



**ARMSTRONG
FENTON**
ASSOCIATES

PROJECT: Strategic Housing Development

PLANNING STATEMENT for proposed residential development at Rathgowan, Mullingar, Co. Westmeath.

CLIENT: DSPL Ltd

DATE: June 2022

**Planning &
Development
Consultants**



| TABLE OF CONTENTS | | PAGE |
|--------------------------|--|-------------|
| 1.0 | Introduction | 3 |
| 2.0 | Site Location & Description | 4 |
| 3.0 | Pre-planning Consultation | 5 |
| 4.0 | Planning History & Context | 12 |
| 5.0 | Proposed Development | 16 |
| 6.0 | Physical Infrastructure | 32 |
| 7.0 | Part V Proposal | 36 |
| 8.0 | Protected Structures | 36 |
| 9.0 | Likely Significant Effects on the Environment | 37 |
| 10.0 | Archaeology | 37 |
| 11.0 | Appropriate Assessment | 39 |
| 12.0 | Ecological Impact Assessment | 41 |
| 13.0 | Conclusion | 42 |



1.0 Introduction

1.1 Purpose of Statement

This Planning Statement has been prepared on behalf of DSPL Ltd (the Applicant) to accompany drawings and details put forward as part of a planning application to An Bord Pleanála for a Strategic Housing Development, on lands located at Rathgowan, Mullingar, Co. Westmeath.

The proposed development comprises a Strategic Housing Development as defined within Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016. The Planning Statement has been prepared in accordance with the requirements of the Planning and Development (Strategic Housing Development) Regulations 2001 (as amended).

The purpose of this Planning Statement is to provide background information on the site, a description of the proposed development and the required Statements of Consistency to support the proposal. This Planning Statement along with an accompanying Statement of Consistency should be read in conjunction with the drawings, technical reports and documents listed within the enclosed Cover Letter by Armstrong Fenton Associates.

1.2 Accompanying Documents

Section 8(1)(a)(iv)(I) of the Planning and Development (Housing) and Residential Tenancies Act 2016 provides that the applicant is to submit a statement setting out how the proposal will be consistent with the objectives of the relevant development plan or local area plan. In accordance with same, this Planning Statement is accompanied by a Statement of Consistency, prepared by Armstrong Fenton Associates, which is submitted with the application as a separate standalone document, and should be read in conjunction with same.

Section 8(1)(a)(iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016 also directs an applicant for Strategic Housing Development to submit a statement indicating why permission should be granted in cases where a development proposal will materially contravene the relevant development plan and/or local area plan other than in relation to the zoning of the land. In accordance with same, this Planning Statement is accompanied by a Material Contravention Statement, prepared by Armstrong Fenton Associates, which is submitted with the application as a separate standalone document, and should be read in conjunction with same.

The subject application is also supported by a comprehensive range of additional documentation, drawings, technical reports, and details, prepared by the various disciplines of applicant's design team. This Planning Statement should be read in conjunction with all the supporting documentation, drawings, technical reports, and details, submitted as part of the subject application, a full schedule of which can be found in the Cover Letter prepared by Armstrong Fenton Associates which accompanies the application.

1.3 Application Distribution

In accordance with the requirements of the Planning and Development (Strategic Housing Development) Regulations 2017, the application has been distributed as follows:

- **An Bord Pleanála** - 2 no. printed copies & 3 no. digital copies submitted (on USB sticks)
- **Westmeath County Council** - 6 no. printed copies & 1 no. digital copy submitted (on USB stick)



Furthermore, An Bord Pleanála's Notice of Pre-Application Consultation Opinion directed the applicant send copies of the application to 3 no. prescribed bodies as follows:

1. Irish Water.
2. Transport Infrastructure Ireland.
3. National Transport Authority
4. Westmeath County Childcare Committee

Prior to the submission of the application, each of the above-named prescribed bodies were contacted directly and asked if, given the Covid-19 pandemic and associated working restrictions related to same, if 1 no. digital copy only of the application would be sufficient for their assessment of the application. It should be noted that each of the prescribed bodies have been sent a softcopy of the application only (i.e. usb) as well an email link to the dedicated website set up for this application at www.rathgowanshd.ie

2.0 Site Location and Description

The subject site is a greenfield site, is located approximately 1.5km west of Mullingar town centre, at Rathgowan (in the townland of Rathgowan or Farranshock). The application site is approx. 6.37Ha in area on the western edge of Mullingar, and is located east of the R394, which is known as the Mullingar Western Relief Road and south of the R393 Ashe Road. To the west and south of the application site is existing housing at Rathgowan Wood/Rathgowan Park and Ardilaun Heights respectively. Vehicular access to the proposed development is via the existing internal access road within Rathgowan Park which is directly connected to the R394 and with existing semi-detached houses in Rathgowan Park facing onto this internal access road. On the western boundary, there is a ringfort with an associated zone of notification.

The site is irregular in shape and is almost split into two parcels, comprising of (i) a larger consolidated site to the northern quadrant off the roundabout on the R394, which extends northwards to the R393 and (ii) a smaller parcel off the south-western quadrant of the roundabout junction on the R394.

To the south, on the opposite side of the R394 is the Mullingar Educate Together National School, with a small local centre next door accommodating a local shop (Spar), Supermacs/Papa Johns restaurant and a butcher. Additional community facilities including religious and sport/recreational uses (e.g. Mullingar Harriers Athletics Club) are located in the vicinity, to the south-east off Grange Crescent.



Fig. 1 – Subject site identified & outlined by the solid red line

3.0 Pre-planning Consultation

3.1 Section 247 Pre-planning Consultation

A Section 247 pre-planning meeting took place with Westmeath County Council (hereafter WCC) on 25th May 2021.

The proposed development was discussed in detail at this meeting with the applicant's agents represented, as well as representatives of WCC's Planning, Drainage and Roads Departments. Feedback from this pre-planning meeting is incorporated into the design and layout of the proposed development.

3.2 Pre-Application Consultation with An Bord Pleanála

A tri-partite Pre-Application Consultation with An Bord Pleanála, under Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016, was held online via Microsoft Teams on 25th February 2022. This meeting was chaired by Tom Rabbette of An Bord Pleanála. The case reference for this meeting is ABP-312089-21.

The main topics for discussion at the tri-partite meeting included (i) the proposed development strategy including open space strategy, location of the apartments, urban design response to the R394, (ii) traffic and transport matters including Active Travel, interaction with the R394, and DMURS.



3.3. An Bord Pleanála's Pre-Application Consultation Opinion

The An Bord Pleanála's Notice of Pre-Application Consultation Opinion (hereafter the 'Opinion') was received on 15th March 2022 under Case Reference ABP-312089-21.

Enclosed with the application is a separate document prepared by Armstrong Fenton Associates entitled 'Statement of Response to An Bord Pleanála's Notice of Pre-Application Consultation Opinion'. This document fully addresses all of the matters raised in the Opinion – for full details please refer to same. For convenience, a summary of the matters raised in the Opinion is outlined as follows:

The Opinion considered that 2 no. issues needed to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for Strategic Housing Development, as follows:

1. Design Strategy

Further consideration and/or justification of the documents as they relate to the design approach of the proposed development and the need for a high quality, strong urban edge which integrates effectively along the R394. The further consideration/ justification should address the matters of the configuration, the layout and the architectural approach at the roundabout with particular emphasis on the appropriate elevational treatment of any buildings, boundary treatment and provision of high-quality public realm. Particular regard should be had 12 criteria set out in the Urban Design Manual which accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (May 2009) and the requirement for good design and the inclusion of a sense of place. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

Summarised Response: Fig. 2 overleaf illustrates the site layout plan submitted to An Bord Pleanála for pre-application consultation whereby 2 no. 4-5 storey apartment building were proposed at the northern end of the site. The southern part of the site, at the entrance to the development and addressing the R394 was characterised by the crèche and two storey housing. Fig. 3 represents the current layout being put forward for permission, having been revised taking into account the discussions held at the tri-partite meeting and the details set out in the Opinion. The proposed development now includes a 4 storey apartment building to the front of the site addressing the R394, thus creating a strong urban edge / streetscape in this highly visible location.

An architectural design statement has been prepared by the project architect, BKD, with details of the how the proposed development complies with the 12 criteria set out in the Urban Design Manual which accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (May 2009) contained in same as well as the accompanying Statement of Consistency – please refer to both documents.



Fig. 2 – Site Layout Plan submitted to An Bord Pleanála for pre-application consultation under Ref. ABP-312089-21

2. Permeability & Connectivity

Further consideration and/or justification of the documents as they relate to the permeability and connectivity both across the R394, between the existing residential estates and throughout the site. In this regard further consideration of the connectivity shall incorporate the provision of appropriate play facilities, landscaped areas, boundary treatments and pedestrian/ cycle ways throughout the site clearly delineating public, semi-private and private spaces, having regard to the requirements of Design Manual for Urban Roads and Streets (DMURS), the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2020) and 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (2009). Further consideration of these and the following issues may require an amendment to the documents and/or design proposals submitted to reflect the design solution to the movement of pedestrian/cyclist across the R394 and the prioritisation of pedestrian/cycle activity within the subject site.

Summarised Response: The proposed development provides for a toucan crossing across the R394, which is included in the red line of application. This proposal has been agreed in principle with the Planning Authority and a letter of consent to propose same within this application issued by Westmeath County Council (dated 24th June 2022) which is enclosed. The proposed toucan crossing is detailed on the submitted Punch Engineering "Proposed Roads Layout" drawing no. 0401 – please refer to same.



Punch Engineering has also prepared the submitted report titled “Movement & Connectivity and Illustration of compliance with Design Manual for Urban Roads and Streets 2019 & The National Cycle Manual 2011”. Section 6 of same (page 15) provides details of the proposed pedestrian and cycle environment, asserting that there are existing cycle facilities along the adjacent R394 consisting of narrow cycle lanes within the carriageway extents. The proposed development facilitates connection to and improved permeability with these existing cycle lanes in advance of planned road improvement works being advanced by Westmeath County Council. The development will create a cycleway (designed in compliance with the NCM) along development’s north/south axis. Cyclists will utilise the roads within the site for development access with subsequent dispersement to the wider road network. This interaction is illustrated in the proposals for an indicative Toucan Crossing at the interface of the development and existing cycle network facilities, i.e. Punch Engineering “Proposed Roads Layout” drawing no. 0401. Punch Engineering states that at junctions between the local streets, uncontrolled pedestrian crossings have been provided at regular strategic intervals to facilitate pedestrians and cyclists along key desire lines. Raised pedestrian crossings and speed tables at junctions have been provided at other strategic points to provide traffic calming effect through this vertical deflection.



Fig. 3 – Proposed Site Layout Plan now put forward for permission

This application for permission is also accompanied by detailed landscaping proposals prepared by RMDA Landscape Architects, which include play facilities, landscaping details and plans including boundary treatments - please refer to same.



The Opinion identifies eleven items of additional specific information that are to be submitted with any application for permission, which are as follows:

1. *A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, pathways, entrances, boundary treatment/s and retail/ crèche area. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development. The documents should also have regard to the long-term management and maintenance of the proposed development and a life cycle report for the apartments in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).*
2. *Submission of a Road Safety Audit.*
3. *Submission of a Construction & Environmental Management Plan (CEMP) which includes the location of any construction compound, and all remediation works following the removal of the compound.*
4. *A statement DMURS compliance regarding permeability and connections with existing street network; hierarchy of routes and street function; enclosure including building frontage, furniture and planting along streets; parking; widths of carriageways and footpaths; pedestrian crossing points; and types of junctions and corner radii. The internal road layout should require measures to avoid the use of parallel roads. The submitted documents should demonstrate specific compliance with the particular stated provisions of DMURS. Generalised assertions regarding principles are not sufficient.*
5. *A zoning map which includes the land use zoning on the site with an overlay of the proposed development and all associated infrastructure works*
6. *A detailed phasing plan, including timing of delivery of the apartments, the communal and public open space and any other works associated with the proposed development.*
7. *Relevant consents to carry out works on lands both within the red line and others which are not included within the red-line boundary.*
8. *A drawing detailing all areas proposed for Taking in charge.*
9. *Submission of a Request a Mobility Management Plan.*
10. *A Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.*
11. *The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.*

Please refer to the separate submitted report titled “Statement of Response to An Bord Pleanála’s Pre-Application Consultation Opinion Ref. ABP-312089-21” for full details of the applicant’s response to the eleven items above. The following is a summary of same:



| Item No. | Item Requested | Method of Response |
|----------|--|---|
| 1 | <p><i>A report that specifically addresses the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, pathways, entrances, boundary treatment/s and retail/ crèche area. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development. The documents should also have regard to the long-term management and maintenance of the proposed development and a life cycle report for the apartments in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).</i></p> | <p>BKD Architects have prepared the submitted Architectural Design Statement while RMDA Landscape Architects have prepared the submitted Landscape Rationale, with both documents detailing the proposed materials and finishes to the scheme.</p> <p>A Building Life Cycle report prepared by Armstrong Fenton Associates has also been prepared and is submitted as a separate document – please refer to same.</p> |
| 2 | <p><i>Submission of a Road Safety Audit.</i></p> | <p>Refer to the submitted Stage 1 & 2 Road Safety Audit prepared by Brunton Consulting Engineers.</p> |
| 3 | <p><i>Submission of a Construction & Environmental Management Plan (CEMP) which includes the location of any construction compound, and all remediation works following the removal of the compound.</i></p> | <p>Please refer to the submitted Construction & Environmental Management Plan (CEMP) prepared by Ayrton Group.</p> |
| 4 | <p><i>A statement DMURS compliance regarding permeability and connections with existing street network; hierarchy of routes and street function; enclosure including building frontage, furniture and planting along streets; parking; widths of carriageways and footpaths; pedestrian crossing points; and types of junctions and corner radii. The internal road layout should require measures to avoid the use of parallel roads. The submitted documents should demonstrate specific compliance with the particular stated provisions of DMURS. Generalised assertions regarding principles are not sufficient.</i></p> | <p>Please refer to the submitted report prepared by Punch Engineering “Movement & Connectivity and Illustration of compliance with Design Manual for Urban Roads and Streets 2019 & The National Cycle Manual 2011”.</p> <p>The submitted Landscape Rationale prepared by RMDA Landscape Architects also illustrates the roads hierarchy and finishes.</p> |
| 5 | <p><i>A zoning map which includes the land use zoning on the site with an overlay of the proposed development and all associated infrastructure works</i></p> | <p>BKD Architects have prepared the submitted drawing no. P-006 “Land Zoning & Infrastructure”.</p> |
| 6 | <p><i>A detailed phasing plan, including timing of delivery of the apartments, the communal and public open space and any other works associated with the proposed development.</i></p> | <p>Please refer to the submitted BKD drawing no. P-004 “Proposed Construction Phases” and please also refer to section 5.22 of this report for further details of the proposed phasing of the development.</p> |



| | | |
|----|--|--|
| 7 | <i>Relevant consents to carry out works on lands both within the red line and others which are not included within the red-line boundary.</i> | Westmeath County Council has issued the applicant with 2 no. letters of consent (dated 23 rd & 24 th June 2022) which are submitted and provide the necessary consent to seek permission for works/development that are on lands that are not in the control of the applicant. |
| 8 | <i>A drawing detailing all areas proposed for Taking in charge.</i> | BKD Architects have prepared the submitted drawing no. P-005 "Taking In Charge" which illustrates the areas that will be proposed to be taken in charge and areas that will be subject to a management company - please refer to same. |
| 9 | <i>Submission of a Request a Mobility Management Plan</i> | Please refer to the submitted report prepared by Punch Engineering "Mobility Management Plan". |
| 10 | <i>A Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.</i> | Digital Dimensions have prepared the submitted report "Sunlight/Daylight/Overshadowing" and demonstrates that the proposed apartments comply with the most up to date BRE Guidance. |
| 11 | <i>The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.</i> | Enviroguide Consulting has prepared the submitted EIAR Screening Report and article 299B(1)(b)(ii)(II) and article 299B(1)(c) Statement – please refer to same. |

3.4 The Opinion also directed the applicant send copies of the application to 4 no. prescribed bodies as follows:

1. Irish Water.
2. Transport Infrastructure Ireland.
3. National Transport Authority
4. Westmeath County Childcare Committee

Each of these prescribed bodies has been provided with a copy of the application as required.

3.5 It is considered that the application now submitted to An Bord Pleanála for assessment appropriately addresses all the issues raised at the pre-application consultation, and in the Opinion, and contains all of the requested items of specific additional information as appropriate. Having regard to relevant national, regional, and local planning policy, the zoning objective attached to the site, the contextual location of the site, the development now put forward for permission is considered to represent a sustainable development and efficient use of an underutilised site, zoned for new residential development.



4.0 Planning History & Context

Set out below is a synopsis of the planning context and history attached to the site, with further details of the planning context set out in the accompanying Statement of Consistency – please refer to same for further details.

4.1 Planning Context

4.1.1 Westmeath County Development Plan 2021 – 2027

Mullingar is the County town, which is recognised by the Westmeath County Development Plan 2021-2027 (hereafter CDP). In its Core Strategy (chapter 2), the CDP reasserts the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland region designation of Mullingar as a Key Town, which recognises that the town provides a function at a much higher level than its resident population and provides key employment and services for its extensive hinterlands. Table 2.2 of the CDP outlines the settlement hierarchy for the RSES with Key Towns such as Mullingar being described as “*Large economically active service and/or county towns that provide employment for their surrounding areas and with high-quality transport links and the capacity to act as growth drivers to complement the Regional Growth Centres*”.

Mullingar’s population in 2016 is stated as being 20,928 persons. Section 2.8.1 of the CDP sets out a settlement strategy for the County, with Mullingar targeted to grow by 12% between 2021 and 2027, with a population forecast of approx. 26,003 persons by 2027 (Table 2.6).

The Core Strategy of the CDP contains the following policy objectives with respect to Mullingar:

- **CPO 2.5:** *Support the continued growth and sustainable development of Mullingar to act as a growth driver in the region and to fulfil its role as a Key Town in accordance with the principles and policies of the RSES.*
- **CPO 2.6:** *Prepare a Local Area Plan (LAP) for Mullingar to align with the RSES and this Core Strategy.*

It is a policy objective of the Council to prepare a Local Area Plan (LAP) for Mullingar to align with the RSES and this Core Strategy. The Mullingar LAP will also identify suitable locations to facilitate higher and increased building heights in accordance with CPO 7.28.

Table 2.9 of the CDP is the Core Strategy Table which identifies Mullingar as a Tier 2 Key Town with:

- A population of 20,928 in 2016;
- A projected population of 26,003 in 2027;
- Housing yield of 1340-2010 for the lifetime of the current Plan, i.e. 2021 to 2027.

Mullingar occupies a strategic location along the N4, with excellent inter-urban links to the capital and international airport by motorway and rail. It has an existing base of both indigenous and international companies at the forefront of their field, in sectors such as engineering and consumer goods and services. The RSES states that Key Towns should seek commensurate population and employment growth, on high quality public transport corridors coupled with investment in services, amenities and sustainable transport.



4.1.2 Mullingar Local Area Plan 2014 - 2020

It is a policy objective of WCC to prepare a Local Area Plan (LAP) for Mullingar to align with the RSES and the Core Strategy of the current CDP. However, the current, relevant Local Area Plan (LAP) is the Mullingar LAP 2014-2020, but it is expected that a new LAP will be prepared in due course to comply with the more recent NPF, RSES and CDP.

The site is currently zoned “Proposed Residential” in the Mullingar Local Area Plan 2014-2020 (hereafter MLAP), with lands to the immediate east zoned “Open Space”, some of which are outlined in blue on the submitted Existing Site Plan and as per section 1.3 in the enclosed booklet “Architectural Design Rationale”. Please also refer to Fig. 5 overleaf and the submitted drawing no. P-06 “land Zoning & Infrastructure” prepared by BKD Architects.

The existing MLAP states that residential provision in Mullingar is largely concentrated to the east and west of the town and that 4,471 additional housing units are required for the period 2011-2020. Given the LAP zoning objective of “Proposed Residential”, it is considered that the current proposal is acceptable in principle.

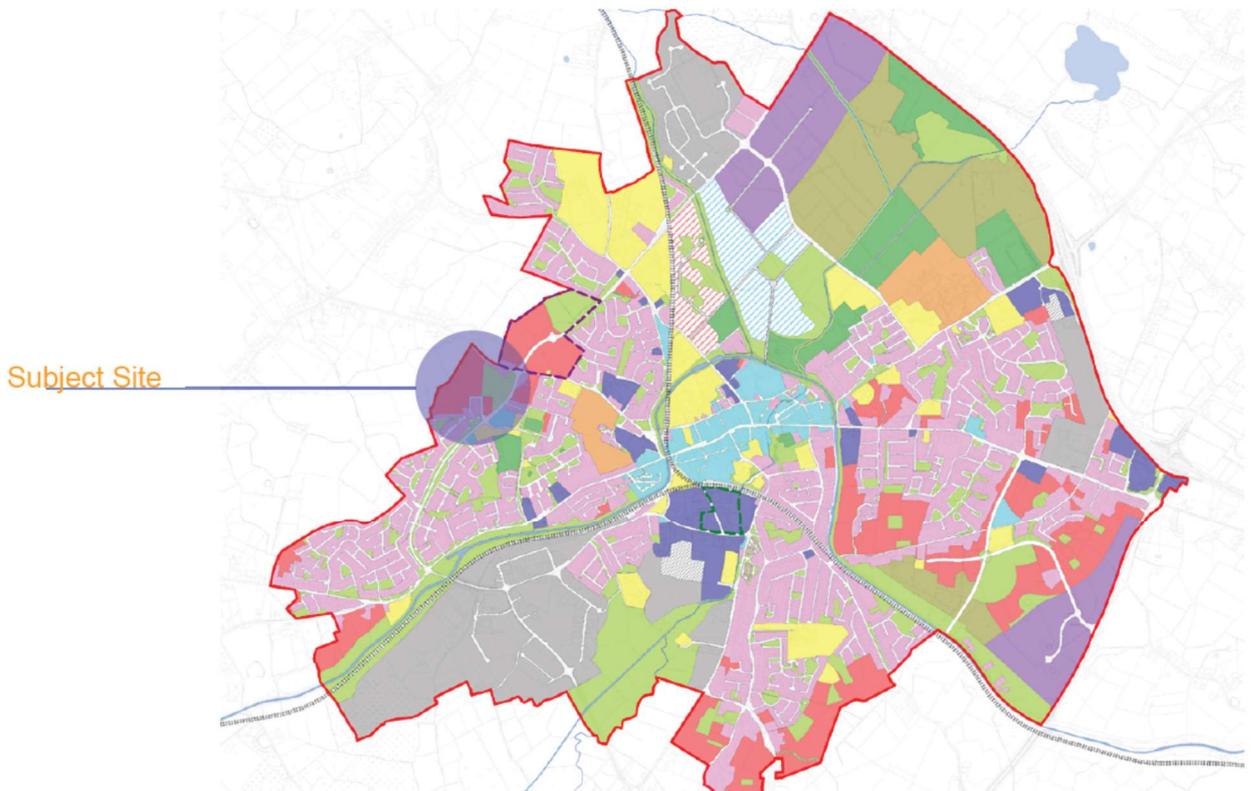


Fig. 4 –MLAP Zoning Map

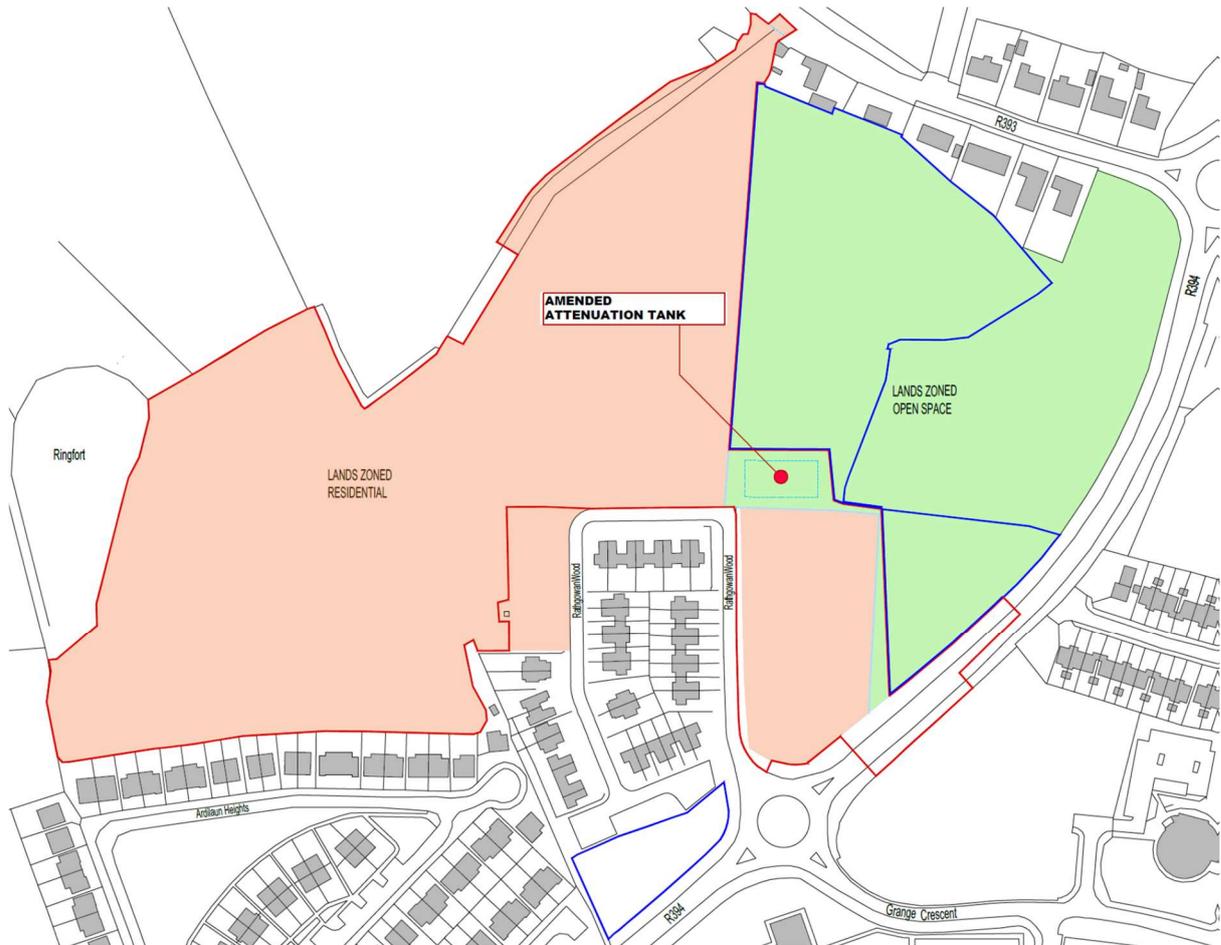


Fig. 5 –Subject application site outlined in red which includes lands zoned “Proposed Residential” & “Open Space”

4.2 Planning History

4.2.1 - Ref. 04/5226

Under Ref. 04/5526, permission was granted on 3rd November 2004, for the construction of a 350 unit development, with creche (378 sq.m) and part of the C-Ring western bypass of Mullingar. Phase 1, comprised of 42 no. dwellings was completed, and is known as Rathgowan Wood/Rathgowan Park which consists of mainly of low-density residential development in the form of semi-detached and terraced houses. The permission under Ref. 04/5526 has since expired.

4.2.2 - Ref. 05/5214

Subsequent to the parent permission being granted under Ref. 04/5526, permission was sought under Ref. 05/5214 for a change of housetype for 190 houses (together with change of unit boundaries) on part of the site and an additional 18 units (208 total) in a mixed scheme of detached, semi-detached and terraced units. Permission was refused for same by Westmeath County Council in September 2005 for two reasons which were as follows:

1. The proposed development, located on the outer periphery of the town, lacking certain public amenities and conveniences, particularly adequate childcare facilities, to accord with adopted local policy and national guidelines will represent an unsustainable development pattern contrary to section 2.3.2 of the County



Development Plan, development policies RP6 and RP7 in the Mullingar Town Plan and contrary to the proper planning and sustainable development of the area.

2. The proposed building design and styles are considered to lack design reference and context, the proposal does not reinforce a sense of place or character, lacking local distinctiveness and is considered contrary to Design Principles contained within section 2.2.3 of the County Development Plan 2002 and contrary to section 5.3 of the National Spatial Strategy for Ireland 2002-2020. The proposed development is considered contrary to the proper planning and sustainable development of the area.

The above decision was subject to a first party appeal whereby An Bord Pleanála upheld the decision to refuse permission under Ref. PL25M.214680 and issued an order to refuse permission for the following reason on 1st March 2006:

“The site of the proposed development is part of a larger site on which planning permission has been granted for an overall residential development (planning register reference number 04/5226). It is considered that the proposed development, on part of that larger site, having regard to the fragmented, poor quality open space provision, the lack of connectivity, the absence of childcare facilities and the layout, appearance and private open space provision of individual residential units, would constitute a disjointed design approach, which would provide an unsatisfactory residential environment and lack a sense of place. The proposed development would, therefore, conflict with the provisions of sections 2.2.3 and 2.3.2 of the current Westmeath County Development Plan and policies RP6 and RP7 of the current Mullingar Town Development Plan, would be detrimental to the amenities of future residents and would be contrary to the proper planning and sustainable development of the area”.

4.2.3 - Ref. 08/5019

A subsequent planning application under Ref. 08/5019 was granted permission on 3rd September 2008 for a revised housing layout relating to 248 no. houses, creche, neighbourhood shop and a medical consultant commercial office, open spaces and site works, with access from Ashe Road and the C Ring Road.

4.2.4 It appears that all previous grants of permission have expired and there is no extant permission currently in place on the subject site, notwithstanding its zoned status.



5.0 Proposed Development

5.1 Our client, DSPL Ltd intends to apply to An Bord Pleanála for permission for a strategic housing development on a site area of 6.37Ha located at Rathgowan, Mullingar, Co. Westmeath. The site is located north and east of existing housing at Ardilaun Heights and Rathgowan Wood/Rathgowan Park, north-west of the R394, which is known as the Mullingar Western Relief Road and south of the R393 Ashe Road, all in the townland of Rathgowan or Farranshock.

5.2 The proposed development will consist of 212 no. dwellings and a creche. The residential dwellings are comprised of 107 no. 2 & 3 storey houses, 86 no. 2 & 3 bed duplex units in 8 no. 3 storey blocks and 19 no. 1 & 2 bed apartments accommodated 1 no. 4 storey building, which also accommodates a crèche at ground floor level (428sq.m), with associated outdoor play area (c.258sq.m). The proposed houses consist of 31 no. 2 bed, 70 no. 3 bed and 6 no. 4 bed detached, semi-detached and terraced houses.

5.3 The proposed development provides for all associated site development works, relocation of existing underground surface water attenuation tank, surface car parking (Total: 290 no. spaces), bin & bicycle storage, public open space (c. 1.06Ha) & communal open space, hard & soft landscaping and boundary treatments, underground utilities, 3 no. substations and public lighting. Vehicular access to the development will be off the R394, via Rathgowan Park with pedestrian & cyclist access also proposed onto the R393 Ashe Road to the north.

5.4 We enclose an Architectural Design Statement, prepared by BKD Architects, which sets out the design rationale for the proposed development and how the principles of urban design have been applied to proposed layout and building typologies.

5.5 As can be seen from the enclosed site layout plan, the proposed development responds to its context by appropriately addressing the existing housing at Rathgowan Wood/Rathgowan Park and Ardilaun Heights whilst also addressing the R394. Along the south-western boundary, the proposed houses back onto existing housing at Ardilaun Heights by providing units with back gardens at this sensitive boundary. It is considered this is an improvement on the current situation whereby the existing edge is secured by the proposed housing.

5.6 The western boundary of the site is preserved, with development off-set from same due to archaeology i.e. proximity to a ringfort and a number of pre-existing wayleaves (marked yellow on the submitted site plans), but also provides for hedgerow protection along this boundary. There are existing attenuation tanks located to the north and east of Rathgowan Wood. On the north-eastern side of the subject site are lands zoned open space but the proposed housing layout addresses same providing a direct visual connection to same.

5.7 As one enters the site from the R394 at the southern boundary, on the right-hand side / to the east a 4 storey apartment building, accommodating 19 no. apartments and a creche at ground floor is proposed. The position of this building will add definition to the development, announcing the entrance into the scheme and creates a strong urban street edge at this location, directly addressing the R394. This proposed focal point also compliments the existing local centre and educational uses on the opposite side of the R394.

5.8 Open spaces are dispersed throughout the site in order to marry into existing open spaces that appear unfinished thus consolidating and rationalising same. A significant open space is provided along the western boundary with houses and duplex / apartment units overlooking it to provide active surveillance.

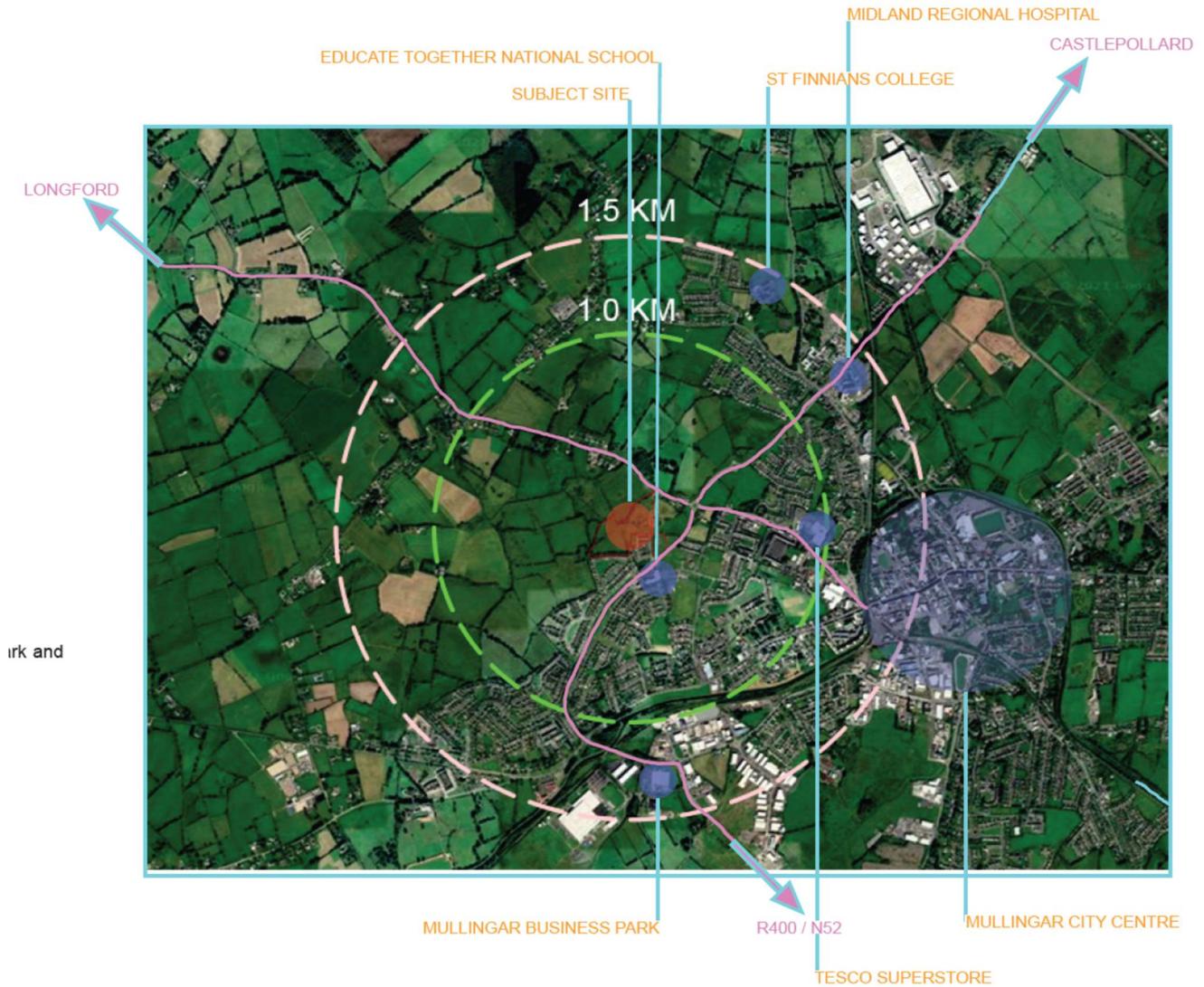


Fig. 6 – Local Context Map with proposed development site identified in red

5.9 Vehicular access into the development will be off the R394, via Rathgowan Park with pedestrian and cyclist access only, also proposed onto the R393 Ashe Road to the north, as discussed with WCC. The proposed development also provides for a bus stop to be accommodated outside of the subject site, along the R394, as requested by the Planning Authority, and agreed in principle. In addition, the proposed development provides for a toucan crossing across the R394, which is included in the red line of application. This proposal has also been agreed in principle with the Planning Authority and a letter of consent, issued by Westmeath County Council (dated 24th June 2022) allowing the applicant to propose same is submitted with the application for permission. The proposed toucan crossing and bus stop is detailed on the submitted Punch Engineering “Proposed Roads Layout” drawing no. 0401 – please refer to same.

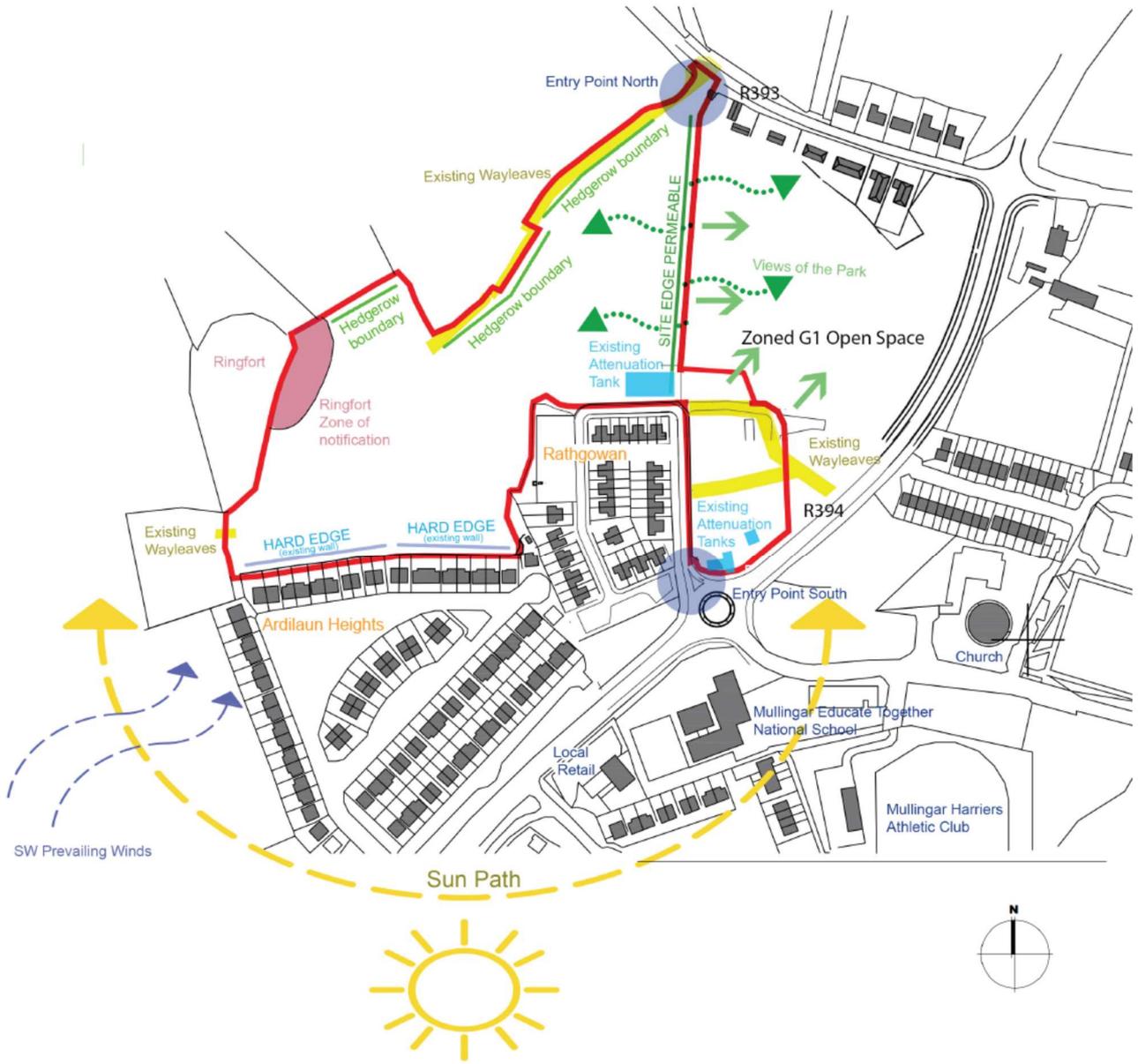


Fig. 7 – Site Analysis



5.10 Housing Mix

The proposed development for 212 no. dwellings provides for a mix of dwelling types comprised of:

- 107 no. 2 & 3 storey houses (50%);
- 86 no. 2 & 3 bedroom duplex units (41%);
- 19 no. 1 & 2 bed apartments (9%).

A mix of 1, 2, 3 and 4 bedroom dwellings are proposed and details of same are set out in Tables 1 - 7 over, with a full schedule of accommodation provided for in the enclosed Housing Quality Assessment prepared by BKD Architects.



Fig. 8 – Proposed Site Layout Plan



Proposed Houses:

| House Type | Description | No. of Units | Floor Area (m ²) | Total Floor Area (m ²) |
|--------------|--|--------------|------------------------------|------------------------------------|
| A1 | 4 bed detached / 2 storey | 1 | 133 | 133 |
| B1 | 3 bed semi-detached / 2 storey | 6 | 116.4 | 698.4 |
| C1 | 3 bed end terrace / 2 storey | 14 | 110.5 | 1547 |
| C2 | 3 bed mid terrace / 2 storey | 22 | 109.9 | 2417.8 |
| C4 | 3 bed end terraced / 2 storey | 2 | 111.4 | 222.8 |
| D1 | 3 bed semi-detached / end terrace / 2 storey | 19 | 113 | 2147 |
| D2 | 3 bed mid terrace / 2 storey | 4 | 112.6 | 450.4 |
| D5 | 3 bed semi-detached / 2 storey | 3 | 114.8 | 344.4 |
| E1 | 2 bed end terrace / 2 storey | 5 | 91.2 | 456 |
| E2 | 2 bed mid terrace / 2 storey | 17 | 90.8 | 1543.6 |
| E3 | 2 bed end terrace / 2 storey | 6 | 91.3 | 547.8 |
| E4 | 2 bed end terrace / 2 storey | 3 | 92 | 276 |
| G1 | 4 bed end terrace / 2-3 storey | 1 | 140.9 | 140.9 |
| G2 | 4 bed mid terrace / 2-3 storey | 3 | 140.9 | 422.7 |
| G3 | 4 bed end terrace / 2-3 storey | 1 | 140.9 | 140.9 |
| Total | | 107 | - | 11,488.7m² |

Table 1: Proposed House Types

| House Type | 2 bed | 3 bed | 4 bed | Total |
|---------------------|-------|-------|-------|-------------|
| No. of Units | 31 | 70 | 6 | 107 |
| % Mix | 29% | 65% | 6% | 100% |

Table 2: Total Proposed House Type Mix



Proposed Duplex Units

| Unit Type | Description | No. of Units | Floor Area (m ²) | Total Floor Area (m ²) |
|--------------|-----------------|--------------|------------------------------|------------------------------------|
| J | 2 bed apartment | 18 | 79.2 | 1,425.6 |
| K | 3 bed duplex | 18 | 105.6 | 1,900.8 |
| L | 2 bed apartment | 19 | 78.5 | 1,491.5 |
| M | 3 bed duplex | 19 | 114.4 | 2,173.6 |
| N | 3 bed duplex | 4 | 105.8 | 423.2 |
| O | 3 bed duplex | 4 | 112.8 | 451.2 |
| P | 2 bed apartment | 4 | 122 | 488 |
| Total | | 86 | - | 8,353.9m² |

Table 3: Total Duplex Unit Types

| Duplex Type | 2 bed | 3 bed | Total |
|---------------------|-------|-------|-------|
| No. of Units | 41 | 45 | 86 |
| % Mix | 48% | 52% | 100% |

Table 4: Total Proposed Duplex Type Mix

Proposed Apartments:

| Unit No | Description | Floor Area (m ²) |
|--------------|----------------------------|------------------------------|
| 1 | 2 Bed / 4 person apartment | 82.9 |
| 2 | 2 Bed / 4 person apartment | 85.9 |
| 3 | 1 bed / 2 person apartment | 53.4 |
| 4 | 2 Bed / 4 person apartment | 80.2 |
| 5 | 2 Bed / 4 person apartment | 84.9 |
| 6 | 1 bed / 2 person apartment | 54.6 |
| 7 | 1 bed / 2 person apartment | 54.8 |
| 8 | 2 Bed / 4 person apartment | 85.9 |
| 9 | 1 bed / 2 person apartment | 53.4 |
| 10 | 2 Bed / 4 person apartment | 80.2 |
| 11 | 2 Bed / 4 person apartment | 84.9 |
| 12 | 1 bed / 2 person apartment | 54.6 |
| 13 | 1 bed / 2 person apartment | 54.8 |
| 14 | 2 Bed / 4 person apartment | 85.9 |
| 15 | 1 bed / 2 person apartment | 53.4 |
| 16 | 2 Bed / 4 person apartment | 80.2 |
| 17 | 2 Bed / 4 person apartment | 84.9 |
| 18 | 1 bed / 2 person apartment | 54.6 |
| 19 | 1 bed / 2 person apartment | 54.8 |
| Total | | 1,324.3m² |

Table 5: Proposed Apartments



| Apartment Type | 1 bed | 2 bed | Total |
|----------------|-------|-------|-------|
| No. of Units | 9 | 10 | 19 |
| % Mix | 47% | 53% | 100% |

Table 6 - Total Proposed Apartment Type Mix

| Dwelling Type | 1 bed | 2 bed | 3 bed | 4 bed | Total |
|------------------|-----------|------------|------------|-----------|-------------|
| Houses | 0 | 31 | 70 | 6 | 107 |
| Duplex Units | 0 | 41 | 45 | 0 | 86 |
| Apartments | 9 | 10 | 0 | 0 | 19 |
| Total No. | 9 | 82 | 115 | 6 | 212 |
| % Mix | 4% | 39% | 54% | 3% | 100% |

Table 7: Overall Proposed Dwelling Mix

It is put forward that the current proposal provides for apartments, duplex units and houses of varying size and type. The proposed mix of dwelling types is dispersed throughout the site to create a compact urban layout at an efficient density. In accordance with the National Planning Framework, which recognises the increasing demand to cater for one and two person households, a mix of 1 and 2 bed apartments and houses are catered for, equating to 43% of the overall proposed unit types.

5.11 Ancillary Services / Other Proposed Uses

Non-residential uses within the current application comprise a proposed crèche facility of 428m² which is accommodated on the ground floor of the proposed apartment building, located in the south-eastern part of the site, facing onto both the R394 and Rathgowan Wood. The proposed development of 212 no. dwellings requires a childcare facility to cater for c.57 no. children, based upon the requirements of the 2001 Childcare Facilities Guidelines. However, as set out in the Sustainable Urban Housing: Design Standards for New Apartments (2020), 1 bed units should not generally be considered to contribute a requirement for childcare provision. Therefore, if one discounts the 9 no. 1 bedroom units proposed, that would result in 203 no. dwellings requiring childcare services, thus requiring a childcare facility to cater for c.54 no. children, in accordance with the 2001 guidelines.



The proposed crèche, of 428sq.m, caters for 54 no. children, with associated, dedicated external play area (258sq.m). In addition, car and bicycle parking is provided for as well as visitor/drop off car and bicycle parking and drop off points. The proposed floor area of the crèche includes sufficient additional floorspace accommodating kitchen, toilet facilities, nappy changing room, sleep area, and staff and administration facilities. Details of the proposed crèche are set out on the enclosed drawing no. 6253-P-301 – please refer to same.

5.12 The development also includes for all associated site development works including car parking, visitor bicycle parking, sub-stations, landscaping and open spaces and piped and wired services, all on an overall site area of approximately 6.37Ha.

5.13 Gross Floor Space

The proposed residential accommodation comprises a total of 21,166.9sq.m gross floor area. The proposed non-residential elements comprise a crèche of 428sq.m. The total gross floor area proposed is 21,594.9sq.m.

- Residential floor space – 21,166.9m²;
- Crèche – 428m²;
- Total floor area – 21,594.9m².

5.14 Plot Ratio

The proposed development has total floor area of 21,594.9sq.m (including the crèche) and based upon the gross site area of 63,700m², produces a plot ratio of 0.33.

5.15 Site Coverage

The proposed site coverage is 15%.

5.16 Density

The area of the application site is 6.37 hectares, i.e. the area within the red line of application. However, the application site includes an area open space that is zoned “Open Space” in the south-eastern part of the site, which equates to c.0.2Ha. Within this area of open space, it is proposed to relocate an existing underground attenuation tank (refer to section 6.3 of this report for further details) – please also refer to Fig. 8 overleaf. This area of the site, zoned “Open Space” will also accommodate a pedestrian and cycle path from the R394 into the development, and has been discounted from the overall gross application site area for density calculation purposes.

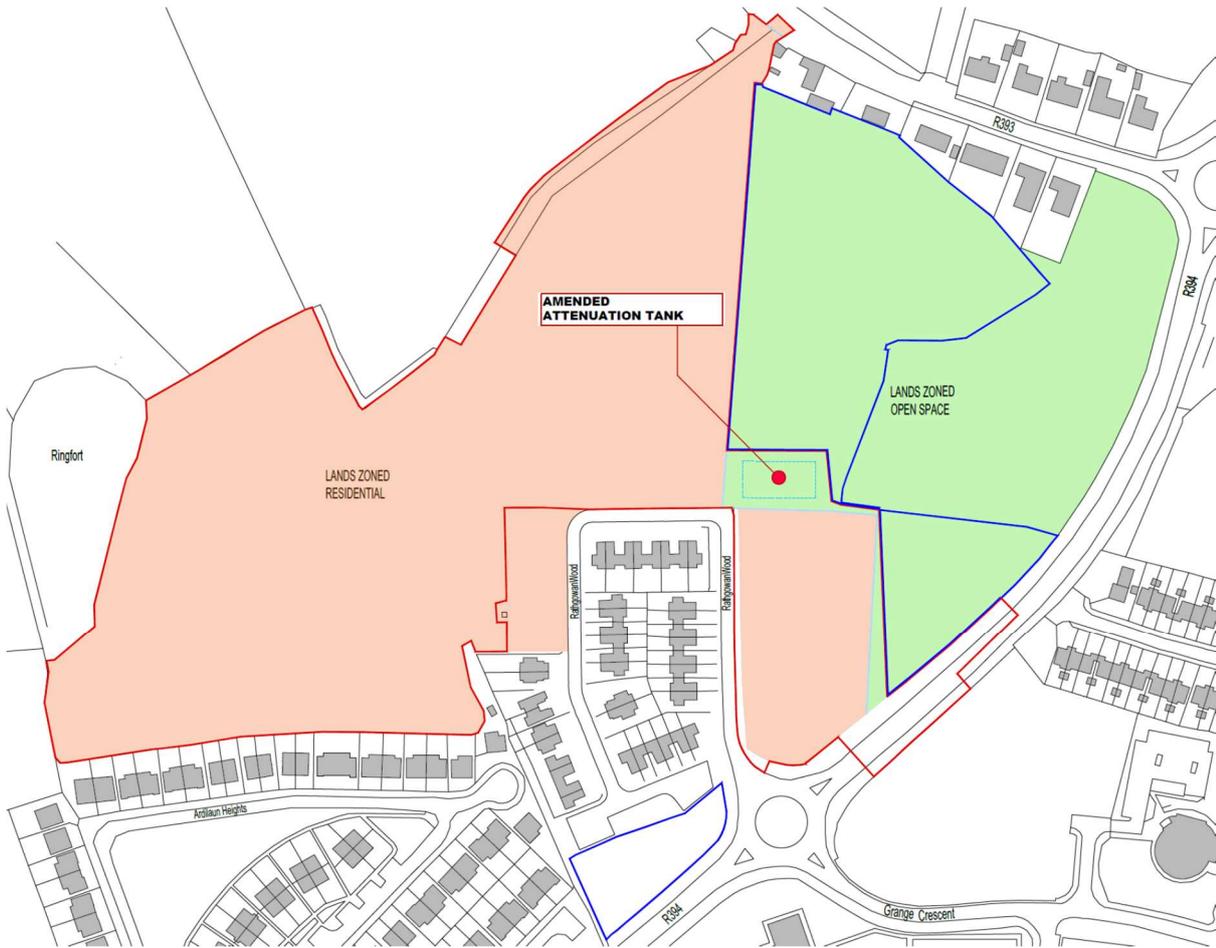


Fig. 8 –Subject application site outlined in red which includes lands zoned “Proposed Residential” & “Open Space”

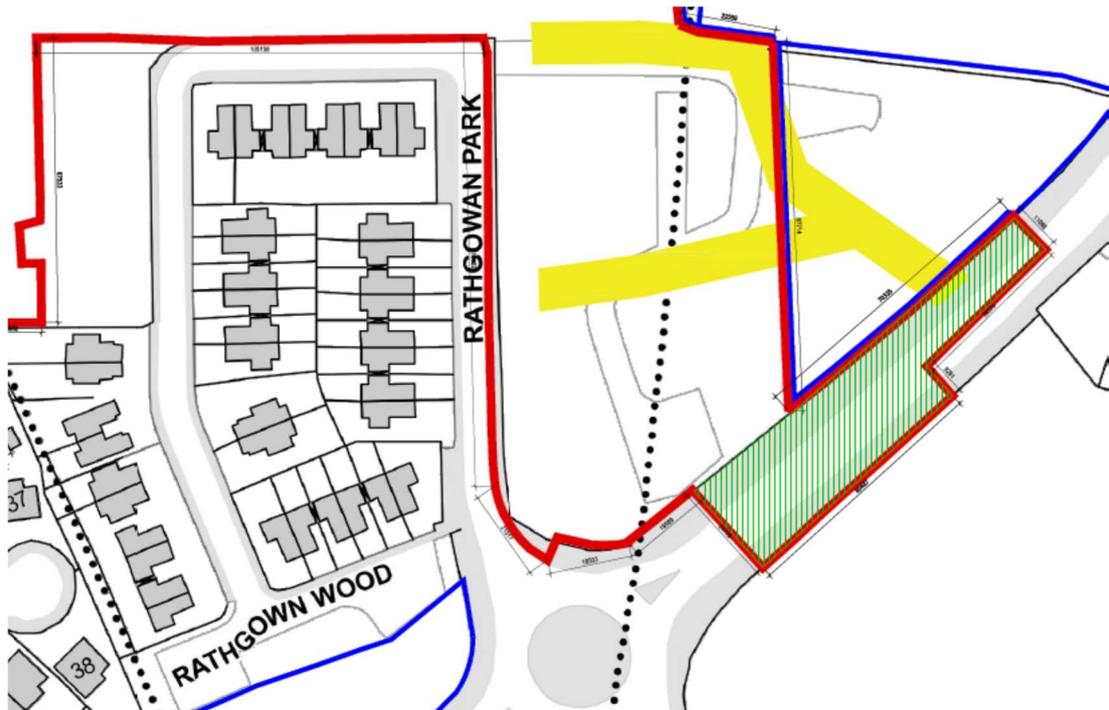


Fig. 9 –Extract from submitted Site Location Map (drawing no. P-001) which identifies in green area along R394, outside of the subject site that is included in the overall application site to accommodate bus stop area and pedestrian crossing



In addition, an area is also included within the red line of application to accommodate a proposed bus stop and pedestrian crossing outside of the site at the R394 (refer to Fig. 9). This area equates to 0.2Ha and is also discounted from the gross site area to determine the net developable area of the subject site.

Combining both of the aforementioned areas (c.0.4Ha) and discounting same from the area of the red line of application, leaves a net developable area of c.5.96Ha.

For the calculation of density, the proposed development of 212 no. dwellings and creche will occur on a net developable site area of c.5.96Ha, thus producing a net density of 35.5 units per hectare.

The subject site is a greenfield site on the edge of the urban area of Mullingar, the County town, designated a "Key Town" by the RSES. It can also be described as an Outer Suburban / Greenfield Site and under section 5.11 of the Guidelines on Sustainable Residential Development in Urban Areas, 2009, which define such sites as "as open lands on the periphery of cities or larger towns". The same guidelines state that "the greatest efficiency in land usage on such lands will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare and such densities (involving a variety of housing types where possible) should be encouraged generally. Development at net densities less than 30 dwellings per hectare should generally be discouraged in the interests of land efficiency, particularly on sites in excess of 0.5 hectares". Taking the aforementioned into account, the proposed density of 35.5 units per hectare is considered appropriate.

The Westmeath County Development Plan 2021-2027 states, under section 3.7 "Residential Densities", that "higher densities will be applied 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".

Under section 16.3 of the CDP, the following is a stated policy objective of WCC:

CPO 16.11 - *"Require that planning proposals for housing schemes 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"*.

In addition, under section 16.3.2 of the CDP "Residential Density", it is stated that WCC "generally seeks that the number of residential units to be delivered on a site should be determined in relation to the hierarchical status of the settlement within the Council's Settlement Hierarchy and its capacity for growth and its access to public transport and necessary social infrastructure. Furthermore, the Council acknowledges and encourages higher densities, where appropriate, given the need to reduce CO2 emissions by reducing energy consumption and to support a more efficient use of energy in the residential and transport sectors, in line with Ireland's commitments under the Paris Agreement".

The following is also a stated policy objective of WCC:

CPO 16.24 - *Promote 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.*



Taking all of the above into consideration, it is put forward that the proposed development of 212 no. units on a site zoned “Proposed Residential”, with a net developable area of c.5.96Ha, which produces a net and gross density of 35.5 units per hectare, accords with Mullingar’s status as a Key Town and also with the density guidance/requirements as set out in (i) the Guidelines on Sustainable Residential Development in Urban Areas (2009) and (ii) the Westmeath County Development Plan 2021-2017.

The Mullingar Local Area Plan (hereafter MLAP) recommends a density of 30-35 units per hectare for new development (Section 9.9.4). It is considered that the proposed density is consistent with the recommended densities of the MLAP by achieving sustainable sequential growth appropriate to the location of the subject site within the development boundary of Mullingar.

We also note that the Department of Housing, Local Government & Heritage issued Circular Letter: NRUP 02/2021 in April 2021 to An Bord Pleanála and Planning Authorities providing clarity in respect of the application of density requirements. The Circular states that *“while the Sustainable Residential Development Guidelines clearly encourage net densities in the 35-50 dwellings per hectare range within cities and larger towns, net densities of 30-35 dwellings per hectare may be regarded as acceptable in certain large town contexts and net densities of less than 30 dwellings per hectare, although generally discouraged, are not precluded in large town locations. These ‘outer suburban’ provisions apply to cities and larger towns, and the Sustainable Residential Development Guidelines define larger towns as having a population in excess of 5,000 people. Large towns therefore range from 5,000 people up to the accepted city scale of 50,000 people. Given the very broad extent of this range and variety of urban situations in Ireland, it is necessary for An Bord Pleanála and Planning Authorities to exercise discretion in the application and assessment of residential density at the periphery of large towns, particularly at the edges of towns in a rural context. Accordingly, the full range of outer suburban density, from a baseline figure of 30 dwellings per hectare (net) may be considered, with densities below that figure permissible subject to Section 5.12 of the Sustainable Residential Development Guidelines”*. The Circular also references the National planning Framework (NPF) and provides that there is a need for more proportionate and tailored approaches to residential development and that it is necessary to adapt the scale, design and layout of housing in towns to ensure that suburban or high density urban approaches are not applied uniformly and that development responds appropriately to the character, scale and setting of the town. Taking this into account, as well as the design applied to the proposed development, and give the locational context of the subject site and its topography, it is considered that the proposed development achieves an appropriate and efficient density on this zoned site, located on the western edge of Mullingar (A “Key Town”) and the proposed density is consistent with national guidelines, and national and local policy regarding density.

It is considered that the proposed net density of development of 35.5 units per hectare accords with the requirements for density set out in the Guidelines on Sustainable Residential Development in Urban Areas, 2009 and the Westmeath County Development Plan 2021-2027. However, where the proposed density of 35.5 units per hectare may be considered to materially contravene the MLAP, this matter has been addressed in the submitted Material Contravention Statement prepared by Armstrong Fenton Associates – please refer to same.

5.17 Building Heights

The proposed development has building heights of 2 -3 storeys for the proposed houses, 3 storeys for the proposed duplex units and 1 no. 4 storey apartment building.

We note that section 3.6 of the CDP refers to “Apartment Development” and states that the 2016 Census indicates that 1-2 person households now comprise a majority of households and this trend is set continue. In



Westmeath, 8.5% of households lived in apartments in 2016, slightly lower than the national rate of 12%. 23.5% of all households in the county were 1-person households.

The CDP asserts that “as with housing generally, the scale and extent of apartment development should increase in relation to proximity to core urban centres and other relevant factors in line with the standards, principles and any specific planning policy requirements (SPPRs) set out in 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’ (2018). Existing public transport nodes or locations where high frequency public transport can be provided, that are close to locations of employment and a range of urban amenities including parks/waterfronts, shopping and other services, are also particularly suited to apartments”.

Taking the above into account, the proposed development includes 86 no. 2 and 3 bed duplex units and 19 no. 1 and 2 bedroom apartments accommodated in 3 and 4 storey building respectively. The subject site is approx. 1.5km from the town centre and Mullingar Train Station. In terms of the NPF objective of providing an increase in 1 and 2 bedroom units, the need to provide for variety in a residential development as per the Urban Design Manual as well as an efficient density of development as outlined in the 2009 Sustainable Residential Development in Urban Areas Guidelines and the specific planning policy requirements (SPPRs) set out in 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), it is considered that the proposed 86 and 19 no. duplexes and apartments respectively accommodated 3 and 4 storey buildings within the proposed development complies with the aforementioned guidelines as well as section 3.6 of the CDP.

The proposed 3 storey duplex units are pepper potted throughout the site to create variety and distinctiveness which are key urban design criteria. The tallest building on the site, the proposed 4 storey apartment building has been strategically positioned at the entrance to the development, announcing the entrance into the scheme but also providing a strong urban edge at this location, particularly addressing the R394.

5.18 Aspect

Approx. 31% of the proposed apartments are single aspect, i.e. 6 no. units, however, there are no north facing single aspect units proposed, all of which complies with the 2020 Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities which require a minimum of 50% of the units to be dual aspect on greenfield sites.

All of the proposed houses and duplex units are dual aspect.

5.19 Open Space Provision

5.19.1 Public Open Space

Given the irregular shape of the subject site and its context abutting existing housing and open space, it is proposed to provide public open spaces throughout the site that reflects the site’s context but also respectfully marries into adjoining development at Rathgowan Wood/Rathgowan Park.

Adjacent to Rathgowan Wood is an existing area of open space, and it is proposed to provide an additional open space of 0.22Ha (2,200sq.m) directly adjoining same (south of Road 3) which will marry into this existing space, with the current proposal providing a natural playground here. To the south-west (adjoining home zone



2), another open space is proposed (0.08Ha / 800sq.m) which will also marry into the existing space at Rathgowan Wood. The proposed two spaces either side of the existing Rathgowan Wood open space will consolidate this area providing for an enlarged area of open space that provides for meaningful recreation that will be of benefit to existing and future residents.

Along the western boundary of the site are (i) existing hedgerows, (ii) an archaeological ringfort, (iii) existing wayleaves and (iv) part of a townland boundary. Taking these factors into consideration, two large areas of open space are proposed totalling 0.75Ha in the form of linear and pocket parks, as well as retention of existing hedgerows. In addition, new native hedge planting will be provided along this boundary of the site.

In total, 1.06Ha of public open space is proposed which equates to over 17% of the developable area (5.96Ha) and over 16% of the gross application site area and is therefore in compliance with policy objective CPO 16.21 “Public Open Space Provision & Recreational Amenities” of the CDP which requires that in general, 15% of gross site area should be provided for multifunctional open spaces at suitable locations within new residential schemes. This policy objective also requires that open spaces should be easily accessible to all residents and provide for both passive and active uses for persons of all abilities regardless of age or mobility and including design measures and features incorporating sensory design aids, and landscaping, where feasible. All of the public open spaces are directly overlooked by dwellings and are easily accessible. The public open spaces will cater for children’s play, details of which are set out on the enclosed landscape drawings and details, prepared by Ronan MacDiarmada & Associates Landscape Architects, which include a Landscape Rationale, Landscape Masterplan, Boundary Treatments Plan etc. – please refer to same.

5.19.2 Communal Open Space

Communal open space for the apartments in the proposed 4 storey building is in the form of a semi-private / communal open space adjacent to same. This dedicated area of 119m² exceeds the target area of communal open space required to serve the 19 no. proposed 1 and 2 bed apartments (i.e. 115m²). This area of semi-private/communal open space will be for the benefit of these units only and will be privately managed by a management company.

There are 8 no. blocks of duplex units, with the 86 no. units requiring 692m² in accordance with the minimum required areas for public communal amenity space are set out in Appendix 1 of the 2020 ‘Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’.

It should also be noted that all duplex units have enlarged terraces instead of communal open space which are detailed in the submitted Housing Quality Assessment and exceed the minimum requirements. Communal open space has also been provided as follows:

- Block 6 – 340m²;
- Block 7 – 268.9m²;
- Block 8 – 216.3m²;
- Total – 825.2m².

5.19.3 Private Open Space

Private open space for the proposed houses is in the form of rear gardens, the areas of which exceed the minimum standards of the Development Plan, i.e. policy objective CPO 16.20 which requires 48sq.m for 2 bed houses, 60-75sq.m for 3 – 4 - 5 bed houses. The area of the proposed rear gardens ensures the 22m separation distance from first floor opposing windows, where necessary.



Private open space for the proposed apartments and duplex units is in the form of ground floor terraces and balconies overhead and range in size from 7.2sq.m for 1 bed units, up to 19.7 sq.m for 2 bed units in the proposed apartment building. For the proposed duplex units, the proposed private open spaces ranges from 17sq.m for a 2 bed duplex apartment up to a max of 58.2m² for a 3 bed unit. This is illustrated on the enclosed drawings and housing quality assessment (HQA) – please refer to same.

5.20 Car & Bicycle Parking

It is proposed to provide a total of 290 no. car parking spaces on the development site. The car parking proposals are detailed in section 11 of the submitted Punch Engineering Traffic & Transportation Assessment – please refer to same.

The proposed car parking is provided in accordance with the Development Plan standards as set out in Table 16.2 of same, which provides for a maximum car parking rate of 1 space per dwelling and 1 no. visitor car parking space for every three dwellings. In accordance with same, the proposed car parking is provided as follows:

- 107 no. Houses = 107 no. spaces plus 32 no. visitor spaces;
- 19 no. Apartments = 19 no. spaces plus 6 no. visitor spaces;
- 86 no. Duplex Units = 86 no. spaces plus 25 no. visitor spaces.
- Total proposed = 212 no. spaces for the proposed dwellings and 63 no. visitor car parking spaces.

Car parking for houses is in the form of a mix of in-curtilage and on-street spaces. Car parking for the apartments and duplex units is laid in in grouped parking bays close to these dwellings for convenience and in order to provide passive surveillance of same.

A further 15 no. spaces are to be provided for the proposed creche. The creche is proposed to facilitate 7 no. members of staff and 54 no. children. The parking has been allocated at a rate of 1 no. parking space per staff member, with 8 no. visitor / drop of car parking spaces also catered for. We note that the Development Plan has no requirements for creche car parking.

16 no. parking spaces (5.5% total spaces) will be designated disabled user car-parking spaces that meets the requirements of the Development Plan, which requires that a minimum of 5% of car parking spaces provided should be designed for disabled car parking. The disabled spaces are to be demarcated with yellow lines, a protected hatched area and appropriate road markings to identify these spaces. The proposed location of the disabled parking spaces will be in close proximity to the building entrances.

30 no. Electric Vehicle Charging Points (EVCP) (10% total no. of spaces) will be provided for as per section 16.4.1 of the Development Plan which requires providing facilities for the charging of battery-operated cars at a rate of up to 10% of the total car parking spaces. For the houses, underground ducting will be provided with the option of having a socket provided at the front of the house catered for.

Car parking is provided for at surface level only, there is no proposed underground / basement parking for the development. Please refer to section 11 of the enclosed Traffic and Transport Assessment Report (TTA) prepared by Punch Consulting Engineers for details of the proposed car and bicycle parking as part of the overall development.

Bicycle parking to serve the proposed houses is catered for within the curtilage of each property. For the proposed apartments and duplex units, bicycle parking is provided for in accordance with the 2020 the Sustainable Urban Housing: Design Standards for New Apartments, section 4.17, and this is detailed in the submitted TTA prepared by Punch Engineering – please refer to section 11.2 and Table 11-3 of same.



It is proposed to provide 526 no. secure cycle parking spaces on the proposed development site. 302 no. spaces are to be provided for the duplexes (240 no. residents spaces and 62 no. visitor spaces). 42 no. spaces for the apartments (32 no. residents spaces and 10 no. visitor spaces). This is in excess of the Sustainable Urban Housing: Design Standards for New Apartments Cycle parking space requirements. A further 160 no. spaces will be provided for the mid terrace houses, and 22 no. spaces are to be provided to serve the proposed creche.

We note that the Development Plan contains policy objective CPO 16.37 which states “Assess all planning applications for development having regard to the cycling storage requirements set out under Table 16.3, which are considered to be a minimum requirement”.

Table 16.3 “Cycle Storage Standards” of the Development Plan states the following: “**Housing Developments** - 1 private secure bicycle space per bed space (note - design should not require bicycle access via living area), minimum 2 spaces. 1 visitor bicycle space per two housing units”.

The proposed development of 212 no. dwellings provides 943 no. bedspaces which would equate to a bicycle parking requirement of 1,049 no. bicycle parking spaces.

There are 107 no. houses proposed within the scheme with each of those houses having the ability to accommodate bicycle parking within its curtilage, which equates to a minimum of 2 spaces (214 no. spaces). Notwithstanding same, 160 no. bicycle spaces are also provided for mid terraced houses, which would equate to a total bicycle parking provision of 374 no. spaces for 107 no. houses, which further equates to c. 3.5 spaces per house.

As outlined above, bicycle parking for the apartments and duplex units has been provided in accordance with the Sustainable Urban Housing: Design Standards for New Apartments (2020) and where the proposed bicycle parking may be considered to materially contravene the Development Plan, this matter has been addressed in the submitted Material Contravention Statement prepared by Armstrong Fenton Associates – please refer to same.

Secure cycle parking facilities have been provided within the development to meet the requirements set out in the Sustainable Urban Housing: Design Standards for New Apartments (2020). Dedicated bicycle stores are proposed throughout the site and can be identified on the site layout plan, with visitor bicycle stands also provided throughout the site.

5.21 Proposals to Integrate with Surrounding Land Uses

The proposed development provides for pedestrian and cyclist connectivity to the surrounding environs as follows:

- Via Rathgowan Park which connects directly to the Mullingar Western Relief Road, the R394;
- Along the north-eastern boundary of the application site, whereby a 3m wide dedicated pedestrian and cyclist path is proposed to connect directly onto the Ashe Road, the R393.

The proposed development will also integrate with Rathgowan Wood and Rathgowan Park thereby connecting existing and proposed development.

This application for permission also proposes a pedestrian crossing across the R394 from the site which will allow access to facilities on the opposite side of the R394 i.e. Mullingar Educate Together National School,



with a small local centre next door accommodating a local shop (Spar), Supermacs/Papa Johns restaurant and a butcher. Consent to include this proposal as part of this application for permission has been issued by Westmeath County Council and the relevant letter of consent is enclosed.

5.22 Phasing

It is envisaged that the proposed development will be delivered over four phases as follows:

- **Phase 1** – will consist of the delivery of the 58 no. dwellings, central area of public open space, as well as internal roads 3-5 and associated site development works.
- **Phase 2** – will move westwards from Phase 1, delivering 56 no. dwellings, western area of public open space, as well as internal roads 6-8 and associated site development works.
- **Phase 3** – will see the delivery of 30 no. dwellings, and creche at the front/south-eastern part of the site, and associated site development works.
- **Phase 4** – will see the delivery of 68 no. dwellings, in the northern part of the site, open space and associated site development works.



6.0 Physical Infrastructure

Punch Consulting Engineers have prepared the enclosed engineering drawings, engineering planning report, site specific flood risk assessment, traffic and transport assessment etc. – please refer to same for details. A summary of the proposed water services infrastructure is set out as follows, however, for further details please refer to the submitted reports and drawings by Punch:

6.1 Foul Drainage

On the basis of available Irish Water records, the following foul water drainage exists adjacent to the development site:

- 225mm uPVC dedicated foul sewer flowing west-east Rathgowan Wood within the existing housing estate road network. This sewer discharges to a combined sewer in Mount Merrion Avenue. This foul network ultimately discharges to the 300mm foul sewer located on the R394.

It is proposed to connect the development sewerage via a new gravity foul sewer network that connects to the existing 225mm uPVC foul sewer on the R394 to the east of the site.

A Pre-Connection Enquiry Form has been issued to Irish Water in relation to the proposed development. Irish Water has provided a response, advising that the wastewater connections is feasible without any infrastructure upgrade - please refer to Appendix D of the submitted Engineering Planning Report for Irish Water correspondence. The Irish Water Pre-Connection Enquiry Reference Number is CDS20006113.

The existing development to the west of the site currently discharges to 2 no. existing foul sewer pipes which run west-east through the site. It is proposed to divert the foul lines within the site boundary. The 2 existing foul lines will outfall to a new single foul pipe proposed as part of the new drainage network. The new foul line will outfall to the east of the site to the existing manhole on the R394. Please refer to drawing the enclosed drawing by Punch: 202215-PUNCH-XX-XX-DR-C-0100 for the proposed foul drainage layout.

6.2 Water Supply

Irish Water record drawings indicate a 150mm (10 Bar) uPVC watermain running along Rathgowan Wood within the existing housing estate road network. Existing private watermain infrastructure also exists within the southeast section of the site.

Punch Consulting Engineers assert that the existing watermain infrastructure within the site boundary will be removed as the infrastructure is redundant and serves no purpose. Therefore, it is proposed to construct a new 150mm diameter connection to the existing 150mm diameter public mains supply along Rathgowan Wood, and extend the watermain network to facilitate the proposed development. This water supply connection will service the on-site hydrants and potable water supply.

The watermain layout has been designed in accordance with “Irish Water Code of Practice for Water Infrastructure”. All watermains are to be constructed in accordance with Irish Water and the Local Authority’s requirements. This feed will provide potable and firefighting water to the proposed development. A bulk water meter shall be provided at the site boundary at the location of the proposed connection to the existing watermain.



A Pre-Connection Enquiry Form has been issued to Irish Water in relation to the proposed development. Irish Water has provided a response, advising that water servicing is feasible without any infrastructure upgrade. The Irish Water Pre-Connection Enquiry Reference Number is CDS20006113. Please also refer to the enclosed PUNCH drawing 202215-PUNCH-XX-XX-DR-C-0300 for the proposed watermain layout.

6.3 Surface Water

On the basis of available records, the following stormwater drainage exists adjacent to the development site:

1. 900mm stormwater piped concrete sewer flowing north-south along the eastern edge of the proposed development extents;
2. A 900mm stormwater culvert running through the site north-south;
3. Attenuation Tanks to serve the existing developments.

A new surface water sewer network shall be provided for the proposed development which will be entirely separated from the foul water sewer network. All surface water run-off from roof areas and hardstanding areas are designed to be collected by a gravity pipe network. The existing drainage infrastructure within the site to the south will be diverted to allow for the development. There are currently 2 x 900mm surface water pipes within the site. These will be combined and will be diverted along the eastern edge of the site. Due to the extent of the site and the variation in levels it is proposed to provide 3 no. new attenuation tanks to service the development. Please refer to Fig. 10 below for the proposed layout.

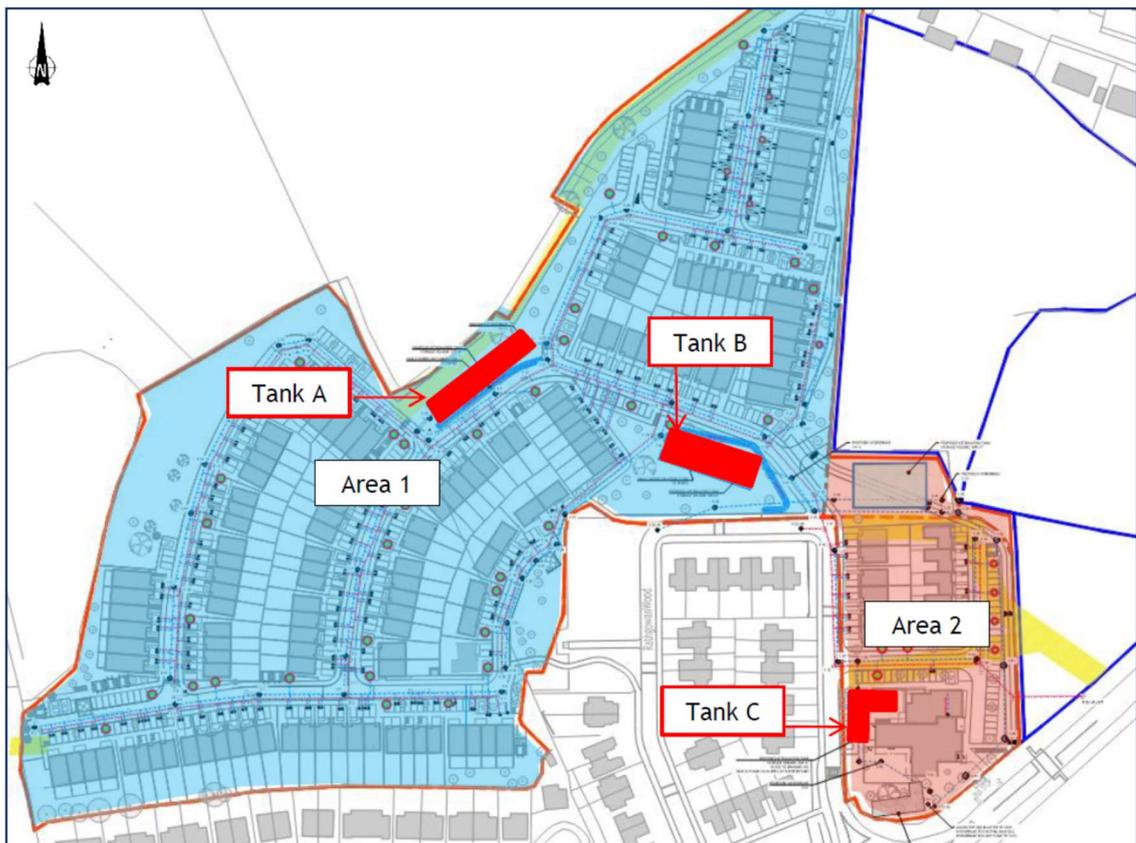


Fig. 10 – Extract from Figure 2-2 of Punch Engineering Planning Report “Proposed Drainage Areas and Tank Locations”

The drainage for the Area 1 (shown in Blue) will outfall to 2 no. attenuation tanks in series. The first tank (Tank A) will have a hydrobrake to restrict the outflow to 16l/s, the second tank (Tank B) will have a hydrobrake to limit the outflow rate to 14l/s. This drainage will then discharge to the 900mm surface water pipe to the east of



the site. Area 2 (shown in red) to the south east of the site will have a third attenuation tank (Tank C), with a hydrobrake to limit the outflow to 3l/s, this will also discharge to the 900mm surface water sewer. The Hydrobrakes at Tank B and Tank C will have a combined discharge rate of 17l/s.

All proposed finished floor levels are 500mm above drainage water levels for a 100 year return period.

6.3.1 Existing Attenuation Tanks

As outlined above, it is proposed to provide 3 no. new attenuation tanks to service the development. The 3 no. new tanks will provide 1,500m³ of attenuation. The site also contains existing attenuation tanks to service the existing developments bordering the site. Fig. 11 - below gives a good indication of the existing tanks on site and the areas they attenuate.

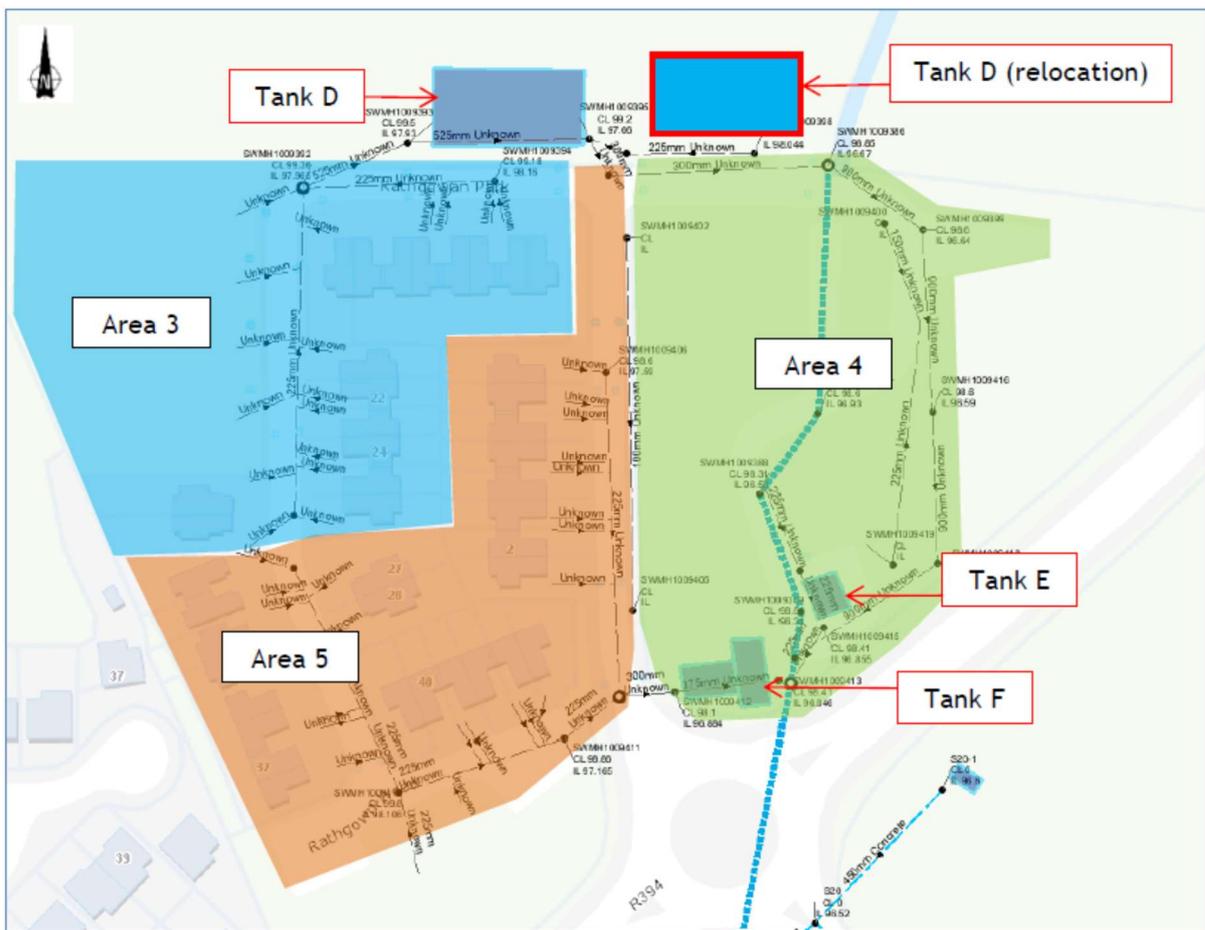


Fig. 11 – Extract from Figure 2-3 of Punch Engineering Planning Report “Existing Attenuation Tank Layout”

Tank D serves Area 3 (blue) and will be moved to the east to accommodate the development. The existing tank is oversized with no flow restriction evident. The replacement tank will be sized appropriately to manage the area drained to the tank. A flow restriction of 2l/s was used to size the tank and a new hydrobrake is proposed to limit the flow rate. Tank E to the south was constructed to service development within Area 4 (green). The site development started with installation of services and access roads but was not completed, the tank is therefore redundant and will be removed as part of the works. Tank F serves Area 5 (orange) and will be retained with no works/alterations to it proposed.



6.3.2 SUDs Proposals

The proposed development has been assessed in relation to Sustainable Urban Drainage Systems (SuDS). A variety of SuDS measures may be adopted to comply with Council recommendations. All SuDS measures are to be implemented with reference to the UK SuDS Manual and Westmeath Council drainage requirements. Relatively small volumes of rainwater collected on the respective SuDS devices will enter the public sewer network during typical low intensity storms. This is because the proposed SuDS measures will retain rainwater until it is either used via evapotranspiration in the green areas or reused within the development via the rainwater harvesting system.

Proposed SUDs measures include *inter alia* Green Roofs, permeable paving, swales, rain gardens etc. The proposed measures are outlined in section 2.3 of the submitted Punch Engineering Planning Report – please refer to same.

6.4 Flood Risk

Punch Consulting Engineers has prepared the enclosed Site Specific Flood Risk Assessment (SSFRA) which has been carried out in accordance with “*The Planning System & Flood Risk Management Guidelines*” published by the Department of the Environment, Heritage and Local Government in November 2009. The following is a synopsis of the submitted SSFRA:

The existing hydrological environment is characterised primarily by the presence of the Royal Canal to the east and south, located approximately 800m from the proposed site. The River Brosna is located to the east, approximately 1.7km from the proposed site. There are existing drainage ditches located approximately 100m to the north of the site. A bridge over the canal is located on Patrick Street.

The Office of Public Works (OPW) Flood Mapping website holds a record of past flood events. A review of the database indicated that there have been no instances of flooding on the proposed site as shown in Figure 9 in the submitted SSFRA.

A Strategic Flood Risk Assessment viewer is provided as part of the Westmeath County Development Plan 2021-2027. The mapping tool shows that the site is not at risk of Fluvial Flooding (refer to Figure 10 of the submitted SSFRA). The site is located where there is a risk of both ‘indicative’ and ‘extreme’ Pluvial Flooding to the west and south of the site. Pluvial flooding is the result of rainfall-generated overland flows which arise before run-off can enter any watercourse or sewer. It is usually associated with high-intensity rainfall. There are some areas within the site which may be subject to pluvial flooding due to their naturally low depressions. However, the provision of a suitable surface water drainage system for any proposed development on the site will mitigate against this risk.

PUNCH Consulting Engineers conclude that the site is in Flood Zone C. The development is at low risk of flooding and the proposed residential development is deemed appropriate within the proposed site location.

6.5 Roads / Traffic & Connectivity

Access to the site will be via Rathgowan Park. Westmeath County Council is currently in the process of taking-in-charge the roads and services associated with Rathgowan Wood/Rathgowan Park. To that end, as the current proposal will be accessed via Rathgowan Park, Westmeath County Council has issued the applicant with a letter of consent to make the subject SHD planning application – please refer to same dated 23rd June 2022. It is expected that by the time a decision is made on this application, that Rathgowan Wood / Rathgowan



Park will be taken in charge by the Local Authority. The proposed roads layout was designed in accordance with the Design Manual for Urban Roads and Streets (DMURS) and the Recommendations for Site Development Works. DMURS aims to aid the design of safer, more attractive and vibrant streets which will generate and sustain communities and neighbourhoods. As well as cars and other vehicles this encompasses pedestrians, cyclists and those using public transport. Sight lines at all/main junctions were designed in accordance with DMURS based on existing speed limits on the main road. Autotrack assessments were carried out on the proposed road network and demonstrate that a fire tender can safely negotiate the proposed road network and turning heads.

A Traffic & Transportation Assessment (TTA), Mobility Management Plan (MMP) and a report called "Movement & Connectivity and Illustration of compliance with: Design Manual for Urban Roads and Streets 2019 and The National Cycle Manual 2011" have been completed by Punch Consulting Engineers and are included in the submitted documentation which further detail the roads and access arrangements for the proposed development – please refer to these separate documents.

6.6 Other Services Infrastructure

There are no impediments to connections to existing natural gas and broadband services infrastructure in the area.

7.0 Part V Proposal

7.1 The applicant proposes to allocate 10% of the proposed units on site for social housing in compliance with Part V, Section 96 (3)(b)(i) of the Planning and Development Act 2000 (as amended). 21 no. units are proposed to be provided as Social Housing, i.e. 17 no. 2 bed units (Types J1, J2 and J3) in the northern duplex blocks, along with 4 no. 2 bed house (Types E1, E2 and E3) house no.s 187-190. The individual units are identified on the enclosed drawing no. 6253-P-011 "Part V Units" and we also enclose the associated costs for these units.

7.2 The information is intended to provide a reasonable estimate of the costs and values of the proposed Part V units based on construction costs and values prevailing at the time of the application. The information set out is for the purposes of facilitating a future planning application and will be subject to finalisation and formal agreement with the Local Authority. The ultimate agreement with regard to compliance with Section 96 of the Act (as amended) is dependent upon receipt of a final grant of permission and on the site value at the time the permission is granted. The applicant intends to fully comply with the requirements of Part V of the Planning and Development Act 2000 (as amended) and the Housing Strategy of Westmeath County Council with respect to the provision of Social Housing.

8.0 Protected Structures

There are no Protected Structures on or in the vicinity of the site.



9.0 Likely Significant Effects on the Environment

9.1 The proposed development is comprised of 212 no. dwellings, with associated crèche and all associated site development works. Therefore, the preparation of an Environmental Impact Assessment Report (EIAR), which also constitutes an Environmental Impact Statement (EIS) for the purposes of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001 (as amended), does not form part of this application for the proposed residential development. The proposed development falls below the threshold for environmental impact assessment as described at 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended).

9.2 However, an Environmental Impact Assessment (EIA) Screening Report to assess the potential impacts on the environment of the proposed development has been prepared and is submitted with this SHD planning application. It is submitted that the development is below any threshold that would trigger the requirement for EIAR. The report has been assessed in accordance with the screening criteria set out in Annex III of the European Union 'EIA Directive'. Having regard to:

- a. the nature and scale of the proposed development on an urban site served by public infrastructure;
- b. the absence of any adverse impacts on any significant environmental sensitivities in the area, and
- c. the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended).

9.3 The report concludes that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment.

9.4 Please refer to the submitted Environmental Impact Assessment Report (EIAR) Screening Report prepared by Enviroguide Consulting for further details.

10.0 Archaeology

10.1 There is an existing Recorded Monument Ref. WM019-046 (Ringfort) in close proximity to the site. Therefore, the subject site has been subject to Archaeological Impact Assessment and we enclose the Archaeological Impact Assessment report undertaken by Archaeological Management Solutions Ltd (hereafter AMS) – please refer to same for details, a summary of which is as follows:

10.2 The submitted report states that this is an updated report that describes the results of archaeological testing and a preliminary architectural heritage survey undertaken at a proposed development site at Rathgowan or Farranshock and Sarsanstown townlands on the western outskirts of Mullingar town in Co. Westmeath. The testing was carried out by Zbigniew Malek of Archaeological Management Solutions (AMS) between 26–29 October 2021. A site visit by Jon Stirland of the National Monuments Service (NMS) was undertaken on 28 October 2021.

10.3 The development site adjoins a recorded archaeological monument, listed on the Sites and Monuments Record (SMR) and Record of Monuments and Places (RMP) as a ringfort, in Sarsanstown (WM019-046). The monument is partly defined by the hedgerow that was a townland boundary between Sarsanstown and Rathgowan in the nineteenth and the early-twentieth century, in the west of the Site. This monument's Zone of Notification (ZoN) extends into the western extent of the proposed development site.

10.4 The testing follows an Archaeological Assessment by AMS in 2021, which was undertaken to support a planning application for the proposed Strategic Housing Development (SHD) on the site. The recommendations in the Archaeological Assessment included an architectural heritage survey, archaeological



testing in advance of development and archaeological monitoring (Marshall & Rice 2021, 28–29). The proposed development site was also subject to a geophysical survey (20R0256) in November 2020 during which several anomalies of archaeological potential were identified (Leigh 2020).

10.5 The archaeological testing consisted of 76 test trenches totalling 1,718 linear metres. This is the equivalent of 5.1% of the available testing area of the proposed development site which measures 6.06 hectares. The proposed programme of test-trenching, totalling 1,683 linear metres (O’Hora 2021), was enhanced to recognise the extent of the features and to secure safe conditions for groundworks. The targeted test-trenching focused primarily on anomalies highlighted in the geophysical survey outside of the ZoN associated with the ringfort (WM019-046). The testing was carried out under the direct and continuous supervision of a Site Director (Zbigniew Malek), accompanied by a supervisor, a site assistant and a surveyor, in order to identify any subsurface archaeological remains that may have survived.

10.6 As a result of the archaeological testing and a preliminary architectural heritage survey, three areas of archaeological and historical potential were identified and recorded as Archaeological Areas (AA) 1–3: a post-medieval vernacular house and outbuilding (AA1), an isolated pit with *in-situ* burning (AA2), and a group of two charcoal-production kilns and a posthole (AA3). These sites will be impacted by the proposed development and construction works on site will result in the total removal of these sites. Therefore, the three sites are recommended for full archaeological excavation and recording in advance of construction. Archaeological excavation and architectural heritage survey involve preservation by record through appropriate rescue excavation of archaeological features or deposits and appropriate documentation of architectural structures so as to mitigate impacts on the archaeological and historical remains.

10.7 The testing also revealed numerous post-medieval/modern features of an agricultural nature including field boundary ditches, field drains and agricultural furrows. These features are not considered to be of archaeological interest and have been adequately recorded.

10.8 The submitted report has been updated on receipt of a revised development description (detailed in Part 2 of this report) and updated site layout plan (Figure 2), received from the client on 16 June 2022 in advance of their planning submission. The submitted report asserts that the updates received do not have any material change in the impacts or recommendations put forward in the previous version of this report (submitted 24 January 2022).

10.9 It is recommended that no building works, drainage features or landscaping works are undertaken within an exclusion zone defined by the ZoN for the ringfort and that this buffer zone will be permanently fenced-off prior to groundworks commencing and defined by a line of trees within the finished development. It is also recommended that any site preparation groundworks such as topsoil clearance, or other intrusive activity on the site, should be monitored by a licence-eligible archaeologist under a licence issued by the NMS of the Department of Housing, Local Government and Heritage.

10.10 The report concludes that all recommendations are subject to the approval of the NMS and the Director of the National Museum of Ireland (NMI). Proposed mitigation measures should comply with the *National Monuments Acts 1930 to 2014*. Preservation by record should be undertaken under the existing licence (21E0518) issued under Section 26 of the *National Monuments Act 1930* (as amended) and be in accordance with the *Framework and Principles for the Protection of the Archaeological Heritage* (DAHGI 1999).

Please refer to the enclosed Archaeological Impact Assessment Report prepared by AMS, for further details.



11.0 Appropriate Assessment

11.1 Appropriate Assessment (AA) has been undertaken for the proposed development by Enviroguide Consulting Ecologists. The submitted screening report has evaluated the proposed development at Rathgowan to determine it is likely to have a significant effect, alone or in combination with other plans and projects, on any European Site, in view of their conservation objectives.

11.2 To identify the European Sites that potentially lie within the Zone of Influence (ZOI) of the Proposed Development, a Source-Pathway-Receptor method (S-P-R) was adopted, as described in 'OPR Practice Note PN01 - Appropriate Assessment Screening for Development Management' (OPR, 2021), a practice note produced by the Office of the Planning Regulator. This note was published to provide guidance on screening for appropriate assessment (AA) during the planning process, and although it focuses on the approach a planning authority should take in screening for AA, the methodology is also readily applied in the preparation of Appropriate Assessment Screening Reports such as this.

11.3 The guidance document published by the Department of Housing, Planning and Local Government (then DEHLG) 'Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities' (2009) recommends an arbitrary distance of 15km as the precautionary ZOI for a plan or project being assessed for likely significant effects on European Sites, stating however that this should be evaluated on a case-by-case basis. As such, the 15km ZOI is used in this report as an initial starting point for collating European Sites for AA screening.

11.4 The result of this preliminary screening concluded that a total of six Special Areas of Conservation (SACs) and five Special protection Areas (SPAs) are located within the 15km ZOI of the Proposed Development Site. The distances to each site listed in Table 1 are taken from the nearest possible point of the Proposed Development Site boundary to the nearest possible point of each European Site.

11.5 Potential impacts between the Proposed Development Site and four European Sites within the ZOI were identified. The European Sites linked to the Proposed Development include:

- Lough Ennell SAC
- Lough Owel SAC
- Lough Ennell SPA
- Lough Ennell SAC

11.6 The Proposed Development at Rathgowan, Mullingar, Co. Westmeath has been assessed taking into account:

- the nature, size and location of the proposed works and possible impacts arising from the construction works.
- the qualifying interests and conservation objectives of the European Sites
- the potential for in-combination effects arising from other plans and projects.

11.7 The submitted AA Screening Report concludes that *"upon the examination, analysis and evaluation of the relevant information and applying the precautionary principle, it is concluded by the authors of this report that, on the basis of objective information; the possibility **may be excluded** that the Proposed Development will have a significant effect on any of the European Sites listed below, either alone or in-combination with other plans or projects:*



- *Lough Owel SAC*
- *Scragh Bog SAC*
- *Wooddown Bog SAC*
- *River Boyne and River Blackwater SAC*
- *Garriskil Bog SAC*
- *Lough Owel SPA*
- *Lough Derravaragh SPA*
- *Lough Iron SPA*
- *Garriskil Bog SPA”.*

11.8 The AA Screening Report also states that *“upon examination of the relevant information including the nature of the Proposed Development and the potential for significant effects on European Sites, the possibility may not be excluded that the Proposed Development will have a likely significant effect on the following European Sites:*

- *Lough Ennell SAC*
- *Lough Ennell SPA”.*

11.9 The Appropriate Assessment Screening Report concludes *“that a degree of exists that the Proposed Development could give rise to potentially significant effects on Lough Ennell SAC and Lough Ennell SPA during the Construction Phase. Accordingly, a Natura Impact Statement has been prepared for the Proposed Development and is included under a separate cover”.*

11.10 The submitted Natura Impact Statement (NIS) assesses the potential effects of the proposed development on the Lough Ennell SAC and the Lough Ennell SPA. The NIS outlines the potential significant effects of the proposed development in the absence of mitigation measures on Lough Ennell SAC and Lough Ennell SPA due to Construction Phase surface water discharges from the Site. It also sets out mitigation measures that will ensure that no significant effects arise on designated sites as a result of the Proposed Development, either alone or in-combination with other projects. It reasserts, as concluded in the AA Screening report, that the Operational Phase of the proposed development does not have the potential to result in significant effects to any European Site within the Zone of Influence.

11.11 The submitted NIS concludes that it details the findings of the Stage 2 Appropriate Assessment conducted to further examine the potential direct and indirect impacts of the proposed development planning application at Rathgowan, Mullingar, Co. Westmeath, on the following European Sites:

- *Lough Ennell SAC (000685)*
- *Lough Ennell SPA (004047)*

11.12 The above sites were identified by a screening exercise that assessed likely significant effects of a range of impacts that have the potential to arise from the proposed development. The Appropriate Assessment investigated the potential direct and indirect effects of the proposed works during the Construction Phase, on the integrity and qualifying interests of the above European Sites, alone and in combination with other plans and projects, taking into account the site's structure, function and conservation objectives.

11.13 The NIS states that *“where potentially significant adverse effects were identified, a range of mitigation and avoidance measures have been proposed to negate them. Therefore, as a result of the complete, precise and definitive findings of this Appropriate Assessment; it has been concluded beyond any reasonable scientific*



doubt, that the proposed development will not have any significant adverse effects on the above or any European Sites”.

12.0 Ecological Impact Assessment

12.1 Enviroguide Consulting have prepared the submitted Ecological Impact Assessment Report (EclA) which assesses the potential effects of the proposed development on habitats and species; particularly those protected by national and international legislation or considered to be of particular nature conservation importance.

12.2 The specific objectives of the study were to:

- Undertake baseline ecological surveys and evaluate the nature conservation importance of the site of the proposed development;
- Identify and assess the direct, indirect, and cumulative ecological implications or impacts of the proposed development during its lifetime;
- Where possible, propose measures to remove or reduce those impacts at the appropriate stage of the development.

12.3 Field surveys were carried out on the subject site, including habitat and invasive flora surveys, bat surveys, bird surveys, mammal surveys. The habitats within the site were examined and potential impacts of the proposed development on designated sites, fauna, bats and birds assessed. A series of mitigation measures are set out in the submitted EclA, which concludes that *“provided mitigation measures proposed are carried out in full, there will be no significant negative impact to any valued habitats, designated sites or individual or group of species as a result of the proposed development. Based on the successful implementation of the mitigation measures and proposed works to be carried out in accordance with the accompanying landscape plan, there will be no significant ecological impact arising from construction and the day-to-day operation of the proposed development. The incorporation of native species planting with particular focus on enhancing pollinator friendly habitats and ecological corridors for local mammal, bird, and bat populations, will be of benefit to the long-term biodiversity on the site”*. Please refer to the submitted EclA Report in full for further details.



13.0 Conclusion

13.1 The proposed development is considered to be an appropriate form of development for the subject site and as such is put forward for permission. Having regard to the land use zoning objective attached to the site, along with the planning history associated with same, as well as its context adjoining existing housing, it is put forward that the proposal to develop housing on the subject site is acceptable.

13.2 The proposed development of 212 no. dwellings, at a net density of 35 units per hectare, represents an efficient density for this zoned, serviced site and is within the recommended density range for this site. The proposed site layout plan is based upon the principles of DMURS and good urban design as set out in the Urban Design Manual – a Best Practice Guide. The enclosed Architectural Design Rationale demonstrates how key urban design criteria have been applied to the proposed site layout plan, taking into account the irregular shape of the site, as well as various constraints.

13.3 There is a good mix of dwelling types, variation in design and character areas to establish a sense of place throughout the scheme. Good street frontage is proposed so as to create a strong urban edge with dwellings addressing streets, open spaces and adjoining open space zoned lands. Based upon feedback received from the Planning Authority and An Bord Pleanála, the proposed site layout plan was amended, with the positioning of a 4 storey apartment building at the front of the site in order to appropriately address the street (R394) and create a strong urban streetscape. The public open spaces will be passively overlooked, cater for a range of recreation types, while consolidating and enhancing existing open space. Heritage items such as archaeology, townland boundary and hedgerows are being respected and maintained as part of the proposed development.

13.4 Having regard to the policies and objectives in both the 2021-2027 Westmeath County Development Plan, and the Mullingar Local Area Plan 2014-2020, along with guidance set out in the following:

- the Rebuilding Ireland Action Plan for Housing and Homelessness 2016;
- Housing for All – a New Housing Plan for Ireland (2021);
- the National Planning Framework (2018);
- the Design Manual for Urban Roads and Streets (DMURS) (2019);
the Guidelines for Sustainable Residential Developments in Urban Areas and the accompanying Urban Design Manual – a Best Practice Guide (2009);
- the Sustainable Urban Housing: Design Standards for New Apartments, (2020);
- Urban Development and Building Heights Guidelines for Planning Authorities (2018);

along with the nature, scale and design of the proposed development and the pattern of existing and permitted development in the area, it is put forward that the proposed development accords with the proper planning and sustainable development of the area.

13.5 Judicious consideration has been paid to the previous planning decisions regarding the subject site, as well as the locational context of the site, in order to provide an appropriate form of residential development on the subject site. It is considered that the current proposal caters for variety and distinctiveness, creates a sense of place and is a good urban design response to the site. A variety of dwelling types are dispersed throughout the site in an efficient manner that accords with best urban design practice, whilst also providing for an adequate and acceptable level of density that accords with national guidance.



A summary of the site statistics are set out in Table 8:

| | |
|-------------------------------------|---------------------------------|
| Gross Site Area | 6.37 Ha |
| Developable Area | 5.96 Ha |
| No. of Dwellings | 212 |
| Density (Net) | 35 units / Ha |
| No. of Houses | 107 |
| No. of Duplex Units | 86 |
| No. of Apartments | 19 |
| Building Height | 2, 3 & 4 storeys |
| No. of Car Parking Spaces | 290 |
| Site Coverage | 15% |
| Plot Ratio (total site area) | 0.36 |
| Active Open Space Provision | 1.06Ha / c.16% of the site area |
| Creche | 428m ² |

Table 8 – Site Statistics

12.6 This Planning Statement, along with the accompanying Statement of Consistency, Material Contravention Statement and Environmental Impact Assessment Screening Report etc. provide the background information on the site and the proposed development, and the required supplementary information to support this application for permission to An Bord Pleanála. We therefore respectfully request that the permission being sought be granted.

Yours sincerely,

Tracy Armstrong, BA, MRUP, MIPI, MRTPI
Armstrong Fenton Associates.

A