# Údarás Áitiúil Uíbh Fhailí Offaly Local Authority



I / We are aware and accept that <u>all</u> documentation submitted as part of the attached planning application, will be made available for public inspection. This will include availability in hard copy at the Public Counter of the Planning Department during office hours, together with publication on the Council's website.

Signature (Agent / applicant as appropriate)	SARAH WHITE Print Name	
Signature (Agent / applicant as appropriate)	Print Name	ł

18/05/23

Date

# DOCUMENTATION TO ACCOMPANY PLANNING APPLICATIONS FOR RURAL HOUSING

Please note that in an attempt to preserve an applicant's privacy while still demonstrating local need, the following documentation is suggested:

- To verify **length of residence** at a particular address, please supply a letter from a utility company confirming how long the customer has been at that address or from a financial institution. **Do not** send utility bills or bank statements.
- To verify **evidence of employment in an area**, please supply a letter from the applicant's current employer(s) (and previous employers as applicable) outlining dates of employment, a general job description and the primary employment base location. **Do not** forward payslips, P.60s, tax certificates, salary scales.
- Where an applicant claims a **medical condition** that requires him / her to live in a particular area, it must be supported by a letter from their health practitioner (e.g. registered general practitioner, consultant and a disability organisation.) It is sufficient to state that an applicant has a need based on medical grounds, along with a general explanation of the condition / illness. Do not submit detailed medical reports, lists of medications / treatments / therapies, etc.
- Where an applicant claims a particular need that requires him / her to live in a particular area, based on the **medical condition of a relative**, a letter from *the relative*'s health practitioner and disability organisation is required.
- Where an applicant wishes to demonstate their **links to a particular area**, letters confirming dates of attendance from the local schools attended (not including educational achievements) or the head of the applicant's religious community (e.g. parish priest) are acceptable. Where a birth certificate is forwarded as part of an application, it will be made available for public viewing.
- Evidence of land holding(s) can be demonstrated by submitting a map, outlining the lands within the applicants ownership, along with supporting evidence, such as a solicitors letter, land registry folio, etc.
- Please avoid forwarding personal documents such as death / marriage certificates, driving licences, passports, educational qualifications, vehicle registration documents or commercially sensitive information such as company accounts.
- If as part of the application (or any subsequent Further Information request), photos are submitted, please ensure that they do not include people, car registrations, etc.

Contact details for the applicant / agent i.e. telephone numbers and emails addresses, are collected once on the **Contact Details** page of the Planning Application form. Please do not supply these details on any other items accompanying the application.

All information submitted with a planning application will be put on the planning application file and scanned on-line. Consequently all information submitted will be available for public viewing in both formats.

# PLANNING APPLICATION FORM

# Údarás Áitiúil Uíbh Fhailí Offaly Local Authority



# **Offaly County Council**

Áras an Chontae Charleville Road Tullamore, Co. Offaly

Tel: (057) 93 46800

## BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING

Failure to complete this form or attach the necessary documentation, or the submission of incorrect information or omission of required information will lead to the invalidation of your application. Therefore please ensure that that each section of this application form is fully completed and signed, entering n/a (not applicable) where appropriate, and that all necessary documentation is attached to the application form.

### **ADDITIONAL INFORMATION**

It should be noted that the planning authority has a development plan, which sets out local development policies and objectives for its own area. The authority may therefore need supplementary information (i.e. other than that required in this form) in order to determine whether the application conforms with the development plan and may request this on a supplementary application form.

Failure to supply the supplementary information will not invalidate your planning application but may delay the decision-making process or lead to a refusal of permission. Therefore applicants should contact the planning authority to determine what local policies and objectives would apply to the development proposed and whether additional information is required.

## **OTHER STATUTORY CODES**

An applicant will not be entitled solely by reason of a planning permission to carry out the development. The applicant may need other consents, depending on the type of development. For example, all new buildings, extensions and alterations to, and certain changes of use of existing buildings must comply with building regulations, which set out basic design and construction requirements. Also any works causing the deterioration or destruction of the breeding and resting places of bats, otters, natterjack toads, Kerry slugs and certain marine animals constitute a criminal offence unless covered by a derogation licence issued by the Minister for Housing, Planning, Community and Local Government (pursuant to Article 16 of the Habitats Directive).

#### **DATA PROTECTION**

It is the responsibility of persons or entities wishing to use any personal data on a planning application form for direct marketing purposes to be satisfied that they may do so legitimately under the requirements of the Data Protection Acts 1988 and 2003. The Office of the Data Protection Commissioner state that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender including prosecution.

PLANNING APPLICATION FORM					
	PLANNING AUTHORITY:				
Offaly County Council					
2. LOCATION OF DEVEL	OPMENT:				
Postal Address or Townland	Land at Tyrell's Road, Ardan / Puttaghan, Tullamore, R35YF24				
<u>or</u> Location (as may best					
identify the land or structure					
in question)  Ordnance Survey Map Ref.	1:1,000   3371-23				
No. (and the Grid Reference	1:1,000   3571-25				
where available) <sup>1</sup>	1:2,500   3371-D				
,	1:2,500   3434-B				
3. TYPE OF PLANNING F	PERMISSION (PLEASE TICK APPROPRIATE BOX):				
[x] Permission					
[ ] Permission for retention					
[ ] Outline Permission					
[ ] Permission consequent of	on Grant of Outline Permission				
	ERMISSION IS CONSEQUENT ON GRANT OF OUTLINE				
PERMISSION:					
Outline Permission Register Ref	ference Number:				
Date of Grant of Outline Permis	ssion:/				
5. APPLICANT <sup>2</sup> :					
Name(s)	John Flanagan Developments Ltd				
Contact details	to be supplied at the end of this form (Question 24)				

6. WHERE APPLICA	NT IS A COMPANY (REGISTERED UNDER THE COMPANIES ACTS):
Name(s) of Company Director(s)	Dominic Doheny John Flanagan
Registered Address (of company)	Block 6, Central Business Park, Clonminch, Tullamore, Co.Offaly, R35 F8K0
Company Registration Number	97888

7.	7. PERSON/AGENT ACTING ON BEHALF OF THE APPLICANT (IF ANY):					
Name	Name Sarah White					
	Address to be supplied at the end of this form (Question 25)					

8. PERSON RESPONSIBLE FOR PREPARATION OF DRAWINGS AND PLANS <sup>3</sup> :					
Name	Sarah White				
Firm/Company	MCORM Architects				

## 9. **DESCRIPTION OF PROPOSED DEVELOPMENT:** Large Scale Residential Development - Application for planning Brief description of nature permission for the demolition of existing buildings and the construction of and extent of development4 large scale residential development comprising 148 dwellings which will consist of: 90no. houses (comprising 89 no 2-storey and 1 no single storey; 08 no. 2 bedroom houses, 58 no. 3 bedroom houses and 24 no. 4 bedroom houses.); 20 dwelling apartments (Block A, comprising 4 no. 1 bed units and 16 no. 2 bed units) and 38 no. age friendly assisted living units (Block B, comprising of 28 no. 1 bed units and 10 no. 2 bed units) with associated communal and administrative facilities, both at 4 storeys; a Creche; and all ancillary site development works including access, roads and footpaths, landscaping and boundary treatments, public and private open space areas, car parking, bicycle parking, ESB substations, bin and bicycle stores, replacement waste water pumping station and drainage connections; and all ancillary site development works on land at Wellwood Housing site. The application may also be inspected online at the following website set up by the applicant https://www.wellwoodhousing.com

10.	10. LEGAL INTEREST OF APPLICANT IN THE LAND OR STRUCTURE:						
Please	e tick appropriate box. Where legal interest is	A. Owner	[ x ]	B. Occupier	[ ]		

## Offaly Local Authority | Planning Application Form 'Other', please expand further on your interest in the land or structure.

If you are not the legal owner, please state the name and address of the owner and supply a letter from the owner of consent to make the application as listed in the accompanying documentation.

#### C. Other [x]

Clonminch, Tullamore

John Flanagan Developments is the overall owner of the majority of the site, held within ownership of other companies. The other companies are:

**HSE**, HSE Area Office, Arden Road, Tullamore, R35 TY28

Offaly County Council, District Engineer, Municipal District of Tullamore, Aras an Chontae, Charleville Road, Tullamore Tempino Ltd, Block 6 Central Business Park,

Wellwood Health Park Ltd, Block 6 Central Business Park, Clonminch, Tullamore

Letters confirming approval for submission of the application are attached.

#### 11. **SITE AREA:** 4.2 ha Area of site to which the application relates in hectares

12. WHERE THE APPLICATION RELATES TO A BUILDING OR BUILDINGS:							
Gross floor space <sup>5</sup> of any existing building(s) in m <sup>2</sup> 2256							
Gross floor space of proposed works in m <sup>2</sup> 16,825							
Gross floor space of work to be retained in m² (if appropriate)							
Gross floor space of any demolition in m² (if appropriate) 2256							
* Refer to 18037 – Puttaghan SOA Summary (Schedule of Accommodation) for detailed information							

#### **13**. IN THE CASE OF MIXED DEVELOPMENT (E.G. RESIDENTIAL, COMMERCIAL, INDUSTRIAL, ETC), PLEASE PROVIDE BREAKDOWN OF THE DIFFERENT CLASSES OF AND BREAKDOWN OF THE GROSS FLOOR AREA OF EACH CLASS OF **DEVELOPMENT DEVELOPMENT:**

Class of Development	Gross floor area in m <sup>2</sup>			
Residential	16,216			
Creche	169			
Communal, Ancillary, Support Areas	440			
Total	16,825			
* Refer to 18037 – Puttaghan SOA Summary (Schedule of Accommodation) for detailed information				

### 14. IN THE CASE OF RESIDENTIAL DEVELOPMENT PLEASE PROVIDE BREAKDOWN OF **RESIDENTIAL MIX:**

Number of	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4+bed	Total
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	8					
Houses			8	58	24	90
Apartments		32	26			58
Number of car-parking	243		·			Total
spaces to be provided						148

	LICATION REFERS TO A MATERIAL CHANGE OF USE OF ANY LAND THE RETENTION OF SUCH A MATERIAL CHANGE OF USE:
Existing use <sup>6</sup> (or previous use where retention permission is sought)	Greenfield and brownfield (vacant industrial / sports buildings) as existing;
Proposed use (or use it is proposed to retain)	Residential and creche as proposed
Nature and extent of any such proposed use (or use it is proposed to retain)	Residential development with associated infrastructure, open space, parking

16. SOCIAL AND AFFORDABLE HOUSING:		
(Please tick appropriate box)	Yes	No
Is the application an application for permission for development to which Part V of the Planning and Development Act 2000 applies? <sup>7</sup>	Yes	

If the answer to the above question is "yes" and the development is not exempt (see below), you must provide, as part of your application, details as to how you propose to comply with section 96 of Part V of the Act including, for example,

- (i) details of such part or parts of the land which is subject to the application for permission or is or are specified by the Part V agreement, or houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be transferred to the planning authority, or details of houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be leased to the planning authority, or details of any combination of the foregoing, and
- (ii) details of the calculations and methodology for calculating values of land, site costs, normal construction and development costs and profit on those costs and other related costs such as an appropriate share of any common development works as required to comply with the provisions in Part V of the Act.

If the answer to the above question is "yes" but you consider the development to be exempt by virtue of section 97 of the Planning and Development Act 2000<sup>8</sup>, a copy of the Certificate of Exemption under section 97 must be submitted (or, where an application for a certificate of exemption had been made but has not yet been decided, a copy of the application should be submitted).

If the answer to the above question is "**no**" by virtue of section 96(13) of the Planning and Development Act 2000<sup>9</sup>, details indicating the basis on which section 96(13) is considered to apply to the development should be submitted.

See submitted document 'Part V Statement (Private & Confidential)' and Part V plans – reference 18037 – PL401 – Part V drawings – plans and 18037 – PL402 – Part V drawings – Elevations and Sections.

The applicant proposes to build the apartment block proposed centrally within the site (Block B) and transfer 22 no units (based on an agreed credit) to Cluid, or other housing provider or OCC at rates and costs to be agreed

Cost information is detailed within the Part V Statement.

The Applicant is willing to accept a condition regarding Part V.

17. DEVELOPMENT DETAILS:		
(Please tick appropriate box)	Yes	No
Does the proposed development consist of work to a protected structure and/or its curtilage or proposed protected structure and/or its curtilage?		No
Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?		No
Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994 <sup>10</sup> ?		No
Does the proposed development require the preparation of an Environmental Impact Statement <sup>11</sup> ?		No
Does the application relate to work within or close to a European Site <sup>12</sup> (under S.I. No. 94 of 1997) or a Natural Heritage Area <sup>12</sup> ?		No
Does the application relate to a development which comprises or is for the purposes of an activity requiring an integrated pollution prevention and control licence?		No
Does the application relate to a development which comprises or is for the purposes of an activity requiring a waste licence?		No
Do the Major Accident Regulations apply to the proposed development?		No
Does the application relate to a development in a Strategic Development Zone?		No
Does the proposed development involve the demolition of any structure?	Yes	

18. SITE HISTORY:	
Details regarding site history (if known)	
Has the site in question ever, to your knowledge, been flooded?	
Yes [ ]	No [x ]
If <b>yes</b> , please give details e.g. year, extent.	
Are you aware of previous uses of the site e.g. dumping or quarrying?	
Yes [ ]	No [x ]
If <b>yes</b> , please give details.	
Are you aware of any valid planning applications previously made in respect of this land/	
Yes [ ]	No [x ]
If <b>yes</b> , please state planning reference number(s) and the date(s) of receipt of the planning planning authority if known:	application(s) by the
Reference No: Date:	
IF A VALID PLANNING APPLICATION HAS BEEN MADE IN RESPECT OF THIS LAND OR STRUCTURE IN THE SUBMISSION OF THIS APPLICATION, THEN THE SITE NOTICE MUST BE ON A YELLOW BACKGROUND IN ACCORD OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 AS AMENDED.	
Is the site of the proposal subject to a current appeal to An Bord Pleanála in respect of a	similar development <sup>13</sup> ?
Yes [ ]	No [x ]
An Bord Pleanála Reference No:	
19. PRE-APPLICATION CONSULTATION:	
Has a pre-application consultation taken place in relation to the proposed development $^{14}$	?
Yes [x ]	No [ ]
If <b>yes</b> , please give details:	
Reference No. (if any): LRD 022 OCC 005	
Date(s) of consultation:4 August and 2 November 2022; opinion 25 November 2022.	
Persons involved: Representatives of JFD and OCC - see continuation Note below	

20. SERVICES:		
Proposed Source of Water Supply		
Existing connection [x ] New Connection [X ]		
Public Mains [ X] Group Water Scheme [ ] Private Well [ ]		
Other (please specify):		
Name of Group Water Scheme (where applicable):		
Proposed Wastewater Management/Treatment		
Existing [ ] New [x ] Upgrade of existing wastewater pumping station		
Public Sewer [ X] Conventional septic tank system [ ]		
Other on-site treatment [ ] Please specify: system		
Proposed Surface Water Disposal		
Public Sewer/Drain [x ] Soakpit ] Watercourse [ ]		
Other [ x] Please specify: Infiltration to ground where feasible through use of SuDS measures.		
21. DETAILS OF PUBLIC NOTICE:		
Approved newspaper <sup>15</sup> Tullamore Tribune in which notice was published		
Date of publication 18 May 2023		
Date on which site notice was erected 18 May 2023		
22. APPLICATION FEE:		
Fee Payable €19,240 + €1,216.8 = <b>€20,456.8</b>		
Basis of Calculation LRD Class 14(b) and Class 14 (c) (148x€130, plus 169x€7.20)		
23. DECLARATION:		
I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and fully compliant with the Planning and Development Act 2000, as amended, and the Regulations made thereunder.		
Signed (Applicant or Agent as		

appropriate)

Date	18/05/23
	10/03/23

# **CONTACT DETAILS – NOT TO BE PUBLISHED**

24. APPLICANT ADDRESS/CONTACT DETAILS:	
Address	Block 6, Central Business Park, Clonminch, Tullamore,
Email Address	david@flangroup.ie
Telephone Number (optional)	

25. AGENT'S (IF ANY) AD	DRESS/CONTACT DETAILS:	
Address	MCORM Architects	
Email Address	swhite@mcorm.com	
Telephone Number (optional)	MCCROSSAN O'ROURKE MANNING ARCHITECTS No.1 GRANTHAM STREET, DUBLIN 8, IRELAND. TELEPHONE: 01 478 8700	
·	ease note that if the answer is 'No', all correspondence will be sent to	
Yes [x ]	No [ ]	
A CONTACT ADDRESS MU	ST BE GIVEN, WHETHER THAT OF THE APPLICANT OR THAT OF THE	

A CONTACT ADDRESS MUST BE GIVEN, WHETHER THAT OF THE APPLICANT OR THAT OF THE AGENT.

## Q 19 continued

Persons present at pre-application meetings :

On behalf of John Flanagan Developments, including: David Reynolds, Sarah White, Shane Walsh, Sheila Hobbs, James Allan, Paul Bergin, Eoin Reynolds, Shane Collins

On behalf of OCC, including Ed Kelly, Hugh Mc Connell, Paul Mc Donald, Monica Cleary, Tom Ryan and Nick Smith

# THIS FORM SHOULD BE ACCOMPANIED BY THE FOLLOWING DOCUMENTATION

Please note that if the appropriate documentation is not included, your application will be deemed invalid.

<u>ALL</u> Plann	ing Applications				
	The relevant page of newspaper that contains notice of your application				
	A copy of the site notice				
	6 copies of site location map <sup>16</sup>				
	6 copies of site or layout plan <sup>16+17</sup>				
	6 copies of plans and other particulars required to describe the works to which the development relates (include detailed drawings of floor plans, elevations and sections – except in the case of outline permission)				
	The appropriate Planning Fee				
Where the	Where the applicant is not the legal owner of the land or structure in question:				
	The written consent of the owner to make the application				
Where the	Where the application is for residential development that is subject to Part V of the 2000 Act:				
	Details of the manner in which it is proposed to comply with section 96 of Part V of the Act including, for example,				
	(i) details of such part or parts of the land which is subject to the application for permission or is or are specified by the Part V agreement, or houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be transferred to the planning authority, or details of houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be leased to the planning authority, or details of any combination of the foregoing, and				
	(ii) details of the calculations and methodology for calculating values of land, site costs, normal construction and development costs and profit on those costs and other related costs such as an appropriate share of any common development works as required to comply with the provisions in Part V of the Act.				
or	A certificate of exemption from the requirements of Part V				
or	A copy of the application submitted for a certificate of exemption.				

Where the application is for residential development that is not subject to Part V of the 2000 Act by virtue of section 96(13) of the Act:				
		Information setting out the basis on which section $96(13)$ is considered to apply to the development.		
Where	e the	disposal of wastewater for the proposed development is other than to a public sewer:		
		Information on the on-site treatment system proposed and evidence as to the suitability of the site for the system proposed.		
Where the application refers to a protected structure / proposed protected structure / or the exterior of a structure which is located within an architectural conservation area (ACA):				
		Photographs, plans and other particulars necessary to show how the development would affect the character of the structure.		
Applications that refer to a material change of use or retention of such a material change of use:				
		Plans (including a site or layout plan and drawings of floor plans, elevations and sections which comply with the requirements of article 23) and other particulars required describing the works proposed.		
Where an application requires an Environmental Impact Statement:				
		An Environmental Impact Statement		
Applications that are exempt from planning fees:				
		Proof of eligibility for exemption <sup>18</sup>		

## **DIRECTIONS FOR COMPLETING THIS FORM**

- 1. Grid reference in terms of the Irish Transverse Mercator.
- 2. "The applicant" means the person seeking the planning permission, not an agent acting on his or her behalf.
- 3. Where the plans have been drawn up by a firm/company the name of the person primarily responsible for the preparation of the drawings and plans, on behalf of that firm/company, should be given.
- 4. A brief description of the nature and extent of the development, including reference to the number and height of buildings, protected structures, etc.
- 5. Gross floor space means the area ascertained by the internal measurement of the floor space on each floor of a building, that is, floor areas must be measured from inside the external wall.
- 6. Where the existing land or structure is not in use, please state most recent authorised use of the land or structure.
- 7. Part V of the Planning and Development Act 2000 applies where
  - the land is zoned for residential use or for a mixture of residential and other uses,
  - there is an objective in the Development Plan for the area for a percentage of the land to be made available for social and/or affordable housing, and
  - the proposed development is not exempt from Part V.
- 8. Under section 97 of the Planning and Development Act 2000, applications involving development of 9 or fewer houses or development on land of less than 0.1 hectare may be exempt from Part V.
- 9. Under section 96(13) of the Planning and Development Act 2000, Part V does not apply to certain housing developments by approved voluntary housing bodies, certain conversions, the carrying out of works to an existing house or the development of houses under an agreement made under section 96 of the Act.
- 10. The Record of Monuments and Places, under section 12 of the National Monuments Amendment Act 1994, is available, for each county, in the local authorities and public libraries in that county. Please note also that if the proposed development affects or is close to a national monument which, under the National Monuments Acts 1930 to 2004, is in the ownership or guardianship of the Minister for Arts, Heritage and the Gaeltacht or a local authority, or is the subject of a preservation order or a temporary preservation order, a separate statutory consent is required, under the National Monuments Acts, from the Minister for Arts, Heritage and the Gaeltacht. For information on whether national monuments are in the ownership or guardianship of the Minister for Arts, Heritage and the Gaeltacht or a local authority, or are the subject of preservation orders, contact the National Monuments Section, Department of Arts, Heritage and the Gaeltacht.
- 11. An Environmental Impact Statement (EIS) is required to accompany a planning application for development of a class set out in Schedule 5 of the Planning and Development Regulations 2001-2011 which exceeds a limit, quantity or threshold set for that class of development. An EIS will also be required by the planning authority in respect of sub-threshold development where the authority considers that the development would be likely to have significant effects on the environment (article 103).

- 12. An appropriate assessment of proposed development is required in cases where it cannot be excluded that the proposed development would have a significant effect on a European site. It is the responsibility of the planning authority to screen proposed developments to determine whether an appropriate assessment is required and where the authority determines that an appropriate assessment is required, the authority will normally require the applicant to submit a Natura Impact Statement (NIS). Where the applicant considers that the proposed development is likely to have a significant effect on a European site it is open to him/her to submit a NIS with the planning application.
- 13. The appeal must be determined or withdrawn before another similar application can be made.
- 14. A formal pre-application consultation may only occur under Section 247 of the Planning and Development Act 2000. An applicant should contact his or her planning authority if he/she wishes to avail of a pre-application consultation. In the case of residential development to which Part V of the 2000 Act applies, applicants are advised to avail of the pre-application consultation facility in order to ensure that a Part V agreement in principle can be reached in advance of the planning application being submitted.
- 15. The list of approved newspapers, for the purpose of giving notice of intention to make a planning application, is available from the planning authority to which the application will be submitted.
- 16. All plans, drawings and maps submitted to the planning authority should be in accordance with the requirements of the Planning and Development Regulations 2001-2015.
- 17. The location of the site notice(s) should be shown on site location map.
- 18. See Schedule 9 of Planning and Development Regulations 2001. If a reduced fee is tendered, details of previous relevant payments and planning permissions should be given. If exemption from payment of fees is being claimed under article 157 of the 2001 Regulations, evidence to prove eligibility for exemption should be submitted.