



An  
Bord  
Pleanála

**Board Direction**  
**BD-013393-23**  
**ABP-313658-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/08/2023.

The Board decided having considered the totality of the file including the Inspector's report to refuse permission for the reasons set out below.

**Reasons:**

1. The overall residential development results in a poor design concept and layout due to; the high proportion of apartment and maisonettes, the quality of the private and communal open space and the relationship between the scheme and its wider context. The proposed development would, therefore, be contrary to the Meath County Development Plan 2021-2027 and the Ministerial Guidelines which promote innovative and qualitative design solutions and would be contrary to the proper planning and sustainable development of the area.
2. The applicant has not demonstrated to the satisfaction of the Board that the totality of the residential development is on lands zoned, 'A2 New Residential', and not on land zoned, 'WL White Lands'. The Board noted that the applicant while asserting that the development was within residential zoned lands has not provided a drawing that substantiated this assertion. The Board also noted that in the Meath County Development Plan 2021-2027, on lands with the zoning objective 'white lands', residential is not a permitted use. The Board was not satisfied that the development as proposed did not materially contravene the 'WL White Lands zoning' objective in the Meath County Development Plan 2021-2027.

## **Note**

The Board considered that that the overall residential development results in a poor design concept and layout and therefore would be contrary to the Meath County Development Plan 2021-2027 and the Ministerial Guidelines which promote innovative and qualitative design solutions.

The Board noted the design issues raised by the Inspector, in addition the Board noted the mix of units includes a high proportion of apartments and maisonettes at 67% of the overall scheme. The Board noted that in the Meath County Development Plan 2021-2027 Ratoath is not identified as an area where apartments will generally be encouraged, DM POL12 and DM POL13, the Board considered there is an over concentration of these unit types within the scheme.

The private open space provided by way of winter gardens for Maisonettes and Terraced houses is considered to lack amenity, due to the enclosed nature of the wintergardens, and, in the case of the terraced houses, the relationship between this amenity space and the main living space of the dwelling. The communal open space serving each neighbourhood blends into the public areas, it lacks clear distinction between communal space and public space, thereby undermining its quality and use.

In addition, the Board considered that the development created a poor street frontage with the Rathoath Outer Relief Road (RORR). The Board considered that; the under-croft car parking creates a dead frontage, both internally and to the RORR. The public open space adjoining Neighbourhood M and fronting the RORR creates a poor street edge for the new road and undermines the use of the green area, it also creates a poor aspect from the new road to the houses in neighbourhood M. The design and position of Block A, at the junction of the Rathoath outer relief Road and Fairyhouse road, does not address the transition between the setting of the existing houses and the contemporary scheme proposed.

The Board also concurred with the Local Authority's concerns regarding the proximity between the access junction and the internal junction.

On the issue of zoning, the Board considered the applicant has not demonstrated to the satisfaction of the Board that the totality of the residential development is on lands zoned, 'A2 New Residential', and not on land zoned, 'WL White Lands'. The Board noted the applicant while asserting that the development was within residential zoned lands has not provided a drawing that substantiated this assertion. The Board also noted that in the Meath County Development Plan 2021-2027, on lands with the zoning objective 'white lands', residential is not a permitted use. The Board were not satisfied that the development as proposed did not materially

contravene the 'WL White Lands zoning' objective in the Meath County Development Plan 2021-2027.

In arriving at this conclusion, the Board noted the Local Authority's report paragraph 7.2.7, stated "A site layout drawing with the underlying zoning objectives would have been beneficial" (noting that this statement was made in reference to the position of the road and not the residential development). The Board also considered the matters raised in the Inspector's report regarding the position of part of the residential development outside of the A2 New Residential zone, and the Inspector's conclusion that a 'substantive portion of the residential development is in an area zoned White lands.

The Board viewed the Rathoath Land Use Zoning Map and noted that the zoning of the land does not follow field boundaries but that of an indicative road route. The fact that the proposed road which is part of this application was designed to align with the applicant's land holding adds to the complexity of this assessment and reinforces the clarity that would have been brought by a site layout with the underlying zonings. The Board considered that in this instance it was for the applicant to demonstrate compliance with the zoning provisions, to satisfy the Board that the development accorded with the zoning objective.

**Board Member**

  
Mary Henchy

**Date:** 23/08/2023

