



Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: 23424

Appeal by McGarrell Reilly Homes care of McCutcheon Halley Chartered Planning Consultants of Kreston House, Arran Court, Arran Quay, Dublin against the decision made on the 7th day of June, 2024 by Meath County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: A ten year permission for development comprising

- i. Construction of three number office buildings with a cumulative gross floor area of 13,729 square metres ranging in height from three to four storeys and shall comprise the following:
 - a. Building 1 (3,597 square metres gross floor area) three-storeys in height (12.35 metres to top of parapet), with a set back louvred screen two metres above parapet level.
 - b. Building 2 (5,336 square metres gross floor area) four-storeys in height (16.125 metres to top of parapet), with a set back louvred screen two metres above parapet level.
 - c. Building 3 (4,796 square metres gross floor area) four-storeys in height (16.125 metres to top of parapet), with a set back louvred screen two metres above parapet level;
- ii. roof mounted solar PV panels (circa 180 square metres combined area),
- iii. provision of a four-arm signalised junction replacing the existing Pace roundabout to include a new northern arm with segregated cycleway and footpath;
- iv. access to the development is proposed

from the new northern arm, with six metres wide internal access roads to serve the development; v. upgrade works to the R157 and M3 Parkway access road to facilitate junction improvements; vi. a total of 275 surface car parking spaces including 14 disabled access bays and 55 electric car charging points; vii. 280 bicycle parking spaces in three secure cycle storage areas adjacent to the buildings; viii. site signage is to be erected, all spot-lit and back-lit illuminated, including two number type 1 entrance signs (6.15 metres by 2.4 metres) and three number type 2 building signs (1.35 metres by 2.4 metres); ix. three standalone electricity substations; x. foul sewer connection to existing public system including pumping station on site with rising mains along Kennedy Road and Navan Road; xi. watermain connection to the north east of site at Pace for connection to Irish Water infrastructure; xii. permission is also sought for associated landscaping, boundary treatments, public lighting, plant, waste storage and all ancillary site and development works. A Natura Impact Statement (NIS) has been prepared in respect of the proposed development. All at the townlands of Bennetstown Pace and Dunboyne, County Meath. The subject site (4.665 hectares) encompasses an area of circa 2.9487 hectares, situated to the west of the M3 (Junction 5) and north of the M3 Parkway station and Dunboyne Bypass (R157) located in the Townland of Bennetstown, and the balance of circa 1.718 hectares, located in the Townlands of Pace, Bennetstown and Dunboyne including the Dunboyne Bypass (R157) and M3 Parkway access, Kennedy Road and Navan Road for infrastructure works; as amended by the revised public notice received by the planning authority on the 15th day of April, 2024.

Decision

Having regard to the nature of the condition(s) the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 2 (b)

and to AMEND condition number 2(a) so that it shall be as follows for the reason set out.

2. (a) Prior to the commencement of development, the applicant/developer shall submit to, and agree in writing with, the planning authority, compensatory flood storage mechanisms for the displacement of flood waters in the 0.1% AEP event as a result of the development. The mitigation measures shall be adequately sized for the volume of flood storage required, taking account of the relevant allowance for climate change.

Reason: In the interest of environmental protection and to prevent additional flood risk to adjoining land.

Reasons and Considerations

Condition number 2(a)

The wording of the original condition referred to Building number 3 which is outside of Flood Zone B. Having regard to the location of Building number 2, partially within Flood Zone B, which has the potential to reduce flood storage from fluvial flood events in the 0.1% AEP through displacement, it is considered appropriate that the impact of the proposed development on adjoining lands through loss of flood plain is assessed and mitigated against, as set out in Section 4.11 of the Strategic Flood Risk Assessment and Management Plan for the Meath County Development Plan 2021-2027 and in Section 1.6 of Appendix A of the "Planning System and Flood Risk Management Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in November, 2009.

Condition number 2(b)

Having regard to the provisions of Tables 3.1 and 3.2 of the "Planning System and Flood Risk Management Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in November, 2009, which categorises the proposed development as 'Less Vulnerable' development and considers it to be 'Appropriate' for its location in Flood Zone B, it is considered that a development management Justification Test is not required. Section 4.8.3 of the Strategic Flood Risk Assessment and Management Plan for the Meath County Development Plan 2021-2027 states that a Justification Test is not required for 'Less Vulnerable' development for Zoning Objectives E1 and E3 of the Meath County Development Plan 2021-2027, which relate to the subject site.



Patricia Calleary

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 21 day of March 2025.