



An  
Bord  
Pleanála

# S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

## Inspector's Report ABP-303433-19

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### Strategic Housing Development

913 no. residential units (505 no. houses, 186 no. duplexes and 222 no. apartments), neighbourhood centre, childcare facility and all associated site works.

### Location

Lands to the north of R147/Dublin Road, Dunshaughlin, Co. Meath.

### Planning Authority

Meath County Council.

### Applicant

Rockture 1 Limited.

### Prescribed Bodies

Transport Infrastructure Ireland  
National Transport Authority  
Irish Water  
Córas Iompair Éireann  
Inland Fisheries Ireland

Minister for Culture, Heritage and the  
Gaeltacht  
Heritage Council  
An Taisce.

**Observer(s)**

None.

**Date of Site Inspection**

28 March 2019.

**Inspector**

Stephen Rhys Thomas.

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## 1.0 Introduction

This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

## 2.0 Site Location and Description

- 2.1. The Inspector's Report relating to ABP-301099-18 describes the site as following and for the most part I broadly concur with this description as follows:

*The proposed development is located in Dunshaughlin, a designated moderate growth town located in south County Meath. There is an existing permitted phase of residential development 'The Willows' under construction to the front portion of the landholding along the R-147 (former N3). There are a handful of housing units which appear to be occupied within the permitted scheme.*

*The site itself consists of agricultural fields which are characterised with hedgerows to the field boundaries. The lands are generally undulating rising towards the north. The business park and Maelduin housing estate bounds the northern portion of the site. There is a substantially complete housing development abutting the northern perimeter of the development lands, known as 'Kellet's Grove'. These residential developments are accessed from the Lagore road, a local road which links back to the R-147 within the town centre area.*

*There are existing playing grounds which are within the applicant's landholding to the west of the development lands that are currently accessed via the business park. A pedestrian/cyclist access is proposed through these playing pitches to the development site.*

*There is a pumping station located in close proximity to the current temporary entrance to the permitted housing scheme. The entrance to the scheme is located within the section of road that falls within the 60kph speed limit although actual speeds are in excess of this. The permanent access to the permitted phase of development will be via the outer relief road, part of which is currently under construction. There are no footpaths on either side of the R-147 at this location. There is a bus-stop located further south close to the junction of the L-2209 with the*

*R-147. There is also a bus stop and shelter located north-west of the site along the frontage of the business park.*

- 2.2. In addition, I note that a large number of the houses in The Willows estate (Phase 1a and 1b) are now occupied and that construction activity on Phase 1c is well underway. The Outer Relief Road mentioned above is partially complete and provides access to The Willows and a large construction compound within the site, the former temporary access is no longer in use. The stated site area is 28.3 hectares.

### **3.0 Proposed Strategic Housing Development**

- 3.1. The proposed development is the construction of 913 dwellings, the detail comprises:

The 505 houses proposed consist of the following:

- 45 no. 2-bedroom houses
- 382 no. 3-bedroom houses (including 4 no. bungalows)
- 50 no. 4-bedroom houses (including 5 no. bungalows)
- 28 no. 4/5-bedroom houses (three storey)

The 186 duplex units consist of the following:

- 20 no. 1-bedroom duplex units
- 84 no. 2-bedroom duplex units
- 73 no. 3-bedroom duplex units
- 9 no. 4-bedroom duplex units

The 222 apartments consist of the following:

- 50 no. 1-bedroom apartments
- 151 no. 2-bedroom apartments
- 21 no. 3-bedroom apartments

Neighbourhood centre facilities comprise:

A childcare facility 1,282 sq.m

A community facility 180 sq.m

2 retail units with of 1,000 sq.m and 190 sq.m

A café / restaurant unit of 370 sq.m

A primary healthcare / gym unit 1,040 sq.m.

Total non-residential floor space amounts to 4,062 sq.m

- The development includes the delivery of a section of the Dunshaughlin Outer Relief Road (DORR) from the Phase 1 site boundary to the northern site boundary, including connections to adjacent lands, improvements to a section of the Outer Relief Road part of Phase 1 development to the south.
- A bus bay and toucan crossing on the Dublin Road (R147).
- A pumping station.

The stated site area is 28.3 hectares. Residential density is 42 dwellings per Hectare.

An Environmental Impact Assessment Report (EIAR) has been submitted with the application.

## 4.0 Planning History

- 4.1. There is extensive planning history with the development site outlined in the documents submitted by the applicant and the planning authority. The following is a brief synopsis of the more recent and pertinent history files:

**File Ref. No. RA 171416** Permission granted for 96 residential units, a childcare facility and a separate vehicular access from the Dublin Road/R147.

**File Ref. No. RA170407** Permission granted for Phase 1B consisting of 92 residential units. The development includes all associated site works including the

first section of the link road from the Dublin Road which will provide a permanent vehicular access for the development (the permitted temporary access to Phase 1A will be removed when this permanent access is provided). The proposed development amends and will supersede elements of the development permitted under Reg. Ref. No. DA60537 (**extended under DA120619**) as subsequently amended by Reg. Ref. No. DA130709 on this site which has been partly implemented/is under construction as Phase 1A. The subject application is proposed as Phase 1B of the overall development of these lands. Vehicular access for the residential units will be provided via the adjoining permitted residential development currently under construction. The subject application is proposed as Phase 1c of the overall development of these lands.

**File Ref. No. DA 130840** Permission refused for part of the lands included in “The Willows” (planning permissions granted DA60537; DA120619) consisting of revisions to development granted under DA60537 and DA120619 by the temporary removal of permitted units 238-245 (not built) to accommodate 1 no. temporary access road onto R147 road. The development will consist of the construction of a residential development of 30 no. dwellings, 2 no. parking spaces per dwelling, landscaping and Esb substation. The decision was appealed and refused by ABP for the following reasons:

1. The proposed development would contravene materially specific objective CS OBJ 1 of the Meath County Development Plan 2013 – 2019 which seeks ‘To ensure that planning applications for residential development on greenfield lands (i.e. ‘A’ zonings) in the urban centres detailed in Table 2.1 will be considered premature until such time as the relevant Town Development Plan or Local Area Plan has been made, varied or amended to make it consistent with the settlement strategy and core strategy, particularly Table 2.4, of the said Development Plan’. It is considered, therefore, that the proposed development would be contrary to the proper planning and sustainable development of the area.

2. The proposed development would contravene the objectives of the planning authority, as set out in the County Development Plan 2013 – 2019, to avoid the premature obsolescence of identified national primary and secondary routes, regional roads and important county link roads through the creation of excessive levels of individual entrances and to secure the investment in non-national roads by

restricting unnecessary access points, which would prejudice the carrying capacity and ultimately the function of the road. Having regard to the site's location accessed off the important R147 Regional Road it is considered that the proposed development would endanger public safety by reason of traffic hazard.

3. The proposed development would contravene materially a condition attached to an existing permission for development namely, condition number 2 attached to the permission granted by Meath County Council under planning register reference DA60537.

Condition 2 of the File Ref. No. DA60537 required a revised Action Area Plan to be submitted.

**File Ref. No. DA 130709** Permission granted to amend condition no. 3 granted under DA60537 to limit the liability for the main Distributor/Outer relief road to the extent of planning permissions granted on the land in the ownership of G, J & R Stanley and also to change the entrance location for the first 87 houses (phase 1) to the residential development off the main distributor road to that shown on drawing no. D1371 D1 revision B.

**File Ref. No. DA 120619** Extension of duration granted in relation to DA60537 extending the permission until 11 October 2017.

**File Ref. No. DA 110002** and File Ref. No. **DA110462** refer to permissions granted for alterations and amendments to house types permitted under the DA60537 parent permission.

**File Ref. No. DA 101330** Permission granted for elevational changes to units 40-51, 54-61, 71-76, 226-229 and 236 and 237 previously permitted under File Ref. DA60537.

**File Ref. No. DA 60537** Permission granted for a residential development consisting of 282 residential units. The proposal is the first phase of an overall masterplan for lands within the applicant's landholding. 3 no. semi-detached units will serve as crèches on a temporary basis for a period of 5 years until the application and granting of permission of future phases, which will include a purpose-built crèche. The development will be serviced by 2 no. wells and an on-site water treatment plant, comprising of a control building of 50.2m<sup>2</sup> and an underground



storage tank. In addition, 5.055ha is to be ceded to the Local Authority for the benefit of community/leisure facilities. The application site extended to 17.26 hectares.

**File Ref. No. DA30369** Permission granted for 894 residential units, soccer pitches and a crèche.

## 5.0 Section 5 Pre Application Consultation

5.1. A section 5 pre-application consultation took place at the offices of An Bord Pleanála on the 13 April 2018 and a Notice of Pre-Application Consultation Opinion issued within the required period, reference number ABP-301099-18. An Bord Pleanála issued notification that, it was of the opinion, the documents submitted with the request to enter into consultations, required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development. The following is a brief synopsis of the issues noted in the Opinion that needed to be addressed:

### 5.1.1. Timing and Phasing of Development

Justification of the proposal to develop Phase II residential lands in the context of the possible prematurity of development pending the review of the County Development Plan. A planning rationale/justification for the release of these Phase II residential lands should be submitted which has due regard to all Phase I residential lands which remain undeveloped.

### 5.1.2. Masterplan and development strategy

An overall masterplan based upon the principles of section 28 guidance, that has regard to existing permitted developments, access and linkages to open space and employment opportunities. The overall development strategy should address a legible street hierarchy and a discernible focal point.

### 5.1.3. Movement and Transportation

Information with regard to the delivery and phasing of the Dunshaughlin Outer relief road including, how this road and proposed access arrangements are consistent with the principle of the Design Manual for Urban Roads and Streets. In addition, information on vehicular, cycle and pedestrian connections and permeability on and off the site should be addressed.

#### 5.1.4. Urban Design Response, Density, and Layout

Greater level of information with regard to residential layout and urban design as they relate to the creation of distinct character areas within the overall site, the siting of the neighbourhood centre so as to create active street frontages, and how the development will extend Dunshaughlin. Residential density, unit mix and typology and hierarchy of public open spaces, should all be reviewed.

#### 5.1.5. Surface water management and Risk of Flooding

Surface water treatment and disposal should be addressed in the context of Council comments and with reference to any Flood Risk Assessment for the site.

#### 5.2. The prospective applicant was advised that the following specific information was required with any application for permission:

- A site layout plan which clearly illustrates the overall movement and transportation hierarchy for the proposed scheme.
- Photomontages and cross sections showing how the development will interface with adjoining residential and industrial/business park lands.
- Details of existing and proposed levels across the development site relative to adjoining lands.
- All existing watercourses that traverse the site including any proposal to culvert/re-route existing drains should be clearly identified on a site layout plan.
- A detailed landscaping plan for the site which clearly sets out proposals for hard and soft landscaping including details of play equipment, street furniture where proposed. The location of bring banks as set out in the Planning Authority's opinion should also be indicated on the landscaping plan.
- A report or details contained within the EIAR identifying the demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand.
- A construction and demolition waste management plan.

- A phasing plan for the proposed development should be provided which includes the phasing arrangements for the public open space and Part V provision.
- A site layout plan indicating all areas to be taken in charge.

5.3. Finally, a list of authorities that should be notified in the event of the making of an application were advised to the applicant and included:

- Irish Water
- Transport Infrastructure Ireland
- National Transport Authority
- Córas Iompair Éireann
- Inland Fisheries Ireland
- Minister for Culture, Heritage, and the Gaeltacht
- Heritage Council
- An Taisce – the National trust for Ireland

#### 5.4. **Applicant's Statement**

5.4.1. A statement of response to the Pre-Application Consultation Opinion was submitted with the application, as provided for under section 8(1)(iv) of the Act of 2016. This statement attempts to address the points raised above.

#### 5.4.2. Timing and Phasing of Development

A three phase plan over ten years is proposed. The first phase will deliver 369 residential units, largest open space and parks, neighbourhood facility, partial greenway and the majority of the Outer Distributor Road. The second phase will deliver 337 residential units, remainder of the greenway and a linkage to Kellet's Grove. The final phase provides 207 residential units and the remainder of the Outer Distributor Road within the landholding and linking with the Council's Part 8 portion.

The justification for bringing forward the site is presented in the context of Rebuilding Ireland – The Government's Action Plan on Housing and Homelessness and the National Planning Framework – Ireland 2040, the Meath County Development Plan 2013-2019 on hold until the publication of the Eastern and Midland Regional

Assembly Regional Spatial and Economic Strategy for the period 2019-2031 (RSES). The Draft RSES identifies Dunshaughlin as a Level 3 Town/District centre along with other towns, in which population growth to 2031 is projected at 36,500 persons, the subject proposal will accommodate 2,370 persons. Meath County Council in their opinion on the pre-application submission considered that the site is appropriate for development in the next plan review. This is based upon the large social and service infrastructural capacities in the area and the possibility to extend the rail line from Pace to Navan, as planned for in the draft RSES. The site is well placed on the M3 Economic Corridor and has a high-quality bus corridor link with the Pace railway station. The site is adjacent to a new primary and secondary school campus. Phase I lands in Dunshaughlin have already been developed or have extant planning permissions and currently under construction. Approximately 155 residential units and a café are proposed on Phase I lands under the first element of this SHD application and will coincide with the post 2019 zoning criteria. In terms of continuity, phases 1A, 1B and 1C are either complete or under construction, a ten year permission will provide a long term plan.

The applicant has submitted a separate report that addresses the timing and phasing element of the proposed development. This report reiterates the summary above and references the findings of an additional study entitled Socio-Economic Study Dunshaughlin East SHD. The Socio-Economic Study concludes that the town has a strong economic performance with room for growth, housing in the pipeline is slow to come to market, employment potential in the area is strong and that the proposed development meets the spirit of the phasing strategy of the Development Plan.

#### 5.4.3. Masterplan and development strategy

Significant changes in terms of urban design have led to the subject proposal, that has been amended in almost every respect. The amendments are listed by the applicant and reference is made to accompanying documents. Additional section 247 meetings were held with the planning authority after the formal SHD pre-application consultation with ABP.

#### 5.4.4. Movement and Transportation

Revised material has been prepared in the context of relevant guidance documents and presented in the Traffic and Transport Assessment (TTA) and road layout

drawings. The Phasing Plan indicates the Dunshaughlin Outer Relief Road (DORR) being delivered in Phase 1. As part of a previous permission a temporary access road arrangement has been agreed vis-à-vis The Willows and the proposed playing pitches. The revised layout is DMURS and Cycle Manual compliant. Connections are proposed to Kellet's Grove to the north, school lands to the west and pitches to the east.

#### 5.4.5. Urban Design Response, Density, and Layout

Revised drawings and urban design strategy has been composed. A more formal / orthogonal layout is introduced across the site to provide a more urban structure and to maximise permeability and connectivity. Building heights vary across the site ensuring a visually engaging and high quality residential environment. The density of development has been increased to 42 units per hectare, by increasing the unit numbers proposed from 783 to 913. This equates to an overall density of c. 38 units per hectare including the Phase 1 lands to the south where a total of 222 no. units and a creche are completed or under construction. A greater unit mix is proposed, with a particular increase in 1, 2, 3 and 4 bed apartment / duplex units. The layout incorporates a series of open spaces from a large park on the F zoned lands, to local parks, pocket parks and linear greenways / open space corridors.

Residential development is proposed on F zoned lands to the north east of the site. This quantum of open space is redistributed elsewhere and does not result in a material contravention of the zoning objectives of large site. All cycle/pedestrian routes throughout the scheme have been designed to ensure passive surveillance is achievable and that a quality landscape results.

#### 5.4.6. Surface water management and Risk of Flooding

A Flood Risk Assessment and Stormwater Assessment has been submitted. The site is located in flood zone C and no risk of flooding is anticipated.

## 6.0 Relevant Planning Policy

### 6.1. National Policy

#### 6.1.1. Project Ireland 2040 – National Planning Framework (NPF)

The NPF includes a Chapter, No. 6 entitled 'People, Homes and Communities'. It sets out that place is intrinsic to achieving good quality of life. A number of key policy objectives are noted as follows:

- National Policy Objective 33 seeks to “prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location”.
- National Policy Objective 35 seeks “to increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights”.
- National Planning Objective 13 provides that “in urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected”.

#### 6.1.2. **Section 28 Ministerial Guidelines**

The following is a list of section 28 Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- 'Urban Development and Building Heights - Guidelines for Planning Authorities' – (2018)
- 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities' (2018)
- 'Design Manual for Urban Roads and Streets' (2013)
- 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual') (2009)
- 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices').

- ‘Childcare Facilities – Guidelines for Planning Authorities’ (2001)

Other relevant national guidelines include:

- Framework and Principles for the Protection of the Archaeological Heritage  
Department of Arts, Heritage, Gaeltacht and the Islands (1999).

## 6.2. Development Plan

6.2.1. The **Meath County Development Plan 2013-2019** is the statutory plan. The plan designates Dunshaughlin as a moderate sustainable growth town. Various footnotes in the plan state that Dunshaughlin will become a Moderate Sustainable Growth Town following the granting of permission of a railway order for the Navan Rail Line Phase II, including a station at Dunshaughlin, as also stated in the RPGs. However, elsewhere in the plan, it is stated that until such time as the railway order for Phase II is approved, Meath County Council considers that the town must develop in a manner consistent with that of a Moderate Sustainable Growth Town, i.e. focusing on self-sustaining, integrated and compact development.

6.2.2. The site is located lands that are subject to two principle land use zonings. The largest proportion of the site is located on lands subject to zoning objective A2 New Residential - To provide for new residential communities with ancillary community facilities, neighbourhood facilities and employment uses as considered appropriate for the status of the centre in the Settlement Hierarchy. The balance of the site is subject to objective F1 Open Space - To provide for and improve open spaces for active and passive recreational amenities. The lands are also subject to a number of Specific Objectives, most notably the lands are subject to Residential Phase II (Post 2019), a Neighbourhood Centre, walkways and a major distributor road are all shown on the site.

Chapter 3 of the plan deals with the settlement strategy and housing for the County. Relevant objectives include:

SS OBJ 1 To secure the sustainable development of County Meath in accordance with the settlement hierarchy set out in Table 3.2. In doing so, development will be primarily directed towards the identified Large Growth Towns. In towns and villages, development will facilitate in the first instance, the consolidation of settlements and the integration of land use and transport. The expansion of urban areas where it is

necessary to facilitate growth as set out in the Development Plan shall promote mixed use development and be guided by the sequential approach in order to create a compact urban form and facilitate sustainable modes of transport.

SS OBJ 2 To ensure that throughout the county, growth takes place concurrent with the provision of necessary services and infrastructure, including water services. Planning permission shall only be granted where the Planning Authority is satisfied that there is adequate capacity available to serve development.

SS OBJ 6 To have regard to capacity in social infrastructure, when assessing applications for residential development. Planning applications for 200 or more dwelling units must be accompanied by a report identifying the demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand and an audit of the social infrastructure and community facilities available to serve the proposed development.

SS OBJ 11 To ensure that Moderate Sustainable Growth Towns develop in a self-sufficient manner with population growth occurring in tandem with physical and social infrastructure and economic development. Development should support a compact urban form and the integration of land use and transport

- 6.3. The applicant has submitted a detailed and comprehensive statement of consistency with planning policy.

## **7.0 Third Party Submissions**

None.

## **8.0 Planning Authority Submission**

- 8.1. The Chief Executive's report, in accordance with the requirements of section 8(5)(a) of the Act of 2016, was received by An Bord Pleanála on the 5 March 2019. The report states the nature of the proposed development, the site location and description, submissions received and details the relevant Development Plan policies and objectives. The report also included summary of the views of the elected members of the Ratoath Municipal District held on the 13 February 2019, and is outlined as follows:



- Management company and taking in charge requirements.
- Access points from the distributor road would amount to four, the impact of the development on traffic in the area was also queried.
- Connectivity between the proposed development and existing residential development was shown as a concern.
- Concerns raised in relation to density and building height.

8.2. The following is a summary of key planning considerations raised in the assessment section of the planning authority report:

Principle of Development and Policy – Dunshaughlin is designated as a ‘Moderate Growth Town’ in accordance with the Regional Planning Guidelines. Accordingly, growth of 319 units is anticipated for the town during the plan period (2019), 784 units are committed. The planning authority is precluded from considering residential development on lands subject to Phase II (Post 2019). However, in the review of the Meath CDP 2019-2025, the subject lands have been identified to move from Phase II to Phase I release. In terms of current Phase I lands, there is capacity for 2 units, after permitted and under construction units are removed.

Dunshaughlin Outer Relief Road (DORR) – Work is ongoing to deliver the western portion of the DORR, creating an important linkage to junction 6 of the M3 and release capacity on the M3 and R147. On behalf of the Council, AECOM carried out a transport strategy for the Dunboyne area and beyond; M3 Transport Strategy. The R147 south of Dunshaughlin to Blackbull and Pace has experienced growth in traffic volumes and congestion, primarily as a result of vehicles avoiding toll charges on the M3.

Proposed Education Campus – There are capacity issues with existing schools in the area. The developer has agreed to sell lands for primary and secondary school uses, west of the site. The planning authority welcome this proposal.

Phasing – The planning authority note the phasing approach suggested by the applicant and recommend an appropriate condition.

Density, Design and Layout – The planning authority note the changes made from the initial pre-application documentation to the current application, comments as

follows: the creation of a defined urban edge, higher densities, visually engaging building heights and legible approach to layout, amongst other things.

Open Space – The planning authority recommend conditions in relation to open space, landscape and boundary treatment.

Traffic Impact, Access and Parking – The trip rates associated with housing and apartment units used by the applicant appears to be low, no impact to the road is anticipated but a condition to clarify methodology could be attached. All issues outlined in the Road Safety Audit should be addressed. The street layout for the proposed development is acceptable and the proposal to gain access from the DORR currently being constructed by the application is satisfactory. The roads layout and configuration are generally compliant with DMURS and National Cycle Manual, however, the proposed roundabout on the DORR should accord with the requirements of Full Segregated Roundabout design and completed in phases to be agreed. A pedestrian crossing should be provided from the development to link with playing pitches to the east of the site across the DORR. Car parking provision is acceptable, however, designated mobility impaired spaces should be shown and a justification for a shortfall of commercial based spaces in the Neighbourhood Centre is required.

A special contribution of €1.15m is requested to complete the entire DORR. €49,000 is required to complete upgrades to the Blackbull junction south of Dunshaughlin, based on the volumes presented in the TTA.

A number of other roads, parking and layout conditions are recommended by the planning authority.

Water Services – The planning authority are satisfied that the proposals to manage surface water are acceptable subject to conditions of a technical nature.

Waste Management, Environmental Protection and Public Health - The planning authority are satisfied that the development is acceptable subject to conditions of a technical nature.

Part V – Subject to an appropriate condition, the Part V proposals are acceptable.

The planning authority recommend standard conditions in relation to Development Contributions, Taking in Charge, Childcare Facilities, Artwork, Estate Name, Broadband, Archaeology, Natural Heritage, Flood Risk and Fire Safety.

## 9.0 Prescribed Bodies

9.1. The list of prescribed bodies, which the applicant is required to notify prior to making the SHD application to ABP, issued with the section 6(7) Opinion and included the following:

- Transport Infrastructure Ireland
- National Transport Authority
- Irish Water
- Córas Iompair Éireann
- Inland Fisheries Ireland
- Minister for Culture, Heritage and the Gaeltacht
- Heritage Council
- An Taisce

The applicant notified the relevant prescribed bodies listed in the Board's section 6(7) opinion. The letters were sent on the 8 January 2019. A summary of those prescribed bodies that made a submission are included as follows:

- **Irish Water (IW)** confirm that subject to a valid connection agreement between IW and the developer, the proposed connections to the IW network can be facilitated.
- **Inland Fisheries Ireland (IFI)** – suggests a condition to ensure the upkeep and maintenance of the stormwater drainage network, no contaminated water discharge to a watercourse, works to a watercourse to be agreed with IFI and a copy of the Guidelines in relation to construction works close or adjacent to a watercourse was enclosed.
- **Transport Infrastructure Ireland (TII)** – no observations.

## 10.0 Appropriate Assessment

- 10.1.1. The applicant has submitted an AA Screening report that states significant adverse effects are not likely to arise, either alone or in combination with other plans or projects to the Natura 2000 network.
- 10.1.2. The application site is not in or immediately adjacent to any Natura 2000 site. The appropriate assessment screening report that was submitted with the application listed the Natura 2000 sites within the hydrological catchment of the site; the Malahide Estuary SAC & SPA is located approximately 22km to the east. The River Boyne & River Blackwater SAC & SPA is connected to the development via the flow of wastewater.

### **River Boyne & River Blackwater SAC & SPA (site codes: 002299 and 004232)**

The river Boyne and river Blackwater drain most of county Meath and are important salmonid rivers. The site's 'qualifying interests' associated with the SAC are as follows:

- Alkaline fens [7230]
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno-Padion, Alnion incanae, Salicion albae) [91E0]
- *Lampetra fluviatilis* (River Lamprey) [1099]
- *Salmo salar* (Salmon) [1106]
- *Lutra lutra* (Otter) [1355]

Whether significant effects are likely to occur must be measured against the conservation objectives for that SAC or SPA. However, to-date specific conservation objectives have not been set out. Generic conservation objectives have been published by the NPWS and this is stated as 'to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected'.

The site's 'features of interests' associated with the SPA are as follows:

- Kingfisher (*Alcedo atthis*) [A229]

Generic conservation objectives have been published by the NPWS and this is stated as 'to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA':

**Malahide Estuary SAC & SPA (site codes: 000205 and 004025)**

The site's 'qualifying interests' associated with the SAC are as follows:

- Mudflats and sandflats not covered by seawater at low tide [1140]
- Salicornia and other annuals colonising mud and sand [1310]
- Atlantic salt meadows (*Glauco-Puccinellietalia maritima*) [1330]
- Mediterranean salt meadows (*Juncetalia maritimi*) [1410]
- Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) [2120]
- Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]

The site's 'qualifying interests' associated with the SPA are as follows:

- Great Crested Grebe (*Podiceps cristatus*) [A005]
- Light-bellied Brent Goose (*Branta bernicla hrota*) [A046]
- Shelduck (*Tadorna tadorna*) [A048]
- Pintail (*Anas acuta*) [A054]
- Goldeneye (*Bucephala clangula*) [A067]
- Red-breasted Merganser (*Mergus serrator*) [A069]
- Oystercatcher (*Haematopus ostralegus*) [A130]
- Golden Plover (*Pluvialis apricaria*) [A140]
- Grey Plover (*Pluvialis squatarola*) [A141]
- Knot (*Calidris canutus*) [A143]
- Dunlin (*Calidris alpina*) [A149]
- Black-tailed Godwit (*Limosa limosa*) [A156]
- Bar-tailed Godwit (*Limosa lapponica*) [A157]

- Redshank (*Tringa totanus*) [A162]
- Wetland and Waterbirds [A999]

Specific conservation objectives for this site in terms of SAC and SPA have been published by the NPWS and have been outlined by the applicant in the AA screening document.

10.1.3. There is a potential for the proposed development to have an effect on the habitats and species to which the conservation objectives of the SACs and SPAs refer arising from impacts on water quality. The foul effluent from the proposed development would be drained to the public sewer and onwards to the wastewater treatment plant (WwTP) at Dunshaughlin, in which there is adequate capacity to accommodate the development. According to the AA screening report, the Dunshaughlin WwTP is fully compliant with emission limit standards while ambient monitoring of the receiving water in 2017 did not detect a negative influence from the discharge.

10.1.4. Having regard to the location of the proposed development and the nature of the receiving environment, in particular the absence of any hydrological link or other relevant pathway that could give rise to a significant effect on any European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 11.0 Environmental Impact Assessment

### 11.1. Introduction

11.1.1. This application was submitted to the Board on 12 February 2019 which was after 16<sup>th</sup> May 2017, the date for transposition of Directive 2014/52/EU amending the 2011 EIA Directive. The Directive had not been transposed into Irish legislation by that date. In accordance with the advice on administrative provisions in advance of transposition contained in Circular Letter PL1/2017, it is proposed to apply the requirements of Directive 2014/52/EU. The application was accompanied by an Environmental Impact Assessment Report (EIAR), which is mandatory for the development in accordance with the provisions of Part X of the Planning and Development Act 2000 (as amended) and Schedule 5 of the Planning and

Development Regulations 2001-2015. Item 10 of Part 2 of Schedule 5 provides that an EIA is required for infrastructure projects comprising of:

*(b) (i) Construction of more than 500 dwelling units*

.....

*(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.*

11.1.2. The development would provide 913 dwelling units on a site of 28.3 ha within a town. It therefore exceeds the threshold at b(i) and (iv) and so EIA is mandatory in this case.

11.1.3. The EIAR comprises a non-technical summary and a main volume. Chapter 13 of the main volume provides a summary of the mitigation and monitoring measures described throughout the report. Chapter 1 and the introduction of each chapter describes the expertise of those involved in the preparation of the report. I am satisfied that the information contained in the EIAR has been prepared by competent experts and complies with article 94 of the Planning and Development Regulations 2000, as amended, as it stood when the application was made and as it now stands. The EIAR would also comply with the provisions of Article 5 of the EIA Directive 2014. I have carried out an examination of the information presented by the applicant, including the EIAR, and the submissions made during the course of the application. A summary of the results of the submissions made by the planning authority and prescribed bodies has been set out at Sections 8 and 9 of this report. This EIA has had regard to the application documentation, including the EIAR, and any submissions received.

## 11.2. Alternatives

11.2.1. Article 5(1)(d) of the 2014 EIA Directive requires:

*(d) a description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment,*

Annex (IV) (Information for the EIAR) provides more detail on ‘reasonable alternatives’:

*2. A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.*

11.2.2. Chapter 2 of the EIAR states that the zoning of the site for residential development by the planning authority set the context for the consideration of alternatives by the developer. Therefore, it was not considered necessary to consider alternate sites for the proposed housing. It is set out that the design process for the proposed development considered several iterations of the layout and design. The design process has been informed by environmental factors such as archaeology, ecology, noise and the impacts on traffic and transport in the future. In this context five alternatives were examined, based upon the factors outlined above. Alternative 5 was selected as the best response to a variety of factors. Most notable is the imperative to increase residential densities, make the best use of zoned and serviced land that incorporates swale features along the western boundary and a reconfigured pedestrian through route to the town centre taking account of the future school site, all included in the proposal. The description of the consideration of alternatives in the EIAR is reasonable and coherent, and the requirements of the directive in this regard have been properly addressed.

### 11.3. Likely Significant Direct and Indirect Effects

11.3.1. The likely significant indirect effects of the development are considered under the headings below which follow the order of the factors set out in Article 3 of the EIA Directive 2014/52/EU:

- population and human health;
- biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC;
- land, soil, water, air and climate;
- material assets, cultural heritage and the landscape; and



- the interaction between those factors

#### 11.4. Population and human health

- 11.4.1. The population of Dunshaughlin grew from 5,676 to 5,840 between the 2011 and 2016 censuses. Population growth in Dunshaughlin electoral District (2.8%) and Dunshaughlin Settlement (3.38%) was lower than the state and county averages over the intercensal period. However, other supporting documentation with this application describe a rapid growth in recent developments that may not have been accounted for in census data. The growth of Dunshaughlin is markedly below the trend for growth in other towns designated as Moderate Sustainable Growth Towns under the current County Development Plan. The proposed development would provide accommodation for an estimated 2,370 people, as stated in section 3.5.6 of the EIAR. This would provide a significant positive effect with respect to a growing population, particularly given the failure for the output of housing to match that growth in the region.
- 11.4.2. Chapter 10 of the EIAR refers to noise and vibration. The occupation of the development would not give rise to noise or vibration that would be likely to have a significant effect on human health or the population, as it would be a residential scheme that formed part of the built-up area of the town. The impact of additional traffic on the noise levels and character of the R147 would be insignificant having regard to the existing traffic levels on that road and the marginal increase that would occur as a result of the proposed development, as described in section 10.3.3 of the EIAR, acoustic mitigation measures are recommended. Locations close to the Dunshaughlin Business Park were also recognised as having the potential to incorporate acoustic mitigation measures.
- 11.4.3. The use of heavy vehicles and machinery during a prolonged construction period would have the potential to give rise to effects due to noise and vibration. However given the phased duration of the works and the control of activity on site by the developer at that time, these can be avoided through the use of management measure as set out in section 10.7 of the EIAR and in the draft construction management plan submitted with the application, and the imposition of limits by conditions on any grant of permission. Subject to these measures, it is concluded

that the proposed development would not have be likely to have significant adverse effects on human health.

#### **11.5. Biodiversity with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC**

11.5.1. As advised in section 10 of this report above, the proposed development would not be likely to have any significant effect on any site designated under Directive 92/43/EEC or Directive 2009/147/EC. The predominant habitat on the site is improved arable land, which is common in the area and not of any particular ecological value. The development would involve the loss of this habitat, but this would not cause an adverse environmental effect on biodiversity given the low biodiversity that is accommodated by improved farmland. Other habitats on the site include mature hedgerows along field boundaries. The various habitats on the site are mapped on figure 5.2 of the EIAR. Appendix 5.1, of the EIAR sets out the results of bat and bird surveys of the site. The bird and other species which the surveys recorded on the site are widespread. The survey found evidence of the site's use by foraging bats but no badgers or setts were noted. Section 5.8 of the EIAR describes measures to minimise the impact of the development on biodiversity. These are standard measures that would represent good construction practice of previously agricultural land. Subject to their implementation, it can be concluded that the proposed development would not be likely to have significant adverse effects on biodiversity. The proposed development would retain a proportion of the existing trees and hedges, and the landscaping and planting proposals submitted with the proposed application are satisfactory in that context.

#### **11.6. Land and soil**

11.6.1. The proposed development would change the use of the site from intensive tillage to residential and amenity. Planning policy recognizes a scarcity of residential accommodation in the region and consequently the land is zoned for residential purposes. There is no equivalent scarcity of tillage land. The change in the use of the land would not, therefore, have adverse environmental effects. Impacts to the recharge of groundwater and to the local aquifer are considered to be imperceptible. Measures are described at section 7.5 of the EIAR which represent proper practice in the handling of soil during construction. Subject to their implementation, it can be

concluded that the proposed development would not have significant adverse effects with regard to land or soil.

## 11.7. Water

### *Flood Risk Assessment and Surface Water*

- 11.7.1. The application was accompanied by a flood risk assessment that concluded that as the site was located in flood zone C, the site was not exposed to flood risk or present a flood risk to other sites. Surface water will be diverted to downstream watercourses, controlled to greenfield runoff rates, via SUDS devices, attenuation tanks, and a piped network. The proposed foul drainage will discharge to Irish Water foul sewer and is not discharged to the ground within the site.
- 11.7.2. The site hydrology comprises lands that divert all runoff to the Broadmeadow River catchment. Runoff waters are collected by ditch drains conveying water to the south east of the site, before diverting east from the site via a small watercourse eventually joining to a stream named by the EPA as Lagore Big. The Lagore Big stream diverts to the Ratoath Stream which is a tributary to the River Broadmeadow. A minor watercourse traverses the site and flows from the Dunshaughlin Business Park to the west. The business park surface water drainage system is not attenuated and may result in flashy events and carry hydrocarbons and untreated silt. A swale along the western boundary of the site has been designed to manage these impacts.
- 11.7.3. The submitted details are adequate to demonstrate that the occupation of proposed development would not be at an undue risk of flooding nor would it increase flood risk elsewhere and that it would comply with the flood risk management guidelines. The proposed drainage system would also control the release of pollutants to surface waters.
- 11.7.4. There is a potential for an effect to arise during the construction of the proposed development from the emission of sediments or hydrocarbons to surface water as described in section 8.5 of the EIAR. The potential for such effects arises in projects that involve building on greenfield sites. It is therefore commonplace. There are standard measures that are used to avoid such effects which are described in section 8.8 of the EIAR and recommended in the submission from Inland Fisheries Ireland. The efficacy of such measures is established in practice. Subject to the

implementation of those measures, the construction of the proposed development would be unlikely to have significant effects on the quality of water.

- 11.7.5. The water supply for the proposed development would be from a connection from the public network which Irish Water advises is feasible.

#### *Foul drainage*

- 11.7.6. It is proposed to drain foul effluent from the proposed development to the public foul sewer, this is outlined in section 8.4.2 of the EIAR. The Dunshaughlin Wastewater Treatment Plant controlled by Irish Water is located North East of Kilmessan Village 12 km from the Dunshaughlin Area. The plant has been constructed to cater for 12,000PE and currently has sufficient capacity to cater for the development.

- 11.7.7. It can therefore be concluded that, subject the implementation of the measures described in the EIAR, the proposed development would not be likely to have a significant effect on water.

#### **11.8. Air and climate**

- 11.8.1. The occupation of the proposed development would not be likely to have a significant effect on air quality or the environment. The construction of the development could affect air quality through the emission of dust. However, any such effects can be properly limited through the measures set out at section 9.8 of the EIAR.

#### **11.9. Material assets**

- 11.9.1. The proposed development would have a significant positive effect on the material assets available in the area through the provision of additional housing in the town, the provision of public open space, part of the planned relief road, as well as improvements to the R147 and the creation of a new neighbourhood centre. Occupiers of the development would place additional traffic demands on the R147. However, in the absence of development those persons would be more likely to live in places outside the town that were less accessible than the zoned land on the site. That would be likely to generate more traffic on the area's road network compared to that which would arise if the development proceeded.

#### **11.10. Archaeology and Cultural heritage**

11.10.1. The site does not contain any recorded monuments or protected structures. The results of a geophysical surveys and test trenching are described in section 4.3.7 and 4.3.8 respectively, of the EIAR. A total of six areas containing features of archaeological potential (AA1–6) were identified by this investigation. The most significant of these is a probable ring-barrow designated as AA3 which comprises a set of concentric circular ditches measuring c. 30m north–south. With respect to the probable ring-barrow, given that no above-ground element of a mound survives, the shallow nature of the surviving ditches, and apparent lack of an eastern return to the enclosure, all suggest that the barrow has been heavily truncated by agricultural activity over the years. Section 4.8 of the EIAR states that groundworks during the development would be monitored by a qualified archaeologist under licence from the Department of the Culture, Heritage and the Gaeltacht. This would be the appropriate level of protection for the archaeological interest of the site. It is therefore concluded that the proposed development would not have significant effects on cultural heritage.

#### **11.11. The landscape**

11.11.1. Almost the entirety of the site is slightly undulated arable farmland which is not a sensitive landscape or one of particular amenity. The building of houses and low-rise apartments on these lands will not have a significant adverse effect on the landscape, therefore. The provision of landscaped open space along the perimeter of the site and along the new relief road will provide an additional visual amenity. The loss of some of the hedgerows throughout the site would represent a negative impact on the landscape. However, the provision of pedestrian amenity walkways, the retention of hedgerows where possible and a large number of well designed public open spaces would improve the amenity value of the overall landscape. The overall effect on the landscape arising from the proposed development would therefore be positive.

#### **11.12. The interaction between the above factors**

11.12.1. The potential impact of the development on land, soil, water and biodiversity interact, due to the need to avoid the emissions of sediments to a watercourse in order to protect water quality and the aquatic habitats there. The potential impact on land and soil interacts with that on air due to the need to control dust emissions

during ground works. The potential impact of the development on biodiversity interacts with that on the landscape, as existing hedgerows includes that part of the site that has the highest value and sensitivity in relation to both those factors. The potential impact of the development on material assets interacts with that on the population due to the provision of a substantial amount of housing for the population. The various interactions were properly described in the EIAR and have been considered in the course of this EIA.

#### **11.13. Reasoned Conclusion on the Significant Effects**

Having regard to the examination of environmental information set out above, to the EIAR and other information provided by the developer, and to the submissions from the planning authority and prescribed bodies (there were no observers) in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- Significant direct positive effects with regard to population and material assets due to the increase in the housing stock that it would make available in the town.
- A significant direct effect on land by the change in the use and appearance of a relatively large site from agricultural to residential. Given the location of the site within the built up area of the town and the public need for housing in the region, this effect would not have a significant negative impact on the environment.
- Potential significant effects on soil during construction due to the excavation and filling required to carry out the development, which will be mitigated by the re-use of excavated material on the site, the sourcing of imported material from authorised sources and the implementation of measures to control emissions of sediment to water and dust to air during construction.
- Potential effects arising from noise and vibration during construction which will be mitigated by appropriate management measures.
- Potential effects on air during construction which will be mitigated by a dust management plan including a monitoring programme.
- Potential indirect effects on water which will be mitigated during the occupation of the development by the proposed system for surface water management and attenuation with respect to stormwater runoff and the drainage of foul effluent to

the public foul sewerage system, and which will be mitigated during construction by appropriate management measures to control the emissions of sediment to water.

- A positive effect on the landscape because the proposed development would improve the amenity of the land through the provision of dedicated public open spaces and amenity walkways.

The proposed development is not likely to have significant adverse effects on human health, biodiversity or cultural heritage.

The likely significant environmental effects arising as a consequence of the proposed development have therefore been satisfactorily identified, described and assessed. They would not require or justify refusing permission for the proposed development or the making of substantial alterations to it.

## 12.0 **Assessment of other issues**

12.1. The Board has received a planning application for a housing scheme under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. My assessment focuses on the relevant section 28 guidelines. I examine the proposed development in the context of the statutory development plan and the local plan. In addition, the assessment considers and addresses issues raised by any observations on file, under relevant headings. The assessment is therefore arranged as follows:

- Principle of development
- Layout and Development Strategy
- Transportation and Traffic
- Residential Amenity
- Childcare and Part V Social Housing Provision
- Infrastructure and Flood Risk

### 12.2. **Principle of Development**

12.3. The site is located on lands subject to two land use zoning objectives. The bulk of the site is subject to zoning objective A2 – ‘To provide for new residential communities with ancillary community facilities, neighbourhood facilities and employment uses as considered appropriate for the status of the centre in the Settlement Hierarchy’. A large proportion of these residentially zoned lands are subject to a Specific Objective – Residential Phase II (Post 2019). A Neighbourhood Centre objective relates to this portion of the site as well as amenity walkways. A linear portion of the lands along the western boundary with Dunshaughlin Business Park is subject to zoning objective F1 – ‘To provide for and improve open spaces for active and passive recreational amenities’. A further large portion of the lands located along the eastern boundary of the site are also subject to this open space zoning and objectives that relate to a major distributor road and pedestrian walkways/cycleways.

12.3.1. The proposed development comprises residential units, neighbourhood centre facilities and a childcare facility and so therefore accords with the zoning objective



for the lands concerned. A four storey residential block containing 4 duplex and 8 apartment units, 12 units in total, is located on lands zoned F1. According to the applicant this is to address a better urban design approach close to the Distributor Road and results in the redistribution of open space throughout the scheme. In overall terms, the amount of units proposed on open space zoning is just over 1% of the total quantum of development for the site. In addition, over 5 Hectares of public open space has been allocated throughout the site and these areas are well located, suitably configured and well overlooked. The planning authority have no particular objection to the provision and configuration of public open space and are silent in relation to F1 zoned land. I am satisfied that the design approach adopted by the applicant to bookend a very large F1 open space zoned tract of land with development, is the right response to the site. I do not consider this to be a material contravention of the zoning objective contained in the Development Plan because of the number of units and quantum of open space concerned. The provision of residential development is considered acceptable in principle on the site and generally in accordance with the zoning objectives for the area.

12.3.2. Plan Phasing - The Board's Pre-Application Consultation Opinion that issued to the applicant required an examination of the proposed development in the context of Phase II lands and the current review of the county development plan. The applicant has prepared a statement in response to timing and phasing and a separate report that specifically addresses the background and the context in which the development of the Phase II lands over ten years is acceptable. The applicant states that 758 residential units and the components of the neighbourhood centre will be located on Phase II lands. Whilst, 155 residential units and a café sit on lands zoned A2 Phase I.

12.3.3. The planning authority have provided a non-committal assessment of the principle of the development in the context of the objective concerning the release of Phase II lands. In broad terms, it would appear that the planning authority are supportive of the release of these lands, as they state that in the review of the County Development Plan 2019-2025, it is proposed to move the subject lands to Phase I release. This notion is based on the capability of the town to grow in tandem with the future expansion of the Navan/Dublin rail line. I note that this draft plan is not yet published and information on the delivery of a new rail line in the short term is

lacking. In that context, I must return to the existing planning policy environment and the information I have to hand on file.

- 12.3.4. Firstly, that portion of the development that is located on lands not subject to the Phase II objective, is unfettered and in my view, can proceed unhindered. The applicant has submitted an indicative phasing plan and logically, the first phase of development carries on northwards from existing housing at the Willows. Phase 1 of the indicative phasing plan comprises 369 units, the neighbourhood centre, open spaces including the large main open space and a large proportion of the eastern distributor road (DORR). Of these 369 units, 155 units and a café will be located entirely on lands zoned A2, phase I.
- 12.3.5. The balance of development; 758 units (comprising of 372 houses, 186 duplex units, and 200 apartments), along with a creche, retail units, a community centre/facility, and a gym/primary care centre will be located on the lands designated as Phase II under the current development plan.
- 12.3.6. The planning authority state that they are precluded from considering development on lands located on objective Phase II (Post 2019) during the present plan period. The current development plan is nearing the end of its operational phase and a draft plan is due for publication at some point in 2019. The current plan states it is an objective to promote the implementation of the Development Plan in a rational and sequential approach that is in keeping with the proposed development strategy. It is also an objective of the Council to ensure that essential facilities (such as road infrastructure, water, sewerage etc.) are secured and provided in tandem with proposed developments. The strategic policy position of the Dunshaughlin LAP SP1, clarifies phasing and states lands identified with an A2 'New Residential' land use zoning objective but qualified as 'Residential Phase II (Post 2019)' are not available for residential development within the life of this Development Plan.
- 12.3.7. On that basis, I am of the view that any development on Phase II lands can only proceed after 2019. In addition, the types of infrastructure proposed in latter phases of the subject proposal would comprise road infrastructure, amenity walkways and a neighbourhood centre. Precisely the types of supporting infrastructure envisaged by the Council's rational and sequential approach to development. That would mean the majority of the proposed development (758 units and the neighbourhood centre)

could conceivably follow in the years to come, i.e. from 2020 onwards. This would tie in with the applicant's phasing strategy and the request for a ten year permission.

12.3.8. Taking a realistic approach based on the planning policy environment currently in place, I am of the view that development on Phase II lands could proceed post 2019. In support of this, all the information on file from both the applicant and the planning authority point to the suitability of bringing the entire site forward for development in a coordinated and phased manner. There is wastewater treatment capacity, impact on the road network appears acceptable and the provision of future educational and sporting facilities seem to be planned for. The underlying zoning is for residential purposes, with the proviso that a significant portion be held back until the end of this year, 2019. Given the scale of development proposed, the coordinated and frontloaded approach to supporting infrastructure detailed in the phasing plan submitted by the applicant, I see no reason to restrict development until such time as a new plan is adopted. I am satisfied that the phasing plan devised by the applicant is reasonable and logical and would not conflict with the aims and objectives of the current plan and exploits available infrastructural capacities in the area.

12.3.9. The application seeks a permission with an appropriate period of 10 years rather than the normal period of 5 years set down by section 40(3)(b) of the planning act. Under section 41 of the act, the board may grant permission with a longer period after having regard to the nature and extent of the proposed development and any other material consideration. The proposed development is a large residential scheme in a settlement that has not experienced growth on this scale before. This would not necessarily justify permission for a longer than normal period if there was no objective reason as to why a scheme with so many units was proposed under a single application. However, in this case the proposed scheme forms one part of a larger development of zoned lands at this location which needs to occur in a coordinated sequential manner in line with the supporting infrastructure, in particular the development of an education campus, employment zone, distributor road, playing pitches and open space. In these circumstances, an appropriate period of 10 years is justified.

#### 12.4. **Layout and Development Strategy**

- 12.4.1. The Opinion of the Board that issued after the pre-application consultation process highlighted issues in relation to the physical form and layout of the site and the wider area. The applicant has submitted detailed responses to these issues and I am satisfied that a sufficient quantity and detail of information has been prepared to enable assessment of these issues.
- 12.4.2. Density - The site includes 28.3ha of land zoned for new residential development. The development plan estimates that 319 units could be accommodated in the town within the lifetime of the current plan to 2019. The development proposes 913 new dwellings at a net density equivalent to 42 dwellings per hectare (dph), over ten years. The documents submitted by the applicant refers to a net density of 42 dph and a 37 dph when combined with the Willows development to the south. The density of the proposed development would be within the range of 35-50 dph recommended for greenfield suburban sites under section 5.11 of the sustainable urban residential guidelines, or the range of 35 dph recommended for such sites in table 2.4 *Housing Allocation & Zoned Land Requirements* of the county development plan. The quantity and density of the proposed housing is in accordance with national and local policy and is therefore acceptable.
- 12.4.3. Layout – The layout of the site has been designed around the 12 criteria outlined in the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’). The orthogonal layout, interspersed with open spaces and a coherent street hierarchy provides a legible and logical layout. The placement of a mixture of house type formats and typologies provides a varied streetscape and the central neighbourhood centre grounds a centralised sense of place to the development. I am satisfied that the proposed layout together with a wider masterplan area that includes school sites, sports pitches and employment zone is acceptable and responds well to the site conditions and presents a logical extension to Dunshaughlin.
- 12.4.4. Open space – In broad terms the quantum and approach to public open space is good. Houses and apartments front onto and overlook public open spaces. This provides a good degree of passive supervision to enable public open spaces to function safely and provide an adequate level of amenity. In particular, two main public open spaces provide a good counter balance at the centre of the development. Large linear public spaces at the perimeter of the site adjacent to the

business park and existing housing estates limit residential amenity impacts and provide useful circulation routes. A variety of smaller public open spaces are distributed through the development and provide individual character areas. The central 'boulevard' street, whilst not an open space in the traditional sense adds a useful and attractive linkage element at the centre of the layout and this is welcomed. Play areas are distributed throughout the scheme and again are well overlooked and are intended to provide play opportunities for all age-groups of children.

- 12.4.5. The planning authority do not raise any significant concerns with regard to the distribution and form of public space throughout the proposed scheme. I am satisfied that the landscape plan, for the most part, addresses the balance between the retention of existing vegetation/hedgerows and the provision of usable and passively supervised open spaces. My only reservation is that the opportunity to connect with Coldrick's Pass and Kellet's Grove to the north in terms of the logical expansion of open space has been lost by the provision of a fenced boundary treatment. In my mind there is no reason why the open spaces to the north of the site shouldn't blend together as one coherent space, a suitable condition may address this.
- 12.4.6. Street Hierarchy – The applicant has shown a site that is linked to the wider street network via three vehicular connections from a portion of the yet to be completed Dunshaughlin Outer Relief Road (DORR), of which the applicant intends to complete on lands in their control. In addition, direct vehicular links will extend from the emerging Willows estate to the south. The internal street hierarchy works down from Link Route Type A Boulevard down to a fine grain of home zone routes. The street dimensions and configuration are broadly in accordance with the Design Manual for Urban Roads and Streets (DMURS) and therefore acceptable. The street and footpath layout is satisfactory; however, where future road/pedestrian connections are proposed, the road or footpath edge should meet the site boundary without interruption by grass or other planted verges.
- 12.4.7. I note that a roundabout is proposed to provide access to the development from the DORR and access eastwards to future development land. The design of the roundabout incorporates DMURS features and the planning authority view this element of the DORR as acceptable. In my experience and according to DMURS advice, roundabouts do not necessarily give priority to the pedestrian and cyclist, as

follows: The use of large roundabouts (i.e. those with radii greater than 7.5m) should be restricted to areas with lower levels of pedestrian activity and these may be such a place. The use of more compact roundabouts (i.e. those with a radii of 7.5m or less) may address many of the issues highlighted above and may also be useful as a traffic-calming measure. These may be considered where vehicle flows are not sufficient to warrant full signalisation, such as on Links, and pedestrian activity is more moderate, such as in Suburbs and Neighbourhoods, provided they are appropriately fitted with the appropriate pedestrian crossings. The appropriate design of a roundabout on the DORR planned for by the applicant should be acceptable.

## 12.5. Transportation and Traffic

- 12.5.1. The applicant has submitted a development proposal that will increase traffic generated in the area. Consequently, a Traffic and Transport Assessment (TTA) and Mobility Management Plan has been prepared. In addition, road safety audits have been prepared.
- 12.5.2. The TTA submitted by the applicant concludes that there is adequate capacity in the local road network to accommodate the volume of traffic expected from the development. Junctions in the vicinity will continue to operate safely after development is completed, however, a financial contribution to assist junction improvements at Blackbull/Pace are suggested. Pedestrian traffic will avail of existing and proposed footpaths and public transport is available adjacent to the site. I am satisfied that there is adequate capacity in the local road network to cater for this development. In addition, I am satisfied that the proposed development and associated traffic levels can be adequately catered for within the existing junction layout of the immediate area. In this respect, I note that the junction off the 'DORR' with the R147 is to change to a new single controlled junction, planning authority reference RA/171416 refers.
- 12.5.3. Special Contributions – The TTA states that discussions are ongoing with Meath County Council in relation to the attachment of a condition that relates to specific junction improvements in the area, Black Bull and Pace Interchanges. The sum of €49,000 has been based upon an equitable division of the estimated €700,000 cost for the upgrades to this junction. The applicant is agreeable to such a contribution and this figure tallies with the figure suggested by the planning authority. In the

context of such an agreeable position between applicant and planning authority and the consequences of increased traffic from the proposed development, I too consider that a special contribution under section 48(2)(c) of the Act could be attached.

12.5.4. The planning authority have suggested that developers along the route of the DORR should be responsible for all costs and a special contribution of €1.15 million for the completion of the DORR is requested. I have not seen details of the complete route of the DORR, its alignment/configuration or any indication of cost. The applicant proposes to construct a significant portion of the DORR on their lands, to the design and standards required by the planning authority. Future sections of the DORR northwards are on lands not under the control of the applicant and they suggest that the Council could progress future sections of the DORR independently. The TTA submitted by the applicant has demonstrated the suitability of the proposed development taking access from an existing junction planned for improvements from the R147. The planning authority raise no particular concerns about this proposal in traffic safety terms. In my mind, the proposed development can be served from the R147 safely and conveniently and is not contingent on the completion of the entire DORR. Undoubtedly, the completion of the entirety of the DORR would provide greater permeability and convenience, it is not necessary to facilitate this development. It is for this reason, that I am not convinced that a special contribution should be sought from the developer of this site. In my mind, a more appropriate approach to construct and build the DORR, a discreet piece of strategic infrastructure benefiting the wider area, is perhaps better funded through the publication of a section 49 scheme. I do not recommend the attachment of a special contribution under section 48(2)(c) of the Planning and Development Act 2000 (as amended) for the completion of the DORR.

12.5.5. Car Parking – The applicant has provided two car parking spaces per house, which is the standard outlined in the County Development Plan. The level of car parking for duplex/apartments is below the standards outlined in the plan and this is acceptable. The planning authority raise no particular issues with regard to residential car parking, other than the provision of mobility impaired spaces and have queried the amount of commercial car parking spaces. The planning authority are not satisfied that the applicant has adequately demonstrated that 85 car parking spaces for the Neighbourhood Centre would be sufficient, given that the development plan would

require 335 spaces. In my view, the provision of a neighbourhood centre of the quantum proposed, at the heart of the development and to serve the local population is sensible. I anticipate that the majority of users would originate locally and utilise the pedestrian and cyclist facilities envisaged by the application. It would therefore not be sensible in my mind to provide commercial car parking to the degree outlined in the county development plan, that would discourage more sustainable forms of local journey types, i.e. by foot or bicycle. It is not necessary therefore, for the applicant to provide an additional 250 neighbourhood centre commercial car parking spaces.

## 12.6. Residential Amenity

- 12.6.1. Existing residential amenity – There are three housing estates in the vicinity of the subject site, located to the north and north east; Maelduin, Coldrick's Pass and Kellett's Grove. A wide landscape buffer surrounds the development and provides a significant separation distance between proposed two and three storey dwellings and the existing houses in these estates. I anticipate no issues of overlooking, overshadowing or overbearing from the proposed development in the context of the existing residential amenities of the area.
- 12.6.2. Future occupants – A wide variety of house types are proposed, from one bedroom apartments, bungalows, townhouses to conventional dwelling houses. The applicant has submitted a Schedule of Accommodation, that outlines the floor areas associated with the proposed dwellings. There are no section 28 guidelines issued by the minister with regard to the minimum standards in the design and provision of floor space with regard to conventional dwelling houses. However, best practice guidelines have been produced by the Department of the Environment, entitled Quality Housing for Sustainable Communities. Table 5.1 of the best practice guidelines sets out the target space provision for family dwellings. In the majority of cases, the applicant has provided internal living accommodation that matches or exceeds the best practice guidelines. I am satisfied that the proposed houses provide an acceptable level of suitable and adaptable accommodation.
- 12.6.1. In most cases, at least 22 metres separation distance between opposing first floor windows has been provided and in some cases, more. In locations where the gable ends of some house types are closer, either landing windows or obscured glazed



windows are provided and this is satisfactory. In terms of private open space, garden depths are provided at a minimum of 11 metres in depth for most rear gardens and according to the schedule provided by the applicant result in 55 or 75+ sqm across all house types. In reality, the rear gardens associated with dwellings vary in shape and area (one garden is in excess of 300 sqm) and provide in excess of the standards outlined in the Meath County Development Plan i.e. 55 sqm for 2bed, 60 sqm for 3 bed and 75 sqm for 4bed+. The scale of the proposed dwellings and the large garden spaces are generous and well orientated. The proposed dwelling houses are acceptable and will provide a good level of residential amenity to future occupants.

12.6.2. The proposed development comprises 222 apartments and 186 duplex apartments, or 408 apartment units in total and as such the Sustainable Urban Housing: Design Standards for New Apartments 2018 has a bearing on design and minimum floor areas. I have aimed in my assessment to combine apartment units and duplex units as the same format of dwelling type. In this context, the guidelines set out Specific Planning Policy Requirements (SPPRs) that must be complied with. The apartments are arranged in a number of blocks, between two and five storeys in height. The apartments are provided with either terrace or balcony spaces, all to an acceptable standard. Apartment units are distributed throughout the site and are provided with adequate public or semi-private open space and play areas. Apartment units described as such are a combination of dual aspect (65%) and some single aspect (35%). Single aspect apartments generally have favourable orientations, with none receiving only north light alone. All duplex apartment units are dual aspect and single floor apartment units in these blocks are also dual aspect. The apartment/duplex buildings have a combination of smooth plaster finish and brick, this is an acceptable format.

12.6.3. Section 6 of the applicant's Statement of Consistency deals with apartment design and compliance with the relevant standards. Under the Guidelines, the minimum GFA for a 1 bedroom apartment is 45 sq.m, the standard for 2 bedroom apartment (3-person) is 63 sq.m, the standard for a 2 bedroom (four-person) apartment is 73 sq.m, while the minimum GFA for a 3 bedroom apartment is 90 sq.m. The applicant states that this has been achieved in all cases and has been demonstrated in the Housing Quality Assessments for apartment and duplexes submitted with the

application. The proposed apartments/duplexes are all in excess of the minimum floor area standards (SPPR 3), with none at or close to the minimum requirements. Given, that all apartments comprise floor areas in excess of the minimum, I am satisfied that the necessary standards have been achieved and exceeded. In broad terms, I am satisfied that the location and layout of the apartments and duplexes are satisfactory.

12.6.4. I note that Apartment Guidelines, require the preparation of a building lifecycle report regarding the long-term management and maintenance of apartments. Such a report has been supplied with the planning application. In addition, the guidelines remind developers of their obligations under the Multi-Unit Developments Act 2011, with reference to the ongoing costs that concern maintenance and management of apartments. A condition requiring the constitution of an owners' management company should be attached to any grant of permission.

12.6.5. It is also proposed to construct a new neighbourhood centre, which will consist of a childcare facility, a community facility, 2 retail units, a café / restaurant unit and a primary healthcare / gym unit, a number of large and smaller public open spaces, amenity walks and the applicant has indicated plans for a future schools campus, playing pitches and significant employment centre. In light of all these supporting facilities, both applied for under this application and envisaged for the future in the accompanying masterplan, I am satisfied that a comprehensive suite of facilities and services will accompany the development and enhance this urban expansion of Dunshaughlin.

12.6.6. Given the foregoing, the reports and drawings prepared by the applicant and the views and observations expressed by the planning authority, I am satisfied that the proposed development will provide an acceptable level of residential amenity for future occupants. In addition, the proposed development has been designed to preserve the residential amenities of nearby properties.

## 12.7. **Childcare and Part V Social Housing Provision**

12.7.1. Childcare - The applicant has proposed a childcare facility with a floor area of 1,282 sqm. The Childcare Facilities Guidelines for Planning Authorities recommend a minimum provision of 20 childcare places per 75 no. dwellings, approximately 240 spaces for the development. However, the applicant notes that the exact capacity of

the proposed childcare facility will only become apparent when an operator is engaged and will be dependent on what types of childcare facility are already available in the area. In this regard flexibility is required in respect to the future fit out and type of childcare facility proposed within the development. This is a reasonable and flexible approach to childcare provision and future viability of a commercial premises. The applicant states that the existing permission for Phase 1C of the Willows includes provision for an additional large childcare facility (520 sq.m), which will serve Phases 1A, 1B and 1C of The Willows and the first Phase of the SHD application site, and ensure the availability of childcare for the first phase of the proposed SHD development, pending the delivery of the neighbourhood centre childcare facility in the second phase of the SHD development. Applying the general standards of minimum floor areas for pre-school children and exclusive of kitchen, bathroom and hall, furniture or permanent fixtures, I find that the proposed scale of the childcare facility is acceptable and will be available for reconfiguration as future demands change.

12.7.2. Part V Provision – The Part V Schedule of Accommodation submitted by the applicant proposes the following:

- 9 single storey houses / bungalow units
- 40 houses
- 18 apartment units
- 15 duplex units

12.7.3. The applicant states that this provides for 82 Part V units in total and is based on discussions with Meath County Council Housing Department. The Housing Department sought the provision of single storey / bungalow houses as part of the Part V provision, in order to meet a particular demand in the County and this would allow for a reduction on the overall percentage of Part V units. The percentage of units in the proposed development to be provided to the Local Authority under Part V is therefore c. 9% of the total unit number of 913. The planning authority note the shortfall in supply but are in agreement with the applicant and are satisfied with the quantum of units and their configuration. The proposed locations of the social housing units are distributed throughout the development and provide a mixture of unit types in accordance with the demands of Meath County Council. I note that the

planning authority have not raised any particular issues in relation to the provision of Part V housing, in any event any matters can be resolved by condition as necessary.

## **12.8. Infrastructure and Flood Risk**

- 12.8.1. The Board's Pre-Application Consultation Opinion that issued to the applicant required greater detail regarding Flood Risk, this has been submitted by the applicant and prepared in accordance with the Planning System and Flood Risk Management guidelines. The FRA concludes no risk of flooding to the development and no increase of flood risk to adjacent lands. The planning authority concur with this assessment and require the attachment of standard technical conditions in relation to surface water management. Given, the location and nature of the proposed development on lands within Flood Zone C and not at risk of coastal or fluvial flooding up to the 0.1% AEP flood extent, I am satisfied that the applicant has demonstrated the appropriateness of the development in terms of flood risk.
- 12.8.2. In terms of water services, Irish Water (IW) state that the proposed development can be facilitated. I also note that IW are satisfied that the applicants Design Submission. Finally, preliminary correspondence from IW dated February 2018, submitted by the applicant in the Water, Wastewater Services and Surface Water Management Design Report, highlights watermain size inconsistencies along the R147. This issue can be resolved by the applicant/developer at their expense, as detailed by IW.
- 12.8.3. The applicant states that there are two existing foul pump stations (located near the site) and two existing 225mm diameter gravity sewers located on the proposed site. The existing 225mm gravity sewer is in two sections, one section gravitates southwards towards the R147 pumping station and the second section gravitates northwards through the adjacent land situated north of the site and to an existing pump station located north of the Lagore Road. It is proposed to connect the new development into the existing 225m gravity sewer at various locations. The discharge from the proposed development will then gravitate to the existing pump station. The Dunshaughlin Wastewater Treatment Plant (WwTP) controlled by Irish Water is located North East of Kilmessan Village and is over 12 km from the Dunshaughlin Area. The plant has been constructed to cater for 12,000PE (population equivalent) and currently has sufficient capacity to cater for this

development. I am satisfied that the development can be satisfactorily served by water services subject to standard and technical agreements.

## 13.0 Recommendation

13.1. Section 9(4) of the Act provides that the Board may decide to:

- (a) grant permission for the proposed development.
  - (b) grant permission for the proposed development subject to such modifications to the proposed development as it specifies in its decision,
  - (c) grant permission, in part only, for the proposed development, with or without any other modifications as it may specify in its decision, or
  - (d) refuse to grant permission for the proposed development,
- and may attach to a permission under paragraph (a), (b) or (c) such conditions it considers appropriate.

13.2. Having regard to the above assessment, I recommend that section 9(4)(a) of the Act of 2016 be applied and that permission is GRANTED for the development, for the reasons and considerations and subject to the conditions set out below.

## 14.0 Reasons and Considerations

Having regard to

- (i) the site's location on lands with a zoning objective for residential development and the policy and objective provisions in the Dunshaughlin Local Area Plan 2009-2015 (extended) in respect of residential development,
- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Meath County Development Plan 2013-2019 and appendices contained therein,
- (iii) to the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (iv) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, and the accompanying Urban Design Manual – A Best Practice

Guide, issued by the Department of the Environment, Heritage and Local Government in May, 2009,

(v) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of the Housing and Planning and Local Government, March 2018,

(vi) the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March, 2013,

(vii) the availability in the area of a wide range of social and transport infrastructure,

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

(ix) to the submissions and observations received,

it is considered that, subject to compliance with the conditions set out below, the proposed development 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 and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 15.0 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. In default of agreement, such issues may be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The appropriate period for this permission shall be 10 years from the date of this order. The development shall be carried out within this period in accordance with the phasing plan submitted with the application. No development shall commence on any subsequent phase of the development authorised by this permission until the planning authority has certified in writing that the works in the previous phase have been completed to a satisfactory extent.

Reason: To ensure the timely and orderly development of the site for housing with the required supporting infrastructure.

3. The proposed development shall be amended as follows:

- (a) A two-way cycle track shall be provided at the southern end of the central boulevard (Road 12) linking Phase 1A and Phase 1B.
- (b) The greenway connection to the Dunshaughlin Outer Relief Road (DORR) shall be revised at the proposed pedestrian crossing point.
- (c) A new pedestrian crossing point shall be provided at the location of the future playing pitches at the eastern portion of the site along projected pedestrian desire lines.
- (d) All car parking shall provide at least 2 per 100 car parking spaces allocated for mobility impaired drivers and their vehicles.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All pedestrian and cycling facilities shall comply with the relevant guidance outlined in the National Cycle Manual issued by the National Transport Authority and Design Manual for Urban Roads and Streets.

Reason: To provide safe and convenient facilities for pedestrians and cyclists in accordance with the applicable guidelines and in the interests of pedestrian and traffic safety.

4. The mitigation and monitoring measures outlined in Chapter 13 'Summary of Mitigation and Monitoring Measures' of the Environmental Impact Assessment Report submitted with this application shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: To protect the environment.

5. A suitable quantity of secure and sheltered bicycle parking spaces shall be provided for the authorised apartments and neighbourhood centre which shall be conveniently situated near their entrances in a supervised location. Revised plans showing compliance with this condition shall be submitted to the planning authority prior to the commencement of development.

Reason: To provide adequate bicycle parking in line with the applicable standards, including that set out in section 4.17 of the Design Guidelines for New Apartments issued by the minister in March 2018.

6. 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 Bord 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.



7. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following:-

(a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;

(b) proposed locations of street trees and additional street trees at appropriate intervals, other trees and other landscape planting in the development, including details of proposed species and settings;

(c) details of proposed play equipment and street furniture, including bollards, lighting fixtures and seating;

(d) details of proposed boundary treatments at the perimeter of the site and specifically at the boundaries with existing residential property, including heights, materials and finishes.

(e) measures to ensure the retention of the existing hedgerows where appropriate and additional screen planting to the western boundary of the site.

(f) details of the continuation of the public open space at the northern portion of the site with those open spaces associated with Coldrick's Pass and Kellet's Grove.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

8. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. The following specific requirements shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

(a) Implementation of all mitigation measures in the site-specific Flood Risk Assessment, specifically, documentation that demonstrates that the 750mm culvert

running along the R147 at the southern section has the capacity to carry critical 100 year and 1,000 year flood levels from its catchment.

Reason: In the interest of public health and to ensure a proper standard of development.

9. (a) The internal road network serving the proposed development, including turning bays, junctions, sight distances, footpaths and kerbs shall be in accordance with the detailed requirements of the planning authority for such works, and shall comply in all respects with the provisions of the Design Manual for Urban Roads and Streets.

(b) To facilitate connectivity and permeability, the finished surface of all roads and footpaths that are shown as future possible access shall meet up to site boundaries without the provision of a grass verge or ransom strip.

Reason: In the interest of pedestrian and traffic safety, and in order to comply with national policy in this regard.

10. The development hereby permitted shall be carried out and completed at least to the construction standards set out in the planning authority's Taking in Charge Housing Estate Policy. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.

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

11. Public lighting shall be provided in accordance with a scheme, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any unit.

Reason: In the interests of amenity and public safety.

12. Proposals for an estate/street name, unit numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior

to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) 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 placenames for new residential areas.

13. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,

(b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and

(c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

14. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority a properly constituted Owners' Management Company. This shall include a layout map of the permitted development showing the areas to be taken in charge and those areas to be maintained by the Owner's Management Company. Membership of this company shall be compulsory for all

purchasers of property in the development. Confirmation that this company has been set up shall be submitted to the planning authority prior to the occupation of the first residential unit.

Reason: To provide for the satisfactory completion and maintenance of the development in the interest of residential amenity.

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

Reason: In the interest of the visual amenities of the area.

17. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenity of property in the vicinity and the visual amenity of the area.

18. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. In this regard, ducting in accordance with the requirements of the planning authority shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

19. Site development and building works shall be carried out only between the hours of 0800 to 1800 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 amenities of property in the vicinity.

20. Prior to the commencement of development, the developer shall submit a construction and demolition waste management plan to the planning authority for agreement prepared in accordance with the Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects published by the Department of the Environment, Heritage and Local Government in July, 2006. This shall include details of waste to be generated during site clearance and construction phases and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material.

Reason: In the interest of orderly development and sustainable waste management.

21. The construction of the development shall be managed in accordance with a Construction 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 hours of working, noise management measures, construction traffic management plan and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

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 Bord 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.

23. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. 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 Bord Pleanála for determination.

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

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Stephen Rhys Thomas  
Planning Inspector

8 April 2019