



An
Bord
Pleanála

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

Inspector's Report ABP-303799-19

Strategic Housing Development

250 no. dwelling units (94 no. houses and 156 no. apartments); childcare facility; car and cycle parking; bin storage areas; 2 no. ESB substations / kiosks and associated site works including works to existing overhead ESB power lines. Temporary foul water pumping station. Vehicular, pedestrian and cycle access from Beamore Road.

Location

Bryanstown, Drogheda, Co. Meath

Planning Authority

Meath County Council

Applicant

Coreet Ltd.

Prescribed Bodies

Irish Water

Transport Infrastructure Ireland (TII)

Dept. of Culture, Heritage and the
Gaeltacht

Observers

Paul Matthews

Sean Farrelly and others

Mark Buckley

Mary Convery

New Morning Intellectual Property
Limited

Noel Flynn

Julianstown and District Community
Association CLG

Ian and Ciara O'Reilly

J. Murphy Developments Limited

Joseph Graham

Date of Site Inspection

2nd May 2019

Inspector

Sarah Moran

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1.0 Introduction

- 1.1. 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 development site is located on the southern edge of Drogheda, within Co. Meath and in close proximity to the boundary with Co. Lough. It is c. 2 km south of the town centre and c. 2 km from Drogheda train station to the north east. The regional route R108 (Beamore Road) forms the western and northern site boundaries and the site has 2 no. agricultural accesses from the road. The speed limit of 80 kph is present along the majority of the R108 site frontage. There is a sharp bend in the road at the north western corner of the site. There are two adjacent single storey one-off houses at the western site boundary and a house at the north eastern corner of the site. There is also a single storey residential property to the immediate south of the site boundary, along with associated outbuildings. There are agricultural lands to the east, west and south of the site. The R108 forms the southern edge of the existing built up area of Drogheda at this location and the area north of the road is characterised by suburban, primarily residential development.
- 2.2. The site has a stated area of 6.46 ha and is roughly rectangular in shape. It is currently in agricultural use with hedgerows at the field boundaries. It is generally level with the public road with a fall from north to south from approx. 49 mOD to 35 mOD. The Bryanstown Stream runs nearby to the south of the site. There are existing overhead electricity lines across the site.
- 2.3. Part of the Beamore Road frontage of the site is owned by Meath County Council. A Letter of Consent is submitted.

3.0 Proposed Strategic Housing Development

- 3.1. The development involves 250 no. residential units as follows:

UNIT TYPE	NO. OF UNITS	%
Houses		
2 bed terraced house	12	5%
3 bed terraced / semi-d house	82	33%
Apartments		
2 bed apartment	146	58%
3 bed apartment	10	4%
Total Houses and Apts	250	

The development is divided into 5 character areas with houses at the northern end of the site, a group of duplex blocks and the crèche at the centre of the site, houses at the south eastern corner of the site and a second group of duplex blocks at the south eastern corner of the site. The development has a stated net residential density of 43.4 units / ha.

3.2. The application also includes:

- Crèche (333 sq.m.) located in a standalone 2 storey building on the western side of the site
- Landscaping and public open space
- New vehicular access from the Beamore Road at the western side of the site. Pedestrian and cycle paths at the Beamore Road
- 363 no. car parking spaces and 140 no. bicycle parking spaces
- 2 no. ESB substations / kiosks
- Temporary foul water pumping station
- Electricity lines traversing the site are to be diverted underground.
- Part V proposals comprising the transfer of 25 no. units at the development site to the planning authority.

3.3. The development is to be phased in 4 stages as follows:

- Phase 1 Link Street from the R108 eastwards across the site to the adjoining lands to the east, also the north-south road leading to the wastewater pumping

station in the south east part of the site. Total of 65 no. units and the childcare facility.

- Phase 2 Remainder of the houses and the duplex/apartments on the northern side of the main Link Street, also public open space at the north eastern corner of the site. Total of 71 no. units.
- Phase 3 Houses and duplex units in the south west part of the site. Total of 110 no. units.
- Phase 4 4 no. units in the south eastern corner of the site, to be developed in place of the pumping station when it is decommissioned.
- Part V units to be provided on a phased basis throughout the delivery of the units.

4.0 Planning History

- 4.1. There are no details on file of any relevant planning history relating to the development site or in the immediate vicinity.

5.0 Section 5 Pre- Application Consultation

5.1. Pre-Application Consultation ABP-302349-18

- 5.1.1. The pre-application consultation related to a proposal to construct 232 no. dwelling units (132 houses and 100 apartments) on a 6.46 ha site.
- 5.1.2. A section 5 consultation meeting took place at the offices of An Bord Pleanála on 27th September 2018. Representatives of the prospective applicant, the planning authority and ABP were in attendance. Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, ABP was of the opinion that the documentation submitted required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development. The issues raised were as follows:

1. Timing and Phasing of Development

Further consideration and/or justification of the documents as they relate to the development of Phase II residential lands as identified in the Meath County Development Plan and the possible prematurity of development at this location

pending the completion of the Regional Spatial and Economic Strategy and the consequential review of the Meath County Development Plan. Further consideration of these issues may require an amendment to the documents and/or design proposal submitted. Where it is proposed to develop the subject lands prior to the adoption of the Regional Spatial and Economic Strategy and the preparation of a new development plan, a planning rationale/justification for the release of these Phase II residential lands should be submitted which has due regard to Phase I residential lands which remain undeveloped within the Drogheda Northern and Southern Environs Local Area Plans.

2. Urban Design Framework Plan

Further consideration and/or justification of the documents as they relate to the Urban Design Framework Plan which is required to be prepared for the Bryanstown Lands in which the development site is located. The framework plan should provide a coherent structure which forms the basis for design of individual land parcels within the framework plan lands into the future.

The Framework Plan should demonstrate consistency with the overarching principles and objectives set out in the Drogheda Southern Environs Local Area Plan. Further consideration should be given to the movement framework providing for legible linkages across the plan lands; integration of future development on these lands as an integral part of the built-up area of Drogheda Town as espoused by the Local Area Plan; the 12 criteria set out in the Urban Design Manual which accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the principles of Design Manual for Urban Roads and Streets.

Further consideration of the overall development strategy should address the quality of the public realm and how it is proposed to create a sense of place and a discernible focal point within the overall framework plan lands including general guidance on inter alia, density, block layout and heights for the overall lands.

Further consideration should also be given as to how the development strategy and phasing proposals for these framework plan lands is consistent with the sequential approach advocated in the local area plan for the release of those areas closest to the existing built up area first. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

3. Movement and Transportation

Further consideration and/or justification of the documents as they relate to vehicular, cycle and pedestrian connections including legibility and permeability through the development site to contiguous residential and remaining framework plan lands.

Further consideration should be given to how the proposed street hierarchy and access arrangements are consistent with the principles of the Design Manual for Urban Roads and Streets. Consideration should also be given to connections from the development site to the urban centre of Drogheda including delivery and phasing of the proposed distributor road and consideration of public transport routes through the framework plan lands and development site. Further consideration of this issue may require an amendment to the documents and/or design proposal submitted.

4. Urban Design Response, Density, and Layout

Further consideration and/or justification of the documents as they relate to the rationale of the proposed residential layout and urban design response with particular regard to the creation of distinct neighbourhood areas within the overall site, the creation of active and aesthetically pleasing urban street frontages particularly along the R108 and the proposed distributor road, and how the development including consideration of the phasing arrangements contribute to the creation of a high quality urban expansion of Drogheda town.

In addition, further consideration should also be given to the density, unit mix and typology and hierarchy of public open spaces including the use/linking of green corridors throughout the scheme. Further elaboration including illustrations of how the site analysis/context informed the proposed layout and urban design response would be useful. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

5. Surface Water Management and Risk of Flooding

Further consideration of documents as they relate to surface and storm water management for the framework plan lands and for the site. This further consideration should have regard to the requirements of the Council in respect of surface water treatment and disposal as set out in section 8.5.2 of the planning authority's opinion. Any surface water management proposals should be considered in tandem with any

flood risk assessment, which should in turn accord with the requirements of 'The Planning System and Flood Risk Management Guidelines' (including the associated 'Technical Appendices'). Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

- 5.1.3. The opinion notification pursuant to article 285(5)(b) also referred to specific information that should be submitted with any application as follows:
1. A site layout plan which clearly illustrates the overall movement and transportation hierarchy for the proposed scheme.
 2. Photomontages and cross sections at appropriate intervals for the proposed development including how the development will interface with contiguous residential lands and the R108.
 3. Details of existing and proposed levels across the development site relative to adjoining lands in particular contiguous residential properties.
 4. All existing watercourses and utilities that traverse the site including any proposal to culvert/re-route/underground existing drains/utilities should be clearly identified on a site layout plan.
 5. Details in respect of the proposed residential units including a schedule of Accommodation and Quality Assessment Report which has regard to Specific Planning Policy Requirements set out in the Sustainable Urban Housing: Design Standards for Apartment Guidelines, Guidelines for Planning Authorities as they pertain to the proposed development. A Building Life Cycle Report in respect of the proposed apartments.
 6. Landscaping proposals including an overall landscaping masterplan for the development site. Details pertaining to the quantity, type and location of all proposed hard and soft landscaping including details of play equipment, street furniture and boundary treatments should be submitted.
 7. 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.
 8. A construction and demolition waste management plan.
 9. A phasing plan for the proposed development which includes the phasing arrangements for the delivery of the distributor road within the framework plan lands, public open space and Part V provision.

10. A site layout plan indicating all areas to be taken in charge.

11. Relevant consents to carry out works on lands that are not included within the red-line boundary. The prospective applicant is advised that all works should as far as possible be included within the red-line boundary.

5.2. Applicant's Response to Pre-Application Opinion

5.2.1. The application includes a statement of response to the pre-application consultation, as provided for under section 8(1)(iv) of the Act of 2016, which may be summarised as follows.

5.2.2. Need for and Rationale for Development Response

- The application sets out a rationale for the proposed residential development. Drogheda, as per the 2016 census, is the largest and fastest growing town in Ireland with a population of approx. 41,000 and a very high ratio of jobs to resident workers at 0.767:1. Drogheda is within a 'rent pressure zone'. There is a need for additional housing to support population and jobs growth and ensure the establishment of a sustainable and compact urban form.
- National planning policy supports increased housing output in cities and larger towns with a focus on increased densities at appropriate urban locations and zoned and serviceable sites.
- The development is in accordance with relevant national and local planning policy and the draft RSES.
- The Bryanstown area is included in the development boundary for Drogheda as identified under the Planning Strategy for the Greater Drogheda Area (2007) and as such would not be premature pending any future preparation of a Joint Urban Area Plan for Drogheda as an objective of the draft RSES. The draft RSES does not identify a timeframe for the preparation of the Joint Urban Area Plan but to delay the development of the subject lands pending same would be detrimental to the ability of the planning authority to meet the housing needs of Drogheda.
- The development will help Drogheda to reach its population target under the National Planning Framework in a sustainable manner on zoned and serviced lands and therefore is not considered to be premature. The site can be

considered to be Tier 1 lands as defined under the NPF, i.e. lands that can connect to existing services and can therefore accommodate new development and contiguous to existing developed lands.

- The development will achieve many key objectives of the County Development Plan and Local Area Plan including the upgrading of the Beamore Road and the achievement of planned population projections for the Southern Drogheda Environs.
- The development represents a logical and sequential growth of Drogheda. There is a limited supply of suitable redevelopment sites in the town core due to historic fabric, employment/industrial zoning and the presence of contaminated soil.
- There has been a failure to deliver the housing units required in the Development Plan core strategy. Despite planning permission having previously been granted in many instances, there has been an excessively slow delivery of housing on Phase I residential lands within Drogheda and its environs. Several planning permissions have expired. The 2015 County Development Plan review found that Policy Objective SS OBJ 1 had not been achieved.
- LAP Map 5.1 identifies various sites designated for Phase I residential development. Details of residential permissions granted on Phase I lands are provided in Table 1 of the Statement of Response. The Response states that a total of 508 no. residential units have been permitted on Phase I lands, out of a total of 857 no. units identified in the core strategy, i.e. a shortfall of 349 no. units. According to the applicant, none of these permissions have delivered any residential units. Site 3 of the Phase I lands, on the opposite side of the R108 from the development site, has been rezoned to 'education, community & social' use and as such cannot provide for residential development. Its status of Phase I lands is therefore unclear. It is therefore justifiable to consider the subject lands as being capable of providing for residential development.
- The Statement of Response also analyses development sites in the Northern Environs of Drogheda (Table 2). A total of 17 units have been delivered on sites identified as Phase I lands. A further 70 units were developed on a second site

but this site was not identified as being Phase I or Phase II lands. A summary of permissions on Phase II lands indicates a total of 30 units delivered. Louth County Council granted extension of duration permissions on several sites, these were only granted on the basis of the applicants enacting their permission with ground works. Works have ceased on all sites other than Ref. Ref. 08/1. The sites within the Northern Environs are all significantly constrained by their own phasing programme and from a serious lack of infrastructure and services. The phasing sequence for each proposed scheme included for approx. 2,100 units across the entire north Drogheda environs lands in Phase 1 distributed across the various permissions. No development can commence in phase 2 of any of the individual permissions until various infrastructural requirements are met including the following:

- Construction of the Port Access Northern Cross Route from R132 to R166.
- Construction of a linear park across the three neighbourhoods. Permission was granted for the park in 2008 but this has since expired.
- Trunk Watermains, Trunk Foul Sewers and pumping station, surface water management works.
- Securing sites for School, Regional Sports facilities and community centres.

All of these shared infrastructural requirements were to be provided by way of a development management agreement between Louth County Council and various developers with an SPV formed for delivery. It is understood that many of the corporate parties to the original agreement with Louth County Council no longer exist and that the current delivery mechanism is not implementable. The Port Access Northern Cross Route has not obtained necessary funding under the Urban Regeneration Fund, which further places into doubt how the necessary services and infrastructure can be delivered to the residential lands within the Northern Environs of Drogheda.

- Demand for housing remains strong in Drogheda due to falling average household size and lack of construction activity. There is clear evidence that demand for housing needs to be accommodated on Phase II residentially zoned lands such as the subject site.
- Circular PL 8/2016 APH 2/2016 'Identifying Planning Measures to Enhance Housing Supply' (July 2016) advised:

The development plan is, therefore, an important mechanism to signal to landowners that zoning of land for housing is a mechanism for the production of that housing and, where that mechanism is not producing housing, the planning process will seek out either (a) options to secure output off key sites or (b) appropriately located alternatives in the context of addressing pressing housing needs.

Local authorities are, therefore, reminded that, where these pressures exist, the development plan variation process provides a means of expediting amendments to zoning decisions to ensure that development plans flexibly take account of changing circumstances or issues unforeseen at the time of the original making of the development plan.

Permission for the proposed development would be in accordance with this Circular.

- Development plan Objective SP1 states that Phase II lands should not be developed during the life of the current County Development Plan, i.e. up to 2019. The current development plan is under review. If the proposed development is granted permission, the development would not commence prior to 2019 when the new development plan is in place.
- There is precedent set within the area, including Mill Road, Drogheda (Reg. Ref. 17/387) and also elsewhere by ABP (ABP-300560-18) to facilitate the delivery of residential development on Phase II lands prior to the delivery of Phase I lands.

5.2.3. Urban Design Framework Plan Response

- The application includes a revised UDFP for the Bryanstown Character Area. This covers all of the lands identified within the original 2009-2015 LAP for the area and was prepared in consultation with Louth County Council and Meath County Council as well as landowners.
- The UDFP was revised in light of the ABP pre-application Opinion. It provides a clear vision for the development of the Bryanstown area in accordance with the relevant planning policy pertaining to the lands and has been designed in accordance with the 12 criteria set out in the Urban Design Manual.
- The UDFP seeks to provide for a coherent and balanced development that can be developed on a phased basis in accordance with the delivery of the necessary infrastructure and services. It will lead to the sustainable and logical development of the area.
- Meath County Council confirmed in writing (submitted with this application) that the UDFP is in accordance with the LAP and was acceptable to the Planning Authority prior to the Pre-Application Consultation with the Board.
- The revised UDFP is consistent with national, regional and local planning policy. It meets the LAP requirements for the UDFP. It gives clear guidance on the form, height, type and density of development for all of the plan lands and how this is to be developed across the plan lands.
- The UDFP includes the delivery of key east-west and north-south link routes with local streets and homezones, in compliance with DMURS, providing connectivity through the lands and to adjoining areas. The creation of a hierarchy of streets with appropriate carriageway widths will provide safe means of movement for pedestrians and cyclists with the self-regulation of vehicle speeds. Landmark buildings are provided at key junctions to enhance legibility. High quality public realm treatment, including the use of appropriate materials and landscape design also enhance the quality and legibility of the UDFP.
- The phasing plan promotes sequential phasing to ensure that essential facilities (including roads, water services, drainage) are provided concurrently to development. It seeks to develop lands in the first phase that are contiguous to

existing residential areas and have direct access to existing infrastructure. The plan starts at the R108 road and moves in an easterly direction along the northern part of the Bryanstown lands. The UDFP includes an indicative phasing matrix and an indicative phasing plan map.

5.2.4. Movement and Transportation Response

- The development has been revised to provide greater connectivity to the town centre, to contiguous residential areas and also to and through the application site itself.
- The development is part of the revised UDFP, which ensures that the development site will successfully integrate into the future development of the adjoining lands and wider area. The east-west link route has a cycle lane and footpath on both sides. It will be the main connection between the subject site and wider UDFP lands and this will also ensure that an extension of the existing town bus service can be provided through the subject site and wider UDFP lands, with bus stops indicated along the east-west link route, to maximise a modal shift away from the private vehicle and towards more sustainable transport forms.
- Meath County Council have advised that the existing public footpath north of the site will be extended into the subject site. This ensures that the site will be connected directly into existing residential areas within Drogheda and closer to the town centre as well as connecting into the wider UDFP lands.
- The roads layout complies with DMURS. It prioritises pedestrian and cyclist movement over the private vehicle through an appropriate hierarchy of streets, elimination of cul-de-sacs and maximising of footpaths and cycle paths within the development site and connecting to the R108.
- The application includes a revised Traffic Impact Assessment.

5.2.5. Urban Design Response, Density and Layout

- The development has been significantly redesigned on foot of the pre-application Opinion. The revised site layout plan provides a neo-traditional form of development that prioritises pedestrian and cyclist movement over the private vehicle. The layout is in accordance with the DMURS.

- The overall form and scale of the development has had due regard for the surrounding context of the site and its constraints, including the scale of existing developments, which includes a mixture of low density 2 storey suburban style dwellings to the north and some detached bungalows addressing the R108.
- The layout provides for 5 no. distinct character areas, which are informed by the street layout, provision of different unit types and also high-quality public realm and landscaping. The development will create a new sense of community for the area with both family households and smaller households.
- The layout has been informed by the requirements of the LAP and UDFP, with regard to the need to protect residential amenities of existing dwellings around the site.
- The development has been designed to address the R108 in response to issues raised by ABP at pre-application stage. The following main design changes have been incorporated into the scheme:
 - The design of the duplex apartments has been changed to provide a higher quality elevational finish through the use of appropriate materials and design.
 - The main vehicular entrance and east-west link route have been redesigned as a 'boulevard' with duplex apartments having a strong glazed treatment to provide an active frontage to the R108.
 - Provision of a high quality boundary treatment along the R108.
 - Revised design to the houses in the northern portion of the site also creates a stronger urban edge and a transition to surrounding lower density housing.
- The main site access is located within the 80 kph zone and provides appropriate sight visibility in both directions.
- The proposed phasing provides for a high-quality urban design approach to the expansion of Drogheda and marks the start of the development of the overall UDFP lands.

- The development has a net residential density of 43.4 units/ha (38.1 units/ha gross density). This is an increase from the 38 units/ha net density proposed at the pre-application consultation. The net density discounts the proposed link route, childcare facility and works and public footpath/cycle path along the R108 as these will serve the wider area, in accordance with Appendix A of the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas'.
- The proposed density is considered suitable for the location of the site at the entrance to Drogheda on its southern approach from the R108. It is in accordance with the Guidelines on Sustainable Residential Development, which promote densities of 35-50 units/ha at greenfield sites at the edge of town centres. It is in accordance with the LAP, which seeks to achieve a density of 43 units/ha across the wider UDFP lands. It represents a significant increase in the density that is currently prevalent within Drogheda itself and many of the most recent developments in the vicinity, such as at Lagavoreen, only achieving densities of approximately 22 units/ha.
- The proposed housing mix provides 6 different house types. There are also a number of variations within the 2 bedroom apartments. The development provides for a wide range of household sizes and formations, particularly smaller households.
- 15% of the overall site is public open space, in accordance with development plan standards. The number of spaces has been divided from 2 no. spaces into 3 no. spaces following feedback from the Board, with a mix of soft landscaping in the 2 larger spaces to the south and north of the site and a very urban, hard landscape area in the centre, in front of the childcare facility. All of the spaces are landscaped and contain play spaces and amenity areas. The public open spaces within the site are connected via a footpath and cycle path running north-south with a further connection from the R108 eastwards towards the open space in the southern part of the site. This corridor will be able to connect to the future linear park that is included within the UDFP to the south east of the site. Development plan policy to protect hedgerows is reflected in the site layout plan and landscape proposals.

5.2.6. Surface Water Management and Flood Risk Response

- The development has been designed in accordance with the requirements of Meath County Council in respect of surface water treatment and disposal. A SSFRA is submitted with the application. The surface water management proposals have had regard for this assessment.

6.0 **Relevant Planning Policy**

6.1. **National Planning Framework**

6.1.1. National Policy Objective 2b:

The regional roles of Athlone in the Midlands, Sligo and Letterkenny in the North-West and the Letterkenny-Derry and Drogheda-Dundalk-Newry cross-border networks will be identified and supported in the relevant Regional Spatial and Economic Strategy.

6.1.2. National Policy Objective 3c:

Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints.

6.1.3. Section 3.2 Eastern and Midland Region, Louth/North East. The NPF states that the key driver for this regional area is the Dublin-Belfast cross-border network, focused on Drogheda, Dundalk and Newry. It will be necessary to prepare co-ordinated strategies for Dundalk and Drogheda at both regional and town level to ensure that they have the capacity to grow sustainably and secure investment as key centres on the Drogheda-Dundalk-Newry cross-border network.

6.1.4. National Policy Objective 7:

Apply a tailored approach to urban development, that will be linked to the Rural and Urban Regeneration and Development Fund, with a particular focus on:

- *Dublin;*
- *The four Cities of Cork, Limerick, Galway and Waterford;*
- *Strengthening Ireland's overall urban structure, particularly in the Northern and Western and Midland Regions, to include the regional centres of Sligo and Letterkenny in the North-West, Athlone in the Midlands and cross-border*

networks focused on the Letterkenny-Derry North-West Gateway Initiative and Drogheda-Dundalk-Newry on the Dublin-Belfast corridor;

- *Encouraging population growth in strong employment and service centres of all sizes, supported by employment growth;*
- *Reversing the stagnation or decline of many smaller urban centres, by identifying and establishing new roles and functions and enhancement of local infrastructure and amenities;*
- *Addressing the legacy of rapid unplanned growth, by facilitating amenities and services catch-up, jobs and/or improved sustainable transport links to the cities, together with a slower rate of population growth in recently expanded commuter settlements of all sizes;*
- *In more self-contained settlements of all sizes, supporting a continuation of balanced population and employment growth.*

6.2. Section 28 Ministerial Guidelines

6.2.1. The following is a list of relevant section 28 Ministerial Guidelines:

- ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ including the associated Urban Design Manual.
- ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities’ as updated March 2018.
- ‘Design Manual for Urban Roads and Streets’ (DMURS)
- ‘The Planning System and Flood Risk Management’ including the associated ‘Technical Appendices’
- ‘Childcare Facilities – Guidelines for Planning Authorities’
- ‘Framework and Principles for the Protection of Archaeological Heritage’ (Dept. of Arts, Heritage, Gaeltacht and the Islands, 1999)
- ‘Urban Development and Building Heights Guidelines for Planning Authorities’ (Consultation draft, August 2018)

6.3. Eastern and Midland Regional and Spatial Economic Strategy

- 6.3.1. At the meeting of the 19th October 2018, the Eastern and Midland Regional Assembly (EMRA) prepared a draft Regional Spatial and Economic Strategy (RSES) for the period 2019-2031.
- 6.3.2. The draft RSES notes that Drogheda has the potential to form part of a sustainable network of centres of scale, connected by public transport, within the Region and within the Dublin-Belfast Economic Corridor and providing for enhanced cross-border interactions. Drogheda will benefit from the proposed DART expansion programme identified in the NPF. Census 2016 identified Drogheda as the fastest growing town in the country, some of this growth is predicated on the good transport links to Dublin and there has been further commuter led growth outside of Drogheda in Laytown, Bettystown and Mornington. There is a need to promote self-sustaining economic and employment based development opportunities in the town to match and catch up on rapid phases of housing delivery in recent years. The draft RSES seeks to prioritise regeneration of town centre sites in Drogheda to promote revitalization and redevelopment of the Heritage Quarter, promote regeneration of opportunity sites and surrounding areas and promote sustainable development through integration of existing facilities.
- 6.3.3. Drogheda is listed as a Regional Growth Centre in the draft RSES settlement strategy, with the stated role to support urban regeneration and the delivery of strategic development areas in tandem with key enabling infrastructure, with at least 30% of all new homes to be provided in the existing built up areas. A population target of c. 50,000 by 2031 is identified, as per NPF Chapter 4. This target is for the population within the entire town boundary of Drogheda, including lands within counties Louth and Meath. Regional Policy Objective RPO 4.8 provides:

RPO 4.8: A cross-boundary Joint Urban Area Plan (UAP) shall be prepared by Louth County Council and Meath County Council to provide a coordinated planning framework to identify and deliver strategic sites and regeneration areas for the future physical, economic and social development of Drogheda to ensure it achieves targeted compact brownfield/infill growth of a minimum of 30% and ensure a co-ordinated approach is taken to the future growth and development of the town to ensure that it has the capacity to grow sustainably and secure investment as a

Regional Growth Centre on the Dublin – Belfast Corridor. The Joint UAP shall identify a boundary for the plan area and strategic housing and employment development areas and infrastructure investment requirements to promote greater co-ordination and sequential delivery of serviced lands for development.

Future development required to achieve the growth vision for Drogheda included in the Joint UAP shall:

- Provide for the sustainable, compact, sequential growth and urban regeneration in the town core by promoting the regeneration of underused, vacant or derelict town centre lands for residential development to facilitate population growth.*
- Support the regeneration of the Westgate area of Drogheda’s historic town centre to address vacancy and dereliction in the town core and as an alternative to new development on greenfield sites.*
- Facilitate the regeneration of lands at McBride Station and environs as an employment hub to capitalise on existing and planned public transport infrastructure, including the DART Expansion Programme whilst avoiding development that detracts from the town centre.*
- Provide for redevelopment or renewal of obsolete areas on lands at Mell / North Road.*

The draft RSES states that the distribution of population between the two Local Authorities is to be agreed in the Joint UAP and this distribution, in the first instance, should be commensurate with existing population levels.

6.3.4. The draft RSES also sets out additional RPOs for Drogheda in relation to supporting the role of Drogheda Docklands and Port; promoting and enhancing cross-border interactions; promoting self-sustaining economic and employment-based development opportunities; promoting Drogheda as an urban tourism destination while protecting its natural and built heritage resources; supporting social inclusion measures and supporting the proposed Drogheda Flood Relief Scheme.

6.3.5. Public consultation on the draft RSES was carried out during the period from 5th November 2018 to 23rd January 2019. The Director’s Report on the draft RSES, dated February 2019, was prepared following the public consultation period and

taking into consideration submissions received. It states, inter alia, the following in relation to Drogheda:

Submissions were received indicating that the population target for Drogheda is too low and reflects a lack of ambition and calling for Drogheda to be supported in its future regional role. A significant number of calls have also been made for Drogheda to receive city status, this has been argued with the surrounding settlements forming part of the town to surpass a population of 50,000.

A submission also indicated concern in relation to the lack of acknowledgement of the importance of the Southern Environs of the town and the lack of reference in this section. To that end there are suggested amendments to RPO 4.8 for Drogheda that addresses the Southern Environs.

The issue of split of population targets between Louth and Meath County Councils being commensurate with existing population levels was indicated as being of concern in a number of submissions, with an increase on both sides being advocated.

Another submission states broad support for how the RSES addresses Drogheda. A request for the amendment of RPO 4.8 to incorporate the Urban Design Framework for the Heritage Quarter has been made.

A number of submissions were made in relation to the inclusion of specified landbanks in the Drogheda area to be identified for future development. The landbanks identified were:

- Lands at Drogheda Northern Environs*
- Lands at Drogheda Southern Environs*
- Lands at Newton, Marsh Road*

The Director's response to the above states, inter alia:

In relation to the population projection for Drogheda being too low, it is considered that the population target of 50,000 would enable a city scale population to be achieved in Drogheda and this is considered an appropriate target to aim for. It is important to note that this should not be viewed as a constraint on the growth of the town, rather that it is expected to reach this target and if it is exceeded by 2031, that it will be considered successful. Having regard to the calls for city status to be

assigned to Drogheda, it is considered that the designation of city status to a settlement is not a function within the remit of the RSES, it is acknowledged that a population of at least 50,000 is considered to be a city scale and that is the target set in the RSES. However the RSES focuses on growth in the right locations and establishing the drivers for the settlement to sustainably grow as a strong Regional Growth Centre that is a priority focus for the region.

Having regard to the issue of proportionate split of population between Louth and Meath, it is indicated that although it should in the first instance be commensurate with existing population levels, however this is a matter to be agreed by both local authorities during the joint Urban Area Plan process coordinated by the Regional Assembly and will therefore need to be done on an evidential and planning basis.

In relation to issues with the delivery of the joint UAP, it is envisaged that EMRA will have a co-ordinating role in the delivery of the joint UAP and therefore it is considered that this is not an issue of concern.

In relation to the request for RPO 4.8 to be amended to address the Southern Environs, it is considered reasonable to include as part of the RPO.

6.3.6. Following public consultation on the draft RSES, the members of the EMRA agreed to make the RSES incorporating proposed amendments at the Assembly meeting of 1st March 2019. Several proposed amendments were deemed material and were subject to a further public display period from 15th March to 12th April 2019. The proposed material amendments include the following additions to RPO 4.8:

v. Support the sustainable development of existing zoned lands in the Southern Environs of the town with a particular emphasis on the promotion of the IDA Business Park as an employment hub and the creation of compact, residential communities in key locations in proximity to established residential areas and transport hubs

vi. Support the implementation of the Urban Design Framework Plan for the Heritage Quarter.

6.3.7. Following the public consultation, the amended RSES was adopted by the EMRA members on Friday 3rd May 2019. I understand that the amended RSES is to be made on June 28th 2019.

6.4. Meath County Development Plan 2013-2019 (Including Variation No. 2)

6.4.1. Drogheda is designated as a Large Growth Town I at the top of the county settlement hierarchy, along with Navan. Drogheda is located in the Hinterland area, i.e. outside the Metropolitan Area of the county in proximity to Dublin. Development plan Table 2.4 provides the following figures for Drogheda Southern Environs:

Household Allocation 2013-2019	857
Average net density applicable	43 units / ha
Quantity of zoned residential land required	19.9 ha
Available land zoned for residential use	157.2 ha
Available land zoned for mixed use incl. residential	1.8 ha
Total available zoned land	159.1 ha
Excess	139.1 ha

Development plan Table 2.5 indicates a total of 1,174 no. committed unbuilt units for Drogheda Environs as per December 2014. As above, there is a household allocation of 857 units for the period 2013–2019. Settlement strategy Objective SSOBJ 8 applies:

To develop Navan and the Drogheda Environs as the primary development centres in Meath and to ensure that the settlements grow in a manner that is balanced, self sufficient and supports a compact urban form and the integration of land use and transport.

6.4.3. Development plan Variation no. 2, adopted on 19th May 2014, introduces land use zoning objectives and an order of priority for the release of lands for Ashbourne, Drogheda Environs, Dunboyne/Clonee/Pace, Dunshaughlin and Ratoath. The development site is zoned 'A2' as per the land use zoning map of Variation No. 2 for Drogheda Southern Environs:

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.

6.4.4. Variation no. 2 proposes phasing of land in the form of an Order of Priority, in order to address the over provision of residentially zoned lands. Strategic Policy SP1 for Drogheda Environs, as set out in Variation No. 2 states:

To operate an Order of Priority for the release of residential lands in compliance with the requirements of CS OBJ 6 of the County Development Plan as follows:

i) The lands identified with an A2 'New Residential' land use zoning objective corresponds with the requirements of Table 2.4 Housing Allocation & Zoned Land Requirements in Volume I of this County Development Plan and are available for residential development within the life of this Development Plan.

ii) The 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.

Section 3.3 of Variation no. 2 states:

It should be noted that the inclusion of lands in Phase II which is indicated as being required beyond the life of the present County Development Plan i.e. post 2019, does not infer a prior commitment on the part of Meath County Council regarding their future zoning for residential or employment purposes during the review of the present plan and preparation of a new County Development Plan expected to occur during the 2017 – 2019 period.

Variation no. 2 also states in relation to the Phase II lands:

The timeline for the release, if appropriate, of these lands will be considered post 2019 in accordance with the relevant Meath County Development Plan in place at that time.

6.4.5. An evidence based approach was applied to determine the Order of Priority residentially zoned lands, including an evaluation by the planning authority of the remaining available zoned sites, excluding areas within the identified flood risk mapping as determined by the Strategic Flood Risk Assessment and Management Plan, sites < 0.5 ha and sites with the benefit of an extant permission for multiple residential developments. Variation no. 2 includes a Residential Land Evaluation map of Drogheda Southern Environs. The following factors were used to determine the suitability of specific lands for residential development:

- Proximity to the town centre: maximise the utility of existing and proposed future infrastructure including public transport options;
- Environmental constraints: Proximity to and potential impact on the qualifying interests of the adjoining Natura 2000 sites;
- Availability of public transport;
- Availability of community and social infrastructure facilities with particular regard to the proximity to educational facilities;
- The need to provide new roads infrastructure to facilitate development, and;
- Consistency with sequential approach to urban expansion and contribution to a compact urban form. The development of infill sites makes a significant contribution in this regard. Leapfrogging beyond other available sites will not be considered favourably.

6.4.6. The development site is part of a larger area identified as Site 4 in the Residential Land Evaluation, 'Lands at Bryanstown, east of the Beamore Road (excluding lands subject to flood risk)', with a total area of 38.82 ha. Table 8 of the Residential Land Evaluation, which ranks the development sites in the Drogheda Southern Environs, is reproduced here:

Table 8: Residential Land Phasing

Site	Zoning	Land Area (ha)	Density	Yield	Rank	Phase
Site 5	A2	3.77	40 / ha	151	1 st	I
Site 1	A2	11.88	35 / ha	416	Joint 2 nd	I* (6/7 ha / 235 units)
Site 2	A2	11.67	35 / ha	408	Joint 2 nd	I* (6.7 ha / 235 units)
Site 9	A2	20.61	35 / ha	721	Joint 2 nd	I* (6.7 ha / 235 units)
Site 3	A2	14.1	43 / ha	606	5 th	II
Site 6	A2	8.17	35 / ha	286	Joint 6 th	II
Site 7	A2	28.72	43 / ha	1,235	Joint 6 th	II
Site 8	A2	22.42	43 / ha	964	Joint 6 th	II
Site 4	A2	38.82	43 / ha	1,669	9th	II

6.5. Draft Meath County Development Plan 2019 – 2025

6.5.1. The Development Plan review process was paused pending the adoption of the RSES. It has now recommenced and a Draft County Development Plan, to reflect the adopted RSES, will be placed on public display at the end of Q3 / beginning of Q4 2019.

6.6. Local Area Plan for the Southern Environs of Drogheda 2009-2015 (Including Variation No. 2)

6.6.1. This LAP was amended following the adoption of the Meath County Development Plan 2013–2019 and following the making of Variation No. 2 to ensure consistency with the land use zoning objectives and Order of Priority for the release of lands. The following key objectives apply in terms of the overall development framework of future development in the LAP area:

DF1 All new development should be set in/be mindful of the context of the existing built up area of Drogheda town and needs to demonstrate how it integrates with the town proper, both in terms of linkages and integration with the existing built form.

DF2 The sequential approach shall apply to all new residential development in that those areas closest to the existing built up area should be developed first.

DF3 All necessary physical infrastructure is required to be provided in line with all new development.

LAP Chapter 5 includes Objective LU1:

The future development of lands zoned under this Local Area Plan is subject to the adequate provision of all necessary infrastructure services, in particular the provision of adequate water supply and foul water drainage. Priority will be given to employment uses and community facilities in the allocation of infrastructure services.

6.6.2. The LAP development framework divides the lands into a series of 'character areas'. The development site is within the 'Bryanstown Character Area'. LAP Chapter 6 sets out specific policies for character areas. The following policy objectives apply to the Bryanstown Character Area:

BA1 The Bryanstown Area needs to be developed in accordance with an approved Urban Design Framework Plan to safeguard the proper and sustainable development of the area. The Plan needs to be developed in line with the requirements set out in Section 6.7 of the Local Area Plan and cognisant of the Order of Priority for the release of residentially zoned lands as contained in the County Development Plan, 2013-2019, as varied. The Planning Authority will consider integrated development management proposals being brought forward in advance of this Framework Plan being prepared for the lands identified with an F1 'Open Space' or G1 'Community Infrastructure' land use zoning objective west of Beamore Road.

BA2 The delivery of adequate infrastructure services is a prerequisite to the development of the Bryanstown Area. In all instances, priority will be afforded to the development of employment and community services.

LAP section 6.7.2 notes the Phase II status of the Bryanstown lands and states that there is no expectation of any residential development in this character area occurring in the period up until the expiry of the County Development Plan in 2019. It states:

The requirement for the further release of residentially zoned land in the Drogheda Environs is to be assessed following the making of the next County Development Plan in line with the population projections contained therein or during the course of the existing County Development Plan should circumstances require same such as new Regional Planning Guidelines being published with a revised household allocation in the intervening period. It is not envisaged that such a requirement will arise within the life of this LAP. The preparation of an Urban Design Framework Plan for this area is now qualified on this basis.

- 6.6.3. The LAP envisages that the Bryanstown area would be developed at a density of 43 units/ha, to result in development of potentially 2,275 units, equating to a population of approx. 6,600 (at an average household size of 2.9 persons per household). LAP Section 6.7.2 provides guidance on matters to be included in any such framework plan, including:

- Proposals in relation to the overall design of the proposed development including maximum heights, external finishes of structures and the general appearance and design, including that of the public realm;
- The types and extent of any proposed development indicating how these uses integrate with surrounding development and land uses;
- Proposals in relation to transportation including public transportation and non-motorised modes, vehicular roads layout and access arrangements, loading/unloading provision, the provision of parking spaces and traffic management;
- Proposals in relation to the provision of services in the area including the provision of waste and sewerage facilities and water, electricity and telecommunications services, oil and gas pipelines, including storage facilities for oil and gas;
- The element of residential development shall include proposals relating to the provision of amenities, facilities and services for the community including crèches and other childcare services, community and resource centres;
- The facilitation of public access to the proposed amenity areas located within the Plan boundaries and beyond, and;
- To make provision for sport and recreational infrastructure commensurate with the needs of the development as an integral element of their proposals.

LAP Section 6.7.2 also provides guidance on open space requirements, neighbourhood centres and community halls, civic centre, school and childcare provision and the design brief. Section 6.7.5 states that the phasing programme contained in the Framework Plan for Bryanstown should reflect the policy framework now provided under the County Development Plan 2013-2019 as varied.

6.6.4. The following LAP objectives are also noted:

RT5 It is a requirement that the construction of the link between the M1 Motorway and R132 be carried out on a phased basis. The provision of this road shall be provided as part of future development proposals for the area (i.e. developer driven).

FWD5 The construction of the Bryanstown Sewer shall be constructed in accordance with best practice from a technical and environmental perspective. Where required,

sections of the proposed route of the Bryanstown Sewer shall be constructed in tandem with the construction of the M1 to R132 Link Road.

6.7. Relevant Planning Policies in Co. Louth

6.7.1. Louth County Development Plan 2015-2021

The core strategy of the Louth County Development Plan 2015 – 2021 identifies both Dundalk and Drogheda as Large Growth Town I, at the top of the county settlement strategy. Table 2.5 provides a population projection increase of 2,571 for Drogheda & Northern Environs, to result in a total population of 37,944 up to 2021. The existing undeveloped lands in Drogheda (355 ha) are to be developed at a density of 40 units/ha, to result in an additional 952 no. residential units. Development plan Section 2.16.2 notes that Drogheda has experienced significant growth principally resulting from its location close to Dublin, the completion of the motorway and improvements to rail commuter services. The development of Drogheda is to be guided by the Drogheda Borough Council Development Plan and by the Drogheda Northern Environs LAP. Settlement strategy policy SS 6 applies:

To ensure that the expansion of Drogheda to include the Northern Environs, takes place in an orderly and sustainable fashion that will support the growth of Drogheda and not detract from the vitality and viability of its town centre.

6.7.2. Drogheda Borough Council Development Plan 2011-2017 (Including Variation No.1) (as extended)

The strategic aim for Drogheda is:

To promote and facilitate the development of Drogheda as a self sustaining primary development centre that will energise development within its own catchment.

Promoting connectivity and integration within and between existing and proposed communities is a key theme for the Development Plan. Policy TR15 states:

Explore the opportunities for additional transport connectivity between Rathmullan/Lagavoreen, Donore Road and Bryanstown Character Areas and adjacent areas of County Meath in conjunction with Meath County Council and other relevant agencies and individuals.

Variation no. 1, adopted December 2011, sets out the core strategy for both lands within Drogheda Borough Council and the area of the Drogheda Northern Environs LAP. It provides for an overall population target of 35,373 in 2016 and 38,415 in 2022, as per the Regional Planning Guidelines. Phasing is applied to 105 ha of zoned lands available for development. In total 7.46 ha of lands are allocated to Phase 1 (267 no. residential units) and 97 ha of land (3,626 no. units) are allocated to Phase 2. Policy CS2 applies:

To apply the phasing of new residential development as per the phasing strategy set out whereby residential development other than infill, brown field or mixed use development shall only be permitted in identified areas within Phase 1 as shown on the 'Drogheda and Northern Environs Core Strategy Phasing Map'. Only on completion of the development of 75% of these lands shall subsequent phasing be considered for additional residential development.

6.8. Planning Strategy for the Greater Drogheda Area (2007)

- 6.8.1. The strategy was prepared by Drogheda Borough Council, Meath County Council and Louth County Council to provide a framework for the future planning of the area and to inform the content and implementation of present and future statutory plans. It covered a 'core study area' of the Drogheda Borough Council area, the area of the Northern Environs LAP in Co. Louth and lands at the southern environs of the town within Co. Meath zoned and/or identified in hatching as having development potential (Bryanstown district) under the 2001 Meath County Development Plan, also current non-zoned lands in the immediate environs of same. The strategy also covered an 'Immediate Area of Influence' in East Meath including Laytown, Bettystown, Donacarney, Mornington, Mornington (East) and Julianstown and a 'Broader Area of Influence' equating to the remainder of villages in the hinterland area of Drogheda within Counties Meath and Louth.
- 6.8.2. The development site was included in this boundary. Section 5.3.1 of the strategy identifies Bryanstown as a key land resource, well positioned to deliver a major new residential and mixed use community for Drogheda and a focus of new population growth. Based on the Drogheda Transportation Study, the strategy identifies an M1-N1 link via Bryanstown is an important road scheme for the Southern Environs area and for Drogheda, which would also facilitate the provision of new local development

and would form a prime activity corridor for the area. Section 6.1 sets out overall phasing of development. It is stated that Bryanstown should develop progressively from east to west, to commence in the 2nd phase of the overall strategy with further build out in the 3rd and 4th phases. This is to occur in tandem with road development including the M1-N1 link. Strong east–west permeability is required in the Bryanstown area.

6.9. Statement of Consistency

6.9.1. The applicant has submitted a Statement of Consistency as per Section 8(1)(iv) of the Act of 2016, which indicates how the proposal is consistent with the policies and objectives of section 28 guidelines, the County Development Plan and the LAP and other regional and national planning policies. The following points are noted.

- The report repeats points made in the Response to the pre-application Opinion, as outlined in section 5.2 above, in relation to the draft RSES; the development of Phase II lands; development plan objective SP1 and the achievement of housing targets in the development plan core strategy; consistency with the Planning Strategy for the Greater Drogheda Area 2007; the housing need for the development in the context of population growth in Drogheda and its hinterland; the zoned and serviced nature of the subject lands; the achievement of an appropriate density of residential development; the location of the site contiguous to the built up area of Drogheda and existing residential developments; the provision of a childcare facility as part of the development; the quality of the design and layout of the development, including the provision of public open space; the conservation of the built and natural environment in the context of compliance with the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’.
- The development has been designed to address the 12 criteria of the Urban Design Manual that accompanies the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’. An urban design statement is submitted.
- The development is in accordance with the assessment criteria set out in SPPR3 of the ‘Urban Development and Building Heights Guidelines for Planning Authorities’ including daylight/shadow studies, ecological assessments, Housing

Quality Assessment, DMURS and also national planning policy including the NPF. The density and housing mix are in accordance with SPPR 4 of the Building Height Guidelines. The development meets standards for residential developments set out in Chapter 11 of the County Development Plan.

- The development site falls within the category 'Peripheral and/or Less Accessible Urban Locations' as per the 'Sustainable Urban Housing: Design Standards for New Apartments' as it is located c. 2.2km from Drogheda Train Station, 2.1 km from Drogheda Bus Station and is on the edge of the built-up area of the town and as such is suitable for low-medium density of 43 units/ha.
- The development is designed to comply with DMURS and to provide high levels of pedestrian and cyclist permeability and elimination of cul-de-sacs.
- The proposed childcare facility provides c. 35 no. childcare places. This meets the childcare need of the 2 and 3 bed houses within the scheme in accordance with the Childcare Facilities Guidelines for Planning Authorities and the social strategy of the County Development Plan.
- The proposed car parking provision is in accordance with development plan car parking standards.
- The development is in accordance with relevant LAP objectives in relation to urban design, housing mix, public open space, heritage and landscape protection and land use zoning. It meets the LAP requirement for a framework plan for the Bryanstown area.

7.0 Third Party Submissions

7.1. Neighbouring Residents

7.1.1. The submissions objecting to the development were primarily made by or on behalf of local residents, particularly residents of the Bryanstown/Beamore area. The main points made may be summarised as follows

- The development site is within 'Residential Phase II' zoned lands and is listed as 9 out of 9 (last place) in the Residential Land Evaluation of the Drogheda LAP. There are substantial A2 zoned lands that have not been developed to date, in excess of 60 ha. Refers to LAP objective LU1.

- The development contravenes development plan policy on Residential Phase II zoned lands. Permission for the development would set an unfair and undesirable precedent.
- Adjoining landowners were not informed of the proposed Masterplan.
- The development will put additional pressure on already deficient water and sewage facilities in Drogheda.
- Proposed apartment development is out of character with the area, particularly the duplex units.
- The development does not provide the R132-M1 distributor link road to be provided along the southern boundary of the LAP land zoning map south of the development site. There is no indication that the existing Beamore Road is to be widened and no ability to link to the new distributor road. The proposed entrance and road crossing the development site are not a distributor road and will have a substantial impact on the adjacent residential properties. The entrance to the development would be more appropriately located at the northern end of the site where a roundabout could be provided that would serve other LAP zoned lands to the east of the site.
- Impacts on the residential amenities of adjacent properties, i.e. visual impacts, boundary treatments, overlooking and overbearing of adjacent residential properties, particularly in association with the proposed 3 storey duplex blocks.
- There is a strip of land between the development site and the northern residential property at the western site boundary. Its ownership is in dispute. The removal of trees and hedgerow at this location would have a devastating impact on the adjoining residential property.
- Traffic issues. Existing roads serving the site are substandard. Existing connections between the site and the M1 are inadequate. The site is located at an extremely dangerous crossroads where there have been several accidents including fatalities. The proposed R132-M1 link may not proceed and should not be included in traffic projections. There are no plans to upgrade the Beamore Road. The existing residential development in the area is already served by inadequate roads infrastructure. An existing pedestrian crossing installed on the

Beamore Road in 2018 is inactive and located in a dangerous position. Development does not include adequate public lighting at the Beamore Road. Submitted TTIA is inadequate as it considers peak traffic only and not a 24 hour traffic model. Inadequate parking provision given the location of the development in an area poorly served by public transport.

- Lack of social and community infrastructure to serve the development, i.e. schools, medical services.
- Drogheda has developed as a 'satellite town' of Dublin and does not have a strong employment base. The development will be occupied by commuters and is not family orientated.
- Ecological and biodiversity impacts of the development of agricultural lands. Other environmental impacts associated with increased carbon emissions and concrete manufacture.
- Adjacent dwellings should be connected to the new sewerage infrastructure to be provided to cater for the development.
- Development will generate additional run off to the Bryanstown Stream resulting in increased flooding risk in the area and at the Boyne River.
- Potential noise impacts during construction.

7.2. Submission by Julianstown Residents Association

The following points are noted:

- The EIA Screening is inadequate. A full EIA is required. A new or updated SEA is required.
- The development will lead to unacceptable increases in traffic in the Julianstown area with consequent air and noise pollution. Traffic volumes in this area are already in excess of design capacity. Noise levels exceed relevant parameters and significant air pollution is expected. It is likely that the development will lead to significant, negative, permanent adverse environmental impacts in Julianstown, an urban area with sensitive receptors including a school and creche. An EIA is therefore required.

- The applicant has not submitted sufficient information to allow ABP to screen the development for EIA. The submitted EIA screening report contains several errors, which are identified. It is an inadequate basis for ABP to screen out EIA.
- Since the development contravenes the County Development Plan and is therefore outside the framework set by that plan for development in the area, there is a requirement for a new or updated assessment under the SEA Directive before permission can be granted.
- The submitted TIA is deficient as it does not consider traffic impacts in Julianstown.

7.3. Submission by J. Murphy Developments

7.3.1. J. Murphy Developments Ltd. own c. 57 ha of land in the Southern Environs of Drogheda, including a substantial land parcel within the Bryanstown Area. The submission highlights that the Observer does not wish to impede the development proposals but states the following concerns:

- The application moves the development lands from the 'least sequentially favoured' per LAP policy to the 'most sequentially favoured' in the UDFP submitted with the application. The Observer's lands are identified as Phase 2 and 3 lands. This approach undermines the value of the Observer's lands.
- The UDFP was prepared on behalf of the applicant without any effective public or stakeholder consultation. The submission refers to correspondence between the Observer and the applicant during the preparation of the UDFP, in which the Observer stated that they did not consent to their lands being included in the UDFP. The Observer reserves the right to seek recourse through the courts if necessary.
- The Observer received a letter referring to a 'consultation evening' to be held on 23rd of February 2019. The letter was received on the 22nd February 2019 and the subject application was lodged with ABP on 18th February 2019.
- The Observer would be in favour of a review of the phasing within the core strategy and recognises the constraints current phasing places on progressing residential development in Drogheda. Any such review should be done in a transparent, evidence based and open manner, e.g. a variation of the County Development Plan and LAP.

- It is unfair, unreasonable and without justification to case aside the content of a statutory LAP and core strategy and to submit an 'Urban Design Framework Plan' prepared by the applicant that 'leapfrogs' the sequential order. The proposal is not grounded in the proper planning and sustainable development of this important land bank.
- There are key, material differences between the LAP as originally adopted and the varied LAP. The original LAP provided for an UDFP for the Bryanstown part of the LAP, whereas section 6.7.2 of the varied LAP states that the preparation of a UDFP for the area is qualified as is is not envisaged that such a requirement will arise within the life of the LAP. It is submitted that this change was to avoid the release of additional lands in the life of the LAP.
- The draft RSES for the East and Midlands Region proposes a joint urban area plan for Drogheda to be prepared by Meath and Louth County Councils but there is nothing to inhibit the release of development lands by way of a variation to the core strategy of the existing County Development Plan. Any review of the core strategy should be done in a fair, transparent and open manner.

7.4. Submission by Buvinda Developments

7.4.1. The Observers are landowners and developers in the Bryanstown area. The submission is made in support of the proposed development. The following points are noted:

- The Observers intend to make an application on nearby lands, outside the UDFP area. Permission was previously granted for development of these lands in 2007, Reg. Ref. SA/60067 and SA/120136 but was never constructed due to the financial crisis.
- The development of these lands is supported by the NPF. Proposed amendments to the draft RSES further strengthen Drogheda's position as a Regional Growth Centre and a 'growth enabler' for the core area of the region. Amendment 23 of the draft RSES has resulted in the inclusion of an additional statement in RPO 4.8, which supports the sustainable development of existing zoned lands in the southern environs of Drogheda.

- The Observers have concerns about some aspects of the UDFP. They disagree with the proposed phasing and consider that the phasing should extend from existing developments. The Observers' lands should be developed in advance of the subject site. The Observers have had positive pre-planning discussions with Meath County Council about the development of their lands.
- The proposed density of residential development is not feasible in the local property market. The 3-4 storey residential development is not justified in terms of cost. The local market demands 2-3 storey housing units.

7.5. Third Party Submissions Conclusion

- 7.5.1. I have considered all of the documentation included with the above third party submissions.

8.0 **Planning Authority Submission**

- 8.1. Meath County Council has made a submission in accordance with the requirements of section 8(5)(a) of the Act of 2016. It summarises observer comments as per section 8(5)(a)(i) and the views of the relevant elected members of the Laytown - Bettystown Municipal District, as expressed at their meeting of the 11th April 2019. The planning and technical analysis in accordance with the requirements of section 8(5)(a)(ii) and 8(5)(b)(i) may be summarised as follows.

8.2. PA Comment on Zoning and LAP Masterplan

- The PA highlights its submission to the RSES regarding the future development of the Drogheda environs. Meath County Council supports the designation of Drogheda as a Regional Growth Centre but has concerns that the Regional Policy Objectives fail to identify the contribution that the lands in the Southern Environs of the town, within Co. Meath, are making to the future growth of Drogheda. Based on historic growth rates in Drogheda, the Council considers that the RSES population target of 50,000 may be insufficient given the enhanced status of the town and the target population of 65,000 set out in the 2007 Planning Strategy for the Greater Drogheda Area. The requirement for population distribution between Meath and Louth County Council for Drogheda to equate to

existing population levels within the jurisdiction of each Local Authority is unfavourable to the southern environs and does not acknowledge strategically located lands within the boundary of Meath that could contribute to the future sustainable growth and development of Drogheda. The submission proposed an amendment to the RSES to support the sustainable development of existing zoned lands in the southern environs of Drogheda with a particular emphasis on the promotion of the IDA Business Park as an employment hub and the creation of compact residential communities in key locations in proximity to established residential areas and transport hubs.

- The planning authority notes that the EMRA expanded the scope of the Drogheda Regional Growth Centre RPO 4.8 to make specific reference to the Southern Environs of Drogheda in their proposed Material Amendments to the draft RSES.
- The planning authority notes the UDFP submitted with the application.
- The planning authority provides the following overview of the development of residential lands in South Drogheda Environs:

Overview of Residential Lands in South Drogheda Environs	
Quantum of Phase 1 Residential lands	c. 58 ha
Core Strategy allocation in CDP	2,510 units (1,653 committed unbuilt units and 857 additional units)
Total extant units	c. 466 units (a number of permissions previously granted have expired)
Total units completed and / or under construction	c. 130 of the 466 extant units have been completed or are under construction (survey carried out May 2018)
Balance of core strategy allocation remaining	<p>c. 42 ha of Phase 1 residential lands have no extant permission. At a density of 35 units/ha these lands would yield 1,470 units.</p> <p>Including the extant units, the potential total capacity of the Phase 1 residential lands would be 1,936 units leaving a balance of 574 units.</p> <p>If a density of 43 units/ha (as set out in CDP Table 2.4) was used for the remaining Phase 1 lands these lands could potentially yield 1,806 units. Under this scenario, there would be a balance of 238 units when the extant units are taken into account.</p>

- While residential development is permitted on A2 New Residential Lands, the planning authority is currently precluded from the consideration of residential development on A2 Phase II (Post 2019) zoned lands within the current plan period. Having regard to the potential of the settlement of Drogheda (as acknowledged in the 2010 RPGs and the as indicated in the dRSES and EMRA 'Directors Recommendations', the Executive of the planning authority proposes to bring forward the development of said lands from Phase II release to Phase I release in the next Plan.
- The UDFP gives the Bryanstown lands definitive land use zonings including Community, Residential (Phase II), Open Space areas and 3 Neighbourhood

Centre areas. It is considered to be an acceptable response to the requirements of the LAP, in particular the phasing plan and indicative phasing matrix.

8.3. PA Comment on Density, Urban Design, Layout and Phasing

- The rationale of the net developable area is considered acceptable in the context of the 2009 Guidelines and it is noted that the new density is an increase on 38 units/ha as proposed at pre-planning stage. The planning authority considers the proposed density appropriate for the development site and in the context of the residentially zoned landbank in the Bryanstown area which extends to 47 ha.
- The layout forms a strong urban edge along the R108. It presents at an appropriate scale and form with 2 storey houses at the northern end of the site and the 3 storey buildings along the link street where such scale and form can be absorbed, also in the lower south west corner of the site. The layout is considered to address Item 4 of the Board's pre-application Opinion.
- The proposed phasing is considered to address Item 4 of the Board's pre-application Opinion. ABP is invited to consider appropriate planning conditions in respect of phasing. It is recommended that the roads infrastructure and open space are delivered early in the life of the development and prior to the occupation of certain phases of development.

8.4. PA Comment on Open Space, Landscaping and Boundary Treatment

- The application states that it meets the development plan standard for public open space of 15% of the overall site, also that the proposed apartment / duplex units have the required amount of private and communal open space.
- The proposed landscaping scheme partially addresses Item 4 of the pre-application Opinion.
- The proposed boundary treatments, as indicated in the landscaping scheme, are generally acceptable.

8.5. PA Comment on Traffic and Vehicular Access

- Includes comments of the Transportation Dept. of Meath County Council.

- There are several relevant transport proposals. A key objective at the Southern Environs LAP is to provide a link road from Junction 8 on the M1 to the Southgate Roundabouts on the R132, to form a key east-west connecting route which will form a southern boundary to the Framework Plan area and therefore the development site.
- The UDFP identifies future roads proposals. It identifies that whilst the R132-M1 link is the key infrastructural roads objective, the development of the UDFP lands can commence prior to the provision of this new road as new local streets and a minor distributor street are developed within the UDFP lands. The UDFP also identifies that all new developments within the lands are designed to promote permeability and connectivity to support modal shift to more sustainable modes.
- The submitted Traffic Assessment uses appropriate modelling tools.
- The proposed priority 'T' junction at the site access is considered appropriate for this scale of development. While there are both footpath and cycle track along the development boundary on the R108, neither pedestrian nor cyclist movements cross the junction at the site access. The detailed design of the junction should be agreed prior to construction. It is within capacity as per the TIA. The wider impact of the UDFP area should be considered and the junction designed to facilitate possible future upgrades to accommodate additional traffic. The applicant has justified a sightline of 150 m to the north instead of 160m as required by TII standards, on the basis that recent traffic survey data suggests that the average speed of vehicles on the R108 was 64 kph. This justification appears reasonable.
- The UDFP includes an internal street hierarchy. The vehicular permeability to external lands appears to be adequate. The proposed link road could potentially become a cul-de-sac if the R132-M1 distributor road link is not delivered. The applicant has introduced greater permeability by including a link north to the roundabout on the Meadow View/Bryanstown Village in the vicinity of St. Mary's Parish Primary School. Possible future permeability could also be provided with a direct link to the R132.

- The proposed car parking provision is acceptable for the house units. The applicant should provide an additional 15 no. visitor car parking spaces for the apartment units. The crèche parking provision is adequate.
- The planning authority recommends a special development contribution of €990,000 as contribution towards expenditure on the future M1 Link Road and a levy of €138,000 towards the expenditure proposed by the planning authority in the provision, upgrading, enlargement or replacement of public roads including footpath and cycle paths to facilitate the development.
- Conditions on public lighting are recommended.

8.6. PA Comment on Water Services and Flooding

- Meath County Council Water Services section recommend conditions.
- The Senior Executive Engineer in the Environment Section has reviewed the Flood Risk Assessment and notes that the development is located in Flood Zone C and is at low risk of fluvial and tidal flooding. No objection to the development.

8.7. PA Comment on Part V

- The Housing Section of Meath County Council has issued 'agreement in principle' to the Part V proposal for this development.

8.8. PA Comment on AA Screening

- The Meath County Council Heritage Officer has reviewed the AA Screening Report and accepts its conclusion.

8.9. PA Conclusion

8.9.1. The planning authority recommends permission subject to conditions.

9.0 **Prescribed Bodies**

9.1. **Transport Infrastructure Ireland (TII)**

9.1.1. Recommends the following:

- The proposed development shall be undertaken in accordance with the recommendations of the TTIA and Road Safety Audit submitted. Any recommendations arising should be incorporated as conditions of permission, if

granted. The developer should be advised that any additional works required as a result of the TTIA and Road Safety Audit should be funded by the developer.

- The TII requests that the Council has regard to the provisions of Chapter 3 of the DOEHLG Spatial Planning and National Roads guidelines in the assessment and determination of the subject application.

9.2. Department of Culture, Heritage and the Gaeltacht

9.2.1. The following points are noted:

- The Dept. has examined the submitted Archaeological Assessment Report and the subsequent Test Excavation Report. It notes that 4 areas of archaeological interest were identified in the course of the test excavations and are required to be excavated in advance of any commencement of construction works.
- The Dept. concurs with the recommended archaeological mitigation as noted in section 6 of the Test Excavation Report. It recommends that mitigation measures are required by condition.

9.3. Irish Water

9.3.1. Based upon the details provided and the Confirmation of Feasibility already issued, Irish Water confirms that subject to a valid connection agreement being put in place between Irish Water and the developer, the proposed connection to the Irish Water network can be facilitated.

10.0 EIA Preliminary Assessment

10.1.1. The application was submitted to ABP after the 1st September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018.

10.1.2. Item (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:

Construction of more than 500 dwelling units

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

(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)

The proposed development involves 250 no. residential units on an overall site of c. 6.46 ha. It is therefore considered that the development does not fall within the above classes of development and does not require mandatory EIA.

- 10.1.3. As per section 172(1)(b) of the Planning and Development Act 2000 (as amended), EIA is required for applications for developments that are of a class specified in Part 1 or 2 of Schedule 5 of the 2001 Regulations but are sub-threshold where the Board determines that the proposed development is likely to have a significant effect on the environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment. This preliminary examination has been carried out and concludes that, based on the nature, size and location of the development, there is no real likelihood of significant effects on the environment. The need for EIA is therefore precluded and a screening determination is not required.

11.0 Appropriate Assessment Screening

11.1. Designated Sites Potentially Affected

- 11.1.1. I note the AA Screening Report and the Ecological Impact Assessment on file, both dated January 2019. The development site is not within or directly adjacent to any Natura 2000 site. Habitat surveys of the site carried out on 1st May and 17th October 2018 found no habitats corresponding to Annex I types within the study area. The AA Screening Report identifies the following European sites, which are hydrologically connected to the development site via the Bryanstown Stream, c. 270 m south of the site boundary. The AA Screening Report considers effects on designated sites within a 3 km radius of the development site. This radius is selected on the basis of the nature, size and location of the project, the sensitivities of the ecological receptors

and the potential for cumulative effects. The report identifies 2 no. designated sites that could be potentially effected by the development:

Site Name (Site Code)	Distance to Development Site	Qualifying Interests	Conservation Objectives
River Boyne and River Blackwater SAC (002299)	1.3 km	Alkaline fens [7230] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>) [91E0] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Salmo salar</i> (Salmon) [1106] <i>Lutra lutra</i> (Otter) [1355]	There is a generic conservation objective to maintain or restore the favourable conservation condition of the Annex I habitat and Annex II species listed as Qualifying Interests for the SAC.
Boyne Estuary SPA (004080)	2.3 km	Shelduck (<i>Tadorna tadorna</i>) [A048] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Lapwing (<i>Vanellus vanellus</i>) [A142] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Little Tern (<i>Sterna albifrons</i>) [A195]	The NPWS has identified site-specific conservation objectives to maintain the favourable conservation condition of the Annex I habitat and Annex II species listed as Qualifying Interests, as defined by a list of attributes and targets.

		Wetland and Waterbirds [A999]	
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11.1.19. I note the following additional designated sites within 15 km of the development site, as recommended in the DoEHLG ‘Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities’:

Site (site code)	Distance from Development Site	Qualifying Interests	Conservation Objectives
River Boyne and River Blackwater SPA (004232)	c. 5 km	Kingfisher (<i>Alcedo atthis</i>) [A229]	There is a generic conservation objective to maintain or restore the favourable conservation condition of the Annex II species listed as a Qualifying Interest for the SPA.
River Nanny Estuary and Shore SPA (004158)	c. 8 km	Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Herring Gull (<i>Larus argentatus</i>) [A184] Wetland and Waterbirds [A999]	The NPWS has identified site-specific conservation objectives to maintain the favourable conservation condition of the Annex I habitat and Annex II species listed as Qualifying Interests, as defined by a list of attributes and targets.
Boyne Coast And Estuary SAC (001957)	c. 5 km	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210]	The NPWS has identified site-specific conservation objectives to maintain the favourable conservation condition of the Annex I habitats listed as Qualifying Interests, as

		<p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p>	defined by a list of attributes and targets.
Clogher Head SAC (001459)	c. 13 km	<p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>European dry heaths [4030]</p>	The NPWS has identified site-specific conservation objectives to maintain the favourable conservation condition of the Annex I habitats listed as Qualifying Interests, as defined by a list of attributes and targets.

Having regard to the AA Screening Report and to the Ecological Impact Assessment, I note that the development site is not immediately connected to any habitats within the above listed additional European sites in a 15 km radius and that there are no known indirect connections to these European Sites. No mobile fauna species for which the European Sites are designated are known to use the habitats within the development site. I note the urban location of the site, the lack of direct connections with regard to the source-pathway-receptor model, the intervening distances between the development site and the above designated sites and the nature of the development. I am satisfied on the basis of the information available on the file, which I consider adequate in order to issue a screening determination, that the development, individually or in combination with other plans or projects would not be likely to have a significant effect on the above listed European sites within 15 km of the development site that are not hydrologically connected to the development site

and that, in view of their Conservation Objectives, a Stage 2 Appropriate Assessment can be ruled out.

11.2. Potential Effects on Designated Sites With Regard to Qualifying Interests

11.2.1. The qualifying interests for the Designated Sites hydrologically connected to the development site, i.e. the River Boyne and River Blackwater SAC (002299) and the Boyne Estuary SPA (004080) may be considered separately as follows:

Qualifying Interest	Likely Significant Effects
Alkaline Fens [7230]	None with regard to habitat area; habitat distribution; hydrological regime; active peat formation; water quality; vegetation structure; vegetation composition; physical structure; drainage.
Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>)* priority habitat [91E0]	None with regard to habitat area; habitat distribution; woodland size; woodland structure: cover and height; woodland structure: community diversity and extent; woodland structure: natural regeneration; hydrological regime: flooding depth/height of water table; woodland structure: dead wood; woodland structure: veteran trees; woodland structure: indicators of local distinctiveness; vegetation composition: native tree cover; vegetation composition: typical species.
River Lamprey (<i>Lampetra fluviatilis</i>) [1099]	None with regard to distribution; population structure of juveniles; juvenile density in fine sediment; extent and distribution of spawning habitat; availability of juvenile habitat.
Atlantic Salmon (<i>Salmo salar</i>) [1106]	None with regard to distribution: extent of anadromy; number of adult spawning fish; fry abundance; out-migrating smolt abundance; number and distribution of redds; distribution.
European Otter (<i>Lutra lutra</i>) [1355]	None with regard to distribution; extent of terrestrial, freshwater and marine habitat; couching sites and holts; fish biomass available; barriers to connectivity.

Shelduck (<i>Tadorna tadorna</i>) [A048] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Lapwing (<i>Vanellus vanellus</i>) [A142] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169]	None with regard to population trend or distribution.
Little Tern (<i>Sterna albifrons</i>) [A195]	None with regard to breeding population abundance: apparently occupied nests (AONs); productivity rate: fledged young per breeding pair; distribution: breeding colonies; prey biomass available; barriers to connectivity; disturbance at the breeding site.
Wetlands [A999]	None with regard to habitat area.

11.3. In Combination or Cumulative Effects

11.3.1. The AA screening report considers plans and projects within 1 km of the development. It does not identify any plans or projects that could lead to in-combination effects with the proposed development in view of the Conservation Objectives of the relevant European sites. This conclusion is accepted.

11.4. AA Screening Conclusion

11.5. It is reasonable to conclude that on the basis of the information on file, the site inspection and the information available on the relevant Designated Sites, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European site in view of the relevant Conservation Objectives as set out above. Therefore, a Stage 2 Appropriate Assessment is not required in this instance.

12.0 Assessment

12.1. The following are the principal issues to be considered in this case:

- Principle of Development
- Urban Design Framework Plan
- Residential Density and Housing Mix
- Design and Layout of Residential Development
- Impacts on Visual and Residential Amenities
- Roads and Traffic / Transport Impacts
- Drainage, Flood Risk and Site Services
- Childcare Facility and Social Infrastructure
- Archaeology
- Other Matters

These matters may be considered separately as follows.

12.2. Principle of Development

12.2.1. County Development Plan settlement strategy objective SSOBJ8 applies:

To develop Navan and the Drogheda Environs as the primary development centres in Meath and to ensure that the settlements grow in a manner that is balanced, self sufficient and supports a compact urban form and the integration of land use and transport.

The development site is zoned 'A2 – New Residential', as per development plan Variation No.2, with the objective:

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 Meath County Development Plan core strategy allocates a target of 857 no. additional residential units for the Southern Environs of Drogheda, to be developed at an average net density of 43 units/ha. Development plan Variation no. 2 phases

zoned lands in an Order of Priority, in order to address an over provision of residentially zoned lands. Strategic Policy SP1 for Drogheda Environs, as set out in Variation No. 2 states:

To operate an Order of Priority for the release of residential lands in compliance with the requirements of CS OBJ 6 of the County Development Plan as follows:

i) The lands identified with an A2 'New Residential' land use zoning objective corresponds with the requirements of Table 2.4 Housing Allocation & Zoned Land Requirements in Volume I of this County Development Plan and are available for residential development within the life of this Development Plan.

ii) The 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.

Variation No. 2 sets out an Order of Priority for the development of A2 zoned lands, which is determined on an evidence based approach using information including proximity to the town centre, contribution to a compact urban form, roads infrastructure, access to public transport, environmental constraints, availability of community and social infrastructure, flood zone mapping, sites < 0.5 ha and sites with the benefit of an extant permission for multiple residential developments. Table 8 of Variation No. 2 indicates that the subject lands, as part of a larger Site 4 'Lands at Bryanstown, east of the Beamore Road', are ranked as 9th out of 9 A2 zoned sites in the Order of Priority for residentially zoned lands in the Drogheda Southern Environs, i.e. they are last on the list.

12.2.2. The applicant has submitted a Material Contravention Statement, which justifies the proposed development with regard to the criteria of section 37(2)(b) of the Planning and Development Act 2000 (as amended). The Material Contravention Statement, along with the applicant's Response to the pre-application Opinion and Statement of Consistency, puts forward a justification for the development of Phase II lands at this location. The applicant's argument may be summarised as follows, with regard to the section 37(2)(b) criteria:

(i) the proposed development is of strategic or national importance

- There is a clear and urgent need for housing both at a national level and in Drogheda. National planning policy seeks to increase the output of housing with a focus on increased densities within appropriate urban locations and zoned and serviceable sites. The development represents a logical growth of Drogheda, contiguous to its built-up area.
- Drogheda is the fastest growing town in Ireland as per the 2016 census. It is within a designated 'Rent Pressure Zone'. Demand for housing is also strong in Drogheda due to falling average household sizes. There has been a lack of housing construction activity in Drogheda. The development plan core strategy has failed to deliver the required quantum of housing units to satisfy demand.
- The development will help Drogheda to meet its population target under the NPF. The site can be considered as Tier 1 lands as defined under the NPF.
- The development can achieve key County Development Plan and LAP objectives including the upgrading of Beamore Road and the achievement of planned population projections for the Drogheda Southern Environs. It can commence the development of the wider Bryanstown Character Area through the provision of new services and infrastructure.

(ii) there are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned

- The 2015 2 year review of the County Development Plan indicated that there was considerable stagnation in the delivery of multi-unit housing developments across the county, including Drogheda. Development plan Objective SS OBJ 1 was not achieved. Table 1 of the Statement of Response lists sites zoned for development in LAP Map 5.1. The development plan core strategy identifies a target of 857 no. units for these lands. There are extant planning permissions with a total of 508 no. residential units permitted on LAP Phase I lands. None of the sites identified as Phase I lands in the LAP have delivered any residential units. In addition, site 3 of the Phase I lands has been rezoned to education, community and social use and thus is excluded from further consideration.

- It is submitted that the Phase I lands have therefore failed to deliver the necessary housing units to enable Drogheda to grow in accordance with its housing demand and Regional Growth Centre status. As the demand for housing is strong and is projected to remain so over the coming years, there is clear evidence that demand for housing needs to be accommodated on Phase II residentially zoned lands, such as the subject site, in order to achieve population targets for Drogheda Southern Environs. The applicant is an active home builder with decades of experience and has the means and capacity to commence this development immediately.
- The core strategy for Drogheda and North Drogheda Environs LAP provided for an additional 1,086 units to 2016. Only 17 residential units have been delivered on Phase 1 sites in Drogheda and North Drogheda Environs since the adoption of the core strategy in 2011, ref. Table 2 of the Statement of Response. A further 70 units have been delivered on another site by a single developer, which was not identified as being Phase 1 or Phase 2 despite its extant permission at that time, ref. Table 2 in the Statement of Response. There is also a further permission granted for Phase 2 lands within Louth County Council on the Mill Road under Reg. Ref. 17/387 for a total of 130 no. units with LIHAF funding for an access road. While Louth County Council granted extension of duration permissions to a significant number of permissions in the Northern Environs of Drogheda, these were only granted on the basis of the applicants enacting their permissions with ground works. However, upon receipt of the extension of duration permissions, works have ceased on all sites other than Reg. Ref. 08/1. No development can commence in any of the individual permissions until various infrastructural requirements are met, as listed in Section 5.2.2 above.

(iii) permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in

the area, and any relevant policy of the Government, the Minister or any Minister of the Government

It is submitted that the development is in compliance with national and regional planning policies including section 28 guidelines, as summarised in the Statement of Consistency in section 5.11 above. The draft RSES acknowledges that lands zoned for residential development often do not get brought forward for development even where there may be an extant permission on the land, which affects the ability of an area or region to achieve its targeted population growth figures within specific timeframes. Land hoarding and the use of planning permissions solely to drive up land values as a commodity as opposed to delivering much needed housing or excessively slow delivery of must be avoided through appropriate planning policies and flexibility. The draft RSES states that this could be achieved through the new Vacant Site Levy and also by permitting the release of alternate lands where permitted development, without any wider delivery constraints is not being brought forward at an acceptable level. It is evident that, despite planning permissions having previously been granted in many instances, there has been an excessively slow delivery of housing on Phase I residential lands within Drogheda and its environs to the extent that the growth figures projected in the development plan core strategy have not been achieved.

The applicant refers to Department Circular PL 8/2016 APH 2/2016 'Identifying Planning Measures to Enhance Housing Supply' (July 2016). It is submitted that the zoning of residential land within the environs of Drogheda and the phasing programme contained in the development plan have not been successful in the delivery of planning applications or housing output to cater for the significant and ongoing demand for housing in the area. The applicant contends that permission for the development would therefore be in accordance with this Circular and with national planning policy that is aimed at achieving the national strategic objective of meeting the need for increased supply of houses and homes.

(iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan

The applicant submits that permission has been recently granted for residential development on Phase II lands within Drogheda and its environs. Such developments include within the Northern Environs of Drogheda, which cannot be completed due to infrastructural constraints and recently there is also a further permission granted for Phase II lands within Louth County Council on the Mill Road under Reg. Ref. 17/387 for a total of 130 no. units with LIHAF funding for an access road. Meath County Council also granted planning permission for an office/commercial development on what can be considered Phase II lands also on Mill Road.

12.2.3. The comment of Meath County Council provides an overview of the development of Phase I lands in the South Drogheda Environs, such that c. 130 of a total of 466 extant permitted units were completed or are under construction as of May 2018. A total of c. 42 ha of Phase I lands had no extant permission. The undeveloped Phase I lands could yield a total of 1,470 no. units if developed at a density of 35 units/ha, resulting in a total of 1,936 no. units including the 466 no. permitted units. Taking into consideration the core strategy allocation of 857 no. new units and 1,653 committed unbuilt units, i.e. 2,510 units in total, there is a balance of 574 units. If all of the remaining Phase I lands are developed at a density of 43 units/ha, this would result in a total of 1,806 no. units, i.e. a total of 2,272 no. units taking permitted units into account, or 238 no. units in excess of the core strategy target of 2,510 units. The Phase I zoned lands therefore have capacity to meet the core strategy target if developed at a density of 43 units/ha. However, Meath County Council also states that the Phase II zoned lands are likely to be brought forward for development in the upcoming 2019 County Development Plan. The current Meath County Development Plan 2013-2019 is under review pending the adoption of the new RSES, with the draft 2019 County Development Plan due to be placed on public display at the end of Q3 / beginning of Q4 2019. Meath County Council supports the proposed development of Phase II lands on this basis.

12.2.4. The subject application was referred to Louth County Council for comment, as per the pre- application Opinion issued by ABP. There is no response on file, however Louth County Council did make a submission on the pre application consultation, dated September 19th 2018, which is considered relevant here. Louth County Council considers that the development of the subject site would be premature

pending the review processes of the Meath County Development Plan 2013-2019, the Louth County Development Plan 2015-2021 and the Drogheda Borough Development Plan 2011-2017 (as extended) and also premature pending the adoption of a co-ordinated strategy for Drogheda as provided for in the RSES and the NPF. Louth County Council also submits that the development would contravene development plan policy SP1 and the Order of Priority for the development of zoned lands in Drogheda Southern Environs. I also note in this regard relevant policies in the Drogheda Borough Council Development Plan 2011-2017 and the zoning of extensive areas for development under the Drogheda North Environs LAP.

- 12.2.5. Several of the third party submissions, including those made by adjacent landowners, state concerns that the development would set an unfair and undesirable precedent for the development of Phase II lands that are last in the Order of Priority, 'leapfrogging' the sequential order of development set out in development plan Variation No.2.
- 12.2.6. I note the Material Contravention statement and the arguments put forward by the applicant in favour of the development. I am satisfied that the Board is not precluded from granting permission in this instance with regard to the provisions of section 37(2)(b), given that the development is of strategic importance due to the delivery of housing on zoned land in the context of the strategic role of Drogheda on the Dublin-Belfast corridor, as stated in the NPF and the ongoing demand for housing in Drogheda in the context of strong population and employment growth as identified in the RSES. I accept that the Phase I lands have not yet delivered the core strategy target no. of residential units for Drogheda Southern Environs. I also note the submission of Meath County Council in support of the development and its comment that, having regard to the development potential of Drogheda, as identified in the RSES, the executive of the planning authority proposes to bring forward the development of Phase II lands for release in the next development plan. While I note the comments of Louth County Council regarding prematurity pending the review of the current County Development Plans for counties Meath and Louth following the adoption of the RSES and the preparation of the Joint Urban Area Plan for Drogheda, I also note the argument put forward by the applicant that the development will contribute to the achievement of current housing targets on zoned land in the near future. This argument is considered reasonable. While the

comments of adjacent landowners are noted, it is open to them to put forward applications on their zoned lands during the lifetime of the development plan. On balance, I consider that the development of 250 residential units at the subject site will contribute to the achievement of development plan housing targets that have not been achieved to date, on a site that is zoned for development and contiguous to the built-up area of Drogheda. To consider the development as premature pending the adoption of future development plans and the Joint Urban Area Plan for Drogheda would unduly delay necessary housing development, particularly given the statement by Meath County Council that the lands are likely to be brought forward as Phase I in the next development plan. The Board have granted permission for SHD developments on Phase II zoned lands in similar circumstances, ref. ABP-300560-18 at Tuam, Co. Galway and ABP-303253-18 at Dundalk, Co. Louth. The proposed development of Phase II lands is considered acceptable on this basis.

12.3. Urban Design Framework Plan

- 12.3.1. The LAP for the Southern Environs of Drogheda provides specific policies for the 'Bryanstown Character Area' including policy BA1 which requires that the area is developed in accordance with an approved Urban Design Framework Plan (UDFP). LAP Section 6.7.2 notes the Phase II status of the Bryanstown lands and states that there is no expectation of any residential development in the Character Area occurring prior to the expiry of the 2019 County Development Plan and states that the preparation of a UDFP for the area is now qualified on this basis. However, notwithstanding that statement, the LAP goes on to outline matters to be included in a UDFP for the area.
- 12.3.2. The UDFP submitted with the application provides guidance on the form, height, type and density of development for the Bryanstown Character Area. The overall development of the Bryanstown lands is dependent on several infrastructural works including the M1-R132 distributor road link to the south of the Character Area. However, parts of the UDFP area, including the development site, can be developed in advance of the M1-R132 distributor road and the proposed overall layout allows for this route. The proposed development includes the provision of a wastewater pumping station, which will also serve the wider UDFP lands. The UDFP lands are to be developed at an overall density of 43 units/ha with lower densities within the UDFP area further away from neighbourhood centres and adjacent to existing low

density developments. The UDFP includes an indicative Maximum Building Height Strategy that provides for between 2-4 storeys at the development site. There is a new link route running from west to east, starting at the access to the development site and connecting to a new north-south route east of the development site. These routes are to incorporate pedestrian and cycle facilities. The east-west link route across the development site is to be laid out as a boulevard as per DMURS. The overall layout includes a hierarchy of public open spaces with a green route at the Bryanstown Stream, south of the development site. There are sites for 3 no. neighbourhood centres and for social and educational facilities, as provided for in the LAP, none of which are located within the development site. Lands within Flood Zone B are zoned as open space, these are outside the development site boundary. The UDFP provides for overall phasing of the Bryanstown lands such that the development site, immediately east of the R108, is developed as Phase 1A, followed by lands further to the east and lands zoned for educational, social and community uses west of the R108 developed as Phase 3.

12.3.3. I note the correspondence on file from Meath County Council in relation to the UDFP, dated 11th September 2018 and signed by the Executive Planner, Senior Executive Planner and Senior Planner. It states that the UDFP provides an accurate description and outline of current land uses within the area and that the proposed land use zonings within the UDFP reflect the current LAP policy and provide guidance for the coherent development of a significant area of strategic undeveloped land. This sentiment is reiterated in the Meath County Council submission on the revised UDFP submitted with the current proposal, which states that it is again an acceptable response to the requirements of the LAP and will promote a rational and sequential approach to the development of the Bryanstown lands. Meath County Council is also satisfied with the proposed east-west distributor road and states that the north-south distributor route is permitted under ref. SA/60067. The planning authority approves the proposed UDFP in advance of any application on the subject site on this basis. I note the submissions by other landowners within the Bryanstown lands, as summarised in section 7.0 above, including concerns about a lack of consultation during preparation of the UDFP. The UDFP is a non-statutory document that has a guidance role only. I am satisfied that UDFP generally meets the requirements set out in LAP section 6.7.2 and provides for phased development

commencing at the subject site and moving eastwards, as originally envisaged in the 2007 Planning Strategy for the Greater Drogheda Area. It could be further refined in the context of emerging local and regional planning policies including the RSES, new County Development Plans and the Joint Urban Area Plan for Drogheda and in view of any future proposals put forward by other landowners. The UDFP is considered acceptable on this basis.

12.4. Residential Density and Housing Mix

- 12.4.1. The issues of residential density and housing mix arose during the pre-planning consultation with ABP and the Opinion issued included further consideration of these matters.
- 12.4.2. The development has a stated net residential density of 43.4 units/ha (gross density 38.1 units/ha). The net density calculation excludes the main east-west link route, the childcare facility and parts of the public road and green area along the R108, on the basis that these aspects of the development serve the wider area. I note Appendix A of the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas', which states that net density shall include only those areas to be developed for housing and directly associated uses, excluding distributor roads, schools, open spaces serving a wider area and significant landscape buffer strips. The applicant's calculation of net density is accepted in view of this guidance. The proposed density of development is an increase from that proposed at pre-application consultation (38 units / ha). It is in accordance with section 5.11 of the Guidelines on Sustainable Residential Development in Urban Areas, which recommends densities of 35-50 units / ha for outer suburban or 'greenfield' sites in cities and larger towns. It also complies with the standard of 43 units/ha set out in the County Development Plan core strategy and followed through in LAP policy.
- 12.4.3. The proposed housing mix may be compared to that submitted at the pre-application consultation as follows:

Unit Type	Proposed No. of Units (%)	Pre-Planning
Houses		
2 bed terraced house	12 (5%)	12 (5%)
3 bed terraced / semi-d house	82 (33%)	89 (38%)
4 bed house		31 (13%)
Apartments		
1 bed		40 (17%)
2 bed	146 (58%)	60 (26%)
3 bed	10 (4%)	
Total Houses and Apts	250	232

This mix of mostly terraced houses and 2 and 3 bed apartments is considered satisfactory given that the area to the north of the site is predominantly characterised by suburban style development with larger family homes and with reference to the demographic data for Drogheda as submitted with the application. It is also an improvement on the pre-application proposal, which included a high percentage of 3 and 4 bed units.

12.5. Design and Layout of Residential Development

12.5.1. The development has been designed around the east-west link route provided for in the UDFP and to retain some of the existing trees and hedgerows at the site. The main access is at the western site boundary. There is also a north-south route at the centre of the site, which provides a connection to the zoned lands to the south. There is a footpath and cycle route along the R108 frontage at the western site boundary and a pedestrian/cycle link at the north eastern corner of the site, connecting to a new 6m wide pedestrian crossing at the R108 to provide a connection at the closest point to the centre of Drogheda. I am satisfied that the development achieves a high degree of pedestrian, cycle and vehicular connectivity to surrounding areas. In addition, the layout allows for access to zoned lands further to the west, within the UDFP area, in accordance with the sequential approach proposed therein. There is a hierarchy of streets within the scheme. The main east-west link is laid out as a boulevard with perpendicular parking off the street,

interspersed with planting, indicative locations for bus stops and a landscaped buffer in front of individual units. This is satisfactory. There is a shared space with car parking in front of the apartment/duplex Blocks E, F,G, and H at the south-western corner of the site, further details of this area could be required as a condition of permission. The layout is well connected with limited use of cul-de-sacs. Pedestrian crossings are provided at relevant locations. There are tight corner radii at junctions and I am satisfied that the layout is generally in accordance with the requirements of DMURS. The location of the crèche some distance from the main access is problematic, however the proposed set down area is acceptable and the crèche would be adjacent to any future residential development on the zoned lands to the west of the site. The proposed internal road layout is considered acceptable overall on this basis.

12.5.2. The application has addressed the issue of urban design, as raised in the pre-application opinion, by the creation of several character areas within the scheme:

- Character Area 1 at the northern end of the site. A crescent of 2 storey terraced and semi-detached houses facing the Beamore Road with associated road, parking and footpath, set behind a landscaped buffer with a pedestrian/cycle link. Public open space (3,102 sq.m.) with play area at the north-western corner of the site, overlooked on two sides. This open space is accessible to the proposed scheme and, due to its proximity to existing residential areas to the north, to the wider area. It also provides a buffer to the adjacent residential property to the immediate north-east. As per the UDFP, the open space could serve development on the zoned land to the west, which would also achieve a higher degree of passive surveillance. The houses are to be finished in brick and reconstituted stone at the frontage to Beamore Road.
- Character Area 2 at the south-eastern corner of the site. A large public open space (4,727 sq.m.) with houses on 3 sides and 3 storey duplex/apartment Blocks G and H to the west. The open space is landscaped and retains part of an existing hedgerow, to be used as a 'kickabout' area. This area also provides links to the zoned lands to the east and south. I am satisfied that this area provides an overlooked, useable public open space with a high level of amenity. The houses are finished in buff brick, in contrast to other character areas. The duplex/apartment blocks are finished in brick and reconstituted stone cladding.

- Character Area 3 at the centre of the site. A central courtyard (1,257 sq.m.) with hard landscaping, planting and seating areas, overlooked by 3 storey apartment Block D units to the north and by houses to the west and south with the crèche to the east. The houses are finished in render with zinc features. The 2 storey crèche building has a similar design and finish.
- Character Area 4 at the south-western corner of the site. A group of 4 no. 3 storey apartment/duplex blocks (Blocks E, F, G and H) grouped around a central 'shared space' with car parking and some landscaping. The fronts of Blocks E and F face the Beamore Road and Blocks G and H face the public open space to the north. The apartment/duplex units are finished in brick and reconstituted stone and are designed to be 'dual fronted' with active elevations on both sides. I note that the gable ends and some other elements of the blocks are finished in render. This is unacceptable and a more durable external finish may be required by condition. There are rows of houses to the north and south of the apartment/duplex blocks.
- Character Area 5 at the centre of the site, 4 no. 3 storey apartment Blocks A, B, C and D on either side of the east-west link route. These provide a defined entrance to the site and a strong frontage to the east-west link route and establish a pattern that could be continued as zoned lands to the west are developed. The apartment blocks units are finished in stone with projecting elements/balconies, including at gable ends, that present active frontages to the link road and at the main site entrance. There are brick features to the northern elevations of Blocks A and C, to tie in with adjacent houses. As above, revised finishes may be required by condition for proposed render elements.

It is considered that the proposed character areas will result in a high degree of legibility throughout the scheme. The mix of house types and finishes and duplex/apartment blocks will provide variety and interest. Corner units are designed to have active frontages on both sides. The duplex/apartment blocks are dual fronted and create passive surveillance on both sides. There are decorative landscaping features and paving at the main access, to provide a sense of arrival. The urban design of the scheme is acceptable overall.

12.5.3. Most of the hedgerows along the western and southern site boundaries are to be retained as ecological corridors, however those along the road frontage are to be removed. I note the submitted arboricultural report in this regard. The development involves the loss of 21 trees, 7 hedgerows and the part removal of 2 hedgerows. Of the specimens to be removed, 1 tree is of moderate quality and value (B category); 26 trees and hedgerows are of low quality and value (C category) and 3 trees are of poor quality (U category). This loss is to be mitigated by the planting of c. 230 no. trees, along with new hedgerows and shrubs as detailed in the proposed landscaping scheme. The removal of existing trees and hedgerows is acceptable on this basis.

12.5.4. The layout provides a stated total of 15% of public open space, in accordance with development plan requirements. The landscaping scheme provides details of specific uses for each of the open spaces, i.e. the play area at the north eastern corner of the site, the seating areas/hard courtyard in front of the crèche and passive landscaping/kick about area in the large open space at the southern end of the site. The parking areas are interspersed with tree planting, details of same are provided. There are laneways to provide access to the rear of terraced properties. Similar proposals have been omitted by condition from other residential schemes due to concerns about anti-social behaviour. The same could be required here, however I note that none of the third parties state concerns and therefore see no reason to omit them. I note that the proposed boundary treatments include concrete post and wooden fences to the rear of individual properties. These are unacceptable and amended treatments may be required by condition. Wooden fences are proposed along the existing hedgerows to prevent impacts on root systems, they are acceptable at these locations. Details of tree and hedgerow protection measures are provided. The layout incorporates SUDs measures comprising swales and underground attenuation tanks at the central courtyard, the large open space in the south-eastern corner of the site and at the green buffer at the Beamore Road frontage in the south-western corner of the site. This is acceptable.

12.5.5. The proposed house designs have a variety of external finishes and comprise a mix of 2 and 3 bed terraced and semi-detached units. All have private rear gardens and I am satisfied that they all achieve a good standard of residential amenity for future occupants. The apartment and duplex units have been designed to meet the

standards set out in the Apartment Guidelines and have private open space in the form of balconies/terraces. All have living areas and private open spaces in excess of the required standards. All of the duplex and apartment units have 'own door' access with external and internal staircases, this is acceptable. I note the submitted sunlight and daylight analysis, which indicates that all except 2 no. ground floor units will meet BRE guidelines for Annual Daylight Factor (ADF). The Daylight and Sunlight Analysis states that both rooms were marginally below the target value, achieving 94.97% of the target value in one instance and 98.7% in the other. Both rooms are designed as large, open plan rooms as a compensatory factor. I am satisfied that the development will provide a good standard of residential accommodation overall.

12.5.6. I note third party concerns in relation to the proposed 3 storey elements of the development, i.e. that they are visually obtrusive and out of character with the area. SPPR 4 of the Building Height Guidelines is relevant:

It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:

- 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines;*
- 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and*
- 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.*

The proposed 3 storey elements of the development are considered acceptable in principle on this basis. In addition, as discussed in section 12.6 below, they are not considered to have any adverse impact on visual or residential amenities.

12.5.7. The temporary pumping station is located at the south-eastern corner of the site, at a minimum of 15 m from adjoining residential properties. A row of 4 houses at this location are to be omitted from the development until such time as the pumping station is decommissioned (Phase 4 of the overall scheme). This is acceptable.

12.5.8. To conclude, I consider that the design and layout of the development are generally satisfactory with regard to national and development plan guidance for residential development and that there is a reasonable standard of residential accommodation for future residents of the scheme.

12.6. Impacts on Visual and Residential Amenities

12.6.1. Potential visual impacts are localised and primarily relate to the removal of trees and hedgerows along the Beamore Road site frontage and to their replacement with the development frontage. The development is designed such that the higher 3 storey elements are located at the centre of the site and in the lower part of the site as levels fall from north to south, albeit at a ground level higher than the public road. The development has been designed to have a strong urban presence at Beamore Road with active frontages and complementary landscaping and pedestrian and cycle facilities. The development will not have any impact on any designated views or sensitive landscapes. I note the submitted photomontages and I consider that visual impacts will be localised and that the development presents a satisfactory frontage to Beamore Road, in the context of a changing urban/rural landscape on zoned lands at the edge of the built up area of Drogheda. The potential landscape and visual impacts are considered acceptable on this basis.

12.6.2. There are 4 no. residential properties immediately adjoining the development site, i.e. one to the north east, 2 adjoining properties at the western site boundary/ Beamore Road frontage and another to the immediate south of the site. The development has been designed such that all properties are surrounded by 2 storey houses or public areas/open space. The relevant properties are all detached houses in large gardens and satisfactory intervening distances are achieved. While the outlook and character of the lands around the existing houses will change, this is inevitable in the context of the development of this zoned site. Details of shared boundaries may be agreed by condition. I note that one of the property owners at the western site boundary disputes ownership of a strip of land to the immediate north of their shared boundary, within the development site. The Board generally does not arbitrate on matters of dispute in relation to private property as they are not strictly planning matters. In any case, the granting of planning permission does not entitle the applicant to carry out works if the consent of 3rd parties is required. As per section 34(13) of the Planning and Development Act 2000 (as amended):

A person shall not be entitled solely by reason of a permission under this section to carry out any development.

I am satisfied that the development will not have any significant adverse impacts on the residential amenities of adjoining properties such as would warrant a refusal of permission. I do not consider that there would be any significant impact on residential properties on the opposite side of the Beamore Road other than visual impacts, as discussed above.

12.7. Roads and Traffic/Transport Impacts

- 12.7.1. The development site is located within the 80 kph zone, in an area currently characterised by substandard rural roads at the southern edge of Drogheda. The site is connected to Drogheda town centre, c. 1.5 km to the north, by the R108. There is currently a footpath on the western side of the R108 to the north of the development site but no pedestrian or cycle facilities along the road frontage at present. While routes to the centre of town are well developed, there is at present no direct connection between Bryanstown and the M1 motorway nearby to the west. Drogheda train and bus stations are c. 2 km or 25 minutes walk from the site. There is a bus stop c. 11m walk from the site that is served by the 173 southern Drogheda bus route, which loops through the south of the town.
- 12.7.2. The development of a link between the R132 to the south east of the development site and M1 Junction 8, running east to west along the southern edge of the Bryanstown lands, is development plan Objective TRAN OBJ 17 and LAP Objective RT5. The comment of Meath County Council states that the R132-M1 link is expected to be developer driven with the first section from M1 Junction 8 to the Phase I E2 'General Enterprise and Employment' zoned lands to be progressed during the lifetime of the current LAP. The proposed UDFP provides for this R132-M1 distributor to the south of the Bryanstown Stream. The UDFP identifies that whilst the R132-M1 link is a key infrastructural roads objective, the development of the Bryanstown Character Area can commence prior to the provision of the link as the framework plan includes the provision of new local streets and a minor distributor street within the plan area. This point is accepted.
- 12.7.3. As discussed above, it is considered that the internal roads layout of the development is generally compliant with DMURS and that the scheme achieves

satisfactory pedestrian, cycle and vehicular connections with the surrounding area. In particular, the new pedestrian crossing at the Beamore Road to the north of the site will improve connectivity to Drogheda town centre by connecting to an existing footpath on the northern side of the Beamore Road. Meath County Council states concern that the east-west link route through the site could become a cul-de-sac if lands to the west are never developed, however this risk is acceptable in the context of the overall improvements in permeability that would be achieved as a result of the development. The application includes a Road Safety Audit, the implementation of which may be required by condition. I note that Meath County Council is satisfied with the proposed 'T' junction at the development access, subject to agreement of a detailed junction design to include pedestrian and cycle facilities. The proposed layout achieves a reduced sight distance at the northern arm of the T junction (150m), on the approach to the bend on the Beamore Road. The applicant justifies this shortfall on the basis that the recent traffic survey data suggests that the average speed of vehicles on the R108 at this location is in the order of 64 kph. This justification is considered reasonable. The alignment of the bend on the Beamore Road can also achieve a satisfactory stopping sight distance with regard to DMURS and will encourage low traffic speeds on approach to the site access.

12.7.4. The Transport Impact Assessment (TIA) considers traffic impacts at the following 5 junctions in the area:

- Site 1: R108 / Lagavooren Manor Road;
- Site 2: R108 / R150
- Site 3: R108 / Meadow View / Bryanstown Avenue;
- Site 4: R108 / Clinton's Lane and
- Site 5: R108 / R152 Duleek Road.

The assessment is based on traffic surveys carried out on Tuesday 6th February 2018 and Tuesday 4th December 2018. The TIA considers scenarios for a base year of 2018 and a design year of 2033. The projected traffic figures are based on medium growth factors for Meath as provided in TII guidance. The TIA does not state whether the R132-M1 link is taken into account. I assume that the projected figures are based on the current road network with the proposed development in place. The

assessment of % volume increase at the above junctions indicates that there will be a significant increase at the R108/Lagavooran junction (11% increase at AM peak and 18% increase at PM peak) and a moderate increase in the order of 3 – 8% at all other junctions. The traffic flow at the R108/Lagavooren junction splits approx. 70% to/from the north-east along Beamore Road and 30% to/from the west along Lagavooren. A junction analysis carried out using PICADY and LinSig software found Ratio to Flow Capacity (RFC) and Degree of Saturation (DoS) values well below 80% for the design year of 2033 at all junctions except for the R108 / Meadow View / Rosevale junction no. 3. This junction currently operates at an RFC of 85%, i.e. above capacity. It will operate at an RFC of 90% at the base year of 2018 and 114% for the design year of 2033. The R152 / R108 junction no. 6 will also have a DoS of 97.9 % at the design year of 2033 and will therefore exceed capacity. The PICADY analysis also found that the T junction site access from the R108 has sufficient space capacity to accommodate up to 4 times the traffic generated by the proposed development, up to 600-700 vehicles an hour at peak times. This allows for the development of zoned lands to the west of the development site.

- 12.7.5. The TIA concludes that the traffic will dissipate into the wider road network and that the traffic impacts therefore will not be significant. The development is located in an area with limited access to public transport at present, however this situation is likely to change in the future. I note that the development incorporates proposals to improve pedestrian and cycle connections, including a new pedestrian crossing at the R108 to the north of the site. While the junction analysis indicates that 2 junctions on the R108 would be operating above capacity, these would be operating at or above capacity without the proposed development in place in any case.
- 12.7.6. There is a total of 363 no. car parking spaces, based on the site layout. I note that the TIA states a total parking provision of 365 car parking spaces including 11 no. spaces at the crèche. This is an error as 9 spaces are provided at the crèche, resulting in a total provision of 363 no. spaces. This provision may be considered with regard to the relevant car parking standards set out in County Development Plan section 11.9 and the Apartment Guidelines as follows:

Unit Type	No. of Units	Development Plan Requirement	Apt. Standards	Proposed Provision
Houses	94	2 spaces/ unit = 188 spaces in total	N.A.	1 space / 2 bed house 2 spaces / 3 bed house 8 courtyard visitor spaces = 184 spaces in total
Apt / duplex	156	1.25 spaces / 2 bed apt 2 spaces / 3 bed apt 1 visitor space / 4 apts = 241.5 spaces in total	1 space / unit 1 visitor space /3-4 units at peripheral or less accessible urban locations = 195 minimum spaces in total	1 space per apt 14 visitor spaces = 170 spaces in total
Creche		1 space / employee 1 dedicated set down area / 5 children = 9 spaces in total (MCC estimate)	N.A	9 spaces (including 2 no. accessible spaces)
Total		438.5 spaces		363 spaces

As can be seen, there is some shortfall, particularly with regard to the duplex/ apartment units. The development meets the requirement of 1 car parking space per unit but there is a shortfall of at least 25 spaces in terms of visitor parking provision for the apartment units. I note the recommendation of Meath County Council that the proposed layout be revised to provide an additional 15 no. visitor car parking spaces. Given the tight site layout, these additional spaces would have to be achieved at the expense of landscaped/open space areas adjacent to the apartment/duplex blocks. However, given the peripheral and relatively inaccessible location of the site, it is considered that additional parking provision is necessary.

12.7.11. The development provides 144 no. cycle parking racks. Development plan cycle parking standards require cycle parking provision at a rate of a third of the

number of car spaces required for the development, i.e. 146 no. spaces in this instance. The Apartment Guidelines require a general minimum standard of 1 cycle space per bedroom and a visitor cycle parking provision of 1 space/2 residential units, i.e. 400 cycle parking spaces to serve the apartments. Any deviation from these standards is to be at the discretion of the planning authority and to be justified with respect to factors such as location, quality of facilities proposed, flexibility for future enhancement/enlargement, etc. The proposed cycle parking provision is considered acceptable in terms of design and location relative to apartment blocks. Additional cycle parking provision may be.

12.7.12. Construction traffic is to access the development via the Beamore Road. The submitted Construction, Demolition and Environmental Waste Management Plan provides details of proposed HGV routes. This is acceptable subject to the submission of a Construction Traffic Management Plan, which may be agreed by condition.

12.7.13. Having regard to the above assessment, I am satisfied that the development will not result in undue adverse traffic impacts such as would warrant a refusal of permission and that any outstanding issues may be dealt with by condition. I am also satisfied that the development will achieve adequate pedestrian and cycle connections to Drogheda town centre and to the wider area, subject to conditions.

12.8. Drainage, Flood Risk and Site Services

12.8.1. The site is located within the catchment of the Bryanstown Stream, a small watercourse that drains an area south of Drogheda, running from east to west c. 250m south of the development site and discharging to the Boyne Estuary c. 5 km to the east. There is also an existing ditch along the Beamore Road site frontage, which drains to the Bryanstown Stream. A SSFRA is submitted. The development site is not within any flood zones associated with Bryanstown Stream. It is within Flood Zone C which is appropriate for residential developments. There are no records of flooding in the vicinity of the development as per OPW flood records. I note that the Environment Section of Meath County Council state no objections to the development with regard to flood risk.

12.8.2. Runoff from the development is to discharge to a new surface water sewer to be constructed along the Beamore Road and ultimately to an existing culvert of the

Bryanstown Stream under the Beamore Road. The proposed new sewer has been sized with capacity for runoff from the development and from adjacent potential development sites, also runoff from the Beamore Road. The ditch at the western site boundary is to be filled to facilitate the construction of a new pedestrian/cycle track along the road frontage. The ditch is to be replaced by a new surface water drainage pipe, which will take runoff from the Beamore Road and discharge to the Bryanstown Stream. The site is unsuitable for soakaways due to a high water table and low soil permeability. However, the development incorporates SUDS features including swales, tree pits, permeable paving at parking areas and 3 no. attenuation tank systems. A total of 1,190 cu.m. of storage is provided for a 1 in 100 year event including 10% for climate change. I note that Meath County Council Water Services Section is satisfied with the proposed surface water drainage arrangements subject to conditions.

12.8.3. The nearest available public foul sewer is located within Lagavooren Manor to the north of the site. The Drogheda municipal area treats foul waste at a WWTP 2.5 km north-east of the development site. Irish Water has issued a Confirmation of Feasibility with regard to the proposed connection to the public foul drainage system. Due to site topography constraints, it will be necessary to pump foul effluent from the site to the public network. It is proposed that foul effluent will drain to the lowest area at the south-east corner of the site, where a temporary pumping station with a minimum 24 hour storage capacity will pump to the existing foul public network at Lagavooren Manor. The pumping station has been designed with capacity for the proposed development and an additional 198 units, i.e. it could cater for development at c. 4.62 ha of adjacent zoned lands to the east of the development, which also fall from north to south. The pumping station incorporates a future gravity bypass to allow for it to be decommissioned in the future and the effluent from the development to discharge by gravity to a possible future pumping station on lands to the south, on lower ground, which would cater for the entire UDFP lands. This would be subject to future developments on adjacent lands and to agreement with Irish Water.

12.8.4. The site is currently served by existing watermains at Beamore Road. The Engineering Report on file provides details of water demand from the development, which is less than that initially outlined in the Irish Water pre-connection enquiry. The

applicant proposes to upgrade approx. 500m of watermain along Beamore Road from an existing watermain on Blackbush Lane with a meter at this new connection. The applicant is willing to pay a contribution towards these upgrade works. I note the Irish Water Submission, which states that the proposed connections to the Irish Water networks can be facilitated. The proposed water supply and foul water treatment arrangements are acceptable on this basis.

12.8.5. Having regard to the above, I consider that the development can be facilitated by existing and proposed Irish Water infrastructure and that the proposed surface water drainage arrangements are acceptable. I also note and accept the findings of the SSFRA, such that the development will not impinge on Flood Zone A or B and will not result in additional flood risk. The proposed foul drainage and water supply arrangements are therefore satisfactory.

12.9. Childcare Facility and Social Infrastructure

12.9.1. The proposed childcare facility is to cater for 35 no. children. The Childcare Guidelines require a facility to cater for 20 children per 75 no. residential units, i.e. c. 67 no. childcare spaces for the proposed development. The applicant has justified the proposed provision on the basis that the 2 bedroom apartment units may be excluded from the childcare requirement, resulting in a requirement for c. 28 no. childcare places. I note section 4.7 of the Apartment Guidelines which provides that, notwithstanding the Childcare Guidelines, the provision of childcare places for apartment developments should be established with regard to the scale and unit mix of the development and the existing geographical distribution of childcare facilities in the area. One bed and studio units are generally not considered to contribute to any childcare requirement and this may also apply to units with 2 or more bedrooms. The application includes a Social Audit on Community Infrastructure, which provides details of existing childcare facilities in the area. I note that there are several such facilities in close proximity. The proposed childcare provision is considered acceptable on this basis. The upper floor of the childcare facility is designed to be adapted for community use, this is also satisfactory.

12.9.2. A Schools Assessment Report is submitted. A total of 21 no. national/primary schools in the area are listed and mapped, there is some capacity available but the full extent is unknown. A new 600 pupil post-primary school is to be provided in the

South Drogheda area by 2020, which has been included in capital funding under Project Ireland 2040. The Drogheda South Environs LAP identifies 3 no. potential sites for new schools within the Bryanstown area. These future facilities will support the development. Based on local household sizes and on Dept. of Education and Skills future demand assumptions, it is estimated that the development will generate demand for approx. 80 no. primary level places and 56 no. post-primary places. It is submitted that this demand can be catered for by existing primary schools and by the proposed new post-primary school.

12.9.3. I am satisfied that the proposed provision of school, childcare and community facilities will cater adequately for the needs of residents of the scheme.

12.10. Archaeology

12.10.1. The Archaeological Impact Assessment lists monuments in the surrounding area, including the site of Enclosure RMP ME020-065. Recent archaeological works in the wider area have yielded evidence for significant archaeological features in particular a Field System and Enclosure ME020-076002 and MW020-076001 near Platin to the south-west of the development site. There are no Recorded Monuments within the site boundary. Field surveys and geophysical survey and test excavations carried out at the site found 4 no. archaeological sites comprising an isolated cremation pit, likely to be a Bronze or iron Age feature; the remains of a burnt mound, primarily a Bronze Age feature; 2 pits, one of which contained a prehistoric pottery shard and 2 further pits. Extensive prehistoric pottery shards and several flint flakes were recovered from the surrounding surface. The report concludes that these areas represent prehistoric settlement activity at the site. Archaeological excavation in advance of construction is recommended, also archaeological monitoring of topsoil stripping in the southernmost field. I note that the Dept. of Culture, Heritage and the Gaeltacht concurs with these recommended mitigation measures, which should be required by condition if permission is granted.

12.11. Other Matters

12.11.1. Part V

The applicant proposes to transfer 25 no. units to the planning authority in order to comply with the requirements of Part V of the Planning and Development Act 2000 (as amended). A site layout plan indicating the units to be transferred is submitted,

along with costings. The 25 units comprise 10 no. houses and 15 no. apartments and are dispersed through the site. I note the correspondence on file from Meath County Council, dated 21st January 2019, which states agreement in principle to this proposal and to the design and location of the proposed units to be transferred. The report on file of Meath County Council Housing Department, dated 25th February, states that there are no further comments. I recommend that a condition requiring a Part V agreement is imposed in the event of permission being granted.

12.11.2. Special Development Contributions

Meath County Council recommends the imposition of a special levy of €138,000 as a contribution towards expenditure in the provision, upgrading, enlargement or replacement of public roads, including footpaths and cycle paths to facilitate the development and a special levy of €990,000 towards the expenditure that is proposed by the planning authority towards the future provision of the R132-M1 link road.

The site is located on land zoned for development under the LAP. I note that the current Meath County Council Development Contribution Scheme 2016-2021 includes contributions for roads infrastructure including:

“... the provision, refurbishment, upgrading, enlargement or replacement of roads ... Infrastructure to facilitate public transport, cycle and pedestrian facilities and traffic calming measures”

In addition, the proposed development includes road works and the provision of new pedestrian and cycle facilities at the R108 as well as a new pedestrian crossing to the north of the site, within the red line site boundary. I note section 48(2)(c) of the Planning and Development Act 2000 (as amended), which provides that:

A planning authority may, in addition to the terms of a scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by a scheme are incurred by any local authority in respect of public infrastructure and facilities which benefit the proposed development.

Having regard to the above, I do not consider that the proposed development will incur exceptional costs regarding roads and pedestrian/cycle infrastructure and therefore I do not consider that the recommended special development contribution

is appropriate in this instance. The R132-M1 link is not provided for in the Development Contribution Scheme and I consider that it comes within the scope of section 48(2)(c). Given that, as stated in the LAP, this piece of infrastructure is to be 'developer driven', it is considered reasonable that the recommended special development contribution be imposed in this instance.

12.12. Planning Assessment Conclusion

12.12.1. Having regard to the above assessment, I conclude that permission should be granted for the proposed development subject to the conditions set out below.

13.0 Conclusion

13.1. The development is acceptable in principle with regard to the zoning of the site under the LAP and to the strategic importance of the settlement of Drogheda. The proposed Urban Design Framework Plan has been endorsed by Meath County Council and generally meets the requirements of LAP section 6.7.2. The proposed residential density and housing mix are satisfactory with regard to national and local planning policies for greenfield/edge of town sites. The design and layout of the development are considered acceptable subject to conditions and I am satisfied that the development will provide a good standard of residential amenity for future occupants. The development will not have any significant adverse impact on residential amenities and will provide a desirable contribution to the public realm at Beamore Road, achieving a satisfactory extension of the existing urban area at the southern edge of Drogheda. The roads layout achieves good levels of pedestrian and cycle connectivity, including a new pedestrian crossing at the Beamore Road to the north of the site. The vehicular access achieves acceptable sight distances and, along with the proposed east-west link route, will provide access to further zoned lands to the east of the development site. It is considered that the development will not result in undue adverse traffic impacts and would have a moderate traffic impact on the local road network overall. I am satisfied that the development would not have any significant adverse impacts on visual or residential amenities or on cultural heritage. The proposed surface water arrangements, foul drainage pumping station and connection to the Irish Water network are all acceptable. I am also satisfied that the development does not result in a significant flood risk.

13.2. I therefore recommend that the Board grant permission.

14.0 **Recommendation**

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

15.0 Reasons and Considerations

15.1. Having regard to the following:

- (a) the site's location adjoining the established settlement of Drogheda, Co. Meath on lands with a zoning objective for residential development in the Local Area Plan for the Southern Environs of Drogheda 2009-2015 (as extended);
- (b) the policies and objectives in the Meath County Development Plan 2013-2019 (including Variation No. 2);
- (c) the Rebuilding Ireland Action Plan for Housing and Homelessness;
- (d) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual;
- (e) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments;
- (f) the Design Manual for Urban Roads and Streets (DMURS);
- (g) the Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices);
- (h) the nature, scale and design of the proposed development;
- (i) the availability in the area of a wide range of social and transport infrastructure;
- (j) the pattern of existing and permitted development in the area, and
- (k) the submissions and observations received,

It is considered that, subject to compliance with the conditions set out below that the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the area and would be acceptable in terms of traffic and pedestrian safety and convenience and would not give rise to flooding in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

16.0 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, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development.

Reason: To ensure the timely provision of services, and the provision of the link route, for the benefit of the occupants of the proposed units.

3. The proposed development shall be modified as follows with regard to pedestrian/cycle and roads requirements:
 - (a) The roads and traffic arrangements serving the site (including road signage), shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.
 - (b) The vehicular access from the R108, along with associated pedestrian and cycle facilities, and the pedestrian crossing at the R108 to the north of the site

shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.

- (c) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, cycle paths and kerbs, pedestrian crossings, car parking bay sizes and road access to commercial parking shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths and corner radii, and cycle tracks within the development shall be in accordance with the guidance provided in the National Cycle Manual.
- (d) The materials used in any roads/footpaths provided by the developer shall comply with the detailed standards of the planning authority for such road works.
- (e) The developer shall carry out a Stage 3 Road Safety Audit of the constructed development on completion of the works, which shall be submitted to the planning authority for its written agreement. The developer shall carry out all agreed recommendations contained in the audit, at his expense.
- (f) A Mobility Management Plan for the development shall be prepared and submitted to the Planning Authority for its written consent prior to the commencement of development.
- (g) The applicant shall submit revised car parking proposals such that 15 no. extra car parking spaces are provided to serve the apartment and duplex units.

Revised drawings and particulars showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to

commencement of development. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interests of pedestrian, cyclist and traffic safety.

4. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the proposed houses without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwellings, and to allow the planning authority to assess the implications of any such development on residential amenity through the statutory planning process.

5. All rear gardens of houses shall be bounded with brick or concrete block walls, which shall be a minimum of 1.8 metres high, except where bounding public open spaces or roads, when the walls shall be 2 metres in height, or by concrete post and concrete panel fences, 1.8 metres high. The proposed boundary treatment, using concrete post and timber panel fences, or any other form of timber fencing, shall not be used for any rear garden boundaries.

Reason: To ensure the provision of durable boundary treatment in the interest of the residential amenity of future occupiers of the development.

6. The materials, colours and finishes of the authorised buildings, the treatment of boundaries within the development and the landscaping of the site shall generally be in accordance with the details submitted with the application, subject to the following amendments –

- (a) The proposed render finishes to the apartment/duplex blocks shall be replaced by a more durable finish.

- (b) All rear gardens of houses shall be bounded with brick or concrete block walls, which shall be a minimum of 1.8 metres high, except where

bounding public open spaces or roads, when the walls shall be 2 metres in height, or by concrete post and concrete panel fences, 1.8 metres high. The proposed boundary treatment, using concrete post and timber panel fences, or any other form of timber fencing, shall not be used for any rear garden boundaries except where an alternative boundary treatment is necessary to protect existing trees or hedgerows.

- (c) Details of all boundaries shared with adjoining residential properties shall be agreed with the planning authority.

Details showing the required amendments shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interests of visual and residential amenity and to ensure the provision of durable boundary treatment in the interest of the residential amenity of future occupiers of the development.

7. 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 by the developer for occupation of any house / unit within the relevant phase of the development.

Reason: In the interest of amenity and public safety.

8. Proposals for a naming and numbering scheme for the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name 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 of the development shall be erected until

the developer has obtained the planning authority's written agreement to the proposed name.

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

9.

(a) The development, including all roads, footpaths, cycle paths, verges, public lighting, open spaces, surface water drains, attenuation infrastructure and all other services, as permitted under this order, shall be carried out and completed in accordance with the "taking-in-charge" standards of the planning authority.

(b) The areas of open space shown on submitted drawings shall be reserved for such use and shall be levelled, contoured, soiled seeded and landscaped in accordance with the detailed requirements of the planning authority. The open space areas shall be laid out and landscaped prior to the making available by the developer for occupation of any of the houses in the relevant phase of the development.

(c) All of the areas of public open space, as shown on the submitted drawings, shall be maintained by the developer until such time as the development is taken in charge by the local authority. When the estate is taken in charge, the open spaces shall be vested in the planning authority, at no cost to the authority, as public open space.

Reason: In the interest of proper development, the timely provision of open spaces and in order to comply with national policy in relation to the maintenance and management of residential estates.

10. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the

planning authority prior to commencement of development. This scheme shall include the following:

- (a) A plan to scale of not less than [1:500] showing –
 - i. Existing trees, hedgerows, specifying which are proposed for retention as features of the site landscaping
 - ii. The measures to be put in place for the protection of these landscape features during the construction period
 - iii. The species, variety, number, size and locations of all proposed trees and shrubs, which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder and which shall not include prunus species
 - iv. Details of roadside/street planting which shall not include prunus species
- (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment
- (c) A timescale for implementation

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

- 11. The proposed development shall make provision for the charging of electrical vehicles. All car parking spaces, serving both individual houses and apartments, shall be provided with electrical connections, to allow for the provision of future charging points and in the case of 10% of each of these spaces, shall be

provided with electrical charging points by the developer. Details of how it is proposed to comply with these requirements, including details of design of, and signage for, the electrical charging points and the provision for the operation and maintenance of the charging points (where they are not in the areas to be taken in charge) shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interests of pedestrian, cyclist and traffic safety, to protect residential amenity and in the interest of sustainable transportation.

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

Reason: In the interests of visual and residential amenity.

13. 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.

Reason: In the interest of public health.

14. 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, noise management measures and off-site disposal of construction/demolition waste.

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

15. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these

times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

16. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be 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.

Reason: In the interest of sustainable waste management

17. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic and parking for construction workers during the construction phase, and arrangements for delivery of abnormal loads to the site.

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

18. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which 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, and

(b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works including the removal of topsoil in all areas identified during the geophysical survey and confirmed by archaeological test

excavations to be archaeological in nature. No sub-surface work shall be undertaken in the absence of the archaeologist without his / her express consent. Full archaeological excavation of these features shall be carried out in accordance with the terms of an excavation licence issued by the Department of Culture, Heritage and the Gaeltacht.

The applicant shall submit the following to the planning authority and the Department of Culture, Heritage and the Gaeltacht:

- A report, containing the results of the monitoring to include photographs of the area before, during and after monitoring has taken place, as well as detailed photographs of specific areas, as required.
- A key plan, clearly showing the location and direction from which the photographs were taken should be included with the report (an annotated site location map will suffice for this purpose).

Where archaeological material is shown to be present, further mitigatory measures will be required; these may include redesign (in whole or in part) to allow for preservation in situ, and/or additional excavation or monitoring. The Department will advise the Planning Authority and the applicant with regard to these matters.

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 area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

19. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains,

drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge

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

21. The developer shall pay the sum of € 990,000 euro (updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office), to the planning authority as a special contribution under section 48 (2)(c) of the Planning and Development Act 2000, in respect of the provision of a distributor link road between the R132 and M1. This contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate. The application of indexation required by this condition

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.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

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

Sarah Moran
Senior Planning Inspector
21st May 2019