



Leitrim County Council

Planning & Development Acts 2000 (as amended)

PART XI

Planning & Development Regulations 2001 (as amended)

PART 8

Planning Register Ref. No. 24-C-001

***DEMOLITION OF EXISTING TWO STOREY BUILDING AND CONSTRUCTION OF 4 NO.
APARTMENT UNITS AT SEÁN MAC DIARMADA STREET, MANORHAMILTON, CO
LEITRIM.***

MAY 2024

1.0 Introduction and Scheme Overview

Leitrim County Council is proposing to demolish an existing end of terrace two storey building, which accommodates two separate properties, and to construct/replace same with 4 no. apartments consisting of 2 no. 1 bedroom apartment units at the ground floor and 2 no. 1 bed apartment units at first floor at Seán Mac Diarmada Street which is within the settlement boundary of Manorhamilton. The site is currently zoned 'Mixed Use' as per Zoning Map no. 14 in the Leitrim County Development Plan 2023-2029. The subject site has an area of 0.0147 Ha and is street fronted with a footpath with public lighting forming the northeast boundary. The property fronts onto Seán Mac Diarmada Street which extends northwest onto Castle Street and which forms an integral part of the town centre streetscape and is also located within the Manorhamilton Architectural Conservation Area. The site location can be seen outlined in red on the site location map below.

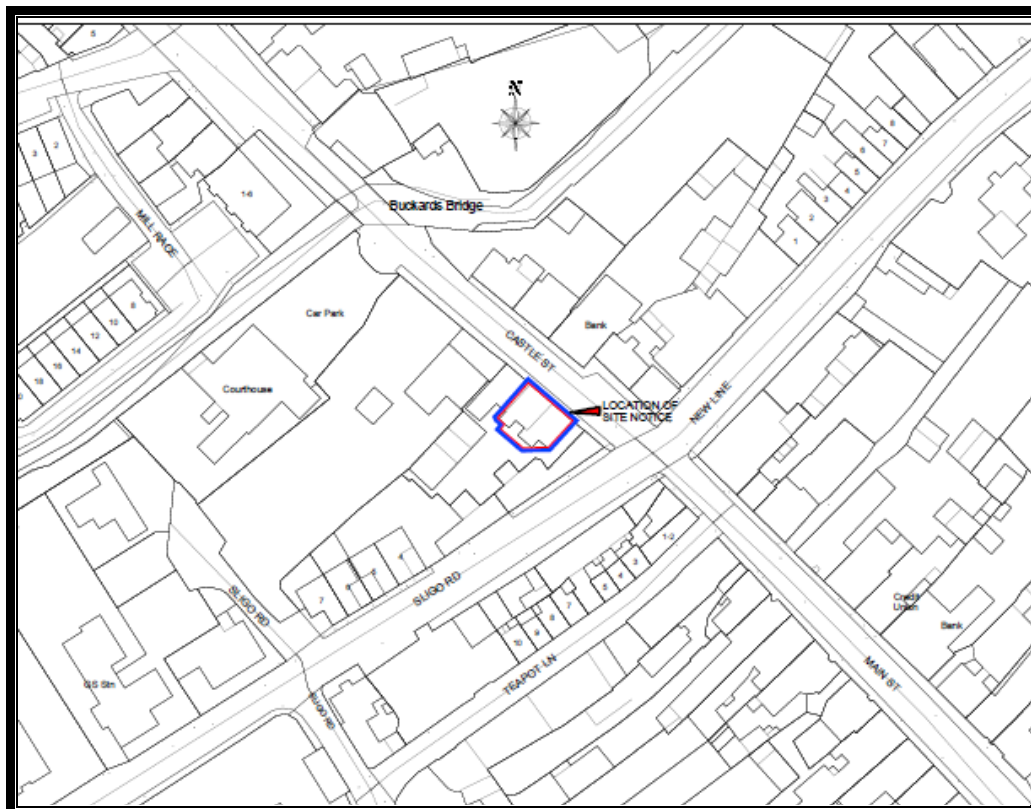


Figure 1 Location of Proposed Development

2.0 Site Description

The site is located at the lower end of Seán Mac Diarmada Street in the centre of Manorhamilton and covers approximately 0.0147 Ha in total. There is an access lane to the side of the site which serves as pedestrian access to the rear. Development types surrounding the subject site are typical of its historical town centre setting, which is characterised by a number of terraced buildings, particularly along Main Street which makes an important contribution to the overall built heritage value of the town. Manorhamilton also contains a number of terraced two bay, two storey artisan dwellings along Castle Street northwest of the subject site which are protected structures.



Subject site

3.0 Public Consultation Process

The project was formally advertised for public consultation between Wednesday the 21st of February 2024 to Monday the 25th of March 2024. Details of the proposed works were available for inspection during normal office hours at the office of the Planning Authority and also on the Council website. The closing date for submissions was Thursday the 11th of April 2024.

4.0 Site History

The subject site was previously used as commercial space on the ground floor with residential space on the first floor. Planning permission has previously been granted under PD05/153 for the material change of use from residential to commercial at ground and first floor level.

5.0 Submissions/Observations and Responses

5.1 Internal & External Bodies

The proposal was referred to the following internal sections:

- North Leitrim District Engineer
- Water Services
- Fire Service
- Environment

The proposal was referred to the following external bodies:

- Uisce Éireann
- Fáilte Ireland
- An Taisce
- An Comhairle Ealaíonn
- The Heritage Council
- Department of Housing, Local Government and Heritage Development Applications Unit (DAU)

5.2 Summary of Issues Raised and Responses

Two submissions/observations were received from the Department of Housing, Local Government and Heritage Development Applications Unit (DAU) and from the North Leitrim Area District Engineer, with the latter stating no objection to the proposed development. The submission from the DAU states its agreement with the recommendation as outlined in Section 5.2.3 of the Archaeological Impact Assessment report, which accompanies the proposal documentation, regarding the monitoring of post-demolition groundworks associated with the development by a suitably qualified archaeologist. The DAU submission recommends the inclusion of the following condition to any approval:

“The archaeologist shall then carry out a programme of archaeological monitoring across the proposed development site where all groundworks are required. The archaeologist shall be licensed under the National Monuments (Amendment) Acts 1930–2014. Please allow 5-6 weeks to facilitate the processing of an Archaeological Licence. No groundworks/construction works/soil-stripping are to take place in the absence of the archaeologist.

Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Department of Housing, Local Government and Heritage with regard to any necessary mitigating action (e.g. preservation in situ, and/or excavation). The applicant shall facilitate the archaeologist in recording any material found.

The Department of Housing, Local Government and Heritage shall be furnished with a report describing the results of the monitoring.

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

Response to submissions received:

The observations from the DAU are noted. An Archaeological Impact Assessment (AIA) was completed for the proposed development by Rory Sherlock MA PhD MIAI Consultant Archaeologist. The AIA has concluded that there will have no physical or visual impact on upstanding archaeological sites and monuments in the area. No issues remain subject to mitigation measures.

A condition, similar to that recommended by the DAU in its submission, is recommended to be included with any approval of the proposed scheme.

6.0 Assessment

This proposed development seeks to demolish an existing end of terrace two storey building, which accommodates two separate properties and replace with the construction of 4 no. apartment units consisting of 2 no. 1 bedroom apartment units at the ground floor and 2 no. 1 bed apartment units at first floor with all associated site development works including private open spaces, upgrade of existing footpaths, boundary fence, bicycle storage, bin storages, formation of new connections to existing foul/surface water drainage and existing utilities in Manorhamilton.

The land is zoned ‘Mixed Use’ which seeks “to provide for a mixture of residential and compatible commercial uses” (Table 6.1 Land Use Zoning Objectives, Leitrim County Development Plan 2023-2029). The proposed development supports the consolidated growth of the town and aligns with the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES) for the sustainable compact growth of settlements, with a particular emphasis on the regeneration and repopulation of the core of built-up areas. This approach focuses on maximising the use of infill, vacant and under-utilised sites (Section 3.16 *Housing in Towns and Villages*, Leitrim County Development Plan 2023-2029 refers).

As outlined in the Briefing Report, Leitrim County Council has a number of policies and objectives set out in the Leitrim County Development Plan 2023-2029 which supports the provision of such projects, including:

- **HOUS OBJ 1** - *To secure the implementation of the Leitrim Housing Strategy 2023-2029 which make provision for the scale of population growth and housing allocations outlined in the Core Strategy.*
- **HOUS OBJ 2** - *To secure the delivery of social housing in our county in accordance with the Council's Social Housing Delivery Programme and Government Policy as set out in Rebuilding Ireland: Action Plan for Housing and Homelessness.*
- **HOUS OBJ 7** - *To increase the stock of social housing within the county in order to meet the social housing needs identified in this Housing Strategy as well as the long-term housing needs of existing households on the Local Authority housing waiting list.*
- **HOUS OBJ 9** - *To deliver high quality housing of an appropriate scale, mix, tenure, location and density, aligned with adequate physical and social infrastructure and the household allocations contained in the Core Strategy.*
- **HOUS POL 3** - *To adopt a flexible and supportive approach towards alternative uses of vacant residential units/buildings, subject to appropriate scale, design, and compatibility with existing and proposed surrounding uses.*
- **HOUS POL 5** - *To promote the principles of Universal Design for housing development to provide age friendly standards.*
- **HOUSE POL 8** - *To support the provision of purpose-built accommodation for older people that would allow for independent and semi-independent living in locations that are proximate, convenient, and accessible to town and village centres, services, and amenities.*
- **HOUS POL 12** - *To encourage and ensure high standards of energy efficiency in existing and new residential developments in line with good architectural practice and promote energy efficiency and conservation in the design and development of new residential units, encouraging improved environmental performance of building stock (measures to reduce carbon emissions, improve resource use efficiency and minimize pollution and waste).*
- **HOUS POL 14** - *To ensure that proposals for apartment developments submitted as applications for planning permission or as Council own proposals (Part 8 developments) adhere to the requirements contained within 'Sustainable Urban Housing: Design Standards for New Apartments' (DoHLGH, 2020) or as updated during the life of this Plan. All applications for apartments are required to demonstrate at a minimum compliance with these Guidelines and the Specific Planning Policy Requirements contained therein. (Further details are provided in Chapter 13 Development Management Standards – Section 13.10.6 Apartment Developments).*
- **HOUS POL 13** - *To require residential development proposals to be of high quality and make a positive contribute to the built environment and local streetscape facilitating and encouraging innovation.*
- **ACA POL 1** - *To ensure the preservation of the special character of each Architectural Conservation Area listed in this Plan (See Table 11.9) by exercising specific design control with particular regard to building scale, proportions, historical plot sizes, building lines, height, general land use,*

fenestration, signage, and other appendages such as electrical wiring, building materials, historic street furniture, paving and shop fronts.

- **ACA POL 2** - *To have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (October 2011) or replacement Section 28 Guidelines as may be issued by the Department of Housing, Local Government and Heritage during the life of this Plan when assessing proposals for development affecting the character of an Architectural Conservation Area.*
- **ACA POL 3** - *To ensure the retention, repair and the regular maintenance, rather than replacement, of original/early features in buildings which contribute to the character of an Architectural Conservation Area such as chimney stacks, roof coverings, roof profiles, external wall treatments, doors and windows, shop fronts and pub fronts, while ensuring appropriate materials and repair techniques are used when repairs are being carried out.*
- **ACA POL 4** - *To ensure that inappropriate materials for windows, doors and rainwater goods constructed in aluminium or uPVC are not introduced to buildings within Architectural Conservation Areas.*
- **ACA POL 5** - *To encourage high quality, contemporary design and materials where appropriate when new buildings are being introduced into an Architectural Conservation Area and the retention of the historic scale and plot size. Such buildings should contribute to the visual enhancement of the area and respect the character of the Architectural Conservation Area as set out in the statement of character (when prepared).*
- **ACA POL 6** - *To ensure that new fascia boards inserted in the shopfront entablature are seamless without visible vertical joints or fixing materials. Hand painted fascia are encouraged and will be favoured over glossy, reflective signage.*
- **ACA POL 7** - *To retain historic items of street furniture where they contribute to the character of the Architectural Conservation Area, such as, post boxes, benchmarks, gates, plaques, milestones, railings, etc.*
- **ACA POL 8** - *To facilitate the removal of overhead cables throughout the Architectural Conservation Areas.*
- **ACA POL 9** - *To ensure the embodied energy of the current building stock within Architectural Conservation Area are acknowledged when considering proposed developments, and to encourage the reuse of these building over demolition.*
- **MHN 3** - *Facilitate the re-use and development of existing vacant and underutilised buildings and sites for town centre uses to create a compact, vibrant town centre.*
- **MHN 18** - *Require that an appropriate mix of housing type, tenure, density and size is provided in all new residential areas and in appropriate brownfield/infill areas to meet the needs of the population of Manorhamilton and in line with the objectives and targets of the Core Strategy.*
- **MHN 19** - *Encourage the appropriate redevelopment of brownfield and infill sites for residential uses within the footprint of the existing built-up area.*

The proposed development satisfies the minimum requirements of the *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2022* in terms of various

rooms sizes and overall apartment sizes with the floor area of each of the apartments covering a minimum floor area of 45m².

The overall design of the proposed new apartment building and streetscape is such that it retains the terrace street thereby conforming with the character of the surrounding pattern of development. The proposed development will not give rise to any adverse impacts on existing residential amenities of neighbouring properties. The proposed apartments will have no direct overlooking of the adjoining dwellings. Provision of a window in the kitchen area of unit no. 1 facing southeast will serve as passive surveillance to the existing laneway area. Suitable boundary treatments to the rear of the proposed development are proposed in the form of 1.8 to 2m high concrete post and concrete panels.

Based on Table 13.6 *Car Parking Standards* in the Leitrim County Development Plan 2023-2029, the proposed development would require a maximum of 6 no. car parking spaces. No car parking spaces are proposed with this development. Section 13.16.6 of the Leitrim County Development Plan 2023-2029 provides provisions for relaxed car parking standards, and it is noted that the standards prescribed in Table 13.6 are maximum rather than minimum. The Planning Authority have regard to the need to protect the historical fabric of the town centre, the existing provision of car parking nearby and the availability of public transport services in close proximity. Set within this context, the non-provision of car parking spaces associated with the proposed development is considered acceptable.

Moreover, whilst it is accepted that the private amenity space provisions in respect of proposed apartment unit nos. 1 and 3 are below the minimum standard prescribed in the *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2022*, Section 6.9 of the guidelines also acknowledge that some flexibility to the practical application of such standards is required, particularly in relation to refurbishment schemes, particularly in historic buildings, some urban townscapes and ‘over the shop’ type or other existing building conversion projects, where property owners must work with existing building/site fabric and dimensions. Such contexts mirror that of the proposed development and therefore a relaxation of the minimum private amenity space in the respect of the aforementioned apartment units is considered acceptable.

The proposal site is considered as a replacement development which is located within the core of the settlement area. As such it is ideally positioned to provide conveniently located housing and will consolidate the streetscape of Manorhamilton. In light of the above specific policies and objectives, and the general support in the Leitrim County Development Plan 2023-2029 relating to the provision of Local Authority Housing, and to the design, size and scale of that proposed within an infill site on lands zoned for ‘Mixed Use’ development, it is considered that the proposed development is consistent with the proper planning and sustainable development of the area.

8.0 Appropriate Assessment

Natura 2000 sites are protected habitats for flora and fauna of European importance. They comprise Special Areas of Conservation (SACs), designated under the Habitats Directive and Special Protection Areas (SPAs), designated under the Birds Directive.

The proposal documentation is accompanied by an Appropriate Assessment Screening Report prepared by Whitehall Environmental. The submitted AA Screening Report has been prepared in line with best practice guidance and provides a description of the proposed development and an identification of the European sites within a possible Zone of Influence determined through the Source-Pathway-Receptor model.

The conclusion of the AA Screening Report is as follows:

“It is of the opinion of the author that an AA of the proposed development is not required as it can be excluded, on the basis of objective information provided in this report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites. Therefore, this proposed project does not need to proceed to Stage II of the Appropriate Assessment Process, i.e., a Natura Impact Statement (NIS).”

Leitrim County Council, as competent authority, in accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42 (1) of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended, has undertaken an Appropriate Assessment Screening on the proposed development.

The Appropriate Assessment Screening Report has assessed, in view of the best scientific knowledge and the conservation objectives of European Sites, if the proposed works, individually, and in combination with other plans and projects, are likely to have a significant effect on any European site (known as a Natura 2000 site). This report concluded that the works individually, and in combination with other plans and projects, are not likely to have a significant effect on any European site.

In accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42 (1) of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended, Leitrim County Council made a determination that Appropriate Assessment is not required for the proposed development.

9.0 Environmental Impact Assessment

An Environmental Impact Assessment Screening Report was completed for the proposed development by Traynor Environmental Ltd. The submitted Screening Report concludes as follows:

“There is no likelihood of significant effects on the environment from the proposed development in respect of cultural heritage and archaeological impacts during the construction or operation phase. There will be no impacts upon the integrity, or the conservation objectives of the Natura 2000 sites identified. It is concluded having regard to the nature, scale, and location of the subject site, that there is no likelihood of significant effects as a result of the proposed development on the environment (direct, indirect, or cumulatively with other development) and therefore it is considered that an Environmental Impact Assessment Report (EIAR) is not required in this instance”.

Leitrim County Council, in accordance with the requirements of EIA Directive (Directive 2011/92/EU as amended by 2014/52/EU; the Planning and Development Act 2000, as amended; the Planning and Development Regulations 2001, as amended; and the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018, undertook an Environmental Impact Assessment Screening in respect of the proposed development.

Leitrim County Council determined that the proposed scheme would not be likely to have any significant effects on the environment and, accordingly, that the preparation and submission of an Environmental Impact Assessment Report was not required.

10.0 Heritage

The subject site is within an Architectural Conservation Area as designated in the Leitrim County Development Plan 2023-2029. Under Section 11.20 of the Leitrim County Development Plan 2023-2029, an Architectural Conservation Area is ‘a place, area, group of structures or townscape, taking account of building lines and heights, that is of architectural, historical, artistic, archaeological, cultural, scientific, social or technical interest or that contributes to the appreciation of a Protected Structure, and whose

character it is an objective of a Development Plan to preserve'. The Planning Authority is satisfied that the proposal complies with this. The proposed apartment units will provide much-needed residential units for the area of Manorhamilton in line with the Leitrim County Development Plan 2023-2029. The proposal will assist in the repopulation of the core town whilst reducing the number of vacant properties.

11.0 Archaeology

An Archaeological Impact Assessment was completed for the proposed development by Rory Sherlock MA PhD MIAI Consultant Archaeologist. The Screening Report has concluded that there will have no physical or visual impact on upstanding archaeological sites and monuments in the area. No issues remain subject to mitigation measures.

12.0 Bat & Bird Survey

A Bat and Bird Survey was completed for the proposed development by Caroline Shiel B.Sc., Ph.D. The Bat and Bird Survey has concluded that there will have no impact on birds or bats. The proposed demolition of these two buildings will have no impact on bats.

13.0 Invasive Species

The Planning Authority has considered the submitted Invasive Species Report prepared by Whitehill Environmental. The report states that there is currently no knotweed found within the application site, but precautions should be undertaken during all stages of site preparation, construction and landscaping.

14.0 Asbestos Survey

An Asbestos Survey report was completed for the proposed development by Phoenix Environmental Safety Ltd. The survey identifies that bitumen adhesive identified under floor tiles in the kitchen in no. 2 Seán MacDiarmada Street contains Chrysotile (white) asbestos fibres. Asbestos containing bitumen adhesive contains a small quantity of asbestos fibres, bound in the product matrix. The bitumen adhesive should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence.

15.0 Recommendation

On the basis of the reports which were prepared and formed part of the Part 8 public consultation exercise, the Planning Authority is satisfied that the proposed development adheres to, and is consistent with, the policy framework contained within the statutory Leitrim County Development Plan 2023-2029. The Planning Authority is equally satisfied that the proposed works will not adversely impact upon the local receiving environment and that the development would accord with the proper planning and sustainable development of the area.

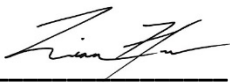
The conclusion of this assessment is that the County Development Plan is fully supportive of providing housing on brownfield sites within the town setting. The Planning Authority supports the principle of the proposed development which accords with the stated policy framework contained in the County Development Plan.

Section 179(3) of the Planning and Development Act 2000, as amended, requires the preparation of a report by the Chief Executive of the Local Authority following the placing of the Part 8 application on public display. This report shall culminate in a recommendation *whether or not the proposed development should be proceeded with as proposed, or as varied or modified as recommended in the report or should not be proceeded with, as the case may be.*

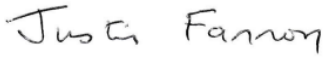
It is recommended that the proposed development be proceeded subject to the inclusion of the attached recommended conditions in Appendix 1.



Joe Duffy
Assistant Planner
Date: 25th April 2024



Liam Flynn
A/Senior Executive Planner
Date: 03/05/2024



Justin Fannon
A/Director of Services
Date: 07/05/2024

Appendix 1 Schedule of Conditions

1. The development shall be executed generally in accordance with plans, particulars, details and specifications lodged as part of the Part 8 public consultation documentation, save, as is herein under otherwise required or as agreed in writing with the Planning Department prior to the commencement of development.
2. A connection agreement with Uisce Éireann shall be obtained and signed prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
 - (a) There shall be no negative impact to any Uisce Éireann Assets and/or infrastructure which may be in the proximity to the development.
 - (b) All development shall be carried out in compliance with Uisce Éireann Standards codes and practices.
 - (c) Any proposals to build over or divert existing water or wastewater services shall be submitted to Uisce Éireann for assessment of feasibility and have written confirmation of feasibility from Uisce Éireann prior to connection agreement.
3. The proposed works shall be subject to monitoring by Leitrim County Council, to include the review and approval of the appointed contractor's Construction & Environmental Management Plan and ensure that the plan contains all the best practice and mitigation measures included in the Invasive Species Report and in the Environmental Impact Assessment Screening Report. This plan shall provide details of intended construction practice for the development and environmental management, including, noise management measures, dust management measures and pest management measures during the construction phase. The construction of the development shall be managed in accordance with this Plan.
4. All excavated material shall be disposed of in a proper and environmentally friendly manner. Where appropriate, i.e. if works are being undertaken by an outside contractor, licenses for these works shall be obtained prior to commencement. Details of, and locations of, landfills or sites to be utilised for the disposition of excavated material, shall be submitted to and agreed in writing, with the Planning Department, following consultation with the Environment Department of Leitrim County Council.
5. Machinery should not be brought onto the site from areas contaminated with knotweed or any other known invasive without thorough cleaning and power washing. All topsoil brought into the site must be free from invasive species vector material.
6. All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010
7. Any post-demolition groundworks associated with the development shall be monitored by a suitably qualified archaeologist. Should archaeological material be found during the course of monitoring, works on the subject site may pause pending a suitable course of action. The Department of Housing, Local Government and Heritage shall be furnished with a report describing the results of the monitoring.