



An
Coimisiún
Pleanála

Commission Order
ABP-322670-25

Planning and Development Act 2000, as amended

Planning Authority: Meath County Council

Planning Register Reference Number: 2460621

Appeal by Elci Limited care of SCA Planning and Development Consultants of Unit 217, Glencullen House, Kylemore Road, Dublin against the decision made on the 6th day of May, 2025 by Meath County Council to refuse permission for the proposed development.

Proposed Development: The development consists of the construction of 94 number residential units, a single storey creche facility and a circa 262 metres section of the Dunshaughlin Eastern Relief Road. The residential units consist of 76 number houses and 18 number apartments located in a three-storey building. The 76 number houses consist of: - three number four-bed detached houses; 48 number four-bed semi-detached houses; four number 3-bed semi-detached houses; 21 number three-bed terraced houses. The 18 number apartments with associated terraces and balconies consist of: - 16 number two-bed apartments; two number one-bed apartments. Vehicular and pedestrian access will be provided from the Lagore Road; a new cycle lane and footpath is proposed along the site frontage to Lagore Road and it is also proposed to continue the footpath along the Lagore Road to link in with the existing footpath to the west; car parking, bicycle parking, internal roads, services infrastructure and bin store; landscaping, open spaces, boundary

treatments and public lighting; all associated site works and services; all on Lands at Lagore Road, Dunshaughlin, County Meath. The proposed development was revised by the further public notices received by the planning authority on the 9th day of April, 2025.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the condition(s) set out below.

Reasons and Considerations

Having regard to residential objective of the subject site in the Meath County Development Plan 2021-2027, its location in proximity to Dunshaughlin town centre, and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would support Policy DNS POL 1 of the Meath County Development Plan 2021-2027, which seeks to, inter alia, support the growth of Dunshaughlin in a manner that allows the town to fulfil its function as a 'Self-Sustaining Growth Town' by facilitating sustainable residential growth. Furthermore, it is considered that the proposed development would not seriously injure the residential or visual amenities of the area or property in the vicinity and would be acceptable in terms of traffic safety, surface water design and flooding. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 12th day of August 2024, as amended by the further plans and particulars received by the planning authority on the 27th day of March 2025, and with the plans and particulars received by the Commission on the 3rd day of June 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2.
 - (a) Mitigation and monitoring measures outlined in the plans and particulars, including the Site-Specific Flood Risk Assessment and the Revised Ecological Impact Assessment Report submitted with this application shall be carried out in full, except where otherwise required by conditions attached to this permission.
 - (b) The developer shall submit a comprehensive list of mitigation and monitoring measures from the named reports and a corresponding timeline/ schedule for implementation of same to the planning authority for its written agreement.
 - (c) The developer shall obtain an updated Confirmation of Feasibility for the development.

Reason: In the interest of protecting the environment, public health, and clarity.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwellings, apartments and creche shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

4. The permitted creche shall be finished, to an operational standard, within Phase 1 of the development.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

5. No development shall commence on the site until such time as the following have been submitted to, and agreed in writing with, the planning authority:
 - (a) A storm water drainage plan and storm water management plan.
 - (b) Detailed designs and calculations (including pipe sizes, manhole sizes and pipe gradients) of the diversion of the southern ditch and drainage for the Dunshaughlin Eastern Relief Road.
 - (c) Detailed designs for all road widening and footpath works to Lagore Road.
 - (d) Detailed designs for the section of the Dunshaughlin Eastern Relief Road within the site and including the junction and traffic light signalling with Lagore Road.

- (e) Proposals for compliance with the detailed requirements of Meath County Council's Roads Design Section, Environment Section, Public Lighting Section and Broadband Officer.
- (f) Proposals for completion of all amenity/open spaces, roads, footpaths, public lighting, water, and wastewater services in accordance with the standards and conditions set out in the Departmental publication Recommendations for Site Development Works for Housing Areas, except where superseded.
- (g) Drainage arrangements, including the disposal and attenuation of surface water.

Reason: In the interests of roads and traffic safety, protection of the natural environment, public health and the proper planning and sustainable development of the area.

- 6. Prior to commencement of development and/ or occupation of the residential units, as applicable, a final Road Safety Audit(s) and/ or Quality Audit(s) of the development, including the main entrance, internal road, and path layouts, shall be submitted to, and agreed in writing with the planning authority.

Reason: In the interest of sustainable transportation, and traffic and pedestrian safety.



7. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure the satisfactory completion and maintenance of this development.

8. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 (five) years from the completion of the development, or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

9. The area shown as public open space on the lodged plans shall be reserved for such use. The public open space shall be completed and fully landscaped before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer.

Reason: In the interest of the amenities of the occupants of the proposed housing

10. Proposals for a naming / numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

11. Prior to commencement of development, details of all site boundary treatments, individual site boundaries and screen walls shall be submitted for the shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of residential and visual amenity.

12. (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers, that is, those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

13. The developer shall enter into water and wastewater connection agreements with Uisce Eireann, prior to commencement of development.

Reason: In the interest of public health.



14. All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity

15. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

16. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate details for the following:

- (a) Measures to ensure that there no pollutants including dust and hydrocarbons enter any of the drains on the land,
- (b) collection and disposal of construction waste,
- (c) surface water run-off from the site,
- (d) on-site road construction, and

- (e) environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures.

A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.

Reason: In the interest of environmental protection, residential amenities, public health and safety, and environmental protection.

17. Prior to commencement of development, the developer shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on file and retained as part of the public record. The RWMP shall be submitted to the planning authority for written agreement prior to commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.

18. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of sustainable transport and safety.

19. (a) All ground works associated with the proposed development shall be monitored under licence by a suitably qualified archaeologist. Prior to construction all previously identified archaeological features and deposits should be conserved by record (full excavation) prior to any ground works under the terms of an agreed Method Statement agreed by the Department. All topsoil stripping associated with the archaeological monitoring should be carried out using a toothless flat grading bucket only.
- (b) Should further archaeological material be found during the course of works, the work on the site shall be stopped pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Department with regard to any necessary mitigating action (e.g., preservation in situ, or excavation) and should facilitate the archaeologist in recording any material found.

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



20. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

21. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

22. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Liam McGree

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 30th day of SEPTEMBER 2025.