



An
Bord
Pleanála

Inspector's Report ABP 304296-18

Strategic Housing Development

Construction of 133 no. dwelling units, creche and associated site works.

Location

Lands adjacent to Enfield Inner Relief Road, Enfield. Co Meath.

Planning Authority

Meath Co Council.

Applicant(s)

Legendstar Ltd.

Type of Application

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

Prescribed Bodies

Irish Water.
Department of Culture, Heritage & Gaeltacht.
Transport Infrastructure Ireland
An Taisce

Observer(s)

Owen & Carol Byrne.
Emer Corcoran.
Iain Lumley.
Residents of New Road/Johnstown Lane.
John Mc Donagh & Others

Date of Site Inspection

June 6th, 2019.

Inspector

Breda Gannon.

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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 application site, which has a stated area of 4.29 hectares, is located to the east of Enfield town centre. The residential part of the site (c 3.79 hectares), is bounded to the east by the Enfield Relief Road and to the west by a minor road, known locally as New Road (L 62274), and the rear boundaries of adjacent properties. It is bounded to the north by the Royal Oaks (Phase 1) housing scheme and Enfield FC playing fields and to the south by agricultural land. The site is currently vacant and overgrown. There are hedgerows along sections of the boundary and crossing the site (east-west) close to the northern boundary. Low voltage electricity lines also traverse the site. The remainder of the site (0.50 hectares) which will accommodate the new bored wells and water treatment infrastructural is located on agricultural land on the opposite side of the Relief Road to the east.
- 2.2. The site marks the outer limit of the town, defined by the Relief Road. Between the site and the town centre there are single dwellings and a number of residential estates including Delmere, Blackwater Park, Newcastle Woods and Moyfenrath. The residential uses then give way to mixed uses, characteristic of town centres. The New Road accommodates single residential properties in ribbon form along both sides of the carriageway. The rear boundaries of 3 no. of these properties abut the application site.

3.0 Proposed Strategic Housing Development

- 3.1. The proposed strategic housing development comprises 133 no. units comprising 75 no houses and 58 no apartments as follows:
 - 15 no. 4 bedroom, 2-storey houses, comprising 3 no. detached and 12 no. semi-detached houses, all with private amenity space;

- 48 no. 3 bedroom, 2-storey houses, comprising 48 no. semi-detached houses, all with private amenity space;
- 12 no. 2 bedroom, 2-storey houses, comprising 12 no. terraced houses, all with private amenity space;
- 58 no. ground floor apartments and 2-storey duplex units above, in 4 no. 3-storey blocks, comprising 28 no. 2 bedroom, ground floor apartments, all with private amenity space and 30 no. 3 bedroom, 2-storey duplex units above the ground floor apartments, all with private amenity space;
- A creche (170 sq.m), an associated external play area and 12 no. parking spaces;
- 80 no. bicycle spaces and a total of 269 no. car parking spaces (inclusive of 12 no. creche parking spaces);
- All ancillary development including boundary walls, fences, open space (6,060sq.m), internal roads, footpaths, public lighting, tree planting and bin storage;
- 4 no. access points including vehicular access from the north and additional pedestrian access from the east and west;
- Road widening, improvements and the provision of a new footpath (260m in length) along the New Road;
- Infrastructural works including the provision of an interim on-site package wastewater treatment plant and 2 no. bored wells and storage capacity.

4.0 Planning History

There is no planning history relating to the subject site. The following is an outline of the history relating to the existing development on the adjoining site to the north

Reg Ref No TA150871 – Permission granted for 44 units (30 no. three bed semi-detached, 12 no. four bed semi-detached and 2 four bed detached) and a new vehicular entrance on a site of 6.26 hectares.

A range of amending permissions, principally to house types, have been sought and have been permitted.

5.0 Section 5 Pre-Application Consultation

5.1. Notice of Pre-Application Consultation Opinion - Ref ABP 301257-18

A notice of pre-application consultation opinion was issued by the Board in May 2018 under Section 6(7) of the Planning and Development (Housing) and Residential Tenancies Act 2016 following the submission of the application request on April 30th, 2018.

The notice of Pre-Application Consultation Opinion states that the Board has considered the issues raised in the pre-application process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development. The matters included are as follows:

1. Infrastructural Constraints

Further consideration/clarification of the documents as they relate to both water supply and wastewater infrastructure constraints in the network serving the proposed development. The documents at application stage should clearly indicate the nature of the constraints, the proposals to address the constraints, whether such constraints require statutory consent and/or may be subject to a compulsory purchase process and if such consent has been received or CPO completed, who is going to undertake the works required and the timelines involved in addressing these constraints relative to construction and completion of the development. (The prospective applicant may wish to satisfy themselves that an application is not premature having regard to the information sought above).

2. Residential Phase 2 Lands

Further consideration of the documents as they relate to the zoning of the site for Phase 2 residential. This consideration, including a justification for any application for development, should have regard to, inter alia, the Meath County Development Plan 2013 – 2019 as it relates to the phasing of residential development and, in particular, the quantum and location of Phase 1 lands within the above mentioned plan area which remain undeveloped. This consideration and justification should also have regard to, inter alia, the 'Guidelines for Planning Authorities on Sustainable

Residential Development in Urban Areas' (May 2009) as it relates to the sequential approach and phasing.

3. Density

Further consideration of documents as they relate to the density in the proposed development, specifically in relation to the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009) as they refer to edge of centre sites. Particular regard should be had to the need to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to the existing rail connections and to established social and community services in the immediate vicinity. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development.

4. Design, Layout and Unit Mix

Further consideration of documents as they relate to the layout of the proposed development particularly in relation to the 12 criteria set out in the Urban Design Manual which accompanies the above mentioned Guidelines and the Design Manual for Urban Roads and Streets. In addition to density which is addressed above, the matters of unit mix, the configuration of the layout particularly as it relates to the Relief Road and the creation of high quality open spaces should be given further consideration. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. Detailed design of proposed surface water management system proposed including attenuation proposals and cross sections of all SuDS features proposed on site in the context of surface water management on the site.
2. Details of all materials proposed for the proposed buildings, open spaces, paved areas, boundary and retaining walls.

3. A full and complete drawing that details all boundary treatments.
4. A plan of the proposed open space within the site clearly delineating public, semi-private and private spaces.
5. A detailed phasing plan for the proposed development should be provided.
6. A site layout plan clearly indicating what areas are to be taken in charge by the Local Authority.

5.2. Applicant's Statement

Article 297(3) of the Regulations provides that where, under section 6(7) of the Act of 2016, the Board issued a notice to the prospective applicant of its opinion that the documents enclosed with the request for pre-application consultations required further consideration and amendment in order to constitute a reasonable basis for an application for permission, the application shall be accompanied by a statement of the proposals included in the application to address the issues set out in the notice.

The applicants response is set out in a document entitled '*Response to An Bord Pleanala's Pre-Application Consultation Opinion*', prepared by McCutcheon Halley Planning Consultants which is summarised as follows:

1. Infrastructure – Foul Water

- It is proposed that the subject site will outfall to the existing public foul sewer on the New Road which runs to the west of the site. The sewer outfalls to the Enfield Wastewater Treatment Plant (WWTP).
- Irish Water have advised that the existing WWTP is operating at its biological capacity. Upgrade works are proposed to address this deficiency and these works are planned to be completed by Irish Water before 2020/21.
- It has been agreed, arising from discussions with Irish Water, to provide a 400 PE on-site package wastewater treatment plant to treat waste water effluent. The plant will be installed, operated and maintained by the applicant and will be decommissioned following the upgrade of Enfield WWTP.
- Irish Water have confirmed that the existing WWTP has capacity to accommodate treated effluent from the subject site indefinitely.

- It is not considered that the development is premature. Irish Water have confirmed that effluent treated on site to meet discharge limits (BOD 20mg/l and SS 30mg/l) will be accepted by Irish Water.

1. Infrastructure - Water

- The existing water supply serving Enfield is provided by a borewell which is currently at capacity.
- To address the capacity constraint, it was agreed with Irish Water that new wells could be provided on applicant's lands to the east which would deliver adequate quantities of water to serve both the proposed development and future development in the town.
- Irish Water have confirmed that the development of two new borewells together with the treatment and storage of 600m³ of water will be acceptable. It is a requirement of Irish Water that the new storage reservoir be connected into the existing public water supply in order to improve existing supply to the town. Either the applicant or Irish Water will provide the wells, treatment and storage on applicants lands.
- The development is not considered to be premature. It will facilitate the development of the subject site and will benefit Enfield. Irish Water have agreed that the proposal is acceptable to them.

2. Residential - Phase 2 Lands

- The quantum and location of Phase 1 lands in Enfield is considered. Of the 8 no. Phase 1 zoned lands (residential and B1), only one site has been granted planning permission for 44 no. dwellings immediately to the north of the subject site.
- Since the CDP was adopted, only 53 no. houses have been delivered on 2 of the 22 no. sites identified. This is against the housing allocation of 319 dwellings, resulting in a shortfall of 266 dwellings.
- The lack of delivery from other Phase 1 zoned sites is the key reason for this shortfall, which is exacerbated by the restriction of Phase 11 residential zoned lands being considered by the planning authority during the lifetime of the development plan.

- The ‘*Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas*’ outlines the sequential approach to development with undeveloped land closest to the core and public transport routes being given preference. The planning authority uses this process in identifying its Phase 1 zoned lands within the town.
- The application is a material contravention of the CPD, but it is considered it is justified in this case to respond to the wider national objective of delivering homes in a time of a housing crises.
- The implications of the current local plan context is that the planning authority’s strategy to deliver 319 dwellings during the lifetime of the plan has not been realised.
- The lack of any flexibility in the wording of Policy SP3 means that the planning authority are holding back on the delivery of Phase 11 residential zoned lands in a period of significant shortfall in the delivery of housing, not only in Enfield but at a county and national level.
- The CDP is not therefore facilitating the continuous growth of Enfield to fulfil its housing allocation of 319 dwellings. It is undermining the planning authority’s objective for Enfield (as a Small Town) and its objective for Enfield to grow a Moderate Sustainable Growth Town by not allowing the release of Phase 11 residential zoned site, to enable it to expand to accommodate a population of 5000 people.
- Enfield has the social infrastructure in place and this shows that there is a clear conflict in objectives in the CDP for Enfield by not facilitating deliverable land to be brought forward for residential development.
- It is also contrary to national policy to accommodate the delivery of housing.
- The Government Circular (PL8/2016) issued to local authorities addresses the Action Plan for Housing and Homelessness ‘*Rebuilding Ireland*’. The Circular notes that there is an immediate and pressing need for all suitable potential sources of supply to be activated as speedily as possible and that development plans should be flexible to take account of changing

circumstances occurring or issues unforeseen at the time of the original making of the plan.

- In the context of Enfield, it is important that there is a flexible supply of sites/outlets, that can collectively deliver the homes required. In order to fulfil the CDP household objective for Enfield (as a small town) requires an additional 266 homes and at least 652 additional homes to fulfil a potential role as a Moderate Sustainable Growth Town.
- The only way to address the matter is to allow deliverable sites to be brought forward for development and not to continue to rely on undeliverable Phase 1 residential zoned land.
- The proposed development is sustainably located in terms of public transport, other support services (such as education) and the proposed development includes all the necessary infrastructure to facilitate and support its development.
- The development will assist in making up the historical shortfall in housing delivery in Enfield. It will support the planning authority's housing objective for Enfield (as a small town) and its objective to facilitate it growing to a Moderate Sustainable Growth Town. It will deliver 133 no. much needed residential units and support infrastructure. It will deliver a creche to cater for 36 children to meet the developments potential childcare needs. It will provide support to existing (and planned) education in Enfield, especially given the planned school immediately to the north of Royal Oaks Phase 1. It will provide support for existing (and planned) employment in Enfield and allow people to use alternative modes of transport i.e. walking/cycling as well as public transport.
- The proposal adheres to national and local policy and objectives as set out in Table 3.9 of this report.

3. Density

- The '*Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas*' refer to densities not being less than 30 units per hectare. They also seek densities of 20-35 dwellings per hectare at edge of centre sites.

- In response to ABP's opinion, the layout and mix of the development has been revised to achieve an increase in site density of 35.1 units/ha.
- This has been achieved through the introduction of a new 3 bedroom terrace block throughout the site and also an increased number of 2 and 3 bedroom apartments in 4 no. central blocks.
- This has been balanced with the desire to provide the public open space areas, organised in a range of central spaces and landscaped buffer zones to address the public road frontages.
- A creche is included and is centrally located at ground floor level in an apartment block.
- It is considered that this responds to achieving a development that is at sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to the existing rail connections and to established social and community services in the immediate vicinity of the site.

4. Design, Layout and Unit Mix

- The site comprises an undeveloped area, zoned to accommodate the planned expansion of Enfield.
- The proposal forms a natural extension of the recently constructed Royal Oaks development and provides an opportunity to provide a consolidated residential neighbourhood for the local area.
- The site has extensive road frontage onto the Inner Relief Road, which forms an important and dominant edge to the site. There is also road frontage to the west and the site enjoys access to the Dublin Road to the north. These roadways provide both pedestrian and cycle routes to the town's core amenities.
- The proposed development will provide a medium density residential development with a mix of unit sizes. The applicants are confident that the proposed development responds to the local market demand for both starter and older family homes in a variety of configurations.

- The development has been designed to provide generous sized family homes and apartments and allows for flexibility in future use. The apartments comprise 2 and 3 bed duplex units. They provide an alternative and more efficient type of accommodation and cater for residents not seeking a house with a garden etc. Enfield has very little apartment development and the applicants have been advised that there is no market for 1 bed apartment type accommodation.
- The proposed development which is designed as a natural extension of the existing Royal Oak's development will reinforce the character and identity of the proposed neighbourhood, while providing secondary pedestrian and bike connections to surrounding local amenities.
- The proposal has been centrally planned to provide for a range of appropriately scaled landscaped open spaces around which new homes have been designed.
- The proposal will provide a variety of open spaces providing for casual amenity/activity spaces, communal garden spaces and green landscaped buffers to the adjoining road context.
- The proposed main central open space will create an appropriate middle distance visual focus when viewed from the existing Royal Oaks entrance. This will avoid the placeless-ness that characterised some large housing schemes and will aid in creating a strong identify for the new neighbourhood.
- The proposed duplex apartment blocks have been designed to enjoy either east-west or north-south dual aspect and will define a large central landscaped garden. This 'lozenge' shaped composition has been planned so as to provide open corners which will encourage active circulation and use of the space by all residents, while also addressing the proposed surrounding house frontages and site boundaries. Front door access to the apartments is provided off the internal estate road network, where both resident/visitor car parking for the apartments is provided.
- This preserves the central garden space free of vehicle traffic and will allow a range of activities to be developed here. The generous dimensions of the space will ensure good sunlight penetration notwithstanding the three-storey

duplex blocks. Passive surveillance is provided by rear facing overlooking windows and terrace/patios at ground and upper levels.

- A creche is provided, centrally located at ground level which provides for safe drop off/collection.
- The proposal provides an opportunity to enliven the edge of the Enfield Relief Road with an open railing to provide a calming environment through better surveillance and passive supervision. Pedestrian links are proposed to encourage access via the 'New Road' to local amenities such as the soccer club etc., with potential for access to adjoining zoned land to be accommodated.

6.0 Relevant Planning Policy

6.1. National Policy

- 6.1.1. The **National Planning Framework - Project Ireland 2040**, published in 2018 is the Governments plan for shaping the future growth and development of Ireland out to 2040. It is envisaged that the population of Ireland will increase by up to 1 million by that date and the strategy seeks to plan for the demands this growth will place on the environment and the social and economic fabric of the country. It sets out 10 no. goals, referred to as National Strategic Outcomes.
- 6.1.2. Under National Strategic Outcome 1(Compact Growth), the focus is on pursuing a compact growth policy at national, regional and local level. From an urban perspective the aim is to deliver a greater proportion of residential development within existing built-up areas of cities, towns and villages, to facilitate infill development and enable greater densities to be achieved, whilst achieving high quality and design standards. Relevant policies include NPO 4,6,11,13, 18a, 18b & 35.
- 6.1.3. The NPF includes a specific Chapter, No. 6, entitled 'People Homes and Communities', which includes 12 objectives among which Objective 27 seeks to *'ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages'*.

Objective 33 seeks to *‘prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location’*. Objective 35 seeks to *‘increase residential densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights’*.

6.2. National Guidelines

6.2.1. Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant S.28 Ministerial Guidelines are:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’).
- Design Manual for Urban Roads and Streets’.
- Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2018).
- Urban Development and Building Height Guidelines 2018.
- Childcare Facilities – Guidelines for Planning Authorities.
- Architectural Heritage Protection – Guidelines for Planning Authorities.
- The Planning System and Flood Risk Management (including associated Technical Appendices).

6.3. Regional Policy

6.3.1. The **Eastern and Midland Regional and Spatial Economic Strategy**, which came into effect on June 28th, 2019, builds on the foundations of Government policy in Project Ireland 2040, which combines spatial planning with capital investment. It is a strategic plan and investment framework to shape the future development of the Region to 2031 and beyond. It seeks to determine at a regional scale how best to achieve the shared goals set out in the National Strategic Outcomes of the NPF and sets out 16 Regional Strategic Outcomes (RSO’s) which set the framework for city and county development plans. These include;

1 Sustainable Settlement Patterns

Better manage the sustainable and compact growth of Dublin as a city of international scale and develop Athlone, Dundalk and Drogheda and a number of key complimentary growth settlements of sufficient scale to be drivers of regional growth.

2 Compact Growth and Urban Regeneration

Promote the regeneration of our cities, towns and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing and employment choice for the Region's citizens.

4 Integrated Transport and Land Use

Promote best use of Transport Infrastructure, both existing and planned, and promote sustainable and active modes of travel to ensure the proper integration of transportation and landuse planning.

- 6.3.2. **Chapter 4 (People & Place)** sets out a settlement hierarchy for the Region and identifies the key locations for population and employment growth. It includes *Dublin City and suburbs, Regional Growth Centres* (Drogheda, Athlone and Dundalk) at the top of the settlement hierarchy and identifies *Key Town's* in each area with the highest potential to accommodate growth. Other centres lower in the settlement hierarchy including *Self-Sustaining Growth Towns, Self-Sustaining Towns, Towns & Villages*, and *Rural Areas* are not specifically identified, and remain to be defined by the development plan.

6.4. Local Policy

- 6.4.1. The relevant plan for the area is the **Meath County Development Plan 2013-2019**. Chapter 2 sets out the Core Strategy and Chapter 3 is devoted to the Settlement Strategy and Housing.

Relevant Objectives include:

SS OBJ 1 – To secure the sustainable development of County Meath in accordance with the settlement strategy set out in Table 3.2. In doing so development will be primarily directed towards the identified Large Growth Towns. In towns and villages, development will facilitate in the first instance, the consolidation of settlements and

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

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

- 6.4.2. Under the **Core Strategy** (Chapter 2) Enfield is identified as a 'Small Town', but that having regard to its important locational advantage on the M4, the council will seek to advance its settlement status to a 'Moderate Sustainable Growth Town' through the new Eastern & Midland Regional Assembly.

Relevant objectives for Small Towns are as follows:

SS OBJ 12 – To ensure that Small Towns develop to cater for locally generated development and that growth occurs in tandem with local services, infrastructure and demand.

SS OBJ 13 – To ensure that Small Towns grow in a manner that is balanced, self-sustaining and supports a compact urban form and the integration of land use and transport.

SS OBJ 14 – To ensure that in Small Towns, no proposal for residential development should increase the existing housing stock (including permitted units) of the town by more than 15% within the lifetime of the Development Plan.

- 6.4.3. **Volume 5** of the development plan includes a Written Statement and Land Use Zoning Objectives Map for a range of settlements in the county including Enfield.

Under the provisions of **Enfield Written Statement** the site is located on lands that are primarily zoned A2 (New Residential) with the following 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 lands are identified for Phase 11 release (post 2019).

A small section of the lands to the north are zoned FI (Open Space) with an objective *'To provide for and improve open space for active and passive recreational facilities'*.

6.4.4. Strategic Policies identified for the town are as follows:

SP 1 – To promote the future development of the town as a compact settlement with a pedestrian friendly environment, a legible and coherent physical form, and a variety of land uses and amenities.

SP 2 – To protect the unique character of the town through the provision of appropriate infill development which has regard to the scale, character, topography and amenities of the town.

SP 3 – 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 as an A2 *'New Residential'* land use zoning objective corresponds with the requirements of Table 2.4 Housing Allocation & Zoned Land Requirements in Volume 1 of this County Development Plan and are available for residential development within the lifetime of the Plan.
- ii) The lands identified as an A2 *'New Residential'* land use zoning objective but qualified as 'Residential Phase 11(Post 2019) are not available for residential development within the lifetime of this Development Plan.

6.4.5. Other relevant policies include:

Policy WWS POL2 - seeks to expedite the provision of the new waste water scheme and of an adequate water supply to allow development to proceed.

Land Use Policy LU POL 2 - regards the Relief Road as the southern boundary of the town of Enfield and seeks to protect the strategic function of this road.

Movement policy MA POL 1 & 2 - seeks to support the improvement of existing rail infrastructure with increased suburban services to Enfield and Kilcock and seeks to encourage Iarnród Éireann to extend the commuter train service to Enfield.

6.5. **Draft Meath County Development Plan 2020-2026**

- 6.5.1. The review of the development plan 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 Q3 2019.

6.6. **Applicants Statement of Consistency**

- 6.6.1. The applicant's statement of consistency with relevant policy required under Section 8(1)(iv) of the Act is summarised as follows:
- 6.6.2. The proposal is consistent with a range of national policy documents as set out in Table 5.1 of the statement.
- 6.6.3. It is consistent with the **National Planning Framework (NPF)** as set out in National Policy Objectives 4, 18a, 18b, 27, 37, 53 & 63 (Table 5.2 of the statement). The lands proposed for development fulfils the Tier 1 (Serviced Zoned Land) criteria as set out in the NPF (Appendix 3), with regard to access to existing development services, (such as roads and footpaths, foul sewer drainage, surface water drainage and water supply) and the location and scale of the development. The part of the site proposed for residential development is within the development boundary of Enfield and is contiguous to existing developed lands to the north. The proposal will deliver a residential scheme at an appropriate density which responds to the characteristics of the site. The proposed site is spatially sequential at Enfield due to its ability to deliver the necessary infrastructure and homes as part of a comprehensive development proposal.
- 6.6.4. The proposal is consistent with the relevant policy, principle and guidelines of **Sustainable Urban Housing-Design Standards for New Apartments-Guidelines for Planning Authorities** as demonstrated in Table 5.3 of the statement in terms of location and density, mix of units, apartment design standards, private amenity space and communal facilities.
- 6.6.5. The **Urban Development and Building Heights -Guidelines for Planning Authorities 2018**, contain 3 no. Specific Planning Policy Requirements (SPPR) and SPPR1 and SPPR3 are relevant to the consideration of the application. The proposal accords with SPPR1 which seeks to support increased building height and density in

locations with good transport accessibility to secure the objectives of the NPF and RSES (Table 5.4). It also accords with SPPR3 as the proposal is in line with national policy.

- 6.6.6. The development accords with the **Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas** in that it proposes an appropriate density for the settlement of Enfield (small town) and greater efficiency in land usage. It will make a positive contribution to its surroundings and through its design creates a sense of identify and effective connectivity with its surroundings (Table 5.5).
- 6.6.7. The **Urban Design Manual-A Best Practice Guide** (2009) is based around 12 criteria to encapsulate the range of design considerations for residential development. Table 5.6 demonstrates how the development is in compliance with each of these criteria. The Architectural Statement prepared by John Fleming Architects demonstrates how the proposed development has been developed in accordance with best practice in respect to urban design.
- 6.6.8. The **Design Manual for Urban Roads and Streets** aims to put well designed streets at the heart of sustainable communities. Table 5.7 indicates how the proposed development is consistent with the relevant policy, principle and guidelines of DMURS, in terms of the integrated street networks and street design.
- 6.6.9. It is proposed to provide a creche as part of the development of 133 no. housing units in accordance with the **Guidelines for Planning Authorities on Childcare Facilities (2001)**. The Meath Childcare Committee confirmed that a creche for 36 children would be sufficient (Appendix 2).
- 6.6.10. The **Architectural Heritage Protection-Guidelines for Planning Authorities (2011)** sets out the basic principles on architectural heritage protection. A cultural heritage impact assessment of the potential impact of the proposed development is submitted with the application. A programme of archaeological testing was also carried out. The site is greenfield but significant areas of the site have been previously excavated and backfilled/ground made up. Nothing of archaeological significance was noted. There will be no predicted impacts on the setting of cultural heritage sites in the vicinity.

- 6.6.11. The **Planning System and Flood Risk Management Guidelines for Planning Authorities** provides a detailed classification of vulnerability for different developments. Residential development and water/sewage treatment infrastructure are considered to be a form of development that is highly vulnerable to flooding. The Flood Risk Assessment carried out indicates that through careful design and mitigation measures the risk and consequences of flooding have been mitigated across the development. Surface water runoff from the site is limited to greenfield run-off rates and does not impact on development upstream or downstream of the site.
- 6.6.12. The proposal is considered to be consistent with the **Regional Planning Guidelines for the Greater Dublin Area 2010-2022**. Enfield is defined as a 'small town'. Under the settlement strategy it states that towns in the lower tiers should grow at a sustainable scale in line with natural increase, growth in economic activity in the area and the quality and quantity of public transport available to existing and future populations. In the context of Enfield/Johnstown Bridge it is stated that it is important that the investment in social infrastructure in such locally significant towns is at a higher level, equivalent to larger sized centres in recognition of their role as key centres for a very large hinterland and for surrounding smaller villages and towns. It is also stated that levels of growth should be managed in line with the ability of local services to cater for any growth, responding to local demand and in line with the recommendations for small towns in the DoEHLG Guidelines – Sustainable Residential Development in Urban Areas. Table 6.1 demonstrate how the proposal is consistent with the guidelines.
- 6.6.13. The purpose of the **Draft Regional Spatial & Economic Strategy – Eastern & Midlands Regional Assembly** is to support the implementation of the NPF, and the economic policies and objectives of the Government by providing a long-term strategic planning and economic framework for the development of the regions. Table 6.2 indicates how the proposal is consistent with its provisions.
- 6.6.14. The proposed development is assessed against the adopted development plan, the **Meath County Development Plan 2013-2019**. It is considered that the proposal accords with the **zoning provisions**. The majority of the site is zoned for residential use and a small proportion is zoned as open space. The open space lands are proposed to provide for private residential amenity as part of the development

proposal and are within the control of the applicant. Given the amount of open space proposed (16%) of site area, it is considered that the change in use of this amenity area is not materially contravening the CDP in this instance.

- 6.6.15. Infrastructural works are proposed to support the proposed development which are located outside the development boundary of Enfield. This part of the site is located in a Rural Area under Strong Urban Influence. Table 7.2 details how the proposal is consistent with Core Principles 5 and 9 of the CDP and with goal of Enfield Written Statement for the town.
- 6.6.16. The **scale and density** of the development is considered appropriate for the town. The proposed development which represents 12% of the existing house stock (including permitted developments) is not in conflict with SS OBJ 14 which seeks to ensure that any single proposal would not increase the housing stock in the town by more than 15% within the lifetime of the plan. Whilst Table 2.4 of the CDP refers to an average net density of 25 dwellings/hectare, the proposed density of 35.1 dwellings/hectare is acceptable when assessed against the national objective to increase density overall in the interests of the efficient use of land.
- 6.6.17. The proposal accords with the **layout, design, public open space and landscaping** provisions of the CDP. The development has been planned as a natural extension of the Royal Oaks development and designed with a variety of appropriately scaled open spaces around which new homes have been designed and green buffers to the adjoining road context. Pedestrian linkages are proposed to improve access and permeability. The streets are legible with a clear hierarchy in terms of vehicle distribution and pedestrian priority spaces. Table 7.5 expands on this matters and demonstrates how the proposal is consistent with the CDP and the Enfield Written Statement.
- 6.6.18. Table 7.6 demonstrates how the proposal is consistent with **private open space, amenity and boundary considerations for dwellings**. Each house exceeds the minimum area of private open space required and there is sufficient distance between dwellings to ensure that privacy is maintained. Private amenity space is enclosed with 2m high walls to preserve privacy. Table 7.7 is relevant to apartment development.

- 6.6.19. **Access, road layout and accessibility** are considered in Table 7.8 where it is noted that the proposed internal roads have been designed as local streets in accordance with DMURS and designed to meet the needs of walking and cycling as well as transport by private car. Four access points have been included within the layout which can be used by pedestrians to improve permeability and access. Provision is made within the scheme for traffic management proposals. A new access is proposed off the Enfield Relief Road for the infrastructure works. Car/cycle parking (Table 7.9) is predominantly in accordance with CDP standards. It is considered that the proposed development has achieved an appropriate balance between off-street car parking facilities and has provided for transport alternatives to the private car through the provision of cycle parking and by providing an internal road network.
- 6.6.20. It is concluded that the proposed development is consistent with local planning policies, principles and guidance on **housing, apartment mix and sustainability of housing** (Table 7.10). A mix of house types and sizes is provided comprising detached, semi-detached and terraced housing and duplex apartments together with supporting community facilities, public realm and residential amenities. Table 7.11 indicates how the proposal is consistent with the **service** provision requirements of the CDP and Enfield Written Statement.
- 6.6.21. It is concluded that the justification set out in the report (and the Material Contravention Statement) collectively demonstrate that the proposed development should be granted to allow it to contribute to meeting the objectives of Enfield as a small town and potentially a moderate sustainable growth town as well as the national objective of doubling the delivery of homes by 2020 and further by 2027.

7.0 **Third Party Submissions**

7.1. Observations were received from a number of individuals and groups, the content of which is summarised as follows:

7.2. **Owen & Carol Byrne**

- Reside at No 10, The Close, Royal Oaks.

- Questions the off-set position of No 59 in the proposed scheme, which is located to the rear of their property.
- While a 22.5m separation distances between first floor windows is proposed, the ground floor at No 10 extends by 1.8 beyond first floor level. The reduced distance will allow a direct line of sight with unobstructed views of family room and dining area.
- The initial designs consistently showed a detached property in the location of No 59 with a row of houses compatible with existing established densities and the character of the area.
- It would appear that An Bord Pleanala's request for increased density has influenced the position of the house which is not in keeping with established densities and housing character in the area. It also results in a 2.2m separation between dwellings which is contrary to section 11.2.2.2 of the development plan.
- Reverting to the original proposed plan would address these issues and protect the privacy of No 10. It would result in the loss of 2 no. houses which would marginally reduce the overall density. However, it would maintain An Bord Pleanala's requirement to achieve a density to provide for acceptable efficiency in serviceable land usage.
- The offset position of No 59 appears to be a direct result of efforts to follow the recommendations of the Enfield Housing Market Report 'that sufficient weighting be given to 3 bed units'. While the report states that there is demand for 3 bed units, amendments to the permitted Royal Oaks development saw a decrease in the number of 3 bed and an increase in the number of 4 bed houses.
- The reintroduction of a 4 bed detached property at site No 59 is completely in line with market trends as shown by the developers own decision to add four more 4 bed houses to the recent Royal Oaks development.
- Reverting to the original proposed plan in the region of properties 59-75 would be justified by recent market trends and ability to maintain the requirement for higher density for the overall site. It will also address the observers concerns.

7.3. Emer Corcoran

- Unacceptable increase in the density of the development.
- Existing infrastructure (road network, public transport, absence of secondary school, health facilities) can barely cope.
- Development of duplex units and potential for properties to be used for rental purposes, issues regarding maintenance, fees etc. Potential student accommodation.
- The provision of a creche resulting in additional people/vehicles entering the estate.
- Additional traffic with impacts on residents (noise, fumes etc) and on children using the main open space area.
- An application has been refused by An Bord Pleanala on the other side of Enfield.

7.4. Iain Lumley

The location and design of the development is unsustainably car dependent.

An Bord Pleanala needs to address;

1. Ireland's obligations at UN and EU level and in the Climate Action & Low Carbon Development Act, 2015 and overarching Government planning policy through the DoECLG *'Planning Policy Guidelines'* in January 2015, which set out a range of considerations on climate;

The planning process plays a very significant role in promoting patterns of development which help Ireland meet its international obligations by;

- tackling the source of climate change by reducing Ireland's carbon footprint,
- securing less energy and travel intensive development patterns,
- facilitating the generation of energy from low carbon sources, and
- adapting to the effects of climate change.

2. The 49 Action recommendations in the target based Department of Transport *'Smarter Travel-A New Travel Policy for Ireland'*. This national policy sets out clear targets to stabilise the total kilometres travelled by the national fleet at 2009 levels,

and reduce the overall national figures for car based workplace travel from 65% to 45%, by 2020.

7.5. Residents of New Road/Johnstown Lane Enfield

- Concerns regarding changes to New Road and at its junction with the Enfield Outer Relief Road. A pedestrian entrance is proposed from the new development which will increase footfall to/from Creche, primary school and bus/train. The entrance is proposed on a blind bend.
- New Road is a local road within a rural setting. It has no footpaths and is used as a shortcut to avoid queues into the village or at the roundabout on the R148.
- The changes will result in a significant increase in vehicular and pedestrian traffic on New Road. While the proposed footpath leads to the Relief Road, there will be no footpath on the route that will be taken by pedestrians to the village. This poses significant safety risks.
- The impact of increased pedestrian and vehicular traffic on the New Road has not been assessed.
- Prior to the construction of the Enfield Relief Road, New Road was a cul-de-sac and the residents will be formally requesting that it be reinstated with pedestrian access only.
- The provisions of the Enfield Written Statement regarding Movement & Access are noted.

7.6. John Mc Donagh & Others

- Concerns regarding the impact of the proposed development on existing house.
- The houses proposed to the south-east and north-east will overlook, overshadow and impact on the privacy of the dwelling.
- The dwellings to the south-east which are two-storey and c12m from the boundary will overlook the side and rear of the existing dwelling including a south-east facing window and the side and rear garden area (Photographs 1-9).

- The house to the north-east which is two-storey and c10m from the boundary will overlook the back garden, windows, door and glass roof with impacts on privacy (Photographs 10,11).
- The house will be the most impacted by the proposed development, being overlooked from all angles.
- There was no consultation regarding the proposal and when the developer was requested to omit the houses to the north-east or change the orientation of the house to the south-east, he stated that this was not permitted as it would impact on the density of the scheme.
- Requests that modifications be made to the scheme, to ensure that the dwelling is not impacted. If permitted as proposed, it will impact on the enjoyment of the dwelling.

8.0 Planning Authority Submission

- 8.1.1. The Chief Executive's report, in accordance with the requirements of section 8(5)(a) of the Act of 2016, was received by the Board on June 20th, 2019. It describes the nature of the proposed development, site location, details pre-application consultation, documents lodged with the application, relevant planning history, submissions received and policy context.
- 8.1.2. Under the Meath Co Development Plan Enfield is designated as a 'Small Town' and the relevant objectives are noted. The goal and objectives of the Enfield Written Statement are also noted.
- 8.1.3. Key Planning Considerations raised in the assessment section of the report are summarised as follows:

Principle of proposed development and Planning Policy – Enfield is designated as a 'Small Town' and 319 additional residential units are envisaged necessary to meet the population growth of Enfield over the plan period. There is c 8.6 ha of Phase 1 residential lands remaining with no extant permission. The planning authority is precluded from the consideration of residential development on Phase 11 lands within the current plan period. It is applicant's contention that the proposal material contravenes the development plan but that the proposal meets each of the criteria

set out in Section 37(2)(b) of the 2000 Act, as amended, to allow the Board to consider the proposal. It is the intention of the Council to advance the status of Enfield from 'Small Town' to a 'Self Sustaining Town' in the draft County Development Plan 2020-2026. It is intended that these lands would be identified as Tier 1 residential lands in the Draft Plan, which is scheduled for public display Q3 2019.

Density, Urban design, layout and Phasing – the density is appropriate for the subject site and in compliance with the density policy set out in the plan. It is considered that the revised layout addresses (in part) Items 4 of the Board's opinion. The Board is advised to consider the redesign of the layout/re-orientation of dwellings on Sites 11,12,13, & 14 to ensure the protection of the residential amenity of the existing dwelling. The planning authority recommend an appropriate condition with regard to the phasing of the development.

Open space, Landscaping and Boundary Treatment - Meath Co Council seeks a minimum of 15% public open space provision. The applicant states that 16% of the overall site will be in the form of public open space. The schedule of accommodation indicates that adequate private and communal open space is provided. The planning authority recommends conditions in respect of landscaping, and the retention of existing vegetation and natural screenings where appropriate. Boundary treatments are considered to be generally in compliance with county development plan standards. Details in relation to the boundaries to the front of the dwellings and the rear garden dividing boundaries are not clear. The planning authority recommends appropriate conditions and that long term robust solutions must be considered.

Traffic impact, access parking and public lighting – The planning authority notes that the applicant has assessed the impact of the additional traffic generated by the proposal and concluded that the existing entrance and access roads have the capacity to accommodate the development for all future year scenarios. The internal road network has been designed to comply with DMURS and a speed limit of 30kph. It has also been designed to facilitate access to third party lands to the south. Car parking provisions is considered acceptable. The proposed upgrade works proposed to New Road are considered acceptable. The planning authority recommends conditions regarding details of the upgrade works to be agreed prior to the commencement of the development and regarding tree planting in verges.

The Public Lighting section states that the landscaping plan is poor in relation to public lighting design and conditions are recommended.

Water Services, Wastewater, Surface Water Treatment and Disposal - Proposal broadly meets the requirements of Meath Co Council with respect to the collection, treatment and disposal of surface water. The proposed discharge rate of 12l/s is considered high and a discharge rate of 8.5l/s is applicable. Recommends conditions. It is noted that Irish Water have confirmed based on the details provided by the developer and the Confirmation of Feasibility letter issued, and subject to a valid connection agreement being put in place, the proposed connections to the Irish Water networks can be facilitated.

Waste Management, Environmental Protection and Public Health – Conditions recommended which include the requirement for a Construction and Environment Management Plan and a Waste Management Plan.

Part V, Development Contributions and Taking in Charge – Subject to a condition, the Part V proposals are acceptable. The planning authority recommends standard conditions in relation to development contributions and taking in charge.

Childcare Facility and School Site - Draws the attention of the Board to the provisions of the plan in relation to the provision of childcare facilities and associated parking requirements. A new post primary school is proposed for Enfield and it would be accommodated on lands immediately to the north of the Royal Oaks Phase 1.

Cultural heritage – Following the result of archaeological testing, there are no further archaeological requirements. There are no protected structures in the vicinity of the site. The report from the Heritage Officer notes that the most significant natural heritage feature/habitat is a mature hedge/tree line to the north of the site, which will require removal to facilitate the proposed development. While Treelines (WL), Hedgerows (WL1) and a drainage ditch (FW4) are features which are of 'high local value to biodiversity, a detailed assessment of these habitats has not been undertaken and no fauna surveys (bats and other mammals surveys) were completed. These matters may require further consideration.

Flood Risk – From a flood risk perspective, there is no objection to the development.

Appropriate Assessment – The Heritage Officer is satisfied that there will be no significant effects on the qualifying interests of any Natura 2000 site, either individually or in combination with other plans or projects.

The planning authority recommend standard conditions in relation to Artwork, Estate Name and Broadband.

There are 3 no. appendices attached to the report which are as follows;

Appendix 1 – Record of Pre-Planning Meeting.

Appendix 2 – Part V Agreement.

Appendix 3 – Development Contributions.

9.0 Prescribed Bodies

9.1. Irish Water

Irish water issued a standard type letter. It stated that based on the details provided by the developer and the confirmation of feasibility issued by Irish Water, that subject to a valid connection being put in place between Irish Water and the developer, the proposed connection(s) to Irish Water network(s) can be facilitated.

9.2. Department of Culture Heritage & Gaeltacht

Sate that having examined the archaeological component of the Cultural Heritage Impact Assessment and Report and the results of the archaeological testing at the site, there are no further archaeological requirements in this case.

9.3. Transport Infrastructure Ireland

Requests that An Bord Pleanala have regard to the provisions of Chapter 3 of the DoECLG Spatial Planning and National Road Guidelines in the assessment and determination of the application.

9.4. An Taisce

Raises identical issues to those raised by Iain Lumley, as outlined above.

10.0 EIA Preliminary Assessment

10.1.1. The application was submitted to the Board 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. The proposed development falls within the categories of an 'Extractive Industry' within Schedule 5 (2)(e) of Part 2 of the Planning and Development Regulations and 'Infrastructural Projects' within Schedule 5 (10)(b) where mandatory EIA is required for the following;

2. Extractive Industry

(e) with the exception of drilling for investigating the stability of the soil, deep drilling, consisting of

(iii) Drilling for water supplies, where the expected supply would exceed 2 million cubic meters per annum.

10. Infrastructural projects

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

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

(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 proposal is for 133 no, residential units on an overall site of c.4.29 ha. According to the information submitted, the potential water supply would be up to 860 cubic meters, which equates to 313,900 cubic meters per annum. The proposed development does not, therefore, fall within the above classes and mandatory EIA is not required.

10.1.3. For 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.

10.1.4. I consider that the EIA Screening report submitted by the applicant adequately describes the direct, indirect and cumulative effects on the environment. Having regard to the location of the proposed development at the edge of the town on a generally greenfield site served by public infrastructure and the absence of any significant environmental sensitivities in the area and the nature, scale and location of the site, I accept that the proposed development would not be likely to have significant effects on the environment. I accept the conclusion reached by the applicant that an environmental impact assessment report for the proposed development is not required.

11.0 **Appropriate Assessment**

11.1.1. **Introduction**

The EU Habitats Directive 92/43/EEC provides legal protection for habitats and species of European importance through the establishment of a network of designated conservation areas collectively referred to as Natura 2000 or 'European sites'. The network includes sites designated as Special Areas of Conservation (SAC) under the Habitats Directive and Special Areas of Conservation (SPA) designated under the Birds Directive. In general terms they are considered to be of exceptional importance for protecting rare, endangered or vulnerable habitats and species within the European Community.

Under Article 6(3) of the Habitats Directive, an Appropriate Assessment must be undertaken on any plan or project not directly connected with or necessary to the management of a European site but likely to have a significant effect on the site in view of its conservation objectives. The proposed development is not directly connected with or necessary to the management of a European site and accordingly screening for Appropriate Assessment was carried out.

11.1.2. **Stage 1: Screening for Appropriate Assessment**

The application is supported by a document entitled '*Screening Report for Appropriate Assessment and Natura Impact Statement for the development on land adjacent to the Enfield Relief Road, Enfield. Co Meath*'.

The report provides a description of the site and indicates that the development will occur on a site of low ecological value although treelines and hedgerows along the site boundaries are of high local value to biodiversity. The surveys conducted indicate that none of the habitats present are similar to those listed on Annex 1 of the Habitats Directive, nor are they associated with species listed in Annex 11.

There are no significant watercourses running through the site. There is a drain along the western boundary while other boundaries are associated with ditches that were dry at the time of inspection. The closest rivers include the River Blackwater (Longwood) located c 1.1km to the south and the Cloncurry Stream located c1km to the east. The Cloncurry Stream flows south towards the River Blackwater which flows through Johnstown Bridge westwards and then northwards to join the River Boyne c.12 km south west of Kells. It is noted that this River Blackwater(Longwood) is not the same as the River Blackwater which forms part of the SAC/SPA to the north. The Royal Canal runs to the north of the town.

The report notes that the site is not located within or adjacent to any Natura 2000 site. The only sites considered to fall within the zone of influence of the subject development (located c 11km to the north) are as follows:

- River Boyne and River Blackwater SAC (Site Code 002299) and
- River Boyne and River Blackwater SPA (Site Code 004232)

The **River Boyne and River Blackwater SAC** is of conservation interest for the following habitats and species listed on Annex 1/11 of the E.U Habitats Directive;

[7230] Alkaline Fens

[91E0] Alluvial Forests

[1099] River Lamprey

[1106] Atlantic Salmon

[1355] Otter

Site specific Conservation Objectives have not yet been published for the site. The generic conservation objective is:

'To maintain or restore the favourable conservation condition of the Annex 1 habitat(s) and or Annex 11 species for which the site is selected'.

The **River Boyne and River Blackwater SPA** is of conservation interest for the following species;

Kingfisher, listed under Annex 1 of the E.U Birds Directive.

Site specific Conservation Objectives have not yet been published for the site. The generic conservation objective is:

‘To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for the SPA’.

The boundaries of the River Boyne and River Blackwater SAC and SPA overlap to a large degree but the SAC boundary extends beyond the river channel to include riparian habitats. Whilst the site is long and linear, no part is proximate to the application site. Copies of the Site Synopsis for each site are included in Appendix 1 of this report for the information of the Board.

The Screening Report considers those aspects of the development which could give rise to impacts on the SAC/SPA. The proposed development would involve site excavation and clearance and the construction of 133 no. dwellings and ancillary development, including a new wastewater treatment system, new water supply and surface water drainage system. There is potential for sediment and pollutants to enter the surface water system during the construction phase, however, the risk to water courses is considered to be low having regard to the absence of watercourses or significant drains on the subject site.

It is proposed that foul effluent arising from the proposed would be discharged to a new wastewater treatment unit. The effluent would discharge to the municipal wastewater treatment plant, which I note is situated beside the River Blackwater, near Johnstown Bridge. The system which is currently operating beyond its biological capacity, has an outfall to the river which ultimately discharges to the River Boyne. The new treatment unit is required as an interim solution until the upgrade works are completed (2020/21).

It is proposed that a water supply for the proposed development would be provided from a connection to the borewell system to be provided by the applicant. The 2 no. new wells would provide raw water which would be treated within a package water treatment plant. The wells are noted to within the Zone of Contribution of the Cloncurry Stream, a tributary of the River Blackwater (Longwood).

Surface water would drain by gravity and discharge at a restricted rate into the existing culverted surface water network to the south of the site, adjacent to the Enfield Relief Road. Surface water from the site would be managed in accordance with SuDS to attenuate flows and control the quality and quantity of discharges to the collection system.

Impacts on River Blackwater and River Boyne SPA

The Screening Report concludes that there are no pathways for negative effects to occur to the River Blackwater and River Boyne SPA. The SPA is located a significant distance from the site (c.12km) and no part of the development will be located within or adjacent to the site.

I accept that there is no potential for significant impacts on Kingfisher, which is the species for which the SPA is selected. Its habitat is along rivers, riparian habitat and lakes and its nesting habitat is within the banks of watercourses. There will be no interaction between the proposed development and the SPA and the application site does not contain any watercourses which would provide any suitable nesting or feeding habitat. There is, therefore, no potential for loss, disturbance, reduction in habitat or the range of the species arising from the proposed development which would impact on its conservation status.

Impacts on River Blackwater and River Boyne SAC

Arising from the separation distance between the application site and the SAC and the absence of any works within or adjacent to the designated site, it is concluded in the screening report that there is no potential for direct effects on qualifying habitats and species.

However, it is recognised that there is a pathway from the site via wastewater and surface water flows to the River Boyne, which creates the potential for impacts on water quality with the potential for indirect impacts on qualifying interests. The location of the new bored wells within the Zone of Contribution of the Cloncurry Stream, is also considered.

11.1.3. Results of Stage I Screening for Appropriate Assessment

It is reasonable to conclude on the basis of the information on the file, which I consider adequate, that the proposed development either individually or in

combination with other plans or projects would not be likely to have a significant effect on the River Blackwater and River Boyne SPA.

The screening conclusion provided in the report states that as hydrological pathways exist to the River Boyne and in the absence of further analyses, significant effects on the River Blackwater and River Boyne SAC cannot be ruled out. This site was therefore brought forward for Stage 2 Appropriate Assessment.

11.1.4. **Stage 2 Appropriate Assessment**

The main potential impacts during construction arise from the potential discharge of sediment or other pollutants to the surface water system, with impacts on water quality and qualifying interests of the SAC. The potential impacts during the operation stage relate to wastewater, surface water discharges and water abstraction.

The proposed wastewater treatment unit is designed as an interim measure to service the proposed development until the municipal plant is upgraded. It will be designed to treat effluent to the required standard (BOD 20mg/l and TSS 30 mg/l). It will not increase the biological loading on the municipal treatment plant. Taken in conjunction with existing development in Enfield, it will not result in any deterioration in the receiving waters of the River Blackwater. Having regard to the standard of effluent that will be produced and the separation distance to the SAC, I accept that the potential for significant effects on the SAC and its qualifying interests are negligible.

The proposed surface water drainage system will be designed as a sustainable urban drainage system incorporating SuDS which will effectively treat and control the quality and quantity of surface water discharging from the site. These measures will ensure that the proposal will not result in negative impacts downstream in terms of the volumes discharging or water quality. Having regard to the separation distance to the designated site and the best practice measures proposed, no significant impacts on the SAC or its qualifying interests will arise from surface water discharges.

With regard to the potential effect of ground water abstraction on water availability in the Cloncurry Stream, the report details consultation with the hydrologist who prepared the hydrogeological assessment who confirmed that there would be no measurable impact from a hydrogeological point of view. This arises for a number of

reasons including that abstraction is from bedrock and the thickness of the subsoil separates the river flows from the underlying rock, the recharge to groundwater is from rainfall and baseflow continues to the river all year round. It was also noted that abstraction is a small percentage of available water in the catchment. No significant impacts on the SAC or its qualifying interests will arise from ground water abstraction.

Subject to the implementation of standard best practice measures during construction that will allow potential impacts to be managed to prevent impacts on the water environment including measures to control run-off and discharge of pollutants to the water environment, coupled with the significant separation distance to the designated site, I accept that the potential for significant effects on the integrity of the River Blackwater and River Boyne SAC and its qualifying interests are negligible.

In terms of potential in combination effects, it is concluded in the screening report that the project could act in combination with pressures arising from the expansion of built areas as the lands are identified for development in the current development plan, which was subject to Appropriate Assessment by Meath Co. Council. No other existing/potential developments have been identified with the potential for cumulative impacts. I accept that the design of the proposal includes sufficient measures to safeguard the receiving water environment which when taken in combination with existing or potential future development would not result in in-combination effects on the integrity of the SAC or its qualifying interests.

Having regard to the nature of the proposed development and the mitigation measures proposed which will result in a fully serviced urban site and the distance to the designated site, I consider that the proposed development either alone, or, in combination with other plans or projects, would not be likely to have significant effects on the River Blackwater and River Boyne SAC (002299), or any other European site, in view of the sites conservation objectives.

I consider that adequate information has been provided to allow the Board to carry out Appropriate Assessment and to conclude on the basis of objective information, that the proposed development will not, either alone, or, in combination with or plans

or projects impact on the ecological or environmental conditions required to maintain the qualifying interests of any Natura 2000 sites at favourable conservation status.

12.0 Planning Assessment

12.1. Introduction

12.1.1. Pursuant to the site inspection and inspection of the surrounding environs including the road network, examination of all documentation, plans and particulars and observations, submissions on file, I consider that the following are the main issues that arise for consideration in respect of this application:

- Principle of the development
- Material contravention
- Infrastructure deficiencies
- Layout and Development Strategy
- Residential Amenity
- Roads & Traffic
- Drainage, Flooding
- Childcare Facility and Social Infrastructure
- Other matters

12.2. Principle of the development

12.2.1. The majority of the site is zoned A2 with an 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'*. A small strip of land (c.0.08 ha) to the north is zoned F1 *'To provide for and improve open spaces for active and passive recreational amenities.'*

12.2.2. The proposal to provide 133 residential units and a creche on the site, is in accordance with the residential zoning objective. The narrow strip of land zoned for open space is located contiguous with the boundary of Enfield FC grounds and while

the intention may have been that it was included within the grounds it forms part of the application site. The area will be developed as rear gardens space associated with the houses on Sites 1-11.

- 12.2.3. The residential zoned lands are designated Phase 11 (Post 2019), which are not intended for release within the lifetime of the current development plan. The existing plan, which came into effect on January 22nd 2013, would have been due to expire in January 2019. Its review was paused pending the completion of the Regional Spatial and Economic Strategy (RSES), which was adopted on May 3rd, 2019 and came into effect on June 28th, 2019. Until such time as the new county development plan is adopted, the existing development plan remains operational.
- 12.2.4. The Enfield Written Statement adopts a sequential approach to residential development with preference being given to undeveloped lands closest to the centre and public transport. The land, the subject of the application, was initially zoned Phase 1 but subsequently changed as a result of a variation (Variation No 2) of the development plan. It introduced an Order of Priority to manage the release of residential land for 34 no. settlements across the county, including Enfield. This was to ensure consistency with the core strategy and that the quantum of lands identified for residential development adhered to the housing allocation for each centre. Under the core strategy of the County Development Plan (Table 2.4) a total of 319 no. housing units was allocated to the town and the Phase 1 lands were considered adequate to accommodate this housing allocation.
- 12.2.5. The Board's Pre-Application Consultation Opinion that issued to the applicant required an examination of the proposed development in the context of the zoning of the site for Phase 11 residential. This matter is addressed in the applicant's response in conjunction with the Planning & Statement of Consistency Report and Material Contravention Report. It is noted that since the plan was adopted only 53. No. houses have been delivered to date, which results in a significant shortfall of the housing allocation under the development plan. Should the settlement status of the town change in line with the planning authority's objective, the demand for housing is likely to increase.
- 12.2.6. An overview of currently available residential land in the town is provided in the Chief Executive's report. It also refers to the limited number of residential units delivered

(45 no.) over the lifetime of the plan. It further notes that c 8.6 ha of Phase 1 lands remain undeveloped within the town, in addition to town centre lands which are available for development. If all of these lands were developed (at a density of 25 units/ha), there would still remain a deficit (68 no.) of housing units required under the core strategy. Phase 1 lands do not, therefore, have the capacity to meet core strategy targets.

12.2.7. The Chief Executive's report provides commentary from the Forward Planning Section of Meath Co. Council, which states as follows:

'Enfield is located on a multi-modal corridor with excellent road and rail access to Dublin via the M4 motorway, the Dublin-Longford commuter rail line and is proximate to Maynooth University. These opportunities provide an opportunity to develop a 'live work' community in the town based on the principles of sustainable transport provision. Irish Water have committed to addressing the infrastructural deficits which currently exist in the town.

Variation No 3 of the current County Development Plan acknowledges this potential and sought the designation of Enfield as a Moderate Sustainable Growth Town. The RSES has provided a new typology for the regions towns and it is intended to designate Enfield as a self-sustaining town in the draft County Development Plan 2020-2026. It is also the intention to prepare a LAP for the town post the adoption of the County Development Plan.

The subject lands are currently designated as phase 11, i.e. intended for release post the existing development plan, it is intended that these lands would be identified as Tier 1 residential lands in the Draft Meath County Development Plan 2020-2026. The Draft Plan is scheduled for public display Q3 2019.

12.2.8. Under the RSES, Self-Sustaining Towns are described as *'towns with high levels of population growth and a weak employment base which are reliant on other areas for employment and or services and which require targeted 'catch-up' investment to become more self-sustaining'*. It is acknowledged in the RSES that these towns require contained growth, focusing on driving investment in services, employment growth and infrastructure whilst balancing housing delivery.

12.2.9. The planning authority clearly envisages that Enfield would be placed higher up the settlement hierarchy with the capacity for further growth and an increased demand

for housing. The proposed designation of the lands as Tier 1 acknowledges the suitability of the site for development and would remove the restriction on the development of these lands.

12.2.10. Whilst I acknowledge that the reasons why Phase 1 land have not been brought forward for development may be varied and complex and may be influenced by infrastructural constraints, it has repercussions in terms of securing the development of urban lands for housing and regeneration. It is clear that the Phase 1 zoned lands have failed to deliver the quantum of residential development required. The subject site located within the development envelope of the town is available for development, and has the potential to deliver a significant proportion of the housing required under the current core strategy.

12.2.11. However, I accept that under the provisions of the operative development plan, these lands cannot be brought forward for development post 2019. The applicant accepts that there is a reasonable basis for concluding that the proposed development materially contravenes the phasing provisions as set out in SP3 of the Enfield Written Statement, which is discussed in more detail below.

12.2.12. In conclusion, I accept that the principle of the development is acceptable on lands within the development envelop of the town and on lands zoned to take account of the future expansion of Enfield. I accept that the current Phase 1 zoning provisions has failed to provide the number of residential units required under the core strategy and the proposed change in the settlement status of the town is likely to act as a catalyst for further growth and create a greater demand for housing to accommodate that growth. I accept that the proposed development will consolidate the towns compact and coherent urban form and accords with national, regional and local policy which seeks to deliver a greater proportion of residential development and optimise use of of under-developed land in existing built up areas.

12.3. **Material contravention**

12.3.1. Under Strategic Policy 3 (SP3), which establishes an Order of Priority for the release of residential land, the planning authority is precluded from considering an application for residential development on the site, designated Phase 11 and not available for release post 2019. The applicant has submitted a Material

Contravention Statement, which together with the applicant's Response to the Pre-Application Consultation Opinion and Statement of Consistency, puts forward the justification for the development of Phase 11 lands at this location.

12.3.2. Section 37(2)(b) of the Planning and Development Act, 2000, as amended, sets out the circumstances when the Board can consider a material contravention of the plan. The applicants Material Contravention Statement sets out the justification for the development against the criteria set out in section 37(2)(b) as follows:

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

- The population of the State has increased and the number of homes delivered does not meet the needs and demands of the increasing population.
- Both the NPF and 'Rebuilding Ireland' recognise the need to deliver c. 25,000 homes annually.
- The development plan acknowledges that Enfield has the potential to grow to a 'Moderate Sustainable Growth Town' with a population target of 5,000-15,000, which will further increase the number of homes required.
- The development plan has failed to delivery to quantum of homes required in Enfield over the plan period.
- The delivery of 133 homes (including social housing) will assist in meeting the objectives of the NPF and 'Rebuilding Ireland' and provide much needed homes in Enfield, as well as augmenting the town's water supply.

12.3.3. It is recognised at national and regional level that the population of the country and the regions will continue to growth, which will generate demands for additional homes. The projected 20% increase in population by 2040 will generate a requirement for at least an additional half a million new homes in the same period. The target of the NPF is that at least 40% of those homes will be delivered in existing cities, towns and villages, with increased emphasis on compact growth and increased densities. The proposed development is in accordance with the national strategic objective of increasing the supply of housing. Within this context, I accept that the proposed development can be regarded as strategic or of national importance under the provisions of section 37(2)(b).

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

- The objectives of the development plan conflict with each other, where the planning authority is continuing to restrict residential Phase 11 land at Enfield from being brought forward in the lifetime of the plan. This is not facilitating the continued growth of Enfield to fulfil its household allocation of 319 dwellings. It is undermining the planning authority's objective for Enfield as a Small Town. It is also undermining the planning authority's objective for Enfield to grow to a 'Moderate Sustainable Growth Town', by not allowing the release of this Phase 11 land to enable it to expand to accommodate a population of 5000 people, and in addition support the existing and planned infrastructure such as education.
- Since the Meath Co Development Plan was adopted only 53 no. homes have been delivered, resulting in a shortfall of 266 dwellings. Of the 7 no. Phase 1 sites, 6 have no planning permission.
- To fulfil the 'Moderate Sustainable Growth Town' criteria requires an additional 1761 units, which will further increase the demand for housing within the town.
- The lack of delivery from the Phase 1 sites since the plan was adopted is the reason for the shortfall in housing supply, which is being exacerbated by the restriction on the release of Phase 11 lands.

I accept that the zoning of residential land and the phasing programme has not been successful in the delivery of housing in Enfield. Having regard to the low delivery of new homes over the period on Phase 1 and other town centre lands available for development, I accept that the restriction on the development of Phase 11 lands is curtailing the growth of Enfield in line with the overarching objectives of the core strategy as set out in the development plan.

(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

- Permission should be granted on the basis that the proposal is consistent with the national planning policy to significantly increase the delivery of housing and compact growth.
- The development is in compliance with national, regional policies and section 28 guidelines (as summarised in the Statement of Consistency summarised in section 6.6 above).
- Department Circular PL8/2016 which addresses the Action Plan for Housing and Homelessness 'Rebuilding Ireland', notes that there is an immediate and pressing need for all suitable potential sources of supply to be activated as speedily as possible and that development plans should be flexible to take account of changing circumstances or issues unforeseen at the time of the original making of the plan. It is submitted that in the case of Enfield, it is important to ensure that there is a flexible supply of sites/outlets that can collectively deliver the homes required.

I consider that the applicant has made a reasonable argument demonstrating how the proposal is consistent with Government policy and guidance regarding the need for increased housing supply nationally within a compact urban context.

(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

- It is submitted that the proposed development is a natural extension of the Phase 1 development to the north of the site. The site is available and can deliver the shortfall in homes in Enfield.

Existing development in the locality consists of low density residential in the form of ribbon development and housing estates. As already noted the only development that has been permitted in the area is Royal Oaks Phase 1 which occupies the site immediately adjoining to the north. I accept that the proposed development, represents a logical extension of this scheme within the development boundary of Enfield and adjacent to existing developed lands. While the proposed development will result in a higher density development, I do not consider that it would not be out of context with the existing pattern of development in the area.

I accept that the proposed development materially contravenes the phasing provision for residential zoned lands set out in Strategic Policy SP3. However, I am satisfied that the development can be considered of strategic or national importance and that the Board is not precluded from granting planning permission in this instance. I note that the Board has granted permission for Strategic Housing Development on Phase 11 lands in similar circumstances, albeit in larger settlements. In this regard, I refer the Board to the following;

ABP 300560-18 Tuam. Co Galway.

ABP 303253-18 Dundalk. Co Louth

ABP 303799-18 Drogheda. Co Meath

12.4. Infrastructure deficiencies

- 12.4.1. The existing infrastructural deficiencies relating to water supply and wastewater where highlighted at pre-planning stage as matters requiring further consideration. These issues are addressed in both the applicant's Response to an Bord Pleanala's Pre Application Consultation Opinion (documented above) and in the Engineering Assessment Report submitted in support of the application.
- 12.4.2. Enfield's water supply is provided by a bored well, which is currently operating at capacity. To address this deficiency, the proposal is to provide a new bored well supply on applicant's land on the opposite side of the Enfield Inner Relief Road. It has been established from field investigations, which including drilling of a trial well and conducting pumping tests that an adequate water supply can be provided. The details are contained in the Hydrogeological Assessment Report.
- 12.4.3. It is proposed to bring 2 no. borewells, each with a capacity of 430m³/day, into service. The wells would deliver sufficient quantities of water to serve both the proposed development (60m³/day) and augment the public town supply. The abstracted water would be treated in a treatment plant to be provided on the site, together with a storage reservoir of 600m³, which would be connected into the existing public water supply network.
- 12.4.4. I note that Irish Water have confirmed that it has currently no plans to carry out the works required to provide the necessary upgrades and capacity to Enfield's water

supply, but have raised no objection to applicant's proposal (Appendix H: Engineering Assessment Report). This is subject to various requirements as set out in their 'Confirmation of Feasibility' letter dated 16th January, 2019. It stipulates that the boreholes, WTP and storage reservoir may be constructed by Irish Water or by the applicant under the strict supervision of Irish Water. The works must be completed in advance of any houses being occupied and Irish Water will be responsible for the ongoing maintenance and operation of the system following completion. I note that Meath Co. Council have raised no objections in this regard.

- 12.4.5. The application also proposes to provide infrastructure to address the existing deficiencies in the existing wastewater treatment plant serving the town. The Enfield WWTP requires upgrade works to increase its biological capacity and Irish Water have confirmed that the project is included in their current investment plan and scheduled to be completed by 2020/21. It is proposed to provide an on-site wastewater treatment plant as an interim solution pending the upgrade of the municipal plant. The treatment plant would be located in the north-western corner of the site (Dwg P123 -Interim Drainage Arrangement) corresponding to Phase 4 of the scheme (Phasing arrangements are set out on Dwg P-PH-S-002). The wastewater treatment plant will produce an effluent quality of an acceptable standard (BOD 20mg/l and TSS 30mg/l) and will not result in any additional discharge of untreated effluent to the WWTP. Irish Water have confirmed that the proposal is acceptable and requires that it be decommissioned when the upgrade works are complete.
- 12.4.6. Meath Co Council refers to the applicants phasing arrangements, noting that the interim foul water arrangements allow Phase 1 to 3 of the site to be delivered and that the servicing of Phase 4 will be facilitated following the works to the Enfield WWTW in 2020/21. Should the Board be minded to grant permission it is recommended that a suitable phasing condition be attached.
- 12.4.7. I consider that the applicant has responded to the matters raised by the Board. The nature of the existing constraints, how they will be addressed, and the timelines involved have been clarified. On the basis of the information provided, I consider that the Board can be confident that the period within which the existing deficiencies will be remedied will be short term. The proposed development would not, therefore, be considered premature.

12.5. Layout and Development Strategy

Density –The issue of residential density arose during pre-application discussions with An Bord Pleanála. The original proposal for 111 units would have resulted in a net density of 28.8 units/ha development. The layout and mix of the development has been revised to achieve a density of 35.1 units/ha. This has been achieved through the introduction of a new 3 bedroom terraced block throughout the scheme and an increase in the number of 2 and 3 bedroom apartments re-arranged in 4 no central blocks.

While I accept as stated in the Third Party submissions, that the density is higher than the prevailing density in the area and set out in the development plan, it accords with the provisions of the *‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’* which seeks densities of 20-35 dwellings per hectare at edge of centre sites. Having regard to the locational context of the site close to existing rail/bus connections and the M4, and the proposed changes to the settlement status of Enfield, I consider that the proposed density is appropriate to ensure the efficient use of serviced land within the development boundary. I consider that the higher density can be achieved without compromising the residential amenity of adjoining property or the amenity of future residents of the scheme.

Housing mix – The issue of unit mix was raised at pre-application discussions with An Bord Pleanála, with reference made to the high proportion of 3 and 4 bed units. The proposal is for a mix of houses and apartments. The houses include 2, 3 and 4 bed semi-detached and detached dwellings and 2 and 3 bed terraced housing. The apartments include 2 bed ground floor apartments and 3 bed duplex units. The development does not include any 1 bed units as it is stated that there is no market demand for this type of accommodation in Enfield.

The current proposal significantly increases the number of apartments from 28 to 58. It also reduces the number of 3 bed units from 56 to 48, the number of 4 bed from 27 to 15 and introduces 2 bed houses (12 no.). The development is an improvement on

the original proposal in terms of greater unit mix and provides a variety of building typologies, which will provide a variety of options for different people and household types. The increased level of apartments is consistent with national guidance which seeks to ensure that apartment living is an increasingly attractive option to meet housing demand.

While I accept that building height in the locality is predominantly single and two-storey, having regard to the location of the three-storey blocks centrally within the scheme and their overall design and massing, I consider that the site has the capacity to accommodate the scheme, without impacting negatively on the visual amenities of the area.

Layout – The overall layout of the proposal remains largely similar to the original in terms of the layout of the houses and open space areas. A greater degree of visual interest has been applied to the arrangement of the central area through the off-set positions of the 4 no. apartment blocks. This enables pockets of open space to be maintained at the corner of each block, maintaining visual connectivity and permeability between this area and the remaining parts of the site.

The proposal does not significantly alter the layout of the development as it relates to the Relief Road. While I note that just one of the blocks will be orientated to directly address the road, the boundary treatment proposed which will include an open railing over a brick wall, will maintain an open and permeable façade to the Relief Road, which coupled with the linear area of open space and 2 no. pedestrian access points will maintain connectivity with the wider area.

The applicant has demonstrated that the proposal has been designed around the 12 criteria outlined in the '*Guidelines for Planning Authorities on Sustainable Residential Development in Urban Design*'. I consider that the proposal results in a legible and coherent design and provides a good sense of place.

Open space - A hierarchy of open spaces is proposed, resulting in a level of provision (16%) that exceeds standard requirements. The main central area of open space will be positioned near the entrance. It will provide the main play area for children, incorporating a maze, mounding and a kickabout area. Circulation paths would provide linkage throughout the space and connect it with surrounding areas.

A more formal green area is proposed in the areas surrounded by the apartments/duplex units. Circulation paths surround the periphery of the space which is defined by formal trees lines. It would be separated from the internal access road and seating is proposed to facilitate passive recreation. The space would be overlooked by the majority of residential units in this part of the scheme.

A linear area of open space is proposed along the eastern boundary of the estate, which will be planted with Oak trees and accommodate a circulation path and two pedestrian entrances onto the adjacent road. There would also be pockets of open space scattered throughout the development, some associated with home zones and others that function largely to provide a soft edge to the built environment.

I consider that adequate well located open space would be provided throughout the scheme which together with the hard and soft landscaping proposals would significantly enhance the amenity of the site. The larger areas would provide a focal point for the entire scheme and would encourage a variety of activities and the linear area to the east would provide a landscaped soft edge adjacent to the Relief Road.

Street hierarchy - The internal roads are 6m wide and consist of a central access road extending from Phase 1 with links serving the various sections of the development. The roads are designed to a speed limit of 30kph, enabling them to function as 'Shared Streets' where both cyclists and vehicles can travel at the same time in a safe manner. The use of changes in materials and raised tables have been designed into the internal network to slow traffic and provide pedestrian priority. The landscaping and tree planting proposals will enhance the residential nature of the streets creating a sense of place. Pedestrian will be facilitated throughout the development by 2m footpaths with connections to external footpaths extending into the town along the Old Dublin Road and Relief Road. Cyclists will not specifically be separated from vehicular traffic but will avail of the existing cycle way connecting the site to the centre of the town along the Old Dublin Road. Each house will be directly accessible by the internal road network. The central area accommodating the apartment blocks will be a pedestrian zone with vehicles and parking on the periphery.

Each house will be provided with 2 no. parking spaces. While there is a minor deficit (3 spaces) in the overall level of car parking provided relative to the development

plan standards, it is considered that the provision of 269 spaces is reasonable and more than adequate to cater for the proposed development, in a town which has good access to public transport. A total of 80 no. bicycle spaces are proposed in 4 different locations adjacent to the apartment blocks.

Conclusion - I consider that the design and layout of the proposed development is acceptable. Whilst the density is higher than the surrounding context, having regard to the locational advantages of the site and national guidance regarding suitable locations for higher densities, I consider that the proposal is acceptable. The housing mix proposed will cater for a wide variety of different household types. Open space is suitably located and provided to an acceptable standard. The internal road network and footpath layout are satisfactory and facilitate shared use.

While I accept that the proposed development is potentially car dominant, I am mindful that the development is well connected to alternative modes of transport available within reasonable proximity to the site (rail and bus), including pedestrian linkages and cycleways. Whilst noting the comments made by Iain Lumley/An Taisce any fundamental change in promoting modal shift and a move away from private car usage will require significant intervention at national level.

12.6. Residential amenity

This section of the report assesses the impact of the proposed development on the residential amenity of both future residents of the scheme and on residents of adjoining development.

The proposal includes a mix of houses and apartments. The Schedule of Accommodation submitted with the application provides details of unit type, bed spaces, floor areas and private open space. It indicates that the proposed development is compliant with relevant residential standards.

Each of the houses has an area of private open space, located at the rear of the dwelling. The separation distance of 22m between opposing first floor windows is achieved throughout the site, except on a limited number of sites, which is discussed in more detail below. As noted by one of the objector's the development plan requirement (Section 11.2.2.2) that a minimum distance of 3.2m be provided

between dwellings is not achieved. However, a separation distance of at least 1.1m ensures that direct access from the front to the rear of each dwelling is maintained.

In terms of the level of residential amenity afforded to residents of the apartments, the *Sustainable Urban Housing: Design Standards for New Apartments* (DoHPLG, 2018), places significant emphasis on qualitative standards. The aim being to ensure that apartment living is an increasingly attractive and desirable housing option for a range of household types.

The individual apartments substantially comply with requirements in terms of aggregate floor areas, rooms sizes, floor to ceiling heights and internal storage space. I note that the guidelines also encourage the provision of storage space for bulky items outside the apartments i.e. at ground level/ basement level, which does not form part of the scheme.

Each of the apartments is provided with adequate private amenity space in the form of a patio/balcony space which has a functional relationship with the main living areas. All of the apartments are dual aspect ensuring good sunlight/daylight penetration to each of the units. The apartments have access to a communal area of open space which is defined by the 4 no. blocks and with pedestrian linkages to the rest of the site and surrounding area. The space, in conjunction with the central open space, provides a quality and usable outdoor space which will be accessible and secure and will provide a play area for children.

With regard to the impact of the proposed development on adjoining residents, the site is adjoined to the north by the adjoining residential development. The rear of the houses (1-10 The Close of Phase 1 Royal Oaks) face towards the application site and the boundary is separated by a high concrete wall. The residents at No 10 The Close have raised concerns regarding the proximity of the directly opposing dwelling to the south (No 59). The house on this site would be semi-detached and two-storey (Type A1). It would accommodate a kitchen/dining room on the ground floor and bedrooms at first floor level.

The existing boundary wall between the two properties eliminates any potential for overlooking at ground floor level. A 22.5m separation distance is proposed between opposing windows at first floor level which is more than adequate to ensure that the privacy of the adjacent house to the north is protected.

To the west the site abuts the rear boundaries of 3 no. houses fronting onto New Road. The occupants of one of these houses has raised issues regarding the proximity and orientation of the houses proposed on Site No 11 and Site No's 12-14. The concerns relate to the potential for overlooking and overshadowing.

Site No 11 would accommodate a semi-detached two-storey house (Type A1) to the north east of objector's property. I note from the Dwg No P-S-002 (Site Layout Plan) that a Type 2 boundary is proposed between the two properties comprising a 2.1m high concrete block wall (Dwg P-BW-0-001-Boundary Wall Details). The only potential for overlooking that would arise would therefore be from the first floor windows.

The western gable of the proposed house contains a small window serving a first floor landing, which due to its orientation does not create any overlooking issues for objector's property. Its position c 30m from the rear of the adjacent house, limits any significant issues for the adjacent house to the north. Having regard to the separation distance of the first floor bedroom windows in the proposed house and their oblique outlook relative to objectors property, I do not consider that there will be any significant diminution of privacy arising from the construction of a dwelling on Site 11.

Sites 12, 13 & 14 are located to the south of objectors house. Site 12 would accommodate a detached two-storey house (Type D) and Sites 13 & 14 would accommodate semi-detached two-storey dwellings (Type B). These houses would be orientated such that their rear elevations face the side elevation (at a distance ranging from 11-16m) and rear garden of objector's house. The site layout plan does not indicate the type of boundary treatment proposed but is assumed that it will be a similar Type 2 wall which would prevent any overlooking at ground floor level.

The rear of each house contains first floor bedroom windows that would face towards objectors house and rear garden. The house on Site 12 would be c 9.7 m from objectors side elevation which contains a window on the ground floor. I do not consider that the bedroom windows at first floor level would seriously impact on the privacy of this window. However, the houses on Sites 13 & 14 would be 12m from the common site boundary and would directly overlook the rear garden space which would significantly impact on objector's property. In order to protect the amenity of

the property, I consider that these houses should be re-orientated to face the internal access road. The re-configuration of the layout would result in the loss of one house on Site No. 12.

Under the Design Standards for New Apartments (2018) there is a requirement that applications for apartment schemes include a building lifecycle report which in turn includes an assessment of long term running and maintenance costs as they would apply on a per unit residential unit at the time of the application. It is also a requirement that it be demonstrated what measures have been specifically considered by the proposer to effectively manage and reduce costs for the benefit of residents. A Building Lifecycle Report is included with the application. The guidelines also refer to developers' obligations under the Multi-Unit Development Act 2011, with reference to ongoing costs regarding maintenance and management of apartments. Should the Board be minded to grant permission for the development, I recommend that a condition be attached requiring the constitution of an owners' management company.

Issues have been raised in the submissions regarding the potential for the apartments to be used for rental purposes/for student accommodation. I consider that these matters can be adequately addressed by condition.

12.7. Roads & traffic

- 12.7.1. With regard to road infrastructure, vehicular access to the site would be provided from the Old N4 Dublin Road (L- 6229) to the north of the site via the existing entrance to Royal Oaks (Phase 1). No alterations are proposed to this access, which is located within a 60 kph speed zone and where there is good visibility in both directions. The M4 is located to the south and while the proposal would result in an increase in traffic onto the motorway, Transport Infrastructure Ireland has raised no capacity issues arising from the increase in traffic generated by the proposed development.
- 12.7.2. The Engineering Assessment Report draws on the results of a traffic count carried out at the site junction as part of a previous application (TA171345 submitted to the planning authority in November 2017 for a site on the western side of the town). The survey data was used to provide an indication of traffic flows passing the subject site

during the AM and PM peak (Fig 1-8 Appendix D). The TRICS database was used to establish the number of trips likely to be generated by the proposed development and the performance of the site access junction was modelling using PICADY. The conclusion reached is that the junction will continue to operate within capacity during the AM and PM peak (2022, 2027 and 2032) with the development in place. I note that that Meath Co Council's Transportation Department have raised no issues in this regard.

- 12.7.3. The proposed development is designed as an extension of Phase 1 and while residents have concerns regarding the increased volumes of traffic using the internal road network this must be considered in the context of the residential zoning of the site and the capacity of the road network to accommodate the volumes arising.
- 12.7.4. The impact of the development on New Road (L62274) to the west of the site is also raised in the submissions. There are concerns that this local road will be used increasingly as a short cut to avoid queues at the roundabout on the eastern perimeter of the town. The local road runs northwards from its junction with the R148 and exits onto the Old Dublin Road. It has a narrow carriageway, no footpaths and a posted speed limit of 50 km/h. It provides access to a number of single dwelling houses.
- 12.7.5. As part of the proposal, it is intended to widen the southern sections of the road to 5m and provide a 2m wide footpath on its eastern side. The widened section will extend from the proposed pedestrian route southwards to the junction with the R148 (260m). No new vehicular access is proposed and consequently there will be no increase in vehicular traffic arising as a consequence of the development. The works proposed will benefit both vehicle and pedestrian movement along this section of the local road.
- 12.7.6. While I accept that the road may be used as a 'rat run' to avoid congestion elsewhere, this raises broader traffic issues which are beyond the scope of this application and which are matters for the local authority to address. The provision of the new footpath will be confined to the southern section of the road but may act as an impetus for the local authority to extend it northwards to facilitate pedestrians travelling towards the town centre. There are green areas along sections of the

roadway which provides refuge for pedestrians. I consider that the matters raised regarding the position of the pedestrian access route on this road are unfounded.

12.8. Drainage and flooding

A new surface water network is proposed to serve both the existing (Phase 1) and the proposed development. The existing surface water network serving the adjoining development traverses the north western corner of the site, prior to discharge to the 300mm surface water sewer to the west of the site. This 300mm sewer also accommodates surface water from the playing pitches to the north. It will be diverted and the surface water from Phase 1 will be connected into the proposed surface water network.

It is proposed that the site will drain by gravity and discharge at an existing 1200mm culvert located to the south of the site, via a new 300mm diameter sewer that will be laid along the New Road to the west of the site. It will also carry the flow from the attenuation tank of the playing fields into the proposed network. The drainage system will incorporate measures to attenuate and restrict the rate of discharge. It will be designed as a sustainable urban drainage system incorporating SuDS to ensure that the quality and quantity of discharges are acceptable. No significant issues regarding the proposals have been raised by Meath Co. Council subject to the detailed design of the attenuation system and discharge rates being agreed prior to commencement of the development. It also requires that it be the beneficiary of a wayleave (5m) to allow maintenance and repair of the access to the existing surface water discharge from the pitch to the north. I refer the Board to Dwg No 15-124-P103 Rev D (Proposed Drainage Layout) which shows the pipe entering the site from the north western corner and joining the proposed sewer adjacent to the side garden of Site No 11. A 3m wide wayleave is proposed by the applicant (Combined Landscape and Engineering Plan Dwg 03).

The site has been assessed for flooding risk. Residential development and water/sewage treatment plants are classified as 'highly vulnerable development' in *'The Planning System and Flood Risk Management Guidelines for Planning Authorities'*, November 2009. The site is located in an area where there is a low probability of flooding (Zone C), and the land uses proposed are considered appropriate. The requirement for a justification test does not therefore arise.

The Flood Risk Assessment report submitted in support of the application assesses the flood risk from tidal, fluvial, pluvial and ground water. The risk from **tidal flooding** is assessed as extremely low, given the 42km separation distance and the 74.55m level difference between the site and highest tide recorded in the Dublin coastal area. No mitigation measures are considered necessary. There are no recorded **fluvial flood events** (CFRAM maps) located within 1.4km of the site and the site is well removed from adjacent rivers where flood events have been recorded. The risk from fluvial flooding is assessed as extremely low and no flood mitigation measures are considered necessary.

The risk of **pluvial flooding** during periods of extreme prolonged rainfall is considered in the context of surcharging of the proposed internal drainage system, the surrounding drainage system, surface water discharges from the site leading to downstream flooding, and overland flooding from both the subject site and surrounding areas

The greatest potential for pluvial flooding on the site is considered to arise from the surcharging of the internal drainage system during periods of extreme prolonged rainfall events. It is proposed to mitigate the risk by appropriate drainage design and adequate sizing of the on-site surface water network, the use of SuDS and setting house floor levels 300mm above adjacent road levels. Excess stormwater will be attenuated in the 2 no. stormwater attenuation tanks which will be provided on the site. The storm water system will be designed to cater for the 1 in 100 year storm with a further 20% storage available to facilitate climate change (Engineering Assessment Report).

The risk of flooding from surcharging of the surrounding drainage system is assessed as low, as the drainage system has the capacity to accommodate the proposed development. Whilst the development of the site will result in increased hard standing, the potential for downstream flooding will be mitigated by minimising the rate of discharge of surface water from the site, to mimic greenfield run-off rates. There is low likelihood of flooding from surrounding areas as no flood events have been recorded in the vicinity of the site. Any potential for overland flow flooding within the development site will be minimised by over land flow routing and setting of development floor levels.

With regard to the potential for **ground water** flooding, it is noted that there is no known history of ground water/springs seeping through the ground in this area. While it is possible during prolonged wet periods for ground water to rise and cause potential flooding, the likelihood is considered to be low. Should it occur the water would escape via the overland flow routing and the building floor levels, which will be set 300mm above road level and will protect dwellings from water ingress.

I accept the site is not at significant risk from flooding and any risk that may arise can be managed effectively and attenuated. I accept that the proposed development is not likely to contribute to flooding risk elsewhere due to the mitigation measures proposed, which include proposals to manage flows within the site and control the rate of discharge into the collection system.

12.9. **Childcare facility and social infrastructure**

The Guidelines for Planning authorities on Childcare Facilities (2001) require a facility to cater for 20 children for each 75 dwellings. The proposed creche (170 sq.m) will cater for 36 children and is therefore adequate to serve the proposed development. It will be centrally located within the site and removed from the main traffic circulation system. It will be provided with safe and convenient arrangements for drop off and collection of children and adequate car parking facilities (12 no. spaces). It will also be provided with an external protected play area. I note that the applicant has consulted with the Meath County Childcare Committee who consider that the proposal is adequate.

12.9.1. The local primary school (St Mary's is located centrally within the town) and within an approximate 7-8 minute walking distance of the site. There are footpaths and a cycle lane connecting the site to the town along the Old Dublin Road. From the documentation submitted it appears that the local school has capacity to cater for additional pupils.

12.9.2. There is currently no secondary school in Enfield, with the closest located in Longwood, c 8km from the town. However, plans to develop a 500 pupil school have been announced and a site is zoned for that purpose on the opposite side of the Old Dublin Road.

12.9.3. I accept, therefore, that there are adequate facilities, both existing and proposed to cater for both pre-school and school children arising from the proposed development. I am not however, in any position to comment on the issues raised regarding the lack of healthcare facilities in the town, which is not considered in the application documentation.

12.10. Other matters

12.10.1. **Cultural Heritage:** There are no Recorded Monuments on the site. The results of archaeological testing carried out on the site (Cultural Heritage Assessment and Report of the Results of Archaeological Testing report) indicated that the site did not contain anything of archaeological significance. The DoCHG have confirmed that there are no further archaeological requirements in this case.

12.10.2. **Removal of trees** - The tree survey detailed in the Arboricultural Assessment report indicates that there are no trees of high quality/value on the site. The location of existing trees/hedgerows is shown on Dwg No EFM001 (Tree Constraints Plan). The removal of the majority of the trees/hedge vegetation within the site will be necessary to make way for the development. The majority of trees present are assessed as medium/low quality/value. The trees/hedgerows to be retained are indicated on Dwg No EFM002 and are largely confined to sections along the western boundary and the area on the opposite side of the Relief Road. I accept that the loss of trees and other vegetation would be mitigated by the landscaping proposals for the site which would include trees, shrubs and hedge planting.

The planning authority note that an ecological assessment of the site has not been carried out and no fauna surveys (mammals/bats) conducted. I note that a habitat survey was conducted as part of the Screening Report for Appropriate Assessment. With the exception of the treelines/hedgerows, the remaining habitat was assessed as of low biodiversity value. I accept that the tree line/hedgerows would provide commuting and foraging habitats for birds and mammalian species and would be of high local value.

I note the site has been significantly disturbed associated with construction activity and soil storage and has not been in active use for some time. However, it could potentially accommodate protected species such as badger including setts and bat

roosts in the trees. While the developer is bound by the Irish wildlife legislation regarding removal/destruction of protected species/habitats, should the Board be minded to grant permission for the development, I recommend that a condition be attached requiring that pre-construction badger and bat roost surveys be conducted on the site.

12.10.3. **Part V** – The applicant proposes to transfer of 13 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). This is acceptable to the planning authority. The units to be transferred are shown on Dwg No. P-S-PV-002 and includes the following:

- 3 no x 3 bedroom terraced houses
- 3 no x 3 bedroom duplex units
- 4 no x 2 bedroom ground floor units
- 3 no x 2 bedroom mid terrace houses.

13.0 Recommendation

13.1. Section 9(4) of the Act of 2016 provides that the Board may decide to:

- (a) grant permission for the proposed development,
- (b) grant permission for the proposed development subject to modifications to the proposed development as it specifies in its decision,
- (c) grant permission, in part only, for the proposed development, with or without any other modifications as it may specify in its decision, or,
- (d) refuse to grant permission for the proposed development,

and may attach to a permission under paragraph (a), (b) or (c) such conditions it considers appropriate.

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

14.0 Reasons and Considerations

Having regard to

- (a) the site's location on lands which allows for residential development and open space, and which represents a logical extension of the built-up area of Enfield;
- (b) the nature, scale and design of the proposed development which is consistent with the provisions of the Meath County Development Plan and appendices contained therein;
- (c) the Rebuilding Ireland Action Plan for Housing and Homelessness 2016;
- (d) the Guidelines for Sustainable Residential Development in Urban Areas and accompanying Urban Design Manual -a Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009;
- (e) the Sustainable Urban Housing: Design Standards for New Apartments issues by the Department of the Housing, Planning and Local Government in March 2018;
- (f) the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2013;
- (g) the availability in the area of a range of transport and social infrastructure;
- (h) the pattern of existing development in the area;
- (i) the submissions and observations received;

it is considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with national, regional and local planning policy, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and of pedestrian and traffic safety and would not be prejudicial to public health. The proposed development would therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 as agreed in accordance with the agreed particulars. In default of agreement, such may be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The house on Site No 12 shall be omitted from the development and the site shall be incorporated into Site No's 13 & 14. The houses on Site No's 13 & 14 shall be re-oriented on the site such that the front of the houses faces the internal access road to the east. Prior to any development commencing on the site, a revised layout plan incorporating these changes shall be submitted to and agreed in writing with the planning authority.

Reason: To protect the residential amenity of adjoining property.

3. The development shall be carried out in accordance with a phasing plan that shall be agreed in writing with the planning authority prior to commencement of development. In particular, the plan shall stipulate that none of the authorised dwellings may be occupied until the necessary connection for water supply and the drainage of foul effluent have been constructed to the satisfaction of the planning authority.

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

4. Foul effluent from the development shall be discharged to a temporary effluent treatment system to be provided on the site. The treatment system shall be designed to a population equivalent (PE) of 400 and shall allow for the servicing of Phase 1 to 3 of the proposed development. The design of the treatment system shall be agreed with Irish Water and shall be capable of producing an effluent quality of BOD 20mg/l and TSS 30mg/l prior to discharge to the public sewer network. The treatment system shall be designed installed and maintained in accordance with the requirements of

Irish Water and the planning authority. Following the completion of the proposed upgrade works to Enfield WWTW by Irish Water, all foul effluent arising from the proposed development shall discharge to the public sewer system and the onsite treatment system shall be decommissioned and removed from the site.

Reason: In the interest of proper site drainage and for the protection of public health.

5. The water supply for the proposed development shall be from a bored well supply to be provided on lands in applicants ownership as detailed on the plans and particulars submitted with the application. The wells, treatment plant and storage facilities shall be provided in accordance with the detailed requirements of Irish Water. The new storage reservoir shall be connected into the existing public water supply network. The water supply shall be developed and commissioned in advance of the occupation of any of the residential units.

Reason: To ensure that an adequate and potable water supply is available for the proposed development in the interests of public health.

6. Prior to any development taking place on the site the applicant shall submit a detailed design of the proposed upgrade works on New Road for written agreement with the planning authority to include details of road widening, footpaths, drainage and public lighting.

Reason: In the interests of road and traffic safety.

7. The developer shall conduct pre-construction badger surveys and assess the trees for potential bat roosts. Should such species be encountered, no work shall commence on the site until the advice of the National Parks and Wildlife Service has been obtained on how best way to deal with the species.

Reason: To reduce potential impacts on protected species that may be present on the site.

8. Water supply and drainage arrangements, including the attenuation of surface water and discharge rates shall comply with the detailed requirements of the planning authority for such works and services. Prior to any development

commencing on the site the applicant shall submit for written agreement with the planning authority a detailed design for the proposed attenuation system, design and pipe size for discharge arrangements and design of the proposed swales.

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

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

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

10. (a) the development, including all roads, footpaths, 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 shall be laid out and landscaped prior to the making available by the developer for occupation of any of the houses or apartment/duplex units in the relevant phase of the development.
(c) all the areas of public open space, as shown on the submitted drawings which are to be taken in charge, shall be maintained by the developer until the development is taken in charge by the local authority. When the estate is taken in charge, these open spaces shall be vested in the planning authority, at no cost to the authority, as public open space.
(d) those parts of the development that are shown on the submitted drawings as not to be taken in charge shall be maintained by a properly constituted Owners' Management Company. Membership of this company shall be compulsory for all purchasers of apartments and duplex units in the

development. Confirmation that this company has been set up shall be submitted to the planning authority prior to the making available by the developer for occupation of the first apartment or duplex unit.

Reason: In the interests 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.

11. Public lighting shall be provided in accordance with a public lighting scheme which shall be submitted to and agreed in writing with the planning authority prior to commencement of the development. The scheme shall make provision for public lighting along New Road, the site frontage along the R148 and to all public spaces within the development.

Reason: In the interests of amenity and public safety.

12. All rear gardens of houses shall be bounded with concrete block walls which shall be a minimum of 1.8m high, except where bounding roads when the walls shall be 2 metres in height, or by concrete post and concrete panel fences 1.8m high. Post and wire or timber panel fencing of any kind shall not be used for any rear garden boundaries

Reason: To ensure the provision of durable boundary treatment in the interests of the residential amenity of future occupiers of the development and to comply with the provisions of the Meath County Development Plan (section 11.2.2.6).

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

- (a) details of all proposed hard surface finishes, including samples of proposed paving flags/materials for footpaths, kerbing and road surfaces within the development;
- (b) proposed locations of street trees, other trees and other landscape planting in the development, including details of proposed species and settings;

- (c) details of proposed street furniture, including bollards, lighting fixtures and seating;
- (d) details of proposed boundary treatments at the perimeter of the site and at the boundaries with existing residential property, including heights, materials and finishes;
- (e) measures to ensure the retention of the existing hedgerows where appropriate.
- (f) Measures to ensure that the landscaping proposals take into consideration the public lighting design for the scheme in accordance with the requirements of the planning authority.

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

Reason: In the interests of visual amenity.

14. The proposed development shall make provision for the charging of electrical vehicles. All car parking spaces serving the proposed development shall be provided with electrical connections, to allow for the future 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 the design of, and signage for, the electrical 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 interest of suitable transportation.

15. Proposals for an estate/street name, unit numbering scheme and associated signage shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. Thereafter, all estate and street signs and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertising/marketing signage relating to the name(s)

of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

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

16. Each residential unit shall be used and occupied as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purpose (including short-term letting) without a separate planning permission.

Reason: In the interests of clarity and to ensure the maintenance of a residential community.

17. Details of the materials, colours and textures of all external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All roofs including porch roofs shall be finished in slates/tiles which shall be slate grey or blue black in colour.

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

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

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

19. The developer shall provide for a work of public art to be provided within the site at a location to be agreed with the planning authority, or shall pay a financial contribution towards the provision by the planning authority of such public art. Details shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of the development and shall be provided in accordance with a timeline to be agreed with the planning authority.

Reason: In order to comply with the provisions of the Meath County Development Plan (Section 11.2.2.5), and to enhance the amenities of the future residential environment.

20. Site development and building works shall be carried out only between 0800 to 1800 hours Monday 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 permitted in exceptional circumstances where prior written approval has been received from the planning authority.

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

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

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

22. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan (CEMP), which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the development. This plan shall cover all aspects of the construction phase and incorporate measures to avoid, minimise and mitigate potential effects on the environment. The plan shall provide details of the intended construction practice for the development, including hours of working, noise management measures and construction traffic management plan. The plan shall be updated at regular intervals.

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

23. Prior to the commencement of the development, the developer 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 agreement is not reached within eight weeks of 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.

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

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

25. Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such 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 spaces and other services required in connection with the development, coupled with an agreement empowering the planning 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.

26. 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 the 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.

Breda Gannon
Senior Planning Inspector

22nd July 2019