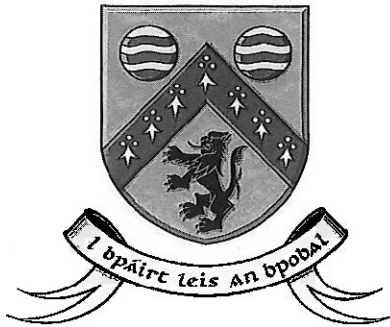


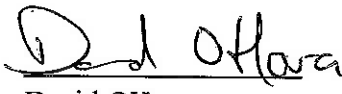
LAOIS COUNTY COUNCIL
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Aras an Chontae,
Portlaoise



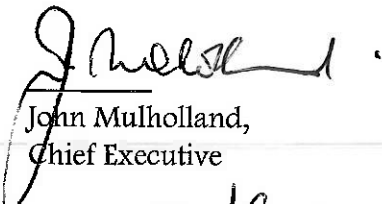
PLANNING REPORT

The development will consist of the construction of a residential development of a total of 67 dwelling units, consisting of 30 houses and 37 apartments over 3 Blocks, at Railway Street, Portlaoise, Co. Laois with a new access road from Railway Street at the existing entrance to Maryville House and a new pedestrian access path at the existing entrance to Maryville House from Millbrook. The development will also include a new 94 space public car park.


David O'Hara,
Senior Executive Planner


Joseph Delaney,
Director of Services

Pursuant to Part 8 of the Planning & Development Regulations 2001 as amended this report is submitted to the members of Laois County Council. In accordance with Section 179 (3)(a) of the Planning & Development Act, 2000 as amended, it is proposed to proceed as indicated in Section 8 of this report.


John Mulholland,
Chief Executive

DATE: 22 July 2020

TABLE OF CONTENTS

- 1.0 Foreword.
- 2.0 Description of the Nature and Extent of the Proposed Development.
- 3.0 Likely Implications, if any, with respect to the Proper Planning and Sustainable Development of the area.
- 4.0 Persons or Bodies who made Submissions or Observations with respect to the Proposed Development and response to submissions.
- 5.0 Appropriate Assessment.
- 6.0 EIA.
- 7.0 Flood Risk.
- 8.0 Climate Action
- 9.0 Action Proposed.

1.0. FOREWORD

1.1 This Planning Report has been prepared pursuant to Section 179 of Part XI, of the Planning and Development Act, 2000 as amended, and Articles 81, 82, 83 and 84 of Part 8, S.I. No. 600 of Planning and Development Regulations 2001 as amended.

1.2 Public advertisement of the proposed development was undertaken through the following media:

- a newspaper notice placed in the Leinster Express edition of 2nd June 2020 .
- the notice and drawing were also uploaded onto the Laois County Council website.
- A site notice and drawings were erected on site.

Owing to the COVID Pandemic, every effort was made to engage with the public and a new consultation portal was used to display drawings and allow the public to make submissions on the development.

Submissions or observations with respect to the proposed development, dealing with the proper planning and the sustainable development of the area in which the development would be situated, were accepted online at <https://consult.laois.ie> before 5.00 p.m. on 15th July 2020.

2.0. DESCRIPTION OF THE NATURE AND EXTENT OF THE PROPOSED DEVELOPMENT

2.1 Introduction

This report has been prepared to support a Part 8 planning submission for a development consists of 67 residential units provided as follows:

- 16 no 2 bed apartments
- 21 duplex 2 bed units provided in 2 blocks
- 30 dwellings consisting of 4 no. bungalows and 26 no. 2 storey units. The 2 storey units are a mix of 2 and 3 bed.
- 94 space car park including 12 E car spaces
- 4 bicycle shelters and bus turning/setdown facilities

The development also includes foul and surface water drainage works, surface water attenuation, footpaths, landscaped open space, passive and active areas and all associated site works and boundary treatments.

2.2 Description of Location

The development will consist of the construction of a residential development with car parking for the train station all at a site of 1.96 hectares, at CBS Lands, Portlaoise, Co Laois The land formed part of the St. Mary's CBS and was used as a sport field.

The site is bounded to the north by the train line/train station, to the east by the Triogue River/Blueway and Triogue River Walk and, to the south by Millbrook residential development and the CBS School. Railway Street is located to the west of the site and has a mix of residential and commercial properties. Maryville House, a protected structure is located immediately south.

2.3 Summary of Proposed Works

The development will comprise the construction of a residential development of a total development consists of 67 residential units provided as follows:

- 16 no 2 bed apartments
- 21 duplex 2 bed units provided in 2 blocks
- 30 dwellings consisting of 4 no. bungalows and 26 no. 2 storey units. The 2 storey units are a mix of 2 and 3 bed.
- 94 space car park including 12 E car spaces
- 4 bicycle shelters and bus turning/setdown facilities

The development also includes foul and surface water drainage works, surface water attenuation, footpaths, landscaped open space, passive and active areas and all associated site works and boundary treatments.

2.4 Building Type

The following is the Details of unit types within the development:

- Apartment Block; 16 No. 2 Bed apartments (total 1,142.8 Sqm).
- Duplex Block 1; 13 No. 2 Bed units (total 970.5 Sqm).
- Duplex Block 2; 8 No. 2 Bed units (597.2 Sqm).
- House Type 1; 16 No. 3 Bed terraced house units (total 1,552 Sqm).
- House Type 2; 2 No. 4 Bed end of terrace units (total 172.2 Sqm).

- House Type 3; 3 No. 2 Bed detached bungalow units (total 231.9 Sqm).
- House Type 4; 2 No. 3 Bed end of terrace units (total 198 Sqm).
- House Type 5; 6 No. 3 Bed terraced units (total 582 Sqm).
- House Type 6; 1 No. 2 Bed detached bungalow unit (total 64.5 Sqm).

The design and layout of the proposed development is considered acceptable and is considered will minimise impact on adjoining properties. It is considered that the development will not negatively impact on the residential amenities of neighbouring properties.

2.5 Zoning

The development site is zoned Town Centre in the Portlaoise Local Area Plan 2018-2024. The proposed development is deemed acceptable within such a zoning classification.

2.6 Drainage

- Foul effluent will be discharged to the public foul sewer network.
- Surface water will be discharged to surface water drainage works
- Potable water is to be sourced from the public main.

2.7 Access

There are 2 no. access points to the site – the first (a pedestrian access) off Church Street / Tower Hill and the second off Railway Street through an existing entrance. A traffic and Transportation impact assessment has been prepared.

2.8 Landscaping

Green pine consultants have provided a landscaping strategy for this development. Planting is provided along external boundaries and to parking areas to reduce their visual impact.

3.0. LIKELY IMPLICATIONS, IF ANY, WITH RESPECT TO THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA.

3.1 Planning Policy

National and regional planning policy in relation to urban development focuses on town centre renewal and regeneration in the National Planning Framework and Eastern and Midlands Regional Spatial and Economic Strategy where 30% of all new residential development should focus on Brownfield lands.

There are also numerous policies and objectives in the Portlaoise Local Area Plan 2018-2024 and the Laois County Development Plan 2017-2023 which are both specifically and generally supportive of the proposed development.

3.1.1 National Planning Framework and Regional Spatial and Economic Strategy

National Strategic Outcome (NSO 1) in the National Planning Framework (NPF) and Regional Strategic Outcome (RSO 2) in the Eastern and Midlands Regional Spatial Economic Strategy (RSES) require compact growth in our urban areas, making better use of underutilized lands and buildings within the existing built up urban footprint to revitalise and consolidate town centres.

Furthermore, both National Planning Objective 3c and Regional Planning Objective 3.2 in the NPF and RSES respectively, require *‘at least 30% of all new homes that are targeted in settlements...within their existing built-up footprints’*.

The proposed development is located on a key brownfield site within Portlaoise Town Centre, where specific objectives to regenerate and revitalise the area to provide a greater residential community in the area have been identified in the Portlaoise Local Area Plan 2018 - 2024. The proposed development is therefore considered to comply with the aforementioned objectives.

3.1.2 Laois County Development Plan 2017-2023

There are numerous policies and objectives in *Section 3 Housing Strategy of the Laois County Development Plan 2017-2023* which are both specifically and generally supportive of the proposed development. Relevant policies and objectives pertaining to housing are as follows:

It is the policy of the Council to:

- *HP1: Plan positively for future housing requirements in the county in accordance with the revised population targets. In doing so, the Council will facilitate the expansion of existing settlements in a planned and coordinated fashion, ensuring that adequate provision of necessary infrastructure comes forward alongside development;*
- *HP3: Seek a high quality of design in all housing development having due regard to Government policy relating to sustainable development, which aims to reduce the demand for travel within existing settlements, and the need to respect and reflect the established character of rural areas;*

It is an objective of the Council to:

- *HP1: Facilitate the provision of housing units to sufficiently cater for social and specialist housing needs over the Plan period, as established in the County Housing Strategy,*

The fundamental purpose of the County's Settlement Strategy will be to promote appropriate levels of sustainable development within the existing zoned settlements throughout the county. This strategy will help to deliver a range of house types, facilities, infrastructure, amenities and an efficient transport system. This in turn will facilitate linkages between settlements, support their expansion and consolidation, and in so doing, will help create high quality living environments. The strategy will provide for the creation of a settlement hierarchy reflecting the development role of each settlement type, and assist the Council in formulating realistic objectives, that can be delivered through the policies of the Plan.

CS 10 Provide for active and efficient use of derelict sites, vacant premises, neglected lands, disused (brownfield) or underused lands that are zoned and served by existing public infrastructure and facilities, to consolidate the urban form, improve streetscapes, support housing delivery and smarter travel as well as strengthen the vitality and vibrancy of urban areas, by way of the development management process and other mechanisms including the imposition of levies under the Urban Regeneration and Housing Act 2015 and Derelict Sites Act 1990, the preparation of opportunity site briefs and the consideration of incentives in the preparation of Development Contributions Scheme(s).

CS12 It is an objective of this Council to increase the delivery of housing units in areas of need and to encourage and facilitate the appropriate development and renewal of areas that are in need of regeneration in order to prevent (i) Adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land (ii) Urban blight or decay (iii) Anti-social behaviour, or (iv) A shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses.

3.1.3 Portlaoise Local Area Plan 2018 – 2024

In Section 8 of the Portlaoise Local Area Plan 2018 – 2024, provides a Development Vision and Strategy intended to guide the future growth of the town with objectives *'to support and facilitate sustainable intensification and consolidation of the town centre and in established residential areas'* and also focus *'new residential development into brownfield sites'*.

It is also a policy of the Plan to *'implement the policies and objectives of the Portlaoise Public Realm Strategy "2040 and Beyond: A Vision for Portlaoise"*. In this regard, the subject site forms part of a larger land parcel identified in the aforementioned strategy as an opportunity site for redevelopment and to fulfill the aspirations for the growth of the town centre residential population.

It is considered that the proposed development has incorporated the requirements of this Strategy to ensure the creation of a sustainable residential community in the Town Centre.

Section 10 of the Plan also supports the sustainable development of Portlaoise, encouraging redevelopment of town centre brownfield sites and in particular the proposed development accords with the following objective:

TCR O4: Encourage and facilitate the reuse and regeneration of derelict and vacant sites and disused buildings, especially upper floors.

3.1.4 2040 and Beyond: A Vision for Portlaoise – A Strategy for a better Town Centre

This development is set in the context of the policy document *“2040 and Beyond A Vision for Portlaoise – A Strategy for a better town centre”*. The key policy objectives of this strategy are to;

- Create a walkable town centre,
- Green the town centre,
- Reconnect the old and new towns,
- Accommodate more people in the town centre,
- Provide a more attractive environment developing more employment opportunities in the town centre.

The following are the proposed Interventions for Area 3 as identified in the “2040 and Beyond A Vision for Portlaoise – A Strategy for a better town centre”.

New route from Railway Station to Fitzmaurice Place through former CBS lands (pedestrian/cycle or vehicular).

Purpose: To enable a more direct connection from the Railway Station to the development sites at the former Presentation Convent and to ‘Lower Square’, Pepper Lane and beyond.

- Key Features: Acquire the bungalow site at Tower Hill and lay out a new tree-lined route to a possible bicycle and car parking area on the former CBS lands and forming a vista to the round bastion of Fort Protector; Construct houses of architectural quality to face the new route at gables of adjoining housing.
- Outcomes: Greater connectivity and permeability of the ‘heritage quarter’ of the Town; Improved visibility and heightened presence of the Fort Protector in the townscape.

Improve the setting of the Railway Station building:

- Purpose: To maximise the impact on the public realm of this important historic building by Sancton Wood, architect of Heuston Station and other stations of the Great Southern and Western Railway line.
- Key Features: Upgrade ground surfaces; integrate mature trees and as far as possible historic stone walls in the design solution; Maintain setting of Protected Structure Maryville House in any attendant development.
- Outcomes: Strengthening of the good visual quality of Railway Street and Bank Place as the entry point to the Town for railway users.

The proposed development achieves on these outcomes as identified.

3.2 Architectural Heritage

There is one protected structure adjoining the site but not part of this development – RPS – 463 Maryville House. The following is an extract from the An Taisce Buildings at Risk Register - “This building has been vacant for a number of years and does not appear to be maintained. Most of the external fabric remains, but there are obvious signs of deterioration, particularly water penetration,

slipped slates, vegetation growth, broken windows and vandalism. There is no immediate danger of collapse but the condition is such that unless urgent remedial works are carried out the building will sharply deteriorate.

A finely detailed Regency style villa with impressive Ionic portico within extensive grounds to the south of the railway station. There are attractive views of the house, surrounded by trees, from the railway station and railway bridge, making a significant contribution to the character of Church Street. This building urgently requires new uses to be identified to prevent further deterioration of its character.”

Future Proposals for this structure will be informed by a Built Heritage Conservation report carried out by a Grade 1 Conservation architect.

3.3 Archaeological Heritage

It is noted that the proposed development is located within the zone of archaeological potential established around the historic town of Portlaoise, Recorded Monument LA013- 041--- which is subject to statutory protection in the Record of Monuments and Places established under section 12 of the National Monuments (Amendment) Act 1994.

The development is located within a site of archaeological potential. Geophysical Surveys are required and will be subject to further mitigation measures if required. Archaeological monitoring will be required of any land stripping on site having regard to the location adjacent to the Fort Protector and the extensive history in the area.

Natural Heritage

The following policies of the Portlaoise LAP 2018-2024 aim to ensure integration of new developments with existing green infrastructure.

NH O1: Identify, protect and conserve natural heritage sites, nationally designated conservation sites and non designated sites in co-operation and consultation with the relevant statutory authorities.

NH O2: Seek integration of all elements of existing green infrastructure into new developments, prevent fragmentation and mitigate potential impacts on the existing green infrastructure network.

NH O3: Require the preservation and maintenance of suitable mature trees, hedgerows and natural heritage features in new developments.

NH O4: Seek to preserve, protect and maintain trees of special amenity, conservation or landscape value.

NH O5: Carry out and require the planting of native trees, hedgerows and vegetation in all new developments.

NH O6: Open up visual and physical access via the River Triogue from People's Park as a continuous pedestrian and cycle link through the town centre, and potentially through the Convent Lands having regard to ecological considerations including protected species and habitats.

NH O7: Reconnect the Triogue Linear Park with the residential areas to the north of the Town Centre.

This site currently has the existing Triogue walkway running along the Northern Boundary of the site which can be integrated with the development at a future date.

3.4 Landscape and Visual

Given the location of the site within the town centre of Portlaoise which was once used as a green field for the CBS Educational facility and previously the demesne of Mary Ville House, the proposed development of car parking and housing with areas of open spaces will change the appearance of the landbank. However set within the urban core of Portlaoise and adjacent to 2 and 3 storey premises and the Railway station, it is considered that the visual impacts of the proposed development at this location will be minimal. Existing Landscaping and further proposals will settle the development into the urban streetscape.

3.4 Noise and Vibration

Subject to good working practice during the construction phase construction noise and vibration impacts will be kept to a minimum.

4.0. PERSONS OR BODIES WHO MADE SUBMISSIONS OR OBSERVATIONS WITH RESPECT TO THE PROPOSED DEVELOPMENT AND RESPONSE TO SUBMISSIONS.

A total of 8 no. of submissions were received in relation to the proposed development, 2 no. of which were received from statutory bodies.

4.1 Submissions received:

Each of the topics addressed in the 7 submissions received by Laois County Council is responded to in this section.

4.1.1 Department of Culture, Heritage and the Gaeltacht

Archaeology

Given the location of the development it is possible that subsurface archaeological remains could be encountered during the construction phases that involve ground disturbance.

It is the Department's recommendation that a thorough Archaeological Assessment to include geophysical survey should be carried out in order to assess the potential impact, if any, on archaeological remains in the area where development is proposed to take place. This assessment should include a description of the known and potential archaeological remains based on results of field walking, documentary research, cartographic research, examination of aerial photography and a visual impact report. A geophysical survey should be carried out to detect any subsurface archaeological features/deposits within the proposed site.

The archaeologist shall submit the Archaeological Assessment to the National Monuments Service Section of the Department of Culture, Heritage and the Gaeltacht and the relevant Planning Authority outlining all of the above. Should there be a significant archaeological impact, the Department will advise on further mitigation.

Reason:

To ensure the continued preservation (either *in situ* or by record) of places, caves, sites, features or other objects of archaeological interest.

RESPONSE

Condition to be attached in relation to Archaeological testing and monitoring

Architectural Heritage

Department's Recommendations:

The appointment of a Grade 1 Conservation Architect to provide a built heritage assessment of the proposed site and to determine appropriate measures/proposals to ensure the long term use and survival of Maryville as part of the overall development.

The review of the proposed layout for car parking/landscape and the provision of mitigation measures to reduce the impact on the surviving significance of Maryville.

RESPONSE

The Department's concerns regarding the Maryville Houses are noted. A future application on this building will be prepared by a Conservation Grade 1 Architect to ensure sensitive restoration and reuse of the building.

Nature Conservation

The following summarises the issues raised

1. The Department recommends that an Ecological Impact Assessment (EcIA) is carried out, including habitat, bat, bird, mammal and invasive species surveys and note the following should be regarded -
2. Root Protection Areas should be calculated as outlined in the Transport Infrastructure Ireland's (formerly National Road Authority (NRA) 'Guidelines for the Protection and Preservation of Trees, Hedgerows and Scrub Prior to, During and Post Construction of National Road Schemes' and included in the EcIA with any other required mitigation and compensation measures.
3. In accordance with Natural Heritage Objective NH011 of the Portlaoise Local Area Plan 2018 2024, Laois County Council must maintain riverbank vegetation along the Triogue River and ensure protection of a 20m riparian buffer zone on this Greenfield site and maintain this buffer free from development. It is not clear from the planning application documents that a 20m buffer has been maintained. The extent of the buffer zone must be clearly outlined in the EcIA.
4. The Department advises that native hedgerow species must be planted in compliance with Council policy and to maintain biodiversity within the development site.

RESPONSE

It is acknowledged that Ecological Impact Assessment (EcIA) should be carried out, including habitat, bat, bird, mammal and invasive species surveys. These will be carried out prior to the commencement of development.

An appointed Ecologist will advise on further measures to be taken in relation to the development. The implications of both the bat hibernation and bird nesting on the appropriate timing of the survey and may contact the department directly to review prior to commencing the survey.

The development allows for 10m of riparian zone generally on this site which accommodates the existing Triogue Blueway. This is considered acceptable given the nature of the adjoining site which has a lesser area and is prohibited by the railway crossing to the west of the site.

4.1.2 Iarnród Éireann

The observations made by Iarnród Éireann relate to agreement regarding the agreement of Boundary treatments along their shared boundary, maintenance of the embankment, discharge to the railway ditches etc, use of crane over railway property, control of lighting, glint and glare, hours of operation of the railway activities, noise survey and mitigation measures to be installed.

RESPONSE

Prior to commencement a detailed boundary treatment will be agreed between all parties. All noise mitigation will be factored into detailed design phase.

4.1.3 John Delaney

The issues raised are summarized as follows –

- Impact of traffic on the overall area

RESPONSE

With reference to the Traffic and Transport Assessment Document a detailed traffic count was undertaken by Jason Redmond and Associates (JRA) Consulting Engineers. The junction onto Railway street was modelled in accordance with the IHT Guidelines for TIA, and the NRAs Traffic and Transportation Assessment Guidelines (May 2014) in the assessment of the traffic impact resulting from the proposed development.

JRA Consulting Engineers have assessed the site access junction using the T.I.I approved PICADY (Priority Intersection Capacity And Delay) software package.

The results of the modelling clearly show that the proposed junction will have more than adequate capacity to accommodate the traffic associated with the Proposed Development at the Railway Street. All the RFCs are below the theoretical capacity of 0.85, and relatively minimal queuing is anticipated.

The design calculations carried out on PICADY's minimum road widths indicate that there will be a minimum spare Network Residual Capacity of up to 160% for vehicles in the future design year 2032. The junction will have adequate capacity to cater for the additional traffic flows as resulting from the Proposed Development. It is suggested that the low level of traffic associated with the Proposed Development will result in no decrease in the current safe use of the existing road network. The receiving road network has adequate capacity to safely cater for the proposed development including the localised road narrowing's as described above. Localised narrowing and changes in horizontal alignment assist in reducing the speed of vehicular traffic and assist in improving safety for all road users.

4.1.4. Michael Delaney and Theresa Kavanagh

The issues raised are summarized as follows –

1. Existing trees to be kept in place as they will provide privacy for us from the proposed development.
2. The existing wall to be kept at the current height.
3. Traffic when exiting the proposed new car park is likely to cause a problem as this street is already extremely busy at certain times . Extra traffic is likely to cause problems for existing houses to exit and enter their premises. It will also be meeting with the traffic exiting the multi story car park.

RESPONSE

Existing Trees will be maintained along the boundary of the site except where they have to be removed due to condition or for sightlines purposes.

The existing Boundary wall along Railway Street will be maintained in place but will be reduced to a height of 0.5m in order to ensure a necessary level of passive supervision of the car park.

Response as above in relation to Traffic

4.1.5 Jeremiah and Christina Campion

The issues raised are summarized as follows –

1. Security to ensure boundary treatment is sufficiently secure and of appropriate structurally sound materials not wooden fencing and of an appropriate height at 8 feet to preserve security of our site.
2. Privacy boundary treatment should ensure visual and sound privacy. Houses should not be orientated in such a way as to diminish our privacy. Appropriate mature landscaping should be incorporated to assist.
3. Existing high trees to be dealt with in an appropriate fashion and that should be conditioned into the permission.
4. This will also raise traffic concerns re likely significant increase in traffic at particular times and the existing road network will not be able to cope and will greatly diminish the ability of existing residents and businesses to access and exit their properties during peak periods.
5. The density of the development is too high and the design is inconsistent with the existing nature of the mature streetscape and design of particularly the heritage sensitive properties immediately adjacent to the site, Ivyleigh House, Fitzmaurice House and former bank.

RESPONSE

1. It is proposed not to change the existing boundary in any way along this boundary. The proposal will also incorporate a new planted verge at the entrance acting as a buffer between the Ivyleigh House and the entrance to the site.
2. Existing Trees will be maintained along the boundary of the site except where they have to be removed due to condition or that they may be required to be removed for sightlines purposes. An arboretist survey in relation to the conditions of all trees will be prepared and the recommendations implemented.
3. Response as above in relation to Traffic
4. This development has been deemed appropriate in terms of scale and tenure for the location in Portlaoise Town Centre. Laois County Council has confirmed that this development is in line with their development strategy for the town and that there is sufficient social housing demand in the town for this development.

4.1.6 Eimhin McEvoy

The issues raised are summarized as follows –

Density of development is too low , car parking should be underground , redevelopment fo Maryville house should be considered , housing should be affordable and social mix, biodiversity measures should be incorporated , mature trees and walls should be retained, access to the River should be included.

RESPONSE

The Planning Authority notes the submission in relation to achieving higher densities at this location, a mixture of social and affordable housing, the potential for the preservation of the historic wall and tress on the grounds.

While the density of the scheme is 37 Units per ha and may be considered low in the context of national and regional policy, however the Planning Authority are cognisant of the cultural heritage, natural heritage and built heritage surrounding the site. This density is deemed to be appropriate in terms of the challenges the site faces and also in terms of meeting other objectives of both the *Portlaoise LAP 2018-2024* and *2040 and beyond A Vision for Portlaoise – A strategy for a better town centre* in terms of low carbon and biodiversity. This development seeks to encourage and promote walking and cycling through the site to access the Tran Station and is designed to allow for permeability through the site from other areas within the town.

This site is an opportunity site within the Portlaoise LAP 2018-2024

10.2.2 Opportunity Site 2: Fitzmaurice Place including the schools sites

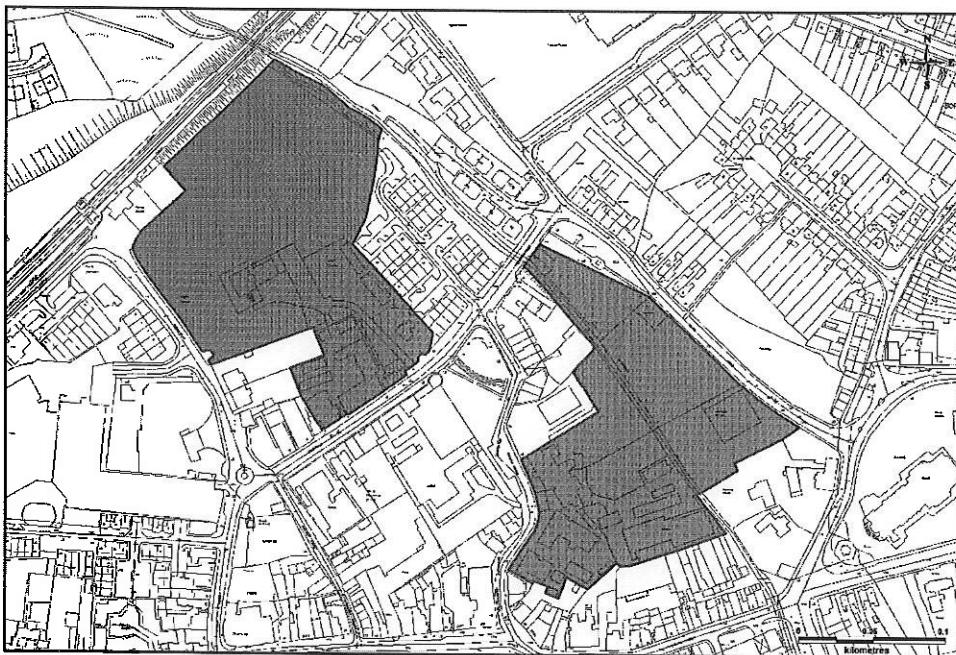


Figure 1: Fitzmaurice Place including Schools

As an identified opportunity site within this area of town, a number of developments are occurring to improve the vitality and vitality of this area i.e. the redevelopment of the Cube Building on Church Street / Tower Hill as a centre of Low Carbon Excellence, the regeneration of the Convent site for residential and social amenity, the restoration of St Peters Graveyard as a Urban Garden and the future regeneration of Maryville House by the owner for potentially commercial / office development. Substantial funding has been awarded under the URDF in relation to reimagining this area in the town

of Portlaoise as a Cultural Quarter but also too repopulating in line within current national and regional planning policy.

The need for car parking at this location is justified in terms of improving the accessibility of the public transport rail/ bus services in order to achieve transition to a low carbon society. It should be noted that E charging points are being integrated into this development as are a number of low carbon features including surface water swails in the car parking area and the buildings will be provided at a NZEB rating.

The Planning Authority is particularly conscious of the benefits of linking into the River Triogue which runs on the Northern Boundary of the site currently and will connect into the site at a future date. A condition will be imposed to ensure sensitive connection and further design detail in this regard.

4.1.7. John Dunne

1. As much as possible of the old wall near the railway station
2. As many as possible of the trees inside the wall

I also propose that the development be named The Golden Croft and not some generic name with no connection with the location. The Golden Croft is the old name of the field in which the new development is to be built and it has strong significant historical relevance with the town.

RESPONSE

1. The existing Boundary wall along Railway Street will be maintained and final design or modification will be subject to agreement with the Planning Authority. It is worth noting that is not an old wall. This wall was constructed by the CBS in the early 90's and is a concrete wall with stone facing.
2. Existing Trees will be maintained along the boundary of the site except where they have to be removed due to condition or that they may be required to be removed for sightlines purposes. An arborist survey in relation to the conditions of all trees will be prepared and the recommendations implemented.
3. The Planning Authority welcomes the suggestion of the name for this development and will bring the name before the Placenames Committee following some research as to its origin.

4.1.8. Headspace

The following issues are summarized as follows:-

1. 250 no. parking spaces should be targeted rather than sub 100 no.;
2. Parking should be multi storey rather than surface;
3. The lands should be developed with high density housing and at an efficient level;
4. Maryville House should be provided with a green buffer and integrated into the development; and,
5. High quality cycle parking should be facilitated.

RESPONSE

The Planning Authority notes the submission in relation to the provision of car parking at this location and the efficient use of land at this location.

While the density of the scheme is 37 Units per ha and may be considered low in the context of national and regional policy, however the Planning Authority are cognisant of the cultural heritage, natural heritage and built heritage surrounding the site. This density is deemed to be appropriate in terms of the challenges the site faces and also in terms of meeting other objectives of both the *Portlaoise LAP 2018-2024* and *2040 and beyond A Vision for Portlaoise – A strategy for a better town centre* in terms of low carbon and biodiversity. This development seeks to encourage and promote walking and cycling through the site to access the Tran Station and is designed to allow for permeability through the site from other areas within the town.

The need for Public car parking at this location is justified in terms of improving the accessibility of the public transport rail/ bus services in order to achieve transition to a low carbon society. The surrounding car parks are well used for to serve both the train station and the commercial entities within the town centre, namely the Hotel and the office and commercial functions. A further 94 spaces will increase provision within this area for the purposes of using public transport amongst others.

This proposal incorporates a large bicycle shelter located close to the train station. This will offer an alternative to motor transit to commuters. Also the scheme introduces new routes through the town reducing travel times and reducing traffic on the main road.

It should be noted that E charging points and the provision of bicycle spaces are being integrated into this development as are a number of low carbon features including surface water swails in the car parking area and the buildings will be provided at a NZEB rating.

In relation to the Protected Structure at Maryville, the Planning Authority is very conscious of the need for its sensitive redevelopment of the building to provide optimum use within this setting. The building however is in private ownership and the Planning Authority will continue to work with all such property owners to ensure their regeneration and reuse.

This site is an opportunity site within the Portlaoise LAP 2018-2024

10.2.2 Opportunity Site 2: Fitzmaurice Place including the schools sites

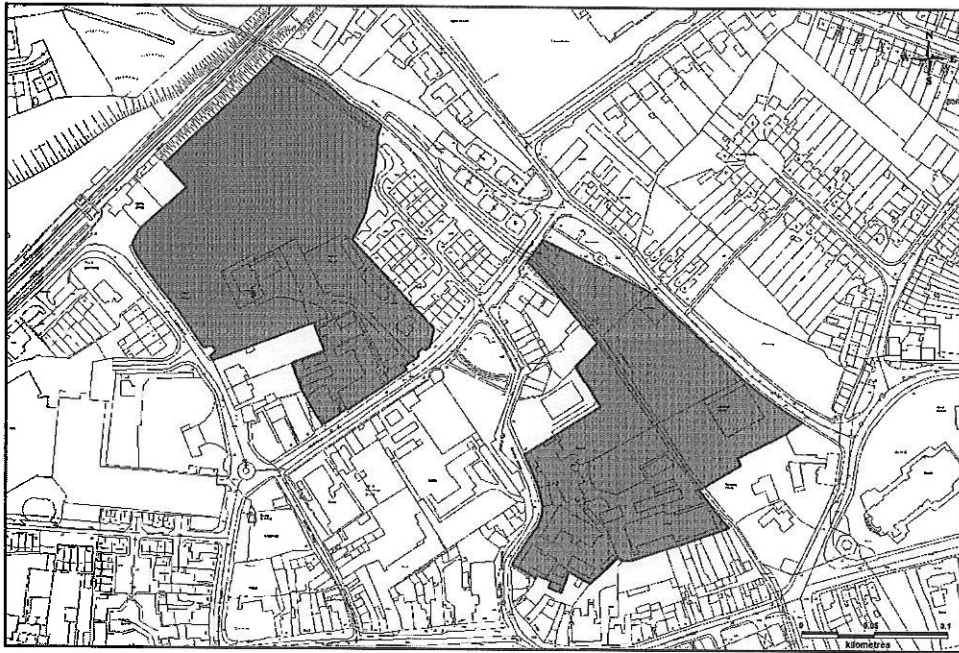


Figure 2: Fitzmaurice Place including Schools

As an identified opportunity site within this area of town, a number of developments are occurring to improve the vitality and vitality of this area i.e. the redevelopment of the Cube Building on Church Street / Tower Hill as a centre of Low Carbon Excellence, the regeneration of the Convent site for residential and social amenity, the restoration of St Peters Graveyard as a Urban Garden and the future regeneration of Maryville House by the owner for potentially commercial / office development. Substantial funding has been awarded under the URDF in relation to reimagining this area in the town of Portlaoise as a Cultural Quarter but also to repopulating in line within current national and regional planning policy.

4.0. APPROPRIATE ASSESSMENT

5.1 Appropriate Assessment is a requirement of Article 6[3] and 6[4] of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, also known as the Habitats Directive.

5.2 Appropriate Assessment is an assessment of the potential effects of a proposed plan, on its own or in combination with other plans or projects, on one or more Natura 2000 sites [Special Protection Areas [SPA] for birds, Special Areas of Conservation [SAC] for habitats and species, Ramsar wetland sites].

5.3 In terms of Natura 2000 designations, an examination of the National Parks and Wildlife Service GIS database was undertaken. This exercise revealed that the site is neither within nor bounding an SAC or SPA. The site is located approximately 7km west and north of the River Barrow and Nore SAC (002162) and 9km east of the Slieve Blooms SAC (000412) and SPA (004160).

5.4 Having regard to the proximity of the nearest SAC/SPA (as indicated above) and given the nature and extent of the proposed development and the availability of support infrastructure, it is not considered there would be potential for significant effects on the Natura 2000 network.

5.6 It is therefore considered that an appropriate assessment of the impact of the proposed development is **not** required.

5.7 A Ecological Impact Assessment to include Surveys on Bats, Invasive species ,etc will be completed prior to construction commencing on site.

6.0 ENVIRONMENTAL IMPACT ASSESSMENT

A screening determination was prepared as part of this proposal and was included with the public display drawings. The Planning Authority determined that the development would not be likely to have significant effects on the environment and that the preparation of an EIAR was not required.

7.0 FLOOD RISK

7.1 The development site is immediately outside the confines of the critical Flood Zones A and B as indicated in the Strategic Flood Risk Assessment of the Laois County Development Plan 2017-2023 and Portlaoise Local Area Plan 2018-2024.

8.0 CLIMATE ACTION

The proposed development meets with the objectives in relation to transitioning to a low carbon town in so far as this plan will provide for town centre living thereby reducing the need to travel to amenities such as shops, schools, community facilities, etc.

The site seeks to achieve better availability of car parking at the Train Station in Portlaoise to encourage and promote sustainable modes of travel either via train, or bus from the town to other locations. Electric Car charging points have been included as part of this proposal to facilitate the transition to EV usage.

A potential future connection to the proposed blueway / greenway along the River Triogue will promote and encourage pedestrian walking and cycling from the development to all services. Permeability from Tower Hill through the site will give access from Fitzmaurice Place to the Train Station and increase connectivity around the town centre generally.

The site is fully serviced and the reuse of this vacant brownfield site is in fully line with the principles of sustainable development.

The units will be constructed to maximise solar gain and optimize energy efficiency with the public lighting design consistent with the Council's scheme for LED lights.

Therefore, under a number of headings, the design of the proposed development will lead to a reduction in carbon emissions when compared to more traditional models of development and site selection.

9.0. ACTION PROPOSED

9.1 The proposed development is in accordance with the objectives and policies of the National Planning Framework and Eastern and Midlands Regional Spatial and Economic Strategy in relation to Compact Growth and regeneration of town centres.

9.2 The proposed development is in accordance with the Laois County Development Plan 2017-2023, Portlaoise Local Area Plan 2018-2024 and Portlaoise Public Realm Strategy “2040 and Beyond: A Vision for Portlaoise.

9.3 The proposed development provides for the delivery of much needed housing resources for Portlaoise.

9.4 The delivery of housing is a key objective of the Laois County Development Plan 2017-2023 and Government Action Plan Rebuilding Ireland–Action Plan for Housing & Homelessness. The overarching aim of this Action Plan is to ramp up delivery of housing from its current under-supply across all tenures to help individuals and families meet their housing needs, and to help those who are currently housed to remain in their homes or be provided with appropriate options of alternative accommodation, especially those families in emergency accommodation.

9.5 It is proposed to proceed with the development subject to good development practice and any minor modifications that may be required as part of the detailed design process. There shall also be prior consultation with the relevant authorities regarding local utilities.

9.6 The development shall be subject to the following conditions.

Schedule 1

Having regard to its nature, extent and location, the zoning, planning history and derelict, brownfield condition of the site and the further information response[s], it is considered that the proposed development would be compliant with the provisions of the Laois County Development Plan 2017-2023 and Portlaoise Local Area Plan 2018-2024 and with the proper planning and sustainable development of the area. It is recommended that the development proceed in accordance with the attached schedule of conditions.

Schedule 2

1. An Ecological Impact Assessment (EcIA) shall be carried out, including habitat, bat, bird, mammal and invasive species surveys to ensure that biodiversity and green infrastructure is conserved in accordance with Objective 6 and national Heritage policy 6 of the Laois County Development Plan 2017-2023.

- a) Root protection areas should be calculated as outlined in the Transport Infrastructure Ireland’s “Guidelines for the protection and Preservation of Trees, Hedgerows and Scrub prior to, during and Post Construction of National Road Schemes and included in the EcIA.
- b) The extent of the Buffer zone and proposals to maintain riverbank vegetation along the Triogue River shall be outlined in the EcIA.
- c) Hedging of a native species shall be provided along the north eastern boundary to maintain biodiversity within the site. Beech will not be permitted as a boundary treatment on the site.

Reason: In the interests of natural amenity and proper planning

2. An Archaeological Assessment shall be carried out to include a geophysical survey to assess the potential impact, if any, on archaeological remains in the area. This assessment shall include a description of the known and potential archaeological remains based on results of field walking, documentary research, cartographic research, examination of aerial photography and a visual impact report. The geophysical survey shall be carried out to detect any subsurface archaeological features/deposits within the proposed site.

The archaeologist shall submit the Archaeological Assessment to the National Monuments Service Section of the Department of Culture, Heritage and the Gaeltacht and the Planning Authority. Should there be a significant archaeological impact the Department will advise on further mitigation.

Reason: To ensure the continued preservation (either in situ or by record) of places, sites, features or other objects of archaeological interest.

3. Precise details in relation to overall site boundary treatment including in relation to form, location, extent, height, finish shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development. The boundary on the riverside will be subject to the agreement with the planning authority and should include proposals for future connection. Particular attention shall be given to the interface between the proposed car park and Maryville House.

Reason: In the interests of visual amenity and proper planning.

4. The construction of the development shall be managed in accordance with a **Construction Management Plan**, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The Construction Management Plan shall include a traffic management, phasing and programming of the works and method statements for the proposed development. The Construction Management Plan shall take cognisance of other active or future construction sites in the vicinity of the development and address all potential safety issues.

This plan shall provide details of intended construction practice for the development, including:-

- (a) Location of any site and materials compound(s) including area(s) identified for the storage of construction refuse;
- (b) Location of areas for any construction site offices and staff facilities;
- (c) Details of site security fencing and hoardings;
- (d) Details of on-site car parking facilities for site workers during the course of construction;
- (e) Details of the timing and routing of construction traffic and any required directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (f) to obviate queuing of construction traffic on the adjoining road network;
- (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

- (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (i) Provision of parking for existing properties during the construction period;
- (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained; such bunds shall be roofed to exclude rainwater;
- (l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter watercourses;
- (n) Hours of site development and construction; and
- (o) Provision for the prevention of the invasive spread of plant species.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

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

5. The Boundary treatment along the western boundary of the site shall be carried out as agreed with Iarnrod Eireann/Irish Rail.

Reason: In the interest of the proper planning and sustainable development of the area.

6 The open space area[s] shall be reserved as public open space only and shall be rolled, grassed and landscaped prior to first occupation of the dwellings. The open space area[s] shall not be mounded.

Reason: In the interests of visual amenity, residential amenity and proper planning.

7.

(a) A detailed Waste Management Plan shall be prepared for the development to include the following:-

- (i) Principal Contractor details for the construction phase and operation phase;
- (ii) The identification of expected waste streams during the construction phase and operational phase;
- (iii) An estimation of the type (i.e., hazardous/non hazardous) and quantities of each waste stream;
- (iv) An outline of the name, address and permit numbers of designated Waste Facilities;

- (v) An outline of the name, address and Waste Collection Permit details of contractors employed to remove waste from the site during the construction and operational phase;
 - (vi) A signed declaration by both client and the principal contractor stating that they will comply with the duty of care and that all waste will be managed appropriately and in compliance with *The Waste Management Act 1996, as amended* and associated Regulations;
 - (vii) Confirmation that the Waste Management Plan shall remain onsite for the duration of the construction work and must be made available for viewing by subcontractor/workers onsite.
- (b) Waste arising on the site shall be sent for recycling where possible to an authorised licensed facility. Collection and transport of waste shall be carried out by an authorised waste collector under the Waste Management (Collection Permit) Regulations 2008 as amended.

Reason: For the protection of the environment.