notes that for 'intermediate or peripheral' areas, the CSGs recommends a maximum of 2 spaces per dwelling which includes a provision for visitor parking. On this basis, the applicant is satisfied that the 38 spaces proposed can also include visitor parking.
- 7.5.17. The CSGs note the necessity of applying a graduated approach to the management of car parking in new residential development. SPPR 3 states that car parking in 'accessible' locations shall be a maximum of 1.5 spaces per unit and in intermediate and peripheral locations it should be 2 spaces per unit. The guidelines clarify that the maximum car parking standards do not include bays assigned for use by a car club, designated short stay on-street Electric Vehicle (EV) charging stations or accessible parking spaces but do include provision for visitor parking. The Apartment Guidelines 2025 refer to SPPR 3 of the CSG for guidance on maximum car parking standards. Development plan standards recommend 1 car space per residential unit and 1 visitor parking space for every 3 units, which would result in a maximum of 50 car parking spaces for the development. The report of the Municipal District Engineer

notes that there is a shortfall of 12 parking spaces for visitors but does not include this in the recommendation for FI.

7.5.18. Although the site is in a well serviced urban area in a Key Town, I consider the level of parking provided to be low for the character and location of the site. I would consider that one designated space per unit would be reasonable for a suburban area with an additional quantum for visitor spaces. It is also noted that the Development Plan requires 5% of the total parking provision should be accessible spaces. According to the CSGs these spaces can be counted as additional, i.e. they are not included in the maximum amounts. The level of car parking may be acceptable if alternative options such as a car sharing or a car-club space was available for the use of future residents. However, the applicant commits only to 'exploring' this option rather than delivering it.

7.5.19. Overall, I consider the provision, allocation and management of car parking on the site to be unresolved. The applicant's response that visitor parking is included in the overall provision and will be marked and designated, implies that some units would not have access to a parking space. However, no information is supplied as to how many visitor spaces would be provided and how many units would not have access to parking. I note that two accessible spaces are included in the overall number of spaces, which is in accordance with the development plan requirement of 5% accessible spaces. Whilst the CSGs allow for visitor spaces to be included in the maximum allocation, accessible spaces are not included. It is unclear as to how these spaces will be managed and if they are omitted from the overall quantum, how would the remaining 36 spaces be allocated? I accept that overarching planning policy seeks to minimise car parking where possible and that the car parking standards in the WCDP are maximum standards. I also accept that the site is in close proximity to the available public transport which includes local and regional routes. However, I am not satisfied the overall provision and allocation of car parking spaces has been fully determined and justified. Whilst the subject site has access to public transport, it is still on the outskirts of the town centre where the provision of one parking space per unit is reasonable. Given the location of the site and the restrictions on public transport, I would agree that the lack of visitor parking for the development would result in overspill car parking in the neighbouring areas, which include the residential area to the south and the commercial developments to

the north and that the car parking proposal for the development has not been adequately resolved. In the absence of the information relating to the arrangement and allocation of parking, I consider this a reason for refusal.

7.6. Water & Drainage

- 7.6.1. In the fourth reason for refusal the PA noted the absence of any documentation or proof of engagement with Uisce Éireann to confirm the feasibility of a connection to the public water and wastewater services. The PA also considered that there was a lack of surface water drainage details.
- 7.6.2. The grounds of appeal state that a Pre-Connection Enquiry (PCE) had been applied for and a reference number was received via e-mail on the 21st of August 2025, with an associated reference number CDS25006119. (Copy appended to the appeal). Further to the PCE, a Confirmation of Feasibility (CoF) has been received and states that a foul sewer connection to the network is feasible without any upgrades. In respect of the water supply, it is stated that a water connection to the network is feasible, subject to a length of pipe (c. 95m) being installed by the developer, connecting the proposed development to the existing network.
- 7.6.3. I am satisfied that the applicant has demonstrated engagement with Uisce Éireann and that the correspondence received, including the CoF, proves that a connection is possible and that the development can connect to the public services. I have also reviewed the publicly available online capacity registers on the Uisce Éireann website (www.water.ie) which indicate that both water and wastewater services have capacity.
- 7.6.4. Although a lack of surface water details was included in the reason for refusal, the applicant does not specifically address surface water management in the grounds of appeal. Internal reports from the PA recommended that further information was requested regarding the location and types of SuDS features to be used and the locations of petrol interceptors. I have reviewed the application details and would agree with the PA that the surface water management details are unclear. The Engineering Planning Report states that surface water from the site will be attenuated on site through the use of tree pits, permeable paving, an attenuation tank underneath the public open space, petrol interceptors and hydrobrakes. The

report also states that the SuDS features incorporated into the development are detailed in Drawing P250100889 -PIN-XX-XX-DR-C-00401. This drawing contains 'typical' details of a swale, rain garden and land drain, none of which are referenced in the report. I note that the landscape masterplan (Drawing 25/ AC/ MCG/P1/001/ Rev A) states that the SuDS strategy includes a network of shallow swale areas incorporated into the open space but does not show their location. As the open space would also accommodate play areas, the location of SuDS features is important to ensure effective management and integration of the elements.

- 7.6.5. There is a disparity between the information in the Engineering Report and the Landscaping Masterplan as they relate to the proposed SuDS measures for the site. As this issue has not been clarified in the appeal, I consider that the lack of detail is a gap in the overall surface water management strategy which cannot be addressed by condition. In my view, the lack of information is not in accordance with policy objective CPO 10.119 of the WCDP, which requires that planning applications are accompanied by a comprehensive SUDs assessment that addresses run-off quantity, run-off quality and its impact on the existing habitat and water quality, and as such, is a reason for refusal.

7.7. Other Issues

Waste Management

- 7.7.1. The report of the PO states that an Operational Waste Management Plan would be required for a development of this type. In response, an Outline Operational Waste Management Plan was submitted by the applicant in the grounds of appeal. Third party submissions believed the plan was generic in nature. I have reviewed the plan and whilst it clearly states that it is an 'outline' plan, it includes specific information on the subject site, the proposed development and how it is intended to manage the waste streams during the construction and operational stages. Reference is also made to the WCDP, the Westmeath County Council Waste Byelaws and the Eastern Midlands Region Waste Management Plan 2015-2021. The plan also states that a final Operational Waste Management Plan will be prepared for agreement with the PA should planning permission be forthcoming. I am satisfied that the Outline Operational Waste Management Plan has considered how the different waste

streams from the project will be managed within the context of local, regional and national legislation. It is standard practice for a Waste Management Plan to be submitted for approval by the PA prior to the commencement of development. Should planning permission be granted for the development, I recommend that a standard planning condition of this nature be attached.

Compensation

- 7.7.2. The applicant refers to Section 145 of the Planning and Development Act 2000 (as amended) which relates to the 'Expenses of appeal or referral'. Under Section 145, An Coimisiún Pleanála has the power to direct a planning authority to pay an appellant, or person making an appeal or referral, compensation for the expenses involved in making an appeal or referral. The applicant is correct in their assertion that there is a 'high bar' to such a judgement. The Commission has the power to decide what costs are reasonable and can decide to award all, some or none of the costs requested by the participant. However, participants in the planning process generally carry their own costs it is only in exceptional circumstances that costs would be awarded under Section 145 of the Act.
- 7.7.3. In this instance the applicant submits that they should be compensated for the expenses incurred by making the appeal, as the decision of the PA relied on 'expired policies' from an out-of-date LAP. It is their view that 'emerging' draft policy and established County and National policy would support the development. The applicant concludes that by relying on an expired LAP, the decision of the PA required the applicant to incur additional costs by appealing the decision.
- 7.7.4. Whilst the decision of the PA referenced policies and objectives contained in the Mullingar LAP 2014-2020 (now expired) the reasons for refusal did not rely on the LAP alone. In their decision, the PA also considered the provisions of the Sustainable and Compact Settlements Guidelines for Planning Authorities (2024) and wider planning concerns that relate to road safety, public services and public health. For this reason, I do not consider that the applicant incurred undue costs through lodging the appeal. Furthermore, I do not consider that the circumstances surrounding the applicant's decision to appeal the decision of the PA are exceptional in the manner that would warrant compensation of expenses. Whilst this is my

assessment of the issue, it is ultimately a matter for the Commission to adjudicate on.

7.8. Conclusion

- 7.8.1. The proposed development would represent an efficient use of an infill site in an urban area. However, the density proposed is higher than the recommended range in the CSGs and as such its justification requires a high standard of design across all metrics. I have reviewed the proposed development, and I am not satisfied that all details have been fully resolved and that the proposal would result in a high-quality development that would integrate well into the receiving environment.
- 7.8.2. The positioning of the perimeter blocks along the eastern and northern boundaries and the location of the private open space for the ground floor units adjacent to the site boundary would present a de-facto screen along the streetscape and public realm and would be contrary to the design advice contained in Section 16.3.1 of the Development Plan. The poor response of the development to the public realm would be exacerbated by the existing public realm along the access road, which is of poor quality.
- 7.8.3. The car parking provision and management is also unclear. The proposal would fail to provide sufficient levels of visitor and/or residents parking which could result in overspill parking to adjoining residential and commercial areas. In the absence of alternatives such as car sharing, car clubs or other alternative transport systems, the level and ambiguity around parking allocation is unacceptable.
- 7.8.4. The overall surface management strategy is unclear with contradictions regarding the type and location of SuDS measures. This would indicate that the design of the overall strategy is incomplete which would be unacceptable and which would result in uncontrolled surface water runoff and contamination. It is also contrary to policy objective CPO 10.119 of the WCDP which requires that planning applications are accompanied by a comprehensive SuDS assessment.

8.0 Appropriate Assessment

- 8.1. The application was accompanied by an Appropriate Assessment Screening Report which concluded that, *'...on the basis of objective information provided in this report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites. Therefore, this proposed project does not need to proceed to Stage II of the Appropriate Assessment Process, i.e., a Natura Impact Statement (NIS).'*
- 8.2. I have considered case PL-500053-WH in light of the requirements of S177U of the Planning and Development Act 2000 as amended.
- 8.3. The proposed development is located on a brownfield site within an urban area and comprises the construction of a residential development of 38 units in 5 no. 3-storey blocks with all associated works. The closest European Site, part of the Natura 2000 Network, is the Wooddown Bog SAC (Site Code 002205), which is c. 2.8km to the north-east. Other European Sites at a similar distance include, Lough Ennell SAC (Site Code 000685), c. 3.8km to the south-west; Lough Ennell SPA 4.3km to the south-west; Lough Owel SAC (Site Code 000088), c. 5km to the north-west and South Owel SPA (Site Code 004047), c. 5km to the north-west.
- 8.4. Using the source-pathway-receptor model, no hydrological or ecological connections were identified between the subject site and any European site. The mobile nature of the qualifying interests (QIs) for the SPAs was considered. However, given the nature of the QIs for the Lough Ennell and Lough Owel SPAs, which are wetland and waterbirds, and the Conservation Interests for the SPAs, the subject site is unsuitable as an ex-situ site.
- 8.5. Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 8.6. The reason for this conclusion is as follows:
- The nature and scale of the development
 - The location of the development on a brownfield in a serviced urban area,

- The distance from European Sites and urban nature of intervening habitats and,
- The absence of ecological or hydrological pathways to any European Site.

8.7. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

8.8. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000 is not required.

9.0 **Water Framework Directive Screening**

9.1. The nearest water body to the appeal site is the Royal Canal which is approximately 700 metres to the west of the appeal site. The Brosna River is also to the west of the site at c. 1.1km. There is no hydrological connection between the subject site and the closest watercourses. The proposed development is for the construction of a residential development comprising 38 units in 5, 3-storey blocks. A full description of the proposal is contained in Section 2.0 of this report.

9.2. The development would be connected to the mains water and wastewater services. Surface water would be attenuated on site through SuDS measure before discharging to the existing public surface water sewer. In the decision to refuse permission the PA considered that there was a lack of information on surface water drainage. This was addressed by the applicant in the grounds of appeal and is assessed in Section 7.0 above.

9.3. I have assessed the planning documentation and the information submitted with the appeal, and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the relatively minor nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

Having regard to the nature and scale of the development,

- It's location in a serviced urban area,
- The separation distance between the appeal site and the Royal Canal and Brosna River and,
- The proposed on-site surface water management proposals.

10.0 Recommendation

10.1. I recommend that planning permission is refused for the development.

11.0 Reasons and Considerations

1. Having regard to the objectives of the current development plan for the area, which require that proposals are required to present a considered design approach to respond to the scale, layout and density of the environment and to provide positive integration with existing development, and having regard to the pattern of development in the vicinity, it is considered that, by reason of the layout and location of the perimeter blocks, the positioning of the private open space for ground floor units and the screening required for privacy, and by reason of the design and boundary treatment, the proposed development would militate against an attractive pedestrian environment, would be of insufficient urban design quality on a prominent site in the urban area and would seriously injure the visual amenities of the area. The proposed development would, therefore, conflict with the objectives of the development plan and, in particular with CPO 16.11 and CPO 16.13 and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the car parking provision for the proposed development and, in particular the lack of sufficient of visitor car parking spaces, would be seriously deficient and would be inadequate to cater for the parking demand generated by the proposed development, thereby leading to conditions which would be prejudicial to public safety by reason of traffic hazard on the public

roads in the vicinity and which would result in overspill car parking in adjoining areas.

3. The surface water management plan for the proposed development has not demonstrated how Sustainable Urban Drainage Systems (SuDS) have been incorporated into the design, as required by policy objective CPO 10.119 of the development plan, and in the absence of a fully detailed surface water management plan the development as proposed is premature and would be prejudicial to public health. It would therefore be the contrary to the proper planning and sustainable development of the area.

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

Elaine Sullivan

26th of January 2026

Appendix 1 - Form 1
EIA Pre-Screening

Case Reference	PL-500053-WH
Proposed Development Summary	Residential development of 38 no. units in 5 no. 3-storey blocks.
Development Address	Glenmore Wood, Mullingar, Co. Westmeath.
	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.	
<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, Schedule 5 or a prescribed type of proposed road	No Screening required

<p>development under Article 8 of the Roads Regulations, 1994.</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><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>Class 10– Infrastructure Projects -</p> <p>10(b)(i) – Construction of more than 500 residential units.</p> <p>10(b)(iv) – urban development that would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.</p>

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	PL-500053-WH
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).	<p>The proposed development would involve the construction of 38 no. residential units, (19 no. 2-bed apartments and 19 no. 3-bed apartments) in 5 no. new blocks of 3-storeys in height.</p> <p>The development would include all ancillary drainage works and connections to the public foul water and mains water system. Car parking would be provided at surface level, and no deep excavations would be required.</p> <p>Site clearance works would be carried out. No major demolition would be required. Natural resources would be used in the construction of the development through materials and the use of the brownfield site.</p> <p>There are no major risks and/or disasters that are relevant to the development and the risks to human health would be from accidents occurring during the construction stage.</p>
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	<p>The development site is a brownfield site in an urban area. It is currently in use as a storage area for construction materials and machinery. There is residential development to the south, west and east with some mixed-use commercial development to the north.</p> <p>There are no water courses running through the site.</p> <p>The site is not designated as a Natural Heritage Area (NHA) or a Proposed NHA (pNHA). It is not designated as a European site and does not adjoin a designated site.</p> <p>There is a protected structure on the adjoining site to the west.</p> <p>It is not located within a designated Architectural Conservation Area or within an area of archaeological interest and does not contain any National Monuments.</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>The site has been substantially cleared of vegetation. Treelines on adjoining property are in place along the western site boundary. An existing evergreen hedge along the northern site boundary would be retained.</p> <p>An Arboricultural Report was submitted with the application. The overall visual impact will be mitigated through the implementation of a landscaping plan and by planting new trees on the site.</p> <p>During the construction phase noise, dust and vibration emissions are likely. However, any impacts would be local and temporary in nature, and the implementation of standard construction practice measures would satisfactorily mitigate potential impacts. Impacts on the surrounding road network at construction stage can be mitigated by way of adherence to a Construction Management Plan. No significant impacts on the surrounding road network are considered likely at operational stage.</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.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)