An Coimisiún Pleanála

Commission Order
ACP-324557-26

Planning and Development Act 2000, as amended

Planning Authority: Meath County Council

Planning Register Reference Number: 26/60607

Appeal by Anthony and Olivia Malone against the decision made on the 15th day of July, 2026 by Meath County Council to grant, subject to conditions, a permission to Marina Quarter Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for the following Large-Scale Residential Development (LRD) comprising of (i) the construction of 124 number apartments in blocks A, B and C ranging in height from four-five storeys; (ii) a foul pumping station and (iii) all ancillary development works including footpaths, cycle lanes, car and bicycle parking, drainage, public lighting, an ESB substation and landscaping/amenity areas at this site located in Bennetstown (townland) to the south of the M3 Parkway park and ride and rail station, Dunboyne North, County Meath. The proposed development will replace 76 number apartments previously permitted under Meath County Council register reference number 23/60290 (An Bord Pleanála reference number ABP-320049-24).

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

Having regard to the following:

(a) the location of the proposed development predominantly on lands with a zoning objective 'A2 – New Residential' which seeks 'to provide for new residential communities with ancillary community facilities, neighbourhood facilities as considered appropriate' and also on lands with the zoning objective 'F1 – Open Space,' which seeks 'to provide for and improve open spaces for active and passive recreational amenities' in the Meath County Development Plan 2021-2027,

(b) the nature, scale and design of the proposed development which is consistent with the provisions of the Meath County Development Plan 2021-2027, which has been varied to increase population and housing targets, to be consistent with the Revised National Planning Framework (NPF), with the exception of one instance of material contravention (detailed below),

(c) the Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031 (RSES),

(d) Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness issued by the Department of Housing, Local Government and Heritage in November, 2025,

(e) the provisions of the Ireland's 4th National Biodiversity Action Plan 2023-2030 issued by the Department of Housing, Local Government and Heritage in January, 2024 which have been considered,

(f) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in January, 2024,

(g) the Design Standards for Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in July 2025,

(h) the Climate Action Plan 2024 and the Climate Action Plan 2025,

(i) the location of the site which is proximate to a high-capacity public transport node in the form of the M3 Parkway rail station,

(j) the pattern of existing and permitted development in the area,

(k) the availability of a range of social, community and transport infrastructure and services in the general area,

(l) the planning report and the supporting technical reports of Meath County Council,

(m) the planning history and extant permission,

(n) the submissions received including the third-party submission, and

(o) the Inspector's report,

it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an appropriate scale and density of development at the subject location in Dunboyne North, would be acceptable in terms of layout, urban design, height and quantum of development, would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be acceptable in terms of the provision of car parking spaces and bicycle storage spaces. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The proposed development which involves the provision of residential car parking spaces on lands zoned 'F1 – Open Space' would materially contravene this zoning objective and associated policy SH POL13 (Housing Development Policies) of the Meath County Development Plan 2021-2027, on the basis that such development is not listed within the 'Permitted Uses' or 'Open to Consideration Uses' of the F1 zoning objective.

However, having regard to Section 37(2)(a) of the Planning and Development Act 2000, as amended, and having regard to the identification of the lands proximate to the M3 Parkway railway station for the development of new residential communities in the Meath County Development Plan 2021-2027, along with the current national housing shortage and national policy to significantly increase national housing output as detailed in the National Planning Framework (NPF) First Revision (2025) and Delivering Homes, Building Communities (2025), and having regard to the Sustainable Residential Developments in Urban Areas Guidelines for Planning Authorities (2024) which focuses on sustainable residential development, seeks to increase residential densities and the creation of compact settlements, it is considered that the proposed development should be granted permission.

Appropriate Assessment

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature and scale of the proposed development on zoned and serviceable lands, the nature of the receiving environment which comprises a site proximate to the M3 Parkway rail station, the distances to the nearest European sites, and the hydrological pathway considerations, submissions on file, the information submitted and the Inspector's report.

In completing the screening exercise, the Commission agreed with and adopted the report of the Inspector, noted that a Stage 2 Appropriate Assessment had already been undertaken in the context of the parent LRD application (An Bord Pleanála reference number ABP-320049-24 refers) and considered that the limited nature and extent of proposed modifications to the parent LRD permission, by themselves or in combination with other development, plans and projects in the vicinity, would not likely to have a significant effect on any European Site in view of the conservation objectives of such sites.

Environmental Impact Assessment

The Commission considered that the Environmental Impact Assessment Report Addendum submitted by the applicant demonstrates there would be no material changes to the mitigation and monitoring measures set out in the Environmental Impact Assessment Report provided with the parent LRD application relating to the subject site and adjoining lands. The Commission also considered that the Phase 1 EIAR (Environmental Impact Assessment Report) prepared in relation to the Phase 1 development along with the Environmental Impact Assessment Report Phase 1 assessment and Reasoned Conclusion remains applicable and relevant to the proposed development, that no significant adverse effects arise over and above those already identified in the Phase 1 Environmental Impact Assessment Report assessment, and that no new Environmental Impact Assessment Report is required in respect of this amendment LRD application.

Having regard to:

(a) the limited extent of proposed modifications to the parent LRD permission (An Bord Pleanála reference number ABP-320049-24) of the proposed development,

(b) the nature and scale of the proposed development which is below the threshold in respect of Classes 10(b)(i) and (iv) and Class 13 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,

(c) Class 15 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,

(d) the planning history of the site, particularly the previous LRD application (An Bord Pleanála reference number ABP-320049-24) related to the site and adjoining lands which included an Environmental Impact Assessment Report that concluded no significant individual or cumulative environmental effects were anticipated to occur,

(e) the location of the site on lands governed by zoning objectives 'A2 – New Residential' and 'F1 – Open Space' in the Meath County Development Plan 2021-2027, and the results of the strategic environmental assessment of the current Meath County Development Plan undertaken in accordance with the SEA Directive (2001/42/EC),

(f) the criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and

(g) the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Construction Environmental Management Plan,

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of a new Environmental Impact Assessment Report would not, therefore, be required.

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 and the development shall be carried out and completed in accordance with the agreed particulars.

   Reason: In the interest of clarity.

2. The proposed development shall comply with the conditions of An Bord Pleanála reference number ABP-320049-24 and the expiry date of that permission, except as otherwise may be required in order to comply with the following conditions.

   Reason: In the interest of clarity.

3. The mitigation and monitoring measures contained in the Environmental Impact Assessment Report, and the Environmental Impact Assessment Addendum Report received with the planning application, shall be implemented.

   Reason: To protect the environment.

4. Prior to occupation of any residential unit on this site, the developer shall submit a Mobility Management Plan for the written agreement of the planning authority, to include specific modal shift targets, monitoring arrangements and appropriate corrective measures.

Reason: In the interests of sustainable transportation and amenity.

5. Prior to commencement of development, the developer shall submit to the planning authority full details demonstrating that a minimum of 15% of proposed units consist of universally designed units, in accordance with the requirements of 'Building for Everyone: A Universal Design,' developed by the Centre for Excellence in Universal Design.

Reason: To comply with the requirements of Objective SH OBJ 22 of the Meath County Development Plan 2021-2027.

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

Dated this 22nd **day of** October **2026.**