

An
Coimisiún
Pleanála

Commission Order
ACP-324204-26

Planning and Development Act 2000, as amended

Planning Authority: Meath County Council

Planning Register Reference Number: 2560940

APPEAL by Earlsfort Developments Drogheda Limited against the decision made on the 12th day of March 2026 by Meath County Council to refuse permission for the proposed development.

Proposed Development:

- (i) demolition/removal of all existing farm buildings/structures and associated hard standing on site;
- (ii) construction of a large-scale residential development (LRD) of 249 number units comprising 170 number two-storey houses (including 37 number two-bedroom houses, 111 number three-bedroom houses and 22 number four-bedroom houses), 16 number three-storey duplex buildings (accommodating 16 number one-bedroom and 16 number two-bedroom units) and a mix of eight number three-storey and three number four-storey apartments blocks accommodating a total of 22 number one-bedroom and 25 number two-bedroom apartments);
- (iii) construction of a new vehicular entrance and access road off Rathmullan Road with associated junction works and associated internal access road network with pedestrian and cyclist infrastructure;

(iv) provision of a three-storey creche facility (411 square metres) with external play areas at ground and second floor levels and vehicular/bicycle parking area; and,

(v) all ancillary site and infrastructural works, inclusive of removal of existing vehicular entrances, general landscaping and public open space provision, vehicular parking provision (396 number spaces in total), bicycle parking, boundary treatments, foul/surface water drainage, attenuation areas, provision of a pumping station and provision of an ESB substation, as necessary to facilitate the proposed development. Each house will be served by vehicular parking to the front and private amenity space in the form of a rear garden. Each duplex building will be served by vehicular parking to the front and private amenity space in the form of balcony/terrace spaces to the rear. Each apartment block will have shared access to adjoining car parking bays with communal amenity space and bicycle/bin stores provided to the rear and each apartment will be provided with private amenity space in the form of a balcony or terrace, all on lands to the east of the M1 motorway and west of the Rathmullan Road, Oldbridge, Drogheda, County Meath. The development includes provision of a landscaped area of public open space to the north of the site, with two number pedestrian/cyclist connections (via the northern/eastern site boundaries) to Rathmullan Road which will be subsequently ceded to Meath County Council. The application is accompanied by a Natura Impact Statement (NIS) and an Environmental Impact Assessment Report (EIAR). Revised public notices, denoting significant further information/revised plans submitted on this application, were received by the planning authority on the 19th day of January 2026.

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 conditions set out below.

Reasons and Considerations

In coming to its decision, the Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, in accordance with the provisions of the Climate Action Plan 2024 and Climate Action Plan 2025, and also had regard to the following:

- (a) the site's location on lands with a zoning objective A2 – New Residential with an objective: 'To provide for new residential communities with ancillary community facilities, neighbourhood facilities as considered appropriate' in the Meath County Development Plan 2021 - 2027 in respect of residential development,
- (b) a section of the site is located on lands with a zoning Objective F1 – Open space with an objective: 'To provide for and improve open spaces for active and passive recreational amenities' in the Meath County Development Plan 2021 – 2027 in respect of open space/ amenity provision,
- (c) the nature, scale and design of the proposed development which is consistent with the provisions of the Meath County Development Plan 2021 - 2027 and appendices contained therein,
- (d) Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness,
- (e) the provisions of the National Biodiversity Action Plan 2023-2030,
- (f) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),

- (g) the Design Standards for Apartments, Guidelines for Planning Authorities, July 2025,
- (h) the availability in the area of a wide range of social and active transport infrastructure,
- (i) the pattern of existing and permitted development in the area,
- (j) Planning Report and supporting technical reports of Meath County Council,
- (k) to the submissions received,
- (l) the report and recommendation of the Planning Inspector.

Appropriate Assessment: Stage 1:

The Commission considered the documents submitted with the application, and all the other relevant submissions on file, and carried out an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that River Boyne and River Blackwater Special Area of Conservation (Site Code 002299), the Boyne Coast and Estuary Special Area of Conservation (Site Code 001957), the River Boyne and River Blackwater Special Protection Area (Site Code 004232), the Boyne Estuary Special Protection Area (Site Code 004080) and the North-West Irish Sea Special Protection Area (Site Code 004236) are the European Sites in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the sites and that Stage 2 Appropriate Assessment is, therefore, required.

Appropriate Assessment: Stage 2:

The Commission considered the Natura Impact Statement and all other relevant submissions including expert submissions received and carried out an Appropriate Assessment of the implications of the proposed development on the aforementioned sites, in view of the sites' conservation objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the conservation objectives of the sites using the best available scientific knowledge in the field.

In completing the assessment, the Commission considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (b) the mitigation measures which are included as part of the current proposal, and
- (c) the conservation objectives for the European Sites.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites in view of their conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

Environmental Impact Assessment:

The Commission completed an environmental impact assessment of the proposed development, considering:

- (a) the nature, scale and extent of the proposed development,
- (b) the Environmental Impact Assessment Report (EIAR) and associated documentation submitted in support of the planning application;
- (c) the submissions from the planning authority, and the prescribed bodies in the course of the application; and
- (d) the report of the Planning Inspector.

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

The Commission agreed with the examination, set out in the Inspector's Report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the application.

Reasoned Conclusions on the Significant Effects

The Commission considered and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated where relevant, as follows:

Population and Human Health

Impacts are likely to be positive with the provision of additional housing and an increased local population that will avail of services/ facilities in the area.

Biodiversity

Impacts to be mitigated by the proposed landscaping strategy; the significant provision of active and passive open space; protection of trees to be retained, and measures to avoid disturbance to bats and birds.

Noise & Vibration

Impacts will be mitigated by adherence to requirements of relevant code of practice; location of noisy plant away from noise sensitive locations and through the use of suitable noise control techniques on site. Excessive levels of vibration are not expected on site. Operational phase impacts will be imperceptible to noise sensitive receptors outside the site area.

Landscape & Visual Impact

The development will present as a new development in the landscape. This will be mitigated through the design having regard to the topography of the site and through the existing trees/ vegetation on site and the proposed landscaping provided in support of the development.

Cultural Heritage

The proposed development would not impact on cultural heritage – known archaeology on site will be sufficiently protected. Measures will be taken to ensure that unrecorded features are also protected; a site archaeologist will be employed during the clearance/ groundworks phase of the development. The structures to be demolished are not of any architectural importance.

Traffic and Transport

The assessment has found that the proposed development will not impact on existing and relevant junctions in the area, with capacity for increased traffic up to the test period of 2043. The development will provide for suitable pedestrian and cycle facilities.

The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, as set out in the Environmental Impact Assessment Report, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Commission adopted the report and conclusions of the Inspector. Overall, the Commission is satisfied that the proposed development would not have any unacceptable effects on the environment.

Conclusions on Proper Planning and Sustainable Development:

Having regard to the nature and scale of the proposed development, the location of the site within the settlement boundary of Drogheda and the A2 - New Residential and F1 - Open Space zoning of the lands, and to the policies and objectives of the Meath County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development at this

location, would make a positive contribution to the provision of housing in the area and would provide an acceptable form of residential amenity for future occupants, would not seriously injure the residential or visual amenities of the area or of property in the vicinity; would be acceptable in terms of urban design, height, unit mix, quantum and density of development, as well as in terms of traffic and pedestrian safety; would not adversely impact any European Site or the environment; and would be acceptable in terms of flood risk. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission noted the Inspector's recommended Condition 2 in relation to omitting a unit to provide additional parking for the proposed creche. The Commission did not consider this was necessary having regard to the overall quantum of parking provided, the central location of the creche on site easily accessible on foot or by bicycle by residents of this development and noting that the car parking requirement is a maxima.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of clarity.

2. The number of residential units permitted by this grant of permission is 249 residential units in the form of 170 houses and 79 duplex/ apartment units.

Reason: In the interests of clarity.

3. The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.

Reason: To protect the integrity of European Sites.

4. The mitigation measures contained in the submitted Environmental Impact Assessment Report (EIAR), shall be implemented.

Reason: To protect the environment.

5. Details of the materials, colours, and textures of all the external finishes to the proposed building shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of clarity and visual amenity.

6. (a) The creche shall be completed to an operational standard prior to the occupation of the first phase of the development.

(b) The hours of operation of the creche and the number of children to be accommodated shall be agreed in writing with the planning authority prior to the commencement of operation.

Reason: In the interest of clarity and proper planning and sustainable development of the area.

7. The developer shall provide a suitable piece of public art in a public location on site. Final details to be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of public amenity and promotion of public art.

8. Proposals for a development name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

9. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

Reason: In the interests of amenity and public safety.

10. 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.

11. The road network serving the proposed development, including turning bays, the junction with the Rathmullan Road, parking areas, footpaths and kerbs, access road to service areas, provision of suitable set-down/ pick-up areas/ service delivery areas and the undercroft car park shall be in accordance with the detailed construction standards of the planning authority for such works. A Stage 3 Road Safety Audit shall be provided in accordance with the requirements of Meath County Council.

Reason: In the interest of amenity and of traffic and pedestrian safety.

12. Details and revised drawings of the cycle storage facilities for each apartment block shall be submitted to the planning authority for agreement prior to the commencement of development.

Reason: In the interest of sustainable travel.

13. All roads, footpaths, and cycleways (where applicable) shown to adjoining lands shall be constructed up to the boundaries to provide access to adjoining lands with no obstruction including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001, as amended. These areas shall be shown in a plan which shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of permeability and proper planning and sustainable development.

14. All houses and a minimum of 20% of all car parking spaces serving the apartment units should be provided with functioning EV charging stations/ points. Ducting shall be provided for all remaining car parking spaces. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the planning authority prior to the occupation of the development.

Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.

15. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management

16. The developer shall enter into water and/or waste water connection agreements with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

17. (a) The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with the planning authority prior to commencement of development.

- (b) Full details of site management to be agreed with the planning authority prior to the commencement of development.
- (c) A fully qualified Landscape Architect, and a fully qualified Arborist shall be employed during the site clearance and landscaping phases of the development.

Reason: In the interest of residential and visual amenity.

18. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.
- (b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

19. The areas of public open space shown on the lodged plans shall be reserved for such use. These areas shall be levelled, contoured, soiled, seeded, and landscaped in accordance with the landscaping scheme submitted with the application. This work shall be completed before any of the dwellings are made available for occupation unless otherwise agreed in writing with the planning authority and shall be maintained as public open space by the developer until taken in charge by the local authority.

Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.

20. The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping and groundworks as appropriate, following consultation with the Local Authority Archaeologist. Prior to the commencement of such works the archaeologist shall consult with and forward to the Local Authority archaeologist or the National Monument Service as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation.

The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. Following the completion of all archaeological work on site and any necessary

post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

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

21. (a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.
- (b) This plan shall provide for screened communal bin stores, the locations, and designs of which shall be included in the details to be submitted.
- (c) This plan shall provide for screened bin stores, which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

22. 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.

23. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
- (a) the location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - (b) the location of areas for construction site offices and staff facilities;
 - (c) the details of site security fencing and hoardings;
 - (d) the details of on-site car parking facilities for site workers during the course of construction;

- (e) the details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (f) measures to obviate queuing of construction traffic on the adjoining road network;
- (g) the details of intended construction practice for the development with measures to reflect mitigation described in the submitted EIAR and NIS for the application;
- (h) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (i) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (j) the details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) the containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (l) the off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil; and
- (m) the means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be available 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 amenities, public health and safety and environmental protection.

24. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between the hours of 0800 to 1400 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.

25. 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.

26. (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 or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. 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.

27. 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 and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public 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 or maintenance 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 and maintenance of the development until taken in charge.

28. 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.

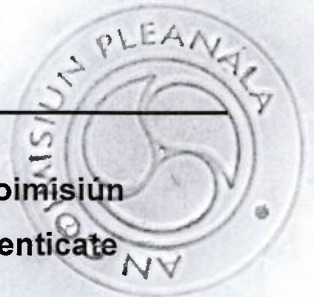
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Mary Gurrie

Mary Gurrie

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this *24* day of *July* 2026