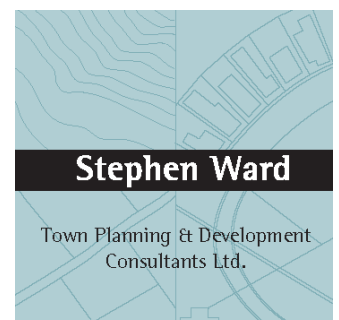


Applicant's Response to Louth County Council Further Information Request P.A.Ref.2460266

LRD Old Slane Road, Mell/Tullyallen, Drogheda, Co.Louth



Prepared on behalf of
Lagan Homes Tullyallen Ltd



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1.0 INTRODUCTION

This statement has been prepared in response to a further information request issued to Lagan Homes Tullyallen Ltd by Louth County Council on the 4th of July 2024 relating to LRD planning application Ref.2460266. This statement should be read in conjunction with the documents and drawings provided under separate cover and listed below.

- IES Report on Sunlight, Daylight and Overshadowing
- JFOC Architectural Design Statement Appendix A
- JFOC Schedule of Accommodation & JFOC Quality Housing Assessment
- JFOC Drawing Schedule

Drawings by JFOC		
Drawing Number	Drawing Title	Scale
OSR-JF-ZZ-DR-A-1001	Site Layout Block Plan	1:500
OSR-JF-ZZ-DR-A-1002	Site Layout Unit Key	1:500
OSR-JF-ZZ-DR-A-1003	Site Layout Ground Floor Plan	1:500
OSR-JF-ZZ-DR-A-1004	Site Layout First Floor Plan	1:500
OSR-JF-ZZ-DR-A-1005	Site Layout Phasing Plan	1:500
OSR-JF-ZZ-DR-A-2001	House Type K2 Plans	1:100
OSR-JF-ZZ-DR-A-2002	House Type K2 Elevations and Section	1:100
OSR-JF-ZZ-DR-A-2003	House Type K3 Plans	1:100
OSR-JF-ZZ-DR-A-2004	House Type K3 Elevations and Section	1:100
OSR-JF-ZZ-DR-A-2005	House Type L1 Plans	1:100
OSR-JF-ZZ-DR-A-2006	House Type L1 Elevations and Section	1:100
OSR-JF-ZZ-DR-A-2007	House Type L2 Plans	1:100
OSR-JF-ZZ-DR-A-2008	House Type L2 Elevations and Section	1:100
OSR-JF-ZZ-DR-A-2009	House Type L3 Plans	1:100
OSR-JF-ZZ-DR-A-2010	House Type L3 Elevations and Section	1:100
OSR-JF-ZZ-DR-A-3001	Duplex Block A Plans	1:100
OSR-JF-ZZ-DR-A-3002	Duplex Block A Plans	1:100
OSR-JF-ZZ-DR-A-3003	Duplex Block A Elevations and Section	1:100
OSR-JF-ZZ-DR-A-3004	Duplex Block B Plans	1:100
OSR-JF-ZZ-DR-A-3005	Duplex Block B Plans	1:100
OSR-JF-ZZ-DR-A-3006	Duplex Block B Elevations and Section	1:100
OSR-JF-ZZ-DR-A-3007	Duplex Block C Plans	1:100
OSR-JF-ZZ-DR-A-3008	Duplex Block C Plans	1:100
OSR-JF-ZZ-DR-A-3009	Duplex Block C Elevations and Section	1:100
OSR-JF-ZZ-DR-A-3010	Duplex Bulky Storage Type A and B	1:50
OSR-JF-ZZ-DR-A-3011	Duplex Bulky Storage Images	N/A

Drawing Number	Drawing Title	Scale
OSR-JF-ZZ-DR-A-3012	Duplex Bulky Storage Images	N/A
OSR-JF-ZZ-DR-A-3013	Duplex Bulky Storage Images	N/A
OSR-JF-ZZ-DR-A-4001	Proposed Creche Ground Floor Plan	1:100
OSR-JF-ZZ-DR-A-4002	Proposed Creche First Floor Plan	1:100
OSR-JF-ZZ-DR-A-4003	Proposed Creche Roof Floor Plan	1:100
OSR-JF-ZZ-DR-A-4004	Proposed Creche Elevations	1:100
OSR-JF-ZZ-DR-A-4005	Proposed Creche Section	1:100
OSR-JF-ZZ-DR-A-4006	Proposed Creche Bin Store	1:50
OSR-JF-ZZ-DR-A-5001	ESB Substation Drawings	1:50
OSR-JF-ZZ-DR-A-5002	ESB Substation Contiguous Elevation	1:200

Drawings by NMP Landscape Architects		
Drawing Number	Drawing Title	Scale
P-L2-100	General Arrangement Plan	1:250
P-L2-901	Boundary Details – Sheet 1	1:20
P-L2-902	Boundary Details– Sheet 2	1:20
P-L2-903	Boundary Details– Sheet 3	1:20
P-L2-904	Boundary Details– Sheet 4	1:20
P-L2-905	Boundary Details– Sheet 5	As Shown

Drawings by Waterman Moylan Consulting Engineers		
Drawing Number	Drawing Title	Scale
SLR-WBS-UT-P2-DR-E-60-E1001	Proposed E-Car charging layout	1:500/As shown

A separate schedule of all documents is also submitted under separate cover as requested.

2.0 APPLICAN'T RESPONSE TO FURTHER INFORMATION REQUEST

For ease of reference each item of information requested will be restated in full (*italics*) followed by the response of the applicant.

2.1 ITEM ONE - STANDARD OF ACCOMODATION

(a) While the Planning Authority notes the design justification provided within the Statement of Consistency and the Residential Amenity Report, there are concerns in relation to the standard of accommodation to be provided due to the limited separation distances between some of the properties and the design/layout of the private amenity space. Accordingly, the applicant is requested to address the following:

a) The layout of a number of dwellings results in a 14m separation distance between the rear elevations (associated with House Types K1 or K2 and L1). While the Statement of Consistency sets out that there are no first floor opposing windows, the Planning Authority does not consider this to be an appropriate design solution and considers that the first floor windows to the rear elevation of House Types K1 and K2 result in overlooking to the rear gardens associated with House Types L1 which are already limited in size and limit the functionality of the private amenity space. Accordingly, and having regard to SPP1 of the Sustainable Residential Development and Compact Settlement Guidelines, a minimum separation distance of 16m should be provided in order to prevent undue overlooking of private amenity spaces and to ensure a quality and functional area of private amenity space for future residents. The applicant is advised that this is likely to require a reconfiguration of the layout of the development and may require the number of units in the development to be reduced.

SPPR 1 requires a separation distance of at least 16 metres between opposing windows above ground floor level serving habitable rooms at the rear or side of houses. The boundary wall between opposing units would conventionally be centrally located, giving an 8m separation distance from all first floor windows to the boundary wall. The submitted arrangement of House Types K and L does not result in opposing windows at first floor level, and as such the separation distance was reduced to 14m. However, as noted in the F.I. request, as the boundary wall has been centrally located, this arrangement would result in 7m (less than 8m envisaged under the 16m arrangement) from first floor windows to the boundary wall. Accordingly, the separation distance between units has been increased by 1m which provides 8m between the first floor windows on the K types and the boundary wall, whilst retaining the 7m rear garden length for the L types which have no first floor windows.

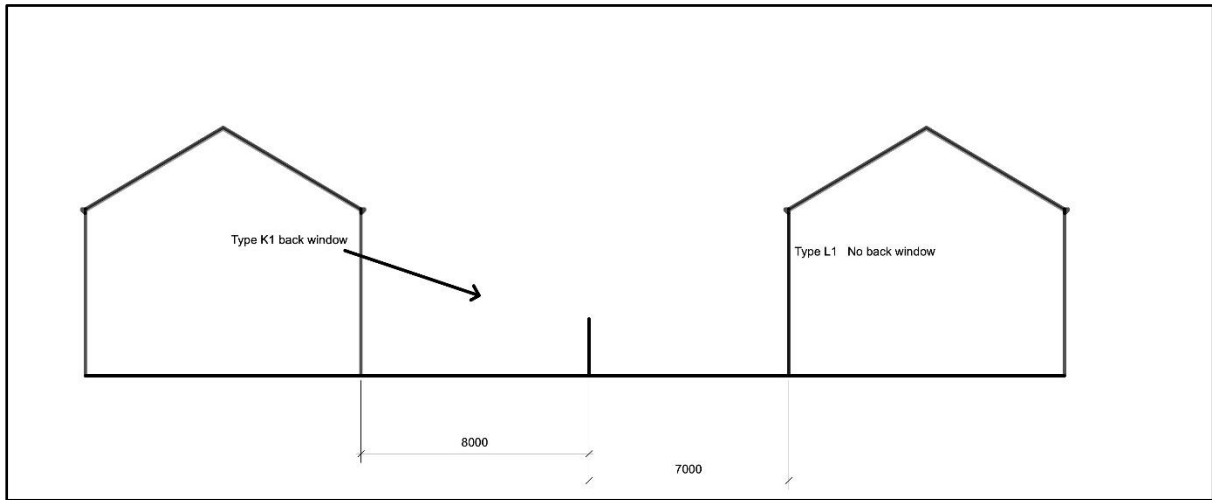


Figure 1: Illustrative example of separation distance between House Type K and L. For further details please refer to JFOC Architectural Design Statement Appendix A under separate cover.

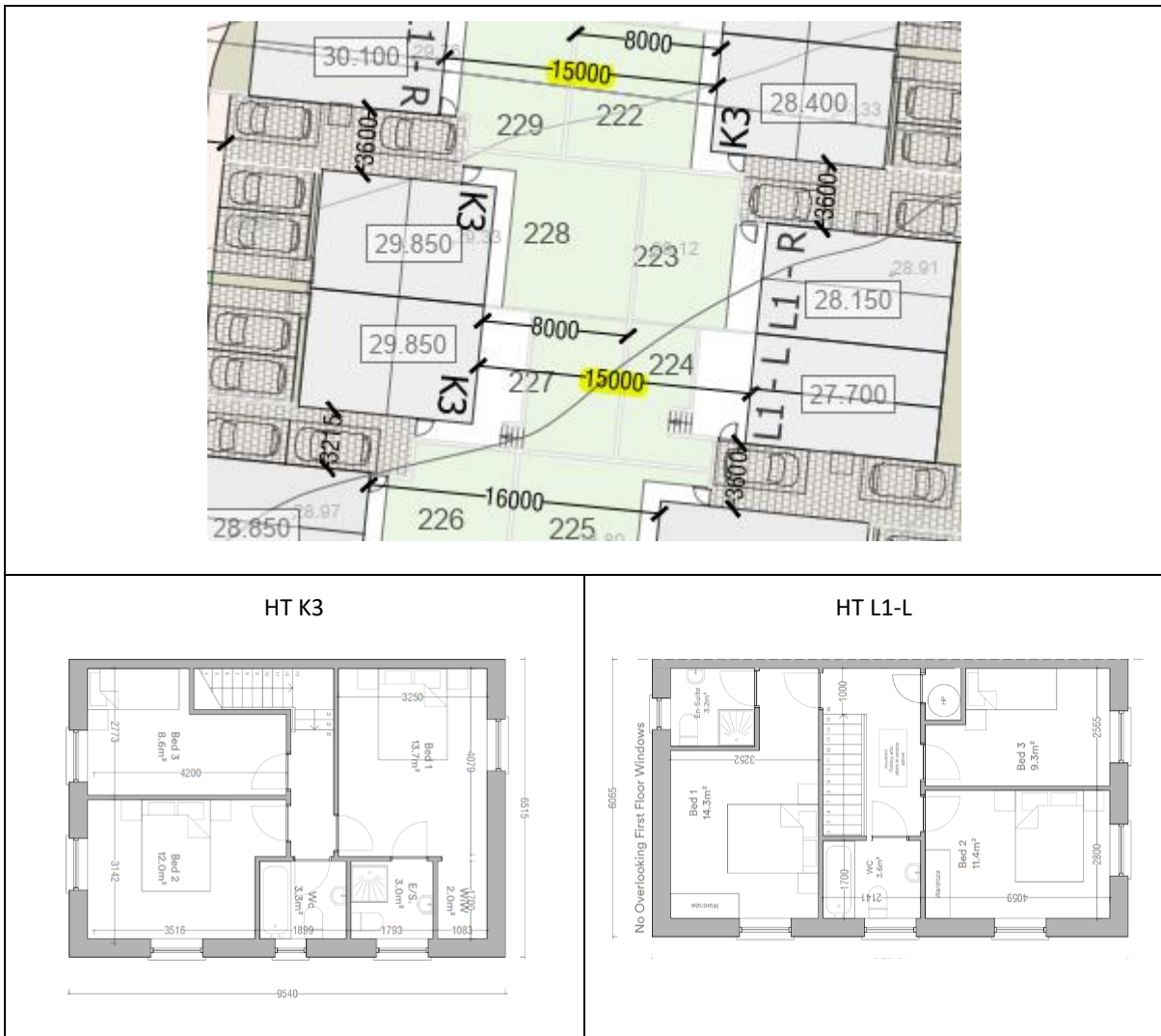


Figure 2, 3 and 4 above illustrate the design of House Types K3 and L1-L and their rear separation distance

This amendment provides a greater distance between the first floor windows and private amenity space belonging to the neighbouring property. The majority of house types have rear to rear separation distances that are at least 16m. The only housing with rear to rear separation distances of 14m have no first floor windows on either house type (L1).

As per the Louth County Development Plan, all gardens are divided with a 2-metre high block wall to the rear which will further protect the private of the garden areas

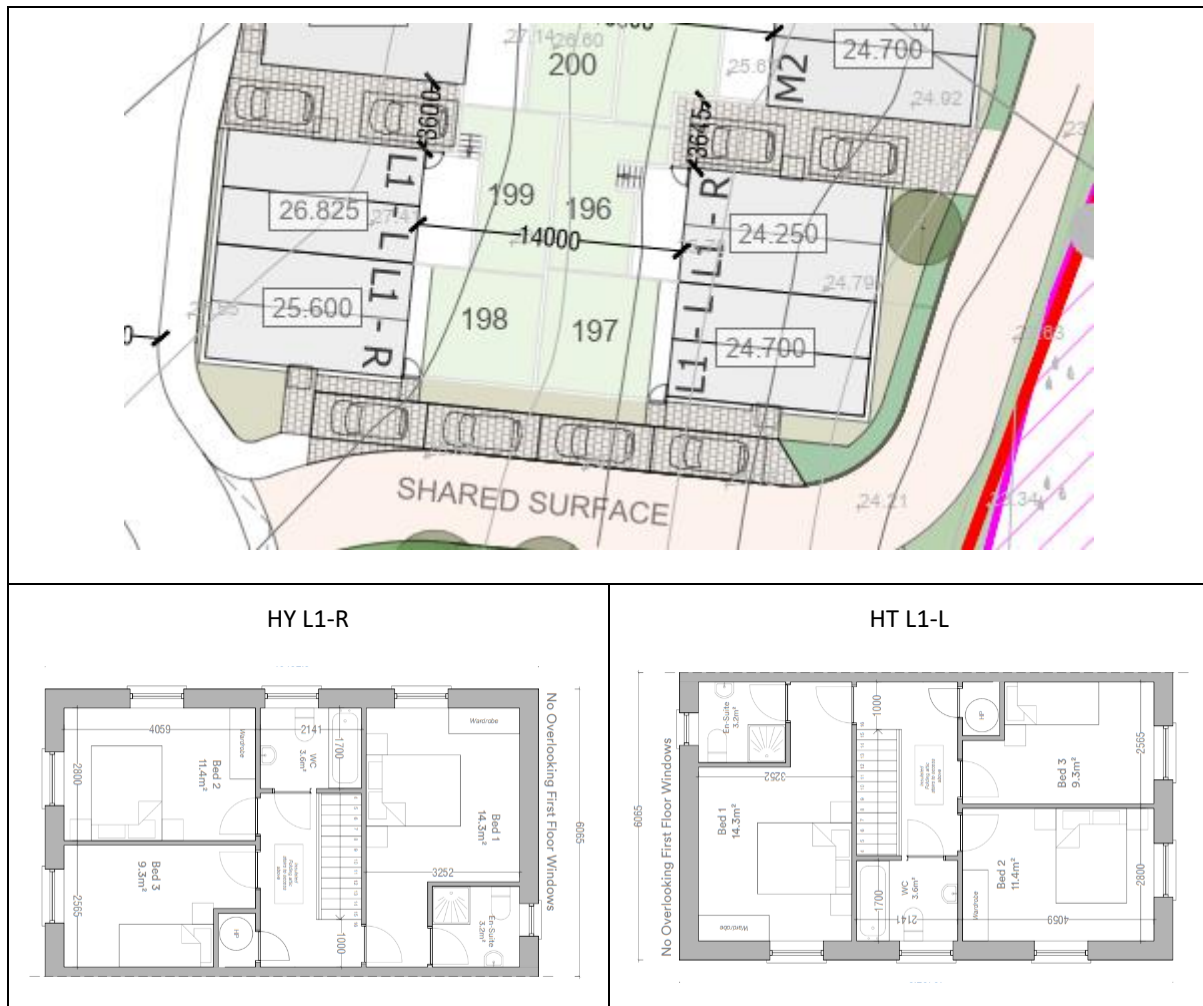


Figure 5, 6 and 7 above illustrate the design of House Types L1-R and L1-L and their rear separation distance

b) The layout and arrangement of the rear gardens of a number of units as a result of the rear or side boundary laid out at an angle, results in poor functionality of these private amenity spaces and therefore reduces the quality of the open space provided for the properties. In order to ensure the private amenity space in the development is of a high quality and as functional as possible it is considered that the side/rear boundary walls should be in a straight line in order to make the private amenity space 'square'. The applicant is therefore requested to amend the layout of the boundaries between properties to ensure a high quality of functional private amenity space is provided for all properties in the development. This is likely to require a reconfiguration of the layout of the development and may require the number of units in the development to be reduced.

JFOC Architects have revised the site layout plan to avoid any angled garden boundaries and have regularised the shape of the gardens as requested. The angled garden walls to housing along the western boundary is a specific design response to create a courtyard arrangement that is accessible for car parking. The rear garden boundaries are straight. A full schedule of all garden areas is provided by JFOC under separate cover.

c) The applicant is requested to provide storage for bulky items to the apartment units having regard to Section 3.32 of the apartment guidelines.

Section 3.32 of the Apartment Design Guidelines (2020) encourages planning authorities to seek bulky storage outside individual units in addition to minimum apartment storage requirements. Section 3.33 outlines that where secure, allocated ground or basement level storage is provided, it may be used to satisfy up to half of the minimum storage requirement for individual apartment units.

It is submitted the provision of bulky storage in addition to storage within each apartment is not a requirement of the Guidelines. As stated at section 3.30 of the Guidelines, *“Minimum requirements for storage areas are set out in Appendix 1 and are intended to accommodate household utility functions such as clothes washing and the storage of bulky personal or household items”*.

All apartments provide the minimum internal storage required by Appendix 1 of the Guidelines. Only simplex apartments are located at ground floor level within the proposed development. Bulky storage has been provided for these units within the hallway as identified on the JFOC drawings submitted under separate cover. All duplex apartments have access to attic storage and an insulated folding stairs will be fitted in every unit as noted on the JFOC floor plans. This space can be used for storage of bulky items such as suitcases that are not used on a daily basis. Each duplex unit has a large store room at second floor level (2-2.5sq.) for bulky items that need to be accessed regularly in addition to storage at first floor level. In response to the Planning Authority's request, additional bulky storage is proposed for duplex units in Block A, Block B and Block C as identified in turquoise on drawing nos. 3001, 3004 and 3007. JFOC have prepared detailed drawings of the external structure (No. 3010) as well as images as shown below.



Figure 8,9 & 10: Block A/B – Location of Bulky Storage for duplex units- Extract from JFOC drawing No. 3011, 3012 & 3013

d) The applicant is requested to provide a three-bin system to the bin storage areas of apartments and relevant dwelling units.

JFOC drawing nos. 3001, 3004, 3007 provided under separate cover identify the location of bin storage areas for the apartments. There are six bin stores, two for each block and all are within a short walking distance of the apartments and readily accessible for refuse collection. Each of the bin stores is designed to store 3no. 1100litre bins in order to provide a three-bin system for apartment residents.

Bin storage areas meet with the requirements of the Sustainable Urban Housing: Design Standards for New Apartments (2023) para.4.8-4.9; externally located, ensuring adequate ventilation, and large enough to facilitate the 3-bin system allowing for the segregation of waste into Mixed Residual Waste, Mixed Dry Recyclables, and Organic Waste streams. It will be the responsibility of the apartment occupiers to carry out this segregation of waste at source and to transfer this waste to the communal bin store, where bins will be clearly labelled according to their stream. All mid-terrace dwellings have screened bin storage as identified on the site layout plan and detailed by drawing No. 22.127.PD7003 submitted with the application (Bin and Bicycle Store Type A).

As stipulated by the Louth County Council Waste Bye-laws 2019 section 2.9, with regard to provisions affecting multi-user buildings, apartment blocks etc, a management company shall ensure that all requirements under the bye-law are complied with.

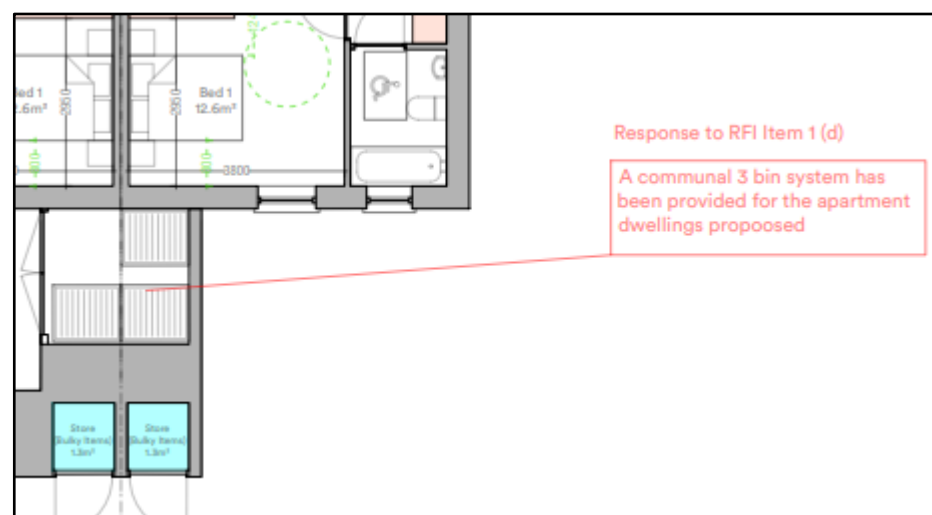
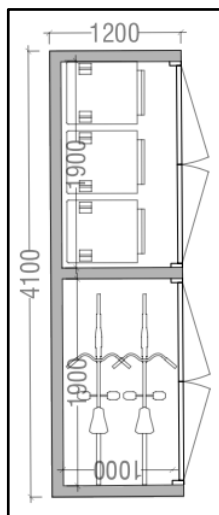


Figure 11: Extract from drawing 22.127.PD7003.

Figure 12: Bin storage areas for apartments are identified with red text on JFOC drawing nos. 3001, 3004, 3007

2.2 ITEM TWO – CRÈCHE BUILDING

a) The proposed crèche is to be located on a constrained site in close proximity to the rear boundaries of Unit No's 46-50. The Planning Authority considers that the separation distance from the boundaries of the abovementioned properties, coupled with the height and depth of the western elevation of the crèche in particular would impact on the residential amenity by reason of overbearing impact and may also result in overshadowing in the morning. The applicant is requested to reconsider the design and layout of the crèche building.

The proposed crèche has been redesigned and reorientated as illustrated by JFOC drawing nos. 4001 to 4004. The revised crèche maintains the same number of childcare spaces in the same age groups as previously proposed and detailed in the Childcare Demand Assessment by Stephen Ward Town Planning and Development Consultants Ltd submitted with the planning application.

The depth of the crèche building has been reduced to avoid any perceived overbearing. The western façade to the east of Nos. 46 to 50 is 11m long in comparison to the original design which was 21m long. There are no windows on the western façade opposite Nos. 49 and 50. Private open space associated with the crèche meets the boundary with Nos. 45 to 48.

As illustrated by JFOC drawing no. 4002, an access corridor runs to the rear of the first floor of the crèche avoiding any overlooking to private gardens surrounding the creche. There are no windows at first floor level along the north eastern boundary with plots Nos. 23 and 24. Windows that serve first floor play rooms at first floor level face south.

Any overshadowing from the creche building (6.25m in height) is transient as illustrated by Section 5 of the IES Report provided under separate cover. Reducing the depth of the creche along the boundary with Nos. 46 to 50 has increased sunlight reaching gardens to the west in the early morning on the 21st of March (10am). As detailed by IES in their report under separate cover, all gardens receive 2 hours of sunlight on the 21st of March in keeping with BRE recommendations.

b) In order to ensure that the amenity space associated with the crèche is functional and attractive for future residents, the applicant is requested to demonstrate that the play areas are sufficient in size to cater for the number of childcare spaces to be provided and to illustrate how the play areas will be set out and managed. Please note that the Planning Authority would have concerns in relation to the limited provision of an outdoor play area for the crèche, which would have a capacity of 58 children and would consider that an increased outdoor space would be required in order to make the crèche as functional as possible. In order to provide this additional space, it is likely that the layout of the development will be required to be reconfigured.

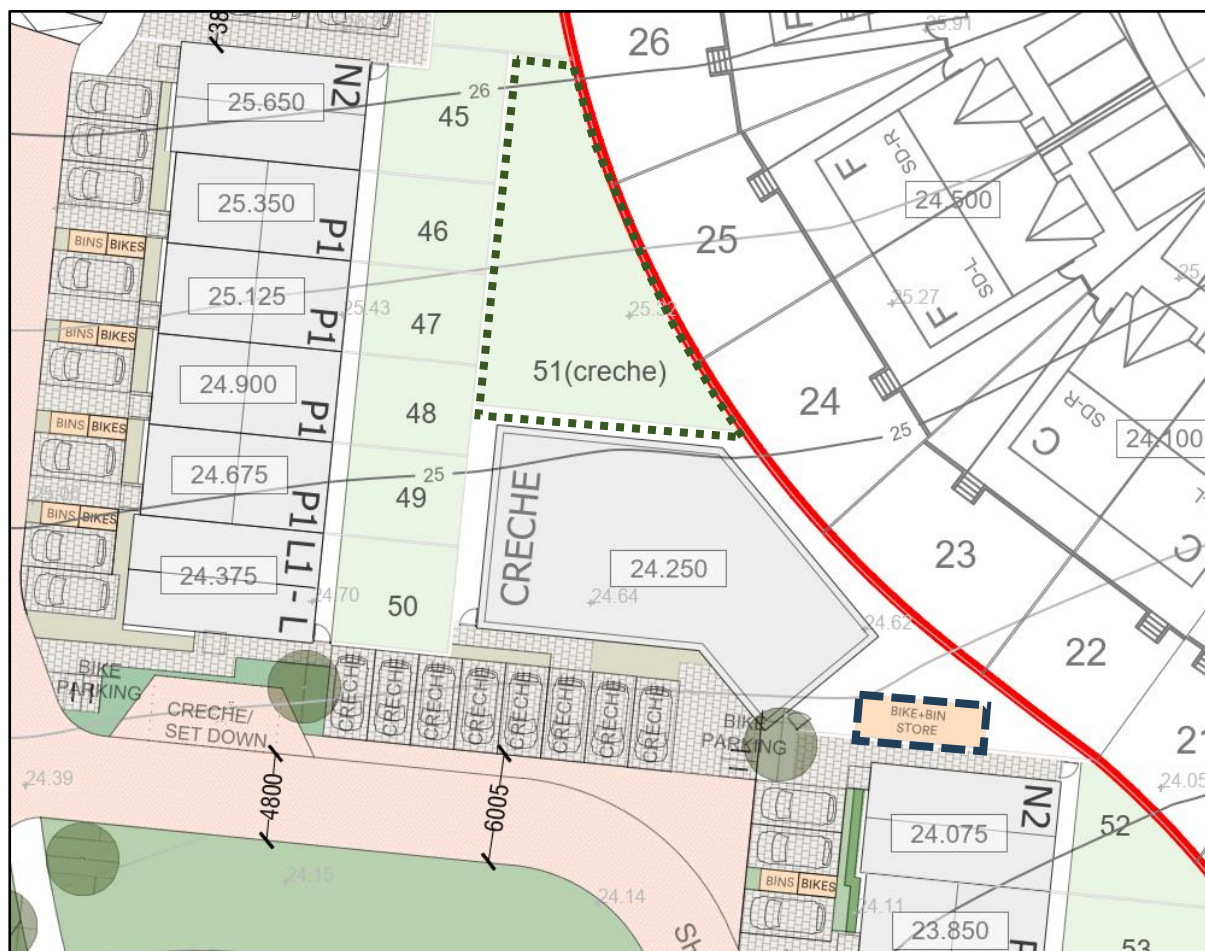


Figure 13: Extract from JFOC Site Layout Plan (No. 22.127.OSR.JF.ZZ.DR.A.0001.S1.P1) with bike/bin store (dashed blue line) and play area (dashed green line) identified

The private open space available to the crèche extends to 171m² and exceeds the BRE recommendation for access to sunlight (see section 6.2.1 of IES Report under separate cover). There is no quantitative requirement for outdoor space per child in a childcare facility within the Louth County Development Plan or the Child Care Act 1991 (Early Years Services) Regulations 2016. According to Regulation 20 (1) (a), “having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day”. Outdoor space is required to be “suitable, safe and secure”.

The Quality and Regulatory Framework (Full Day Care Services and Part-Time Care Service) publication by Tusla – Child and Family Agency, 2018 provides an interpretation of the requirements for compliance with the Child Care Act 1991 (Early Years Services) Regulations 2016. Facilities for play including outdoor play are outlined at section 62 of this document. Access to outdoor play is required to be on the premises of all services registered after the 30th of June 2016. The Regulations require that children access the outdoor space on a daily basis, unless otherwise advised following risk assessment by the service.

Safety requirements where the outdoor play area is on the premises include;

- The outdoor play area is reached by a route that is always free of hazards.
- The outdoor play area is enclosed with a fence or natural barriers.
- The outdoor play area is adequate in size for the number of children using it, and it is suitable for their age groups.
- Time slots are scheduled if space is limited.
- Fences and barriers prevent access to streets and other dangers, such as pits, water hazards or wells. The barriers do not prevent the children being in sight of relevant staff.
- The outdoor play area protects children from:
 - catch points, sharp points, and protruding hardware;
 - getting trapped;
 - tripping hazards.

Ultimately it is the end users service policy that will determined how the outdoor space will be used. It is submitted the quantity of space provided is adequate to allow for suitable, safe and secure play in keeping with the Regulations. All boundaries to the rear of the crèche are 2m high block walls. Access to the rear of the property will be controlled with gated entrances to the east and west of the building providing a clear boundary between the public realm and the private crèche for security.

A planning search of recently permitted development in Drogheda showed a creche to be provided under P.A.Ref. 22-713 that caters for 65no. children includes a play space of 99sq.m. As stated above, it is a suitable, safe and secure outdoor space for children to play that is required by the Regulations. No quantitative requirement is stated.

c) The applicant is requested to provide a three-bin system for the crèche.

Bin storage is provided to the east of the crèche site and has sufficient space for a three bin system. Please refer to JFOC drawing no. OSR-JF-ZZ-DR-A-3006 submitted under separate cover. This area is separate to the main play space for the crèche and easily accessible for kerb side collection.

2.3 ITEM THREE – DAYLIGHT, SUNLIGHT AND OVERSHADOWING STUDY

a) The shadow analysis and associated 'Plan View' images to illustrate shadow casts are of such a scale that they are not legible and as a result, an assessment of the overshadowing within the development cannot be undertaken at this juncture. Accordingly, the applicant is requested to submit a revised Shadow Analysis and associated shadow cast images of an appropriately larger size and scale to enable the Planning Authority to carry out an assessment of same.

See section 5 of the IES Daylight, Sunlight and Overshadowing Study under separate cover for revised plan view images at a larger scale.

b) Section 6.4.4 of the Daylight, Sunlight and Overshadowing Study provides an assessment of sunlight to proposed rear garden amenity spaces. The results indicate that a number of units fail to meet the minimum recommendations contained within the BRE Guide (3rd Edition). While the applicant has sought to provide a justification in relation to % of the minimum private amenity space required, the Planning Authority does not consider this approach to be acceptable and accordingly, the applicant is requested to revisit the design of the scheme to ensure that 50% of the proposed areas of private amenity space for all units (not 50% of the minimum area of private amenity space) receives at least 2 hours of sunlight on the 21st March and to provide an updated assessment to demonstrate same.

The recommendations contained within the BRE Guide are not statutory Guidelines, they are purely advisory. The Residential Development and Compact Settlement Guidelines for Planning Authorities state "In cases where a technical assessment of daylight performance is considered by the Planning authority to be necessary regard should be had to quantitative performance approaches to daylight provision outlined in guides like A New European Standard for Daylighting in Buildings IS EN17037:2018, UK National Annex BS EN17037:2019 and the associated BRE Guide 209 2022 Edition (June 2022), or any relevant future standards or guidance specific to the Irish context." (emphasis added). Such guidelines should be applied flexibly.

The application of the SPPRs contained within the Compact Settlement Guidelines are not dependent on conformity with the recommendations contained within the Guidelines identified above, which are discretionary and not mandatory planning policy.

IES have undertaken a full assessment of the proposed development in terms of daylight, sunlight and overshadowing. Results under separate cover record the proposed development performs well with 100% of tested rooms meet the recommended standards for internal daylight and sunlight. 96% of the combined proposed public open amenity areas will receive at least 2 hours of sunlight over their total area. Taking account of the boundary treatments illustrated by NMP drawings under separate cover, 100% of gardens receive at least 2 hrs of sunlight on the 21st of March across their entire area.

c) Having regard to Item 3b) above and in the interest of clarity, any updated sunlight assessment for proposed rear gardens should ensure that the reference numbers of the rear gardens reflect the unit numbers as per the Site Layout Plan.

The results presented in the IES Daylight, Sunlight and Overshadowing Study are numbered according to the plot numbers shown on the Site Layout Plan Block Plan Drawing No. OSR-JF-ZZ-DR-A-1001 by JFOC architects.

2.4 ITEM FOUR – CAR PARKING

a) Clarify if there is sufficient space between the car parking space to the front of Unit No. 53 and the bin storage unit.

JFOC have reviewed the plot arrangement for Unit No. 53 and note there was a drafting error on the drawing submitted to the Planning Authority. The driveway is adequately sized for a car to park and the bin/bicycle store will not intrude into this space. A separate walkway to the front door is also provided.

b) Clarify how the car associated with the parking space to the front of Unit No. 54 manoeuvres from this space onto the public road without encroaching on adjoining properties.

The car parking space in front of Unit No. 54 has been removed and car parking reorganised to provide two car parking spaces to the south of No. 54.

c) Provide ducting for EV Charging to all on-street car parking spaces to enable the future installation of additional charging points.

Please refer to Waterman Moylan Engineers drawing no. E1001 for proposed EV charging layout.

d) Demonstrate charging points will be provided to all dwellings and associated in-curtilage car parking spaces.

Please refer to Waterman Moylan Engineers drawing no. E1001 which detail how charging points will be provided to all dwellings and associated in-curtilage car parking spaces. Gossip walls will be provided for mid-terrace units so that charging points and electric metres can be neatly arranged. The position of gossip walls has been indicated on the site layout plan by JFOC submitted under separate cover. Detached and semi-detached housing will use the gable of the house.

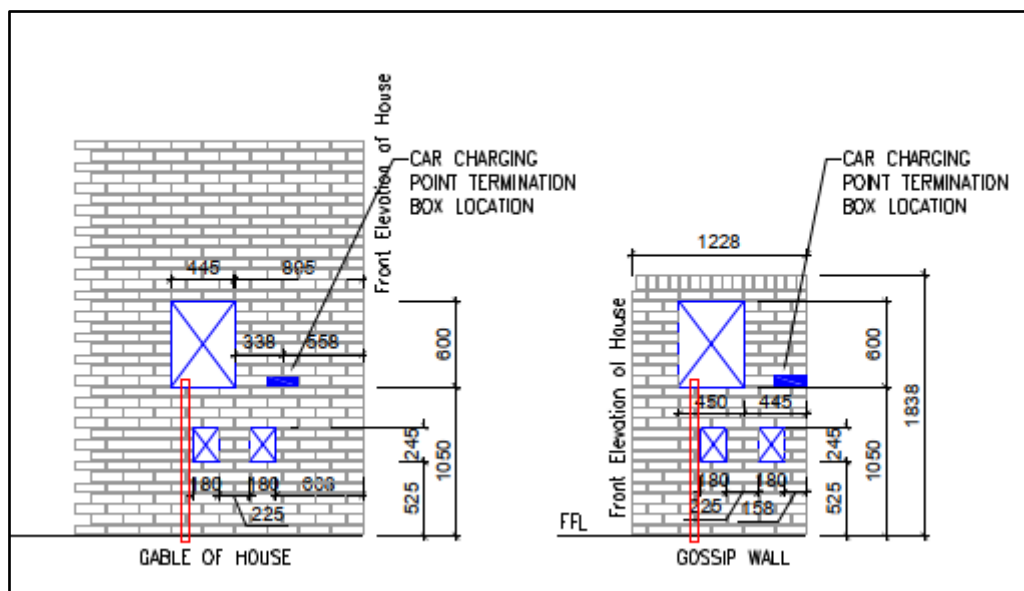


Figure 13: In curtilage EV charging points – for illustrative purpose

2.5 ITEM FIVE – PHASING

The proposed Phasing Strategy results in half of the area of public open space to the south of the crèche building being provided within Phase 1 with the remainder within Phase 3. This is not acceptable and accordingly, the applicant is requested to submit a revised Phasing Strategy to illustrate the entire area of this public open space (1,250sq.m) within Phase 1.

The phasing strategy has been revised and a new phasing plan is submitted under separate cover (JFOC drawing no. 1005). There will be two construction phases. The entire public open space at the centre of the development, identified as the Village Green in the planning documentation (1,260sq.m) will be provided in phase 1. Phasing is construction based rather than time based.

2.6 ITEM SIX – ESB SUBSTATIONS

The applicant is requested to submit plans, elevations and contiguous elevations for the two ESB substations.

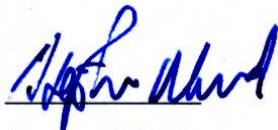
Please refer to JFOC drawing nos. 5001 and 5002 under separate cover.

2.7 ITEM SEVEN – PUBLIC NOTICES

The applicant is requested to submit revised newspaper and site notices if the above further information results/will result in a significant alteration from the original proposal in relation to site size, site layout, development location or description, etc, in accordance with Article 35, 1(c), of the Planning & Development Regulations 2001 (as amended) which include reference to these alterations.

The applicant's response to the further information requested by the planning authority has not resulted in significant alterations to the proposed development. There has been a minor change to the design of the crèche building design, but it retains the same capacity as previously proposed and is in the same location. There has been no alteration to the site size, no material change to the site layout proposed that would affect third parties and the number of dwellings proposed remains the same. There is no change to the original description of the development proposed as per the newspaper notice and site notice submitted with the planning application. As such, revised public notices have not been provided.

We note as per Article 35 of the Planning and Development Regulations 2001 (as amended), the question of whether the information submitted is considered 'significant' can only be determined by the Planning Authority following the submission of further information by the applicant. We await instruction of the Planning Authority in this regard.



Stephen Ward