

## TIPPERARY COUNTY COUNCIL

### Planning Report

Planning & Development Acts 2000 as amended  
Planning & Development Regulations 2001 as amended

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<b>Planning Ref.:</b>	Pl. Ref. No. 23/60047
<b>Applicant:</b>	Singland Homes Ltd
<b>Application Type:</b>	Permission
<b>Development Address:</b>	Springfort Meadows, Nenagh, Co. Tipperary
<b>Proposed Development:</b>	18 no. 2 storey residential units, organised into 6 no. terraces, consisting of; 1 no. 4 bed dwelling, 10 no. 3 bed dwellings and 7 no. 2 bed dwellings; and all ancillary siteworks including car parking, site boundary, drainage and site services
<b>Date of Site Visit:</b>	23 <sup>rd</sup> February 2023
<b>Site Notice:</b>	Adequately displayed

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#### **1. SITE LOCATION & DESCRIPTION:**

The site measures 0.380ha and is located within the residential development of Springfort Meadows in Nenagh town and is accessed from the regional road R445. The site is bounded to the north and south by existing dwellings and consists of an undeveloped vacant green site within the existing residential area.

#### **2. PROPOSED DEVELOPMENT:**

The applicant has proposed to construct 18 no. dwelling houses. The residential units will consist of 6 no. terraces as follows:

- 10 no. 3 bed dwellings
- 1 no. 4 bed dwelling
- 7 no. 2 bed dwellings

The housing mix includes for 2, 3 and 4 bed dwellings.

The existing residential development two main public open space areas and the proposed site is partly utilised as open space also.

#### **3. RELEVANT PLANNING HISTORY:**

##### **On site:**

18/601348 (ABP ref. ABP-303620-19)

Modified decision by ABP - the construction of 22 no. houses, consisting of 12 no. x 4 bedroom/two storey houses, 8 no. x 4 bedroom/two storey houses and 2 no. x 2 bedroom/single storey houses and all associated site works. The development will be within 4 no. existing vacant plots, (i) Plot A incorporating existing site numbers 25, 26, 27, 28, 29, 30; (ii) Plot B incorporating existing site numbers 18, 19; (iii) Plot C incorporating existing site

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numbers 43, 44, 45, 46; Plot D incorporating existing site numbers 112, 113, 114, 115, 116, 117, 118, 119, 120, 121 & 122 and all associated ancillary siteworks

**Adjoining Lands:** None relevant

**Enforcement:** None

**Pre-Planning:** PP8801      Pre-planning meeting held with Carmel Daly

#### **4. INTERNAL & PRESCRIBED BODIES REFERRALS**

The file was referred to the following:

- Nenagh District Engineer
- Water Services
- Irish Water
- Housing Section

A response was received from the District Engineer on 7<sup>th</sup> March 2023 and is summarised as follows:

- Nenagh MD Roads have reviewed this submission and would condition as follows;
  - o As the Condition of the existing estate roads is rated a 10 on the PSCI there is a requirement to reinstate the existing estate roads to lane width in accordance with submitted road construction details where excavations are required to facilitate service / utility connection in footpaths and roads.
  - o Existing estate roads between 23-31 to be completed in accordance with submitted road construction details.

Contents of internal report is noted.

#### **5. OTHER OBSERVATIONS/SUBMISSIONS**

17 no. submissions received from the following:

- Patrick Devenny & Maria Devenny
- Marek & Monika Karpiak
- Katarzyna Artur Aksamit
- Aidan Manicle and Natalie Byrne
- Pearl & PJ Corcoran
- Mairead Redmond and Peter Malone
- Jim and Teresa Quinn
- John & Eleanor Hayes
- Declan & Roisin O'Dowd
- Brian & Elaine O'Brien
- Thomas O' Connor
- Fiona O'Leary & Paudie O'Leary
- Breda Deane
- Dearan & Eire O'Gorman
- Jeary Lee & Sarah Boland
- Mike Hogan
- Daniel Corbett

The issues raised are summarised below:

- Storage of waste in terrace dwellings
- Disruption during construction phase including noise disruption
- Traffic congestion
- Loss of green space for existing dwellings resulting in public open space under 15%

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- Design of dwellings not in keeping with surrounding area
- Social housing
- Disruption to existing roads and footpaths
- Density not appropriate
- Visual impact
- Traffic and pedestrian safety
- Compliance with building regulations
- Capacity of existing services to accommodate dwellings
- Shortfall in car parking
- Impact on residential amenity
- Finishes not in keeping with existing dwellings
- No public consultation
- Site previously zoned for low density
- Anti social issues

The contents of all observations/submissions received have been considered in the assessment of this planning application as set out under Section 8 below.

## **6. REPRESENTATIONS**

None received.

## **7. PLANNING POLICY OVERVIEW**

**Nenagh Town and Environs Development Plan 2013, as varied:**

The site is zoned Existing Residential, the development objective of which is to:  
To protect and enhance existing Residential areas

### **Policy SC2: New Housing Development**

It is the policy of the Councils to require that new residential development conform to the Sustainable Urban Guidelines for Planning Authorities, 2008 (and associated Urban Design Manual) and the Development Management Standards for new residential development contained in Chapter 9 'Development Management and Design Standards'.

### **Policy SC4: Design Statements**

It is the policy of the Councils to require that proposed residential developments of 5 units or more are accompanied by a detailed design statement. The design statement shall present a coherent concept for the development, taking into account standards and guidance contained in Chapter 9 'Development Management and Design Standards'.

### **9.3 Infill Development and Apartments**

The Councils', in areas within existing residential development and mixed use development in the town centre, will require the following guidelines to be met:

- Site density, coverage and open space will be considered on a site specific basis to permit development to integrate with the existing adjoining development. The development management standards set out in Section 9.2 may be relaxed depending on the site specific circumstances.
- Design, height, scale, materials and finishes should be compatible with existing adjacent properties.
- Boundary treatment should ensure an effective screen between proposed and existing development.
- Private open space should provide for bin and fuel storage areas.
- Car parking provisions shall be in accordance with standard outlined in this chapter. In cases where this is not possible, a contribution to the Councils' toward the provision or improvement of alternative car parking will be required.

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The Councils' will require that a development proposing four or more dwellings incorporates a minimum of 15% of the gross site area as useable public open space.

**Table 9.2 Private Open Space Dwellings**

3-4 bed 65 sq.m.  
1-2 bed 48 sq.m.

The provision of private open space for apartment developments will require a more innovative approach. Private open space should be provided in the form of communal landscaped courtyards, roof gardens, balconies or winter gardens (glass screened areas separated from living areas).

**Overlooking**

Residential development shall be designed to ensure sufficient privacy for occupants. In general, the Councils' will require a separation distance of 22m between first floor rear opposing windows. The Councils' may consider accepting a reduced standard subject to innovative design measures for window design, orientation of building and habitable spaces.

**Table 9.5 Car Parking Standards**

Dwelling (up to 3-bedrooms) 1 space per dwelling unit

**9.8 Traffic and Road Safety**

The Councils' will require that safe access and egress is provided to all new development and safe sightlines are in place.

**Best Practice Guidelines for Delivering Homes Sustaining Communities:**

Table 5.1: Space provision and room sizes for typical dwellings

DWELLING TYPE	TARGET GROSS FLOOR AREA	MINIMUM - MAIN LIVING ROOM	AGGREGATE LIVING AREA	AGGREGATE BEDROOM AREA	STORAGE
	(m <sup>2</sup> )	(m <sup>2</sup> )	(m <sup>2</sup> )	(m <sup>2</sup> )	(m <sup>2</sup> )
<b>Family Dwellings - 3 or more persons</b>					
4BED/7P House (3 storey)	120	15	40	43	6
4BED/7P House (2 storey)	110	15	40	43	6
4BED/7P House (1 storey)	100	15	40	43	6
4BED/7P Apartment	105	15	40	43	11
3BED/6P House (3 storey)	110	15	37	36	6
3BED/6P House (2 storey)	100	15	37	36	6
3BED/6P House (1 storey)	90	15	37	36	6
3BED/6P Apartment	94	15	37	36	10
3BED/5P House (3 storey)	102	13	34	32	5
3BED/5P House (2 storey)	92	13	34	32	5
3BED/5P House (1 storey)	82	13	34	32	5
3BED/5P Apartment	86	13	34	32	9
3BED/4P House (2 storey)	83	13	30	28	4
3BED/4P House (1 storey)	73	13	30	28	4
3BED/4P Apartment	76	13	30	28	7
2BED/4P House (2 storey)	80	13	30	25	4
2BED/4P House (1 storey)	70	13	30	25	4
2BED/4P Apartment	73	13	30	25	7
2BED/3P House (2 storey)	70	13	28	20	3
2BED/3P House (1 storey)	60	13	28	20	3
2BED/3P Apartment	63	13	28	20	5

## 8. PLANNING APPRAISAL

### a) Policy Compliance

The proposed site is zoned Existing Residential and therefore is considered acceptable in principle.

The proposed density is 47 units per ha. The Sustainable Residential Development in Urban Areas-Guidelines for Planning Authorities published in 2009 (Department of Environment, Heritage and Local Government) recommends that densities of 35-50 dwellings per hectare be encouraged in such locations and development density less than 30 units per ha should be discouraged in the interests of land efficiency. I consider that the proposed development density of 47 units/ha is considered acceptable having regard to the overall development.

### b) Design/Layout

In terms of the design of the estate I note as follows;

- The applicant has provided a separation distance of 22 metres between directly opposing transparent windows at first floor level. I am satisfied the proposed development does not pose an issue for overlooking or overshadowing of existing

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properties and generally achieves the appropriate separation distance in relation to overlooking etc.

- The applicant has proposed a rendered finish with a slate/tiled roof in the design statement, however the front elevations a partial brick and render finish. Bearing in mind the existing finishes to the overall housing development. The applicant will be conditioned regarding same should permission be granted. The mix of brick and render finish is considered acceptable having regard to the design of surrounding dwellings.
- I note the applicant has detailed the minimum floor areas of the dwellings on the floor plans and same comply with the minimum standards in terms of storage areas, size of living area and bedrooms.
- I note there is adequate private open space to the rear of the proposed dwellings.

The Nenagh Town and Environs Development Plan 2013, as varied, requires at least 15% of the site area for public open space. The applicant has not detailed the level of public open space available in the overall residential development. The open space provision comprises two main areas and it is noted public open space area is required to be integrated into the overall development, overlooked with passive surveillance and include for natural landscaping features where possible. It is noted the proposed site is not fully utilised as open space as a portion of it is overgrown. Further information will be requested in relation to the quantum of open space in the overall development.

It is a requirement to provide a satisfactory mix of dwellings and extendible/flexible housing that can accommodate change over their life cycle. The applicant has included a mix of dwelling types. I am satisfied the units are extendable given the size of the rear gardens and can cater for all stages of life.

The applicant has proposed refuse storage to the front of the proposed terrace style dwellings. The design and layout of same is considered acceptable.

The applicant has provided details of the boundary treatment along front, rear and side boundaries. The boundaries at the end of each terrace block and along the boundary with the estate road consist of 2m high blockwork walls. The applicant has proposed 1.8m high wall between the proposed dwellings rear gardens. The proposed boundary treatments are considered acceptable.

It is noted concerns have been raised with regard to disruption to the area during construction. A condition will be attached to any grant of permission with regard to construction environmental management plan and including construction hours and rectifying any damage to roads etc as per District Engineer's report.

c) Services:

Roads and car parking: Existing entrance to be utilised.

The applicant has provided 29 no. car parking spaces. There is a requirement to provide 1 space per 3 bed dwelling and 2 spaces per 4 bed dwelling. I am satisfied the proposals are acceptable.

It is noted the District Engineer has not raised any concerns with regard to traffic or pedestrian safety and on this basis I am satisfied there is no issue regarding same.

Water Supply: Existing public mains

Waste Water Treatment: Existing public sewer

Surface Water: Public sewer/drain

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d) Part V: Part V is applicable and an agreement in principle has been submitted. Section 97 Exemption Cert submitted - No.

e) Environmental Impact Assessment (EIA):

Mandatory EIA is required under Class 10 (b) (i) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended for construction of more than 500 dwelling units. The proposal is for 18 dwellings and is significantly below the mandatory threshold. I have undertaken a preliminary examination of the development that concludes that EIA is not required (See attached).

Furthermore the proposal is not likely to have a significant effect on the environment, having regard to the criteria set out in Schedule 7 of the Planning and Development Regulations 2001 as amended.

f) Appropriate Assessment (AA):

The proposed development has been screened as to the requirement for AA and it has been determined that AA is not required. See Screening Report attached.

g) Flood Risk; None identified on site.

#### 9. **FURTHER INFORMATION**

Further information is required to address the following;

- Open space provision
- Design statement

#### 10. **DEVELOPMENT CONTRIBUTIONS**

Development Contributions will be levied in accordance with Class 2 of the Tipperary County Council Development Contribution Scheme 2020 should planning permission be granted.

#### 11. **CONCLUSIONS/RECOMMENDATION**

Having examined the plans and particulars submitted with the planning application and the foregoing matters, it is recommended that; Further Information be requested as set out below;

Request Further Information in accordance with Article 33 as follows;

1. The applicant is requested to provide details in relation to the quantum of public open space in the overall development. The applicant is advised of the requirement to provide 15% open space within residential development as per the Nenagh Town and Environs Development Plan 2013, as varied.

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2. It is the policy of the Councils to require that proposed residential developments of 5 units or more are accompanied by a detailed design statement. The applicant is requested to submit a design statement which shall present a coherent concept for the development, taking into account the existing housing development and the standards and guidance contained in Chapter 9 'Development Management and Design Standards' the Nenagh Town and Environs Development Plan 2013, as varied.

District Planner:



Date: 09/03/23

Senior Executive Planner:



Date: 10/03/2023

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## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

### STEP 1. Description of the project/proposal and local site characteristics:

(a) File Reference No:	23/60047
(b) Brief description of the project or plan:	18 no. dwellings
(c) Brief description of site characteristics:	Greenfield site in existing residential development
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	None

### STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

European Site (code)	List of Qualifying Interest/Special Conservation Interest <sup>1</sup>	Distance from proposed development (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Silvermines Mt SAC	<a href="https://www.npws.ie/protected-sites/sac/000939">https://www.npws.ie/protected-sites/sac/000939</a>	Within 15km	None	No
Bolingbrook Hill SAC	<a href="https://www.npws.ie/protected-sites/sac/002124">https://www.npws.ie/protected-sites/sac/002124</a>	Within 15km	None	No
Keeper Hill SAC	<a href="https://www.npws.ie/protected-sites/sac/001197">https://www.npws.ie/protected-sites/sac/001197</a>	Within 15km	None	No
Lough Derg NE Shore SAC	<a href="https://www.npws.ie/protected-sites/sac/002241">https://www.npws.ie/protected-sites/sac/002241</a>	Within 15km	None	No

### STEP 3. Assessment of Likely Significant Effects

(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
<b>Construction phase e.g.</b> <ul style="list-style-type: none"> <li>Vegetation clearance</li> <li>Demolition</li> <li>Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>Dust, noise, vibration</li> <li>Lighting disturbance</li> </ul>	None.

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<ul style="list-style-type: none"> <li>• Impact on groundwater/dewatering</li> <li>• Storage of excavated/construction materials</li> <li>• Access to site</li> <li>• Pests</li> </ul>			
<b>Operational phase e.g.</b> <ul style="list-style-type: none"> <li>• Direct emission to air and water</li> <li>• Surface water runoff containing contaminant or sediment</li> <li>• Lighting disturbance</li> <li>• Noise/vibration</li> <li>• Changes to water/groundwater due to drainage or abstraction</li> <li>• Presence of people, vehicles and activities</li> <li>• Physical presence of structures (e.g. collision risks)</li> <li>• Potential for accidents or incidents</li> </ul>	None.		
<b>In-combination/Other</b>	None.		
<b>(b) Describe any likely changes to the European site:</b>			
Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> <li>• Reduction or fragmentation of habitat area</li> <li>• Disturbance to QI species</li> <li>• Habitat or species fragmentation</li> <li>• Reduction or fragmentation in species density</li> <li>• Changes in key indicators of conservation status value (water or air quality etc.)</li> <li>• Changes to areas of sensitivity or threats to QI</li> <li>• Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	None.		
<b>(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b>			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>STEP 4. Screening Determination Statement</b>			
<b>The assessment of significance of effects:</b>			
Describe how the proposed development (alone or in-combination) is/is <b>not likely</b> to have <b>significant</b> effects on European site(s) in view of its conservation objectives.			
The proposed development is not likely to have significant effects.			
<b>Conclusion:</b>			
	<table border="1"> <tr> <td><b>Tick as Appropriate:</b></td> <td><b>Recommendation:</b></td> </tr> </table>	<b>Tick as Appropriate:</b>	<b>Recommendation:</b>
<b>Tick as Appropriate:</b>	<b>Recommendation:</b>		

(i) It is clear that there is <b>no likelihood</b> of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.	
(ii) It is <b>uncertain</b> whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission	
(iii) <b>Significant effects</b> are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission	
<b>Signature and Date of Recommending Officer:</b>	Carmel Daly	<b>Date:</b>	09/03/23

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EIA Preliminary Examination:			
The planning authority shall carry out a preliminary examination of, at the <b>least, the nature, size or location of the development.</b>			
	Comment:	Yes/No/ Uncertain:	
<b>Nature of the development:</b> <i>Is the nature of the proposed development exceptional in the context of the existing environment?</i>  <i>Will the development result in the production of any significant waste, or result in significant emissions or pollutants?</i>		No	
<b>Size of the development:</b> <i>Is the size of the proposed development exceptional in the context of the existing environment?</i>  <i>Are there cumulative considerations having regard to other existing and/or permitted projects?</i>		No	
<b>Location:</b> <i>Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?</i>  <i>Does the proposed development have the potential to affect other significant environmental sensitivities in the area?</i>		No	
Preliminary Examination Conclusion:			
Based on a preliminary examination of the <b>nature, size or location</b> of the development. (Tick as appropriate)			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
There is <b>no real likelihood</b> of significant effects on the environment.  EIA is not required.	There is <b>real likelihood</b> of significant effects on the environment.  An <b>EIAR is required.</b>	There is <b>significant and realistic doubt</b> regarding the likelihood of significant effects on the environment.  Request the applicant to submit the <b>Information specified in Schedule 7A</b> for the purposes of a screening determination.  Proceed to Screening Determination.	
Signature and Date of Recommending Officer:		Carmel Daly	Date: 09/03/23

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