



An
Bord
Pleanála

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

Inspector's Report ABP-305196-19

Strategic Housing Development

228 no. residential units (114 no. houses, 114 no. apartments), childcare facilities and associated site works.

Location

Jamestown, Ratoath, Co. Meath.

Planning Authority

Meath County Council

Applicant

Sherwood Homes.

Prescribed Bodies

1. Department of Culture, Heritage and the Gaeltacht – Development Applications Unit.
2. Inland Fisheries Ireland.
3. Irish Water.
4. HSE.

Observer(s)	16 no. submissions received, see Appendix A.
Date of Site Inspection	21 st October 2019.
Inspector	Karen Kenny

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1.0 Introduction

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

2.0 Site Location and Description

- 2.1.1. The site, with a stated area of 6.3 ha, is located in the townland of Jamestown in Ratoath Co. Meath. The site is at the southern edge of Ratoath.
- 2.1.2. The site is situated to the south of an established residential area that sits between an Inner Relief Road to the north and an Outer Relief Road (under construction) to the south. The area is suburban in character. The site itself comprises agricultural fields. The lands slope gently from west to east and there are hedgerows and drainage ditches along field boundaries. Parts of the site have been disturbed by construction activities in the area.
- 2.1.3. The site is bounded to the west by Ratoath Community College (PPS), agricultural lands and one-off houses. The site is bounded to the north by the 'Milltree Park' housing estate. The Ratoath Outer Relief Road and an associated Link Road to Ratoath Community College are under construction to the immediate south of the site and through the site. Lands to the east are under development, by the applicant, for housing. Lands to the south are in agricultural use.
- 2.1.4. It is proposed to access the site from the Ratoath Outer Relief Road to the south and from the Ratoath Inner Relief Road to the north via an existing link road.

3.0 Proposed Strategic Housing Development

- 3.1.1. The proposed development comprises a total of **228 no.** residential units (114 no. houses and 114 no. apartments) and a childcare facility.

3.1.2. The unit mix is as follows:

Unit Type	No. Houses	No. Duplex / Apartments	TOTAL	Percentage
1-bed	0	19	19	8%
2-bed	9	59	68	30%
3-bed	97	36	133	58%
4-bed	8	0	8	4%
TOTAL	114	114	228	100

3.1.3. The typologies can be summarised as follows:

- 88 no. semi-detached houses;
- 6 no. detached houses;
- 11 no. terraced houses;
- 9 no. independent living units;
- 82 no. apartments; and
- 32 no. duplex units.

3.1.4. Primary vehicular / bicycle / pedestrian access to the site will be from the Ratoath Outer Relief Road approved under RA150993/PL17.247003 (as modified). Secondary access is proposed via 'The Way' at Broadmeadow Vale (as approved under RA150993/PL17.247003). Pedestrian / bicycle connections are proposed to 'The Grove' and 'The Rise' at Miltree Park to the north.

3.1.5. The documentation submitted with the application includes the following: Statement of Response to ABP Opinion; Material Contravention Report; Statement of Consistency; EIA Screening Report; Design Statement; Housing Quality Assessment; Universal Accessibility Report; Phasing Plan; Landscape & Visual Assessment Report and Landscape Rationale; Infrastructure Report; Site Specific Flood Risk Assessment; Traffic Impact Assessment and DMURS Compliance Statement; Road Safety Audit; AA Screening Report; Ecological Impact Assessment;

Archaeological and Cultural Heritage Report; Arboricultural Report; Public Lighting Report and Layout; Schools & Creche Demand Assessment; Daylight and Sunlight Assessments Report; Building Lifecycle Report; Outline Construction Management Plan; and Outline Waste Management Plan.

4.0 Planning History

- 4.1.1. The site forms part of a larger landholding that has been under development since c. 2004. The following planning history pertains to the site:

PA Ref. DA/70037:

Application (Sheerwood Builders Ltd) for a housing development (Phase 3) comprising 286 dwellings, 2 no. crèche's and ancillary site development works on a site that included the subject site and lands to the east that are currently being developed. The works include a sewage pumping station/rising main and the construction of a portion of an outer relief road. Permission granted by the PA in 2008 and extended to 2017 under PA Ref. DA/120765. This permission was not implemented.

ABP Ref. PL.17.247003 / PA Ref. RA/150993:

Application (Sheerwood Homes Ratoath Ltd) for 128 dwelling units and associated works on lands to the immediate east of the subject site. The works include the construction of a sewage pumping station / rising main and a portion of an outer relief road. Permission granted by the PA in 2016. The decision was subject to first-party and third-party appeals. An Board Pleanála granted permission on appeal. This site is currently being developed for housing. Permission was granted for minor amendments to the approved scheme under PA Ref. RA/180046 and RA/180157.

PA Ref. RA/190724:

Application (Sherwood Homes Ratoath Ltd) for amendment to the road junction at intersection of ORR and Community College Link Road as approved under planning permission Ref. PL17.247003/RA150993 (replace roundabout with signalised junction). Permission granted by the PA.

ABP Ref. ABP-305385-19 / PA Ref. RA/190890:

Application (by Sherwood Homes Ratoath Ltd) for amendment to the road junction at intersection of ORR and Ashbourne Road as approved under planning permission Ref. PL17.247003/RA150993 (replace roundabout with signalised junction). Permission granted by the PA. The decision is the subject of a third-party appeal to An Bord Pleanála.

4.1.2. Earlier phases on lands to the north.

PA Ref. DA/40430: Permission granted in 2004 to Sherwood Builders Ltd for a housing development of 72 no. dwellings (Phase 2) on lands to the north of the application site comprising terraced and semi-detached houses, duplex units and apartments.

PA Ref. DA/30034: Permission granted in 2003 to Sherwood Builders Ltd for a housing development of c. 100 no. dwellings on lands to the north of the appeal site (Phase 1) including estate roads, access road to future secondary school and community facilities and ancillary site development works with access from existing inner relief road at Jamestown, Ratoath.

5.0 Section 5 Pre-Application Consultation

5.1. A Section 5 pre-application consultation took place at the office of An Bord Pleanála on 28th January 2019. The main topics raised for discussion at the tripartite meeting were based on the agenda that issued in advance as follows:

- Development Strategy for site to include urban design and layout, public realm, creation of sense of place, connectivity, unit mix and density
- Location and distribution of Public Open Space
- Surface Water Management
- Any other matters

A copy of the Inspector's report and Opinion is on the file for reference by the Board. A copy of the record of the meeting is also available on the file.

5.2. Notification of Opinion

5.2.1. The An Bord Pleanála opinion stated that it is of the opinion that the documents submitted require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála. The issues set out in the opinion can be summarised as follows:

- Further consideration / justification of the documents as they relate to layout, urban design, unit mix, typology and density. Further consideration should be given to the qualitative nature of the public realm including the interface with the Outer Relief Road and the need to ensure pleasant, attractive streetscapes with a sense of place and appropriate architectural response. Further consideration should be given to the location of the proposed childcare facilities (vis-à-vis associated traffic movements and location of the existing school campus).
- Further consideration to the qualitative nature of public open space. The opinion referred to the need to consider the location and distribution of public open space, the hierarchy of public open space, hard and soft landscaping having regard to the function of spaces and the need for strong passive surveillance of spaces.
- Further consideration / justification in relation to access arrangements – timescale for the delivery of the Ratoath Outer Relief Road and whether any changes proposed (e.g. signalisation of the junctions); street hierarchy; legibility and permeability of vehicular, cycle and pedestrian connections through the development, from adjoining residential lands and the Outer Relief Road; accessibility to community facilities such as schools for existing residents.
- Further consideration in relation to surface and storm water management for the site.
- The applicant was also advised to submit specific information with any application for permission to include the following: archaeological impact assessment, photomontages and cross sections, landscaping proposals, details of water courses and utilities; timescale for delivery and transfer of the waste water pumping station on the adjoining site to Irish Water; and relevant consents to carry out works on lands that are not within the red-line boundary.

The prospective applicant was advised that all works should, as far as possible, be within the red-line boundary.

5.3. Applicant's Response to Pre-Application Opinion

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

- The proposed layout has been amended to: (i) create frontage development along the ORR, (ii) provide definition at the junction of the ORR and link road and (iii) an improved distribution of public open space and car parking. The result is a more urban layout which provides a defined edge to the town. Side gables facing the ORR and the nature strip have been removed and the childcare facility has been relocated.
- The submitted Design Statement addresses compliance with the Sustainable Residential Development in Urban Areas Guidelines.
- The unit mix and density have been changed and contain more apartments and less houses.
- Details regarding the timescale for delivery of the ORR have been provided by the PA. A hierarchy of streets (Level 1, 2 and 3) is proposed. Potential future connections are included to existing / future school sites and communities to the north. Areas of public open space and cul-de-sacs have been aligned with existing development to the north, providing potential integration of public open space areas and providing for pedestrian / cycle connections based on desire lines.
- Surface Water Drainage is addressed in the Infrastructure Report and Site-Specific Flood Risk Assessment submitted with the application.
- The application is accompanied by an Archaeological & Cultural Heritage Report.
- The application is accompanied by CGI Images and cross sections that detail the relationship with the ORR.

- The application is accompanied by a Landscape and Visual Assessment, Landscape Rationale Report and Arboricultural Report.
- Infrastructure Report and Drawings No. 15037-P4-201 and 202 detail all existing watercourses and utilities on site. Infrastructure Report addresses timelines for delivery and transfer of wastewater pumping station.
- A Building Life Cycle Report has been submitted with the application.
- A Schools & Creche Demand Assessment has been submitted with the application.
- An Outline Construction Management Plan and Outline Waste Management Plan has been submitted with the application.
- A Phasing Plan (DW C-78-144) has been submitted with the application. It is proposed to develop the scheme in two phases. Phase 1 will include two thirds of the dwellings, the link road, childcare facility, apartment blocks, 17 no. Part V units and public open spaces with the exception of areas to the south of Road 5.
- Drawing C-78-145 details taking in charge.
- Relevant third-party consents are included with the application.

6.0 Relevant Planning Policy

6.1. Project Ireland 2040 - National Planning Framework

- 6.1.1. The National Planning Framework includes a specific Chapter, No. 6, entitled 'People Homes and Communities'. It 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 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. **Section 28 Ministerial Guidelines**

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

- ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’).
- ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities’ as updated March 2018.
- ‘Design Manual for Urban Roads and Streets’ (DMURS).
- ‘The Planning System and Flood Risk Management’ including the associated ‘Technical Appendices’.
- ‘Childcare Facilities – Guidelines for Planning Authorities’.
- ‘Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment’, August 2018.
- Urban Development and Building Height, Guidelines for Planning Authorities, 2018.

6.3. **Meath County Development Plan**

The development site is zoned ‘A2 – new residential with the objective ‘to provide for new residential communities with ancillary community facilities, neighbourhood facilities, and employment uses as considered appropriate for the status of the centre in the Settlement Hierarchy’ (Volume 2: Ratoath Land Use Zoning Objective Map).

There is an objective to provide for a major distributor road (indicative alignment) along the southern boundary of the lands. It is an objective of the Plan as set out at INF OBJ ‘to reserve and protect from development the bypass corridor from the R155 Fairyhouse Road to the R125 Ashbourne Road.

5.2.2 Ratoath Local Area Plan 2009-2015

Strategic Policy SP 1 – To operate an Order of Priority for the release of residential lands in compliance with the requirements of CS OBJ 6 of the Meath County Development Plan 2013 and 2019 as follows: (i) The lands identified with an A2 “New Residential” land use zoning objective corresponds with the requirements of Table 2.4 Housing Allocation and Zoned Land requirements in Volume 1 of the Meath County Development Plan 2013-2019 and are available for residential development within the life of the Meath County Development Plan 2013-2019.

RES OBJ 3 To achieve a better and more appropriate mixes of dwelling size, type, tenure and accessibility in all new residential development.

7.0 **Applicants Statement of Consistency**

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

- NPF: The development is consistent with the objectives of the NPF. It is on land zoned for residential development that is inside the settlement boundary of Ratoath. The development has a compact form, appropriate density and provides for a range of housing unit types close to schools, childcare facilities, shops and other community services.
- RSES: The site is located in a ‘Self-Sustaining Town’ within the ‘Core Region’ and will deliver on the objective to consolidate growth within the defined settlement of Ratoath.
- GDA Transport Strategy: The density of 37.5 units per hectare is a sustainable extension to the built-up area of Ratoath. Ratoath is served by frequent bus services and the Dunboyne / M3 Parkway is c. 10 min drive from the site.
- Sustainable Residential Development in Urban Areas Guidelines and the accompanying Urban Design Manual: Compliance is addressed in the Design Statement submitted with the application.

- **Sustainable Urban Housing: Design Standards for New Apartment Guidelines:** The proposed development meets the locational guidance and unit mix requirements set out in Chapter 2. In relation to the mix of unit types it is noted that the existing housing stock in Ratoath Village is dominated by 3 and 4 bed semi-detached housing. The proposed development will cater for a broader mix of household types and tenures. The development is generally in compliance with the Design Standards detailed in Chapter 3 and Appendix 3 and the Communal Facilities standards in Chapter 4 of the Guidelines.
- **Urban Development and Building Height Guidelines:** Proposed heights are higher than the prevailing (2-storey) building height in the area. The 4-5 storey apartment blocks announce the entrance to the development from the outer relief road, the 3-storey town houses create a distinctive edge to the outer relief road, the main road through the development is bound by 3-storey duplex buildings to characterise this more active part of the site and the remaining parts of the site and areas proximate to existing housing are characterised by a mix of 2 and 2.5 storey housing. The design rationale is to create a new residential neighbourhood with a well-defined sense of place that links into the existing built up area. The internal movement network seeks to maximise connectivity with adjoining neighbourhoods with an emphasis on walking and cycling over car. The buildings fronting onto the outer ring road have been purposefully designed to create a strong urban edge and sense of place (as advised by the ABP Opinion). The statement addresses compliance with each of the Development Management Criteria set out in the guidelines.
- **Childcare Facilities Guidelines and MCC CDP:** A childcare facility (343.17 sq.m) with capacity for 60 no. children is proposed in accordance with the Childcare Guidelines. The facility is centrally located.
- **DMURS:** The design and layout has had due regard to the principles, approaches and standards set out in DMURS. DMURS compliance statement submitted with the application.
- **Flood Risk Management Guidelines:** The submitted SFRA concludes that no indicators of flood risk were identified.

- Meath County Development Plan: The proposed development is located within the development boundary of Ratoath on lands zoned for residential development and accessed via a new LIHAF road. The development complies with all of the development standards of the CDP. Reference to core principles, policy for small towns, density, green infrastructure, natural heritage, car and cycle parking.
- Ratoath LAP 2009-2015 (as amended): The site is zoned A2 'New Residential'. The development is consistent with Strategic Policy SP1 which states that A2 'New Residential' zoned lands available for residential development within the life of the MCC Development Plan 2013-2019. A previous permission pertaining to the site under PA Ref. DA/70037 (as extended) expired in 2017. The Material Contravention Report addresses the divergence between the proposed density and the density of 25 units/ha used in the calculation of land areas for the CDP Core Strategy. Compliance with Development Management Standards and Guidelines and Housing policies in the LAP are also addressed.

8.0 Third Party Submissions

8.1.1. A total of 16 no. third party submissions have been received from residents, community groups and landowners in the vicinity of the site. The issues raised can be summarised as follows:

- Welcome provision of housing.
- Object to pedestrian / cycle links via existing cul-de-sacs. Submissions argue that the applicant has insufficient legal interest to create the links and outline concerns in relation to public liability and insurance, security, traffic, anti-social behaviour and depreciation of property values.
- Traffic Impacts - capacity of road infrastructure and public transport services.
- Capacity of amenities and facilities in Ratoath (inc. public services, schools and employment).
- Design quality and the height and scale of development proposed.

- Open space provision.
- Construction Stage Impacts. Impact of earlier construction phases.
- Capacity of water supply and wastewater networks.
- Flood Risk
- Stormwater drainage.
- Overarching requirements of Planning and Development Act.
- Prematurity pending a decision in relation to SHD Review.
- Contravention of Development Plan for the area.
- Proportion of Apartments (35%) contrary to guidance in Apartment Guidelines for small towns / villages.

9.0 Planning Authority Submission

9.1. Meath County Council has made a submission in accordance with the requirements of section 8(5)(a) of the Act of 2016. It summarises observer comments as per section 8(5)(a)(i). The planning and technical analysis in accordance with the requirements of section 8(5)(a)(ii) and 8(5)(b)(i) is summarised below. The submission includes several technical reports from relevant departments of MCC, which are incorporated into the following summary.

9.1.1. PA Comment on Principle of Development

- The CDP Core Strategy envisages a growth figure of 614 no. units for Ratoath over the period 2013-2019. There are a total of 247 no. extant units and c. 175 units completed or under construction on Phase 1 residential lands.
- The applicants Material Contravention Report relating to density is noted.
- It is the intention of MCC to advance Ratoath's status from Small Town to Self Sustaining Town in the review of the CDP.

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

- The PA considers the proposed density of 37.3 units per hectare to be appropriate for the subject site and in compliance with the density policy set out in the CDP and LAP.

- The applicant states that the layout has been amended to create frontage along the RORR with clearly defined apartment buildings on the junction with the ROOR and improved distribution of public open space and car parking. The report refers to a more urban layout which provides a defined urban edge to the town bearing in mind the lands on the opposite side of the ROOR may not be zoned in the foreseeable future. The PA agrees with the analysis.
- The applicant has responded to issues raised in the ABP opinion in relation to design and layout. The revised layout provides apartments at the junction with the ROOR and townhouses fronting onto the road. The childcare facility is relocated to a more central location. The issues raised in submissions in relation to the proposed connections into “The Rise” and “The Grove” are noted. It is considered that the proposed links are in line with the principles of DMURS and should be encouraged to facilitate and accommodate permeability.
- The submitted phasing plan is acceptable subject to compliance with the phasing requirement of the PA in relation to the RORR. ABP is invited to attach an appropriate condition in respect of phasing. It is recommended that roads infrastructure and open space be delivered in the early stages of the development and prior to the occupation of certain phases of development.
- It is the view of the PA that the scheme does not comply with the Meath County Development Plan requirements in relation to the quantum of open space provided (10% of site area as opposed to 15%).
- The Schedule of Accommodation indicates that the proposed dwellings have the required amount of private open space and communal open space for duplex and apartment units. Comments of the EHO in relation to storage areas in duplex units are noted.
- Further clarification is needed in relation to boundary treatments between gardens in order to comply with the CDP Standards. ABP is invited to attach a condition that requires the applicant to agree boundary treatment prior to the commencement of development.

9.1.3. PA Comment on Traffic, Access, Parking and Public Lighting

- Pedestrian and cycle connectivity of a suitably high standard.
- The street layout is well set out with appropriate street types (Link Streets and Home Zone Streets). Key desire lines are catered for and there is a high level of internal permeability. A temporary shared pedestrian and cycle path is proposed along the south west boundary of the proposed development. This is parallel with what will be the Phase II RORR. This is in accordance with the requires by MCC to establish precedence for future pedestrian access onto the RORR. Internal junctions appear to be of adequate geometry, with raised tables and appropriate crossing locations on the desire line for pedestrians. Previous comments of MCC addressed.
- In relation to sightlines, need to ensure that landscaping features do not impede sightlines at junctions.
- Any issues identified in the Stage 1 / 2 Road Safety Audit should be addressed. A Quality Audit that consists of an audit of walking facilities, cycle facilities and visual / mobility impaired accessibility facilities should be provided.
- Lack of clarity in relation to overall car parking and cycle parking provision for housing and creche. Provision should be made for electric car parking bays. Further detail required in relation to car and cycle parking.
- Cycle facilities should be in accordance with national cycle manual (ref. to crossing detail of cycle tracks at junctions, buffer between visitor parking and cycle tracks, widths and tie-ins).
- Phase 1 of the RORR should be substantially complete, unless otherwise agreed with MCC, prior to the commencement of the development.
- Recommend a condition that requires the applicant to agree a Construction Stage Traffic Management Plan prior to any works.

9.1.4. PA Comment on Water Services, Wastewater, Surface Water Treatment & Disposal

- The development as proposed broadly meets the surface water treatment and disposal requirements of Meath County Council.

- Request that technical details (as outlined in the submission) relating to the attenuation of storm water, storm water discharge and changes needed to LIHAF drainage to accommodate discharge are agreed prior to commencement of development.
- The submitted Construction Management Plan and Waste Management Plans require further development. Specific reference to detail in relation to the separation of household waste, disposal of soil and stone, transfer and movement of waste from the site and extreme weather events. Conditions are recommended in relation to environmental monitoring during construction, waste management, dust, noise, burning, storage and use of polluting materials, bins, replacement planting and complaint procedures.

9.1.5. PA Comment on Flooding

- The Environmental Section note that the site is in Flood Zone C and indicates no objection.

9.1.6. PA Comment on Heritage

- Archaeological and Cultural Heritage Report shall be approved by the National Monuments Service before construction commences.
- Where issues identified in the Ecological Report and in the submission from Inland Fisheries Ireland in relation to invasive species are not adequately addressed in submitted documentation, the PA considers that the relevant planning conditions should be included within a planning decision.

9.1.7. PA Comment on Other Matters

- Agreement in principle in relation to Part V proposal. ABP invited to attach an appropriate condition.
- Development contributions will be based on the MCC Contribution Scheme 2016-2021 (as amended). Bond security and estate monitoring will also be required. ABP invited to attach appropriate conditions.
- Taking in charge should be in accordance with MCC's 'Taking in Charge' policy document.

- In relation to childcare provision, ABP is invited to consider the requirements of Policy SOC 25 and Sections 11.3 and 11.9 of the CDP in relation to the provision of childcare facilities and parking requirements.
- ABP invited to consider the contents of the submitted Schools and Creche Demand Assessment.
- ABP invited to consider applying a condition in relation to the provision of public art work – Policy SOC POL 53 of the CDP refers.
- ABP to allow MCC to approve the name of the development.
- ABP invited to attach a condition in relation to the provision of infrastructure for broadband services.

10.0 Prescribed Bodies

10.1. Irish Water

Based upon the Confirmation of Feasibility issued by IW, IW confirms that subject to a valid connection agreement being put in place, the proposed connection (s) to the IW network (s) can be facilitated.

10.2. Inland Fisheries Ireland

- Development is in the catchment of the Ratoath Stream / Broadmeadow River an important salmonid system. The EPA assigned a moderate status in Q3 2017 to the Ratoath Stream and to the Broadmeadow at the closest sampling point to the site. The EPA noted the following in respect of the Ratoath Stream “no sensitive taxa present, the Ratoath Stream remains in poor condition with siltation issues noted”. The EPA noted that “the Broadmeadow was in poor condition throughout”.
- Pollution from poor on-site construction practices could have a significant negative impact on the fauna and flora of this freshwater system.
- Recommendations in relation to the handling of excavated material and run off from topsoil areas to minimise risk of pollution.

- Construction Management Plan should provide a mechanism for ensuring compliance with environmental legislation and statutory consents.
- Essential that local infrastructural capacity is available to cope with increased surface and foul water generated by the proposed development in order to protect the ecological integrity of any receiving aquatic environment. Noted that the Ringsend WWTP is currently working at or beyond its design capacity. Noted that the Ashbourne, Ratoath and Kilbride pumping stations have had Category 1 and 2 incidents occurring on a regular basis.
- Recommend that an invasive species and biosecurity plan should be included to treat and manage identified invasive species on site.
- Surface water outfalls to any watercourse must have detail design and subsequent method statements submitted to IFI for approval.
- All discharges must be in compliance with the European Communities (Surface Water) Regulations 2009 and the European Communities (Groundwater Regulations 2010).

10.3. Department of Culture, Heritage and the Gaeltacht – Development Applications Unit

- In the event of a grant of permission the proposed archaeological mitigation measures detailed in Section 8.2 of the Archaeological, Architectural and Cultural Heritage Report should be included as a condition of the permission.

10.4. HSE

- No assessment of impacts arising from increased noise from construction works. Noise mitigation measures proposed in CMP. No proposals for noise monitoring. Recommended that a public complaints procedure and communication strategy is put in place.
- Dust Management plan is outlined.

- Attractive, safe and secure pedestrian walkways / cycleways should be provided to influence behavioural change in population and promote greater take up of active travel. Consider greening of proposed pedestrian walkways.
- Note provision for children’s play. Facilities should be provided to cater for all age ranges throughout the recreational areas.
- Recommend that viable travel plans that provide an alternative to car should be considered and implemented.
- Needs of elderly must be taken into consideration to ensure an age friendly urban environment.
- Proposals outlined in the MCC Climate Change Adaption Strategy must be adhered to. Development should be designed to reduce carbon footprint and minimise requirements for energy and water.
- Adequate space shall be provided for bin storage.
- Storage for duplex units and independent living units do not meet the minimum requirements set out in the Apartment Guidelines.

11.0 Environmental Impact Assessment Screening

11.1.1. The applicant has submitted an EIA Screening Report. The Report concludes that the proposed development is below the thresholds for mandatory EIAR and that a sub threshold EIAR is not required in this instance as the proposed development will not have significant impacts on the environment.

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

- Construction of more than 500 dwelling units
- Urban development which would involve an area greater than 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)

11.1.2. EIA is required for development proposals of a class specified in Part 1 or 2 of Schedule 5 that are sub-threshold where the Board determines that the proposed development is likely to have a significant effect on the environment¹. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment.

11.1.3. The proposed development of 228 dwelling units and a childcare facility would be located on a green site of c. 6.3 ha. The site is zoned for residential development and is serviced. It is sub-threshold in terms of EIA having regard to Schedule 5, Part 2, 10(b) (i) and (iv) of the Planning and Development Regulations 2001-2017. It is not a large-scale project and there are no apparent characteristics or elements of the design that are likely to cause significant effects on the environment. The site is not designated for the protection of landscape or natural or cultural heritage. The proposed development is not likely to have a significant effect on any Natura 2000 site (as per findings of section 13 of this assessment).

11.1.4. Having regard to:

(a) the nature and scale of the proposed development, on zoned lands served by public infrastructure,

(b) the absence of any significant environmental sensitivities in the area,

(c) the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended),

It is concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

12.0 Planning Assessment

12.1.1. I consider that the key issues for consideration by the Board in this case are as follows: -

¹ Section 172(1)(b) of the Planning and Development Act 2000 (as amended) refers.

- Principle and Quantum of Development
- Design, Layout and Height
- Residential Amenity and Quality of Development
- Childcare Facilities and School Demand
- Impacts on Residential Amenities
- Traffic and Transport
- Drainage, Flood Risk and Site Services
- Waste Management
- Other Issues

These matters are considered separately below.

12.2. Principle and Quantum of Development

- 12.2.1. The site is located within the development boundary of Ratoath and is zoned A2 'New Residential' 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*".
- 12.2.2. The Meath County Development Plan operates an order of priority for the release of residential zoned lands (Objective CSOBJ6 refers). Phase 1 lands can be developed during the life of the current County Development Plan, i.e. up to 2019 with Phase 2 lands to be developed post 2019. I am satisfied that the subject lands are Phase 1 lands and are available for development.
- 12.2.3. In terms of the Core Strategy, Ratoath has a total household allocation of 614 up to 2019. This figure included a new allocation of 239 no. units (Table 2.4) and committed permissions for 311 no. units (Table 2.5). The PA Opinion indicates that there is extant permission for 247 no. units in Ratoath, with 175 no. of these units either completed or under construction. The subject application would increase the number of extant permissions to 475 no. units. I am satisfied that the proposed development falls within the Core Strategy allocation for Ratoath and would not

contravene the Core Strategy of the County Development Plan. On the basis of the foregoing, I consider that the proposed development is acceptable in principle.

- 12.2.4. In relation to density, the National Planning Framework promotes 'compact growth' and 'consolidation' within established urban areas. The Urban Development and Building Height Guidelines (2018) indicate that increased building height and density will have a critical role to play in addressing the delivery of more compact growth in urban areas. However, the guidelines also caution that where it is proposed to have higher densities and height due regard must be given to the locational context, to the availability of public transport services and to the availability of other associated infrastructure required to underpin sustainable residential communities.
- 12.2.5. Chapter 5 of the Guidelines on Sustainable Residential Development in Urban Areas (2009) sets out density guidance for urban areas. Ratoath falls into the Cities and Large Town category (over 5,000 persons). Section 5.11 of the guidelines state that net densities of 35-50 dwellings per hectare should generally be encouraged on outer suburban / greenfield sites in Cities and Large Towns and that densities of less than 30 dwellings per hectare should generally be discouraged in the interests of land efficiency. The proposed density of 37.3 units per hectare (net) is within this density range. Given the locational context and the level of public transport and other services in the area (as highlighted in third-party submissions) I am of the view that development at the lower end of the density range is acceptable on this site.
- 12.2.6. A Material Contravention Report has been submitted with the applicant which addresses the divergence between the proposed density of 37.5 units per ha and the density of 25 units per ha used in the calculation of the Core Strategy land requirements. I would draw the Boards attention to the fact that this density figure was applied as an average figure across A2 zoned lands to estimate potential housing yield and is not specific to the application site. On this basis, I am of the view that the proposed development does not material contravene the Development Plan for the area.

12.3. Design, Layout and Height

- 12.3.1. The applicants design statement describes the sites context at the edge of Ratoath and states that the design rationale is to create a new residential neighbourhood with

a well-defined sense of place that links into the existing built up area. The design statement states that the scheme has been amended, on foot of the ABP Opinion, to provide a more urban layout with a defined urban edge along the Ratoath Outer Ring Road (ORR).

- 12.3.2. The proposed development consists of apartment and duplex blocks in the central section of the site and detached, semi-detached and terraced housing on the eastern and western ends. In terms of building height, the apartment blocks provide frontage of 4 to 5 storeys at the junction of the ORR and Link Road. There are 3-storey duplex blocks and 2.5 storey houses orientated towards the ORR and Link Road. The remaining areas are characterised by 2 storey housing.
- 12.3.3. The ABP Opinion that issued at pre-application stage (ABP-303205-18) sought further consideration of the development strategy for the site particularly in the context of layout, urban design, unit mix and typology and density. The opinion referred to the need to give further consideration to the qualitative nature of the public realm and to ensure pleasant, attractive streetscapes with a sense of place and appropriate architectural response. The opinion also referred to the need to give further consideration to the qualitative nature of public open spaces and the hierarchy of open space within the scheme. A redesigned scheme has been submitted.
- 12.3.4. Having considered the plans and particulars submitted, I have reservations in relation to the overall development strategy for the site. While issues raised in relation to unit mix, density and frontage onto the ORR and Link Road are addressed, I am of the view that the development strategy for the site remains poor and does not address all of the issues raised. The urban structure is weak in my view, with no clear relationship between blocks and no focal point or hierarchy of open spaces within the scheme. While there is good permeability within the layout, the streets are dominated by roads and car parking. In this regard I draw the attention of the Bord to the layout surrounding the public open spaces and to the layout of individual cul-de-sacs. Furthermore, I am of the view that the 'spine roads' are overdesigned and lack the level of enclosure that is needed to create a safe and more integrated street environment, contrary to DMURS. The public realm around the apartment and duplex blocks is particularly poor in my view. I draw the attention of the Bord to the extent of car parking, the lack of demarcation between public and

private areas and to the configuration of semi-private or communal spaces. I am of the view that the communal open spaces are, for the most part, incidental or left-over open spaces that would not offer a reasonable level of privacy or amenity.

- 12.3.5. In terms of building height, the development consists of 2 and 2.5 storey housing, with 3 storey duplex blocks and 4 and part 5 storey apartment blocks. While the building heights are generally acceptable, I am of the view that the apartment blocks (4-5 storeys) are at odds with the scale and proportions of the adjacent blocks. Furthermore, the apartment and duplex blocks are generic in terms of their architectural language and material finishes and lack the architectural quality that is needed at this prominent location on the southern approach into Ratoath.
- 12.3.6. In terms of the quantum and quality of open space provision, I would note that the level of provision (6,155sq.m) represents 10% of the overall site area and falls below the 15% requirement set out in the Meath County Development Plan. While there is a good distribution of spaces there is no clear hierarchy in terms of size, use or function. Furthermore, the engineering drawings (DW15037-P4-201/2) show large attenuation tanks under four of the seven spaces (1323sq.m, 1185sq.m, 705sq.m, 617sq.m). The placement of attenuation tanks under these spaces will impact on the usability of these spaces and may undermine the proposed landscaping and planting scheme, which envisages tree planting in these spaces. Houses and apartments are orientated towards public open spaces but in most instances are separated from these spaces by roads and car parking which further limits the amenity of the spaces. There is no reference to the retention of existing trees, drainage ditches or other features that exist within the site or to the creation of green corridors and connections. A single 'natural playground' is identified in one of the western most spaces. I consider the level of play provision to be inadequate. Three 'grassed levelled kickabout spaces' are proposed. However, I would question the feasibility of providing these spaces as they sit above proposed attenuation tanks. The PA opinion states that the scheme does not comply with the development plan requirements in relation to the quantum of open space and that the Board is invited to consider the scheme in terms of its quality and quantum of public open space. I consider the proposed scheme to be deficient in respect of both the quantity and quality of open space provision.

Design, Height and Layout Conclusion

12.3.7. Having regard to all of the above, I consider the design and layout of the scheme to be unsatisfactory by reference to the 12 Criteria set out in the Urban Design Manual accompanying the Sustainable Residential Development Guidelines and unsatisfactory by reference to the standards set out in the Design Manual for Roads and Streets. I am of the view that there is a need to improve the urban structure overall to ensure a hierarchy of high-quality streets and open spaces, a need for greater consistency across the site in terms of architectural design; and a need to create a distinctive character for the development overall that integrates with the established context. On the basis of the foregoing, I recommend that permission is refused.

12.4. Residential Amenity and Quality of Development

12.4.1. The following assessment considers the quality of the proposed residential development with regard to the 'Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities' 2018; the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' and the associated Urban Design Manual; the Meath County Development Plan 2013-2019 and the Ratoath Local Area Plan 2009-2015 (as extended).

12.4.2. Housing Mix

The development provides the following housing mix:

Unit Type	No. Houses	No. Duplex / Apartments	TOTAL	Percentage
1-bed	0	19	19	8%
2-bed	9	59	68	30%
3-bed	97	36	133	58%
4-bed	8	0	8	4%
TOTAL	114	114	228	100

The proposed development includes a combination of house, duplex and apartment housing types. The statement of consistency notes that the existing housing stock in Ratoath Village is dominated by 3 and 4 bed semi-detached housing and that the proposed development will enhance the housing stock and cater for a broader mix of household types. The housing mix is considered satisfactory with regard to development plan housing policy and SPPRs 1 and 2 of the apartment guidelines.

12.4.3. Apartment Design and Layout

The proposed development includes a total of 82 no. apartments and 32 no. duplex units that are required to meet the standards detailed in the Apartment Guidelines.

The Housing Quality Assessment indicates that floor areas for all units meet or exceed the minimum floor area standards specified in SPPR3 of the apartment guidelines. SPPR3 sets out minimum floor area standards for studio, 1 bed, 2 and 3 bed apartments. Smaller 2-bed apartments are permissible in limited circumstances to accommodate 2-bed 3-persons apartments. The guidelines clearly state that it would not be desirable for this type of unit to displace two-bed four-person apartments and that no more than 10% of the total number of units in any private residential development may comprise two-bedroom 3 person apartments. A total of 51 no. apartments (Types J4, J5, K1, K2, K4, K5), representing 45% of the total number of apartment and 22% of units overall are two bed 3 person units². The proposed development significantly exceeds the 10% relaxation in respect of 2-bed apartments and is therefore, in contravention of the requirements of SPPR 3.

Section 3.8 of the guidelines 'Safeguarding Higher Standards' requires that the majority of all apartments in any scheme > 10 units shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bed unit types by a minimum of 10% (any studio apartments must be included in the total but are not calculable as units that exceed the minimum by at least 10%). This requirement is complied with.

² Of the 51 no. 2-bed 3 person units, 27 no. units are below the minimum floor area of 75 sq.m; a further 24 units exceed the minimum floor area but fall short in respect of other minimum criteria (e.g. aggregate floor areas or minimum bedroom size).

SPPR 4 requires a minimum of 33% of dual aspect units in more central and accessible urban locations and a minimum of 50% in suburban or intermediate locations. All of the proposed apartments are dual aspect.

SPPR 5 requires a minimum of 2.7m ground level apartment floor to ceiling heights. This requirement is complied with.

SPPR 6 specifies a maximum of 12 apartments per floor per core. This requirement is complied with. The proposed layout provides for a maximum of 4 no. units per core.

Appendix 1 sets out minimum storage requirements, minimum aggregate floor areas for living / dining / kitchen rooms, minimum widths for living / dining rooms, minimum bedroom floor areas / widths and minimum aggregate bedroom floor areas for each apartment type. The units generally meet the minimum aggregate floor area and width standards detailed in Appendix 1. The storage areas for duplex unit types J1, J2 and J6 are below the minimum standards. Private open space is provided in the form of terraces at ground level and projecting balconies at upper levels. The submitted schedule of floor areas indicates that private open space for the apartment and duplex units meets or exceeds the quantitative standards provided in Appendix I of the apartment guidelines.

Communal open space is provided at ground level around the apartment and duplex blocks. While the quantitative standards in Appendix 1 of the guidelines are met, I consider the communal areas to be incidental spaces that would offer a poor level of privacy and amenity.

Section 4.5 of the Apartment Guidelines encourage the provision of communal rooms and communal facilities in apartment schemes, particularly in larger developments. There are no communal facilities proposed in this instance. The proposed crèche facility is discussed in Section 12.6 below. Waste storage is discussed in Section 12.9 below.

12.4.4. Housing Design and Layout

The Meath County Development Plan sets out minimum standards for dwellings. The standards include minimum private open space standards and separation distances. The private open space standards are 55 sq.m for 1/2 bed units, 60 sq.m

for 3 bed units and 75 sq.m for 4 bed + units. The submitted documents do not include a schedule of private open space for houses. I have therefore relied on the architectural drawings. The proposed G1 Type 'independent living' units fall significantly below the private open space requirement for 2-bed dwellings of 55 sq. metres. Some of the C Type units would also appear to fall below the minimum standards of 60 sq.m for 3-bed dwellings. In relation to privacy standards, the development plan seeks a minimum of 22 meters separation between directly opposing windows at upper levels and allows for a reduction where appropriate design solutions are employed. I am satisfied that the separation standard is met in most instances and where it is not met that an appropriate design solution has been employed and that significant overlooking would not arise.

12.4.5. Quality of Residential Development Conclusion

To conclude, I consider that the design and layout of the development is substandard by reference to national and development plan guidance for residential development. I consider the standard of residential accommodation in the duplex and apartment blocks to be deficient by reference to the internal space standards and communal open space standards set out in the Apartment Guidelines. In addition, I consider the level of private open space provision to be deficient in respect of Type G / G1 and some Type C units.

12.5. **Childcare Facilities and Schools Demand**

- 12.5.1. I would note that a number of observers have raised concerns in relation to the capacity of existing facilities in the area (including schools and childcare facilities) to accommodate the proposed development.
- 12.5.2. The Childcare Guidelines (2001) recommend a minimum provision of 20 childcare places per 75 no. dwellings, while the Apartment Guidelines state that the threshold for the provision in apartment schemes should be established having regard to the scale and unit mix of the scheme, the geographical distribution of childcare facilities and the emerging demographic profile of the area.
- 12.5.3. The submitted 'Schools and Creche Demand Analysis' projects a demand for 63 no. childcare spaces. A three storey crèche of 343.17 square metres is proposed with a stated capacity of 64 no. children. However, the submitted floor plans detail 32 no.

child spaces, with additional quiet rooms, parent rooms, staff rooms are services areas. Clarity would be required in relation to the capacity of this facility. I would also question the provision of a 3-storey facility at this greenfield location with provision for childcare rooms and an outdoor play area at 1st and 2nd floor levels. Typically, on greenfield sites, the childcare facility would be 1 to 2 storeys with the childcare rooms and play areas at the lower level for the most part.

12.5.4. A School Demand Analysis submitted with the application concludes that the proposed development would create a demand for c. 84.8 primary school places and 134 post primary school places. It is concluded that this demand can be met within the existing school system in Ratoath.

12.6. Impacts on Residential Amenities

12.6.1. The potential for impact on residential amenity has been raised in a number of submissions received. Concerns have been raised in relation noise and disturbance and health and safety during the construction phase and the potential for anti-social behaviour during the operational phase.

12.6.2. I am satisfied that measures to reduce the level of impact from noise and disturbance during construction can be addressed through conditions, that seek to limit construction hours and require a detailed construction and environmental management plan and a traffic management plan to be agreed and implemented.

12.6.3. Concerns are raised in relation to the potential for non-compliance with conditions and other environmental and health and safety requirements during construction. Concerns are also raised in relation to the potential for anti-social behaviour following occupation of the development. Such matters are outside of the remit of this application and should be addressed to the local authority, relevant environmental or health and safety agencies or the Gardai, as appropriate.

12.6.4. The submitted Daylight and Sunlight Assessment concludes that there will be no impact on the amenities of neighbouring dwellings. I accept the findings of this assessment. Furthermore, having regard to the separation distances from existing dwellings I am satisfied that no overlooking issues arise.

12.7. Traffic and Transport

12.7.1. The site is located on the southern edge of Ratoath and is accessed via the existing local road network. It is flanked to the south by the route of an Outer Relief Road (ORR) from Fairyhouse Road (R155) to the Ashbourne Road (R125). Phase 1 between Ashbourne Road and the site is at an advanced stage of construction and includes a link road to Ratoath Community College through the site. The timeframe for completion of future phases is not clear.

Public transport services in the area are largely confined to public and private bus services, with services to Dublin, Dundalk and NUI Maynooth. The closest bus stop is located over 700 metres from the site. The closest rail services are at the M3/Parkway Railway Station located c. 7 km from the site. The site is within walking and cycling distance of local community and educational facilities and is approx. 1km from the core of Ratoath Village.

The proposed vehicular access to the site is from the ORR, with secondary access from the existing local access road to the north. It is also proposed to create pedestrian and cycle links into existing cul-de-sacs within the 'Milltree' estate to the north (The Grove and The Rise).

12.7.2. Traffic Impact Assessment

The application is accompanied by a Traffic Impact Assessment. The TIA considers the impact of the development on the local road network following the opening of the ORR Phase 1 and following the completion of the ORR. The assessment concludes that there are no capacity or operational issues associated with the proposed development. I accept the findings of the report. The proposed development represents a modest extension to an existing residential area and will be served by existing and new road infrastructure. I would note that the PA requests a phasing condition that requires Phase 1 of the ORR to be substantially complete prior to the commencement of the development. On the basis that the TIA considers the impact of the development following the completion of Phase 1 of the ORR, I consider the condition to be reasonable.

12.7.3. Construction Traffic

The application is accompanied by a Construction Traffic Management Plan. I am satisfied that traffic impacts arising during the construction phase can be managed in accordance with the agreed plan.

12.7.4. Car Parking

The Apartment Guidelines (Sections 4.0) promote a reduction in car parking provision at suitable locations, noting that requirements will vary depending on location. Given the sites locational context on the periphery of Ratoath and at a distance from public transport services, the proposed development will be relatively car dependent. The submitted documents refer to car parking provision at a rate of 1 no. space per apartment and 1 no. visitor space for every 3-4 units; 1.5 no. car parking spaces for 3 bed duplex units; 2 no. spaces for houses fronting the ORR; approximately 30 no. visitor car parking spaces along the 'spine road's; and a further 13 no. spaces for the childcare facility (1 per 5 children and 1 per employee). This rate of provision is generally consistent with the standards set out in the Apartment Guidelines and in Table 11.9 of the Development Plan. However, the 13 no. additional visitor spaces are not necessary as visitor provision is already catered for within the per unit rates. The rate of provision detailed in the application would equate to total provision of 375 no. spaces overall. While the total number of spaces is not stated, the submitted architectural and engineering drawings would appear to show c. 439 no. spaces (c. 289 no. communal spaces, c. 90 no. in-curtilage spaces and 60 no. basement spaces). The level of car parking appears to be excessive by reference to the standards of the Apartment Guidelines and the Development Plan. The impact of car parking on the layout of the scheme is discussed in Section 12.3 above. Furthermore, the level of provision would militate against the use of more sustainable modes, such as walking, cycling and car share options. The PA request that a condition is attached in the event of a grant of permission requiring the applicant to clarify the number of car parking spaces. I would concur that further clarity is required in relation to the level and distribution of car parking within the site and the overall mobility management approach.

Bicycle Parking

A total of 66 no. cycle parking spaces have been provided for apartment and duplex units. Storage for houses is within the private gardens. There are 4 no. cycle stands

with 10 bicycle spaces in each at surface level and 2 no. cycle stands at basement level with 13 no. bicycle parking spaces in each. There are no design details for the stands, and it is not clear whether they would be covered or secure. Section 4.17 of the apartment guidelines specifies a general minimum cycle parking standard of 1 cycle storage space per bedroom and visitor parking at a rate of 1 space per 2 residential units. This would equate to a requirement for 245 no. resident spaces for the duplex and apartment units and 57 no. visitor spaces within the scheme. The guidelines recommend that cycle provision is directly accessible and provided in a dedicated facility of permanent construction. The level and quality of provision in this instance is substandard by reference to the standards detailed in the Apartment Guidelines.

12.7.5. Pedestrian / Cycle Connections to Milltree

I note that two pedestrian and cycle links are proposed to existing cul-de-sacs in the Milltree development. The majority of submissions received have raised concerns in relation to the impact of these connections and in relation to the applicant's legal right to carry out these works. Connections of this nature are in keeping with national guidance that seeks to promote walking, cycling and public transport use and to facilitate demand for movement along key desire lines within existing built up areas. The proposed connections represent good planning practice in my view, as they would create a more direct connection to Ratoath Community College for pedestrians and cyclists. In relation to the legal issues raised, I would refer the provisions of Section 37 (6) of the Act, whereby a person shall not be entitled solely by reason of a permission under Section 37G to carry out any development.

12.8. **Drainage, Flood Risk and Site Services**

12.8.1. Surface Water Drainage

Two separate surface water networks (A & B) are proposed to the east and west of the link road. These networks will have separate outfalls that ultimately discharge to the surface water drainage system for the proposed ORR. The Engineering Report states that the surface water drainage network is designed to accommodate run-off from development lands including the application site. Some SUDS measures are proposed to restrict the rate of surface water discharge and attenuation is proposed

within the site and 4 no. attenuation / storage tanks are proposed. The Report notes that there will be limited infiltration to ground, as soil tests indicated that the soils are relatively impermeable. The PA opinion states that the development as proposed broadly meets PA requirements with respect to the orderly collection, treatment and disposal of surface water. Proposed conditions relate to detailed design matters, seek clarification in relation to attenuation volumes and seek additional SUDS features (e.g. dry swales and infiltration trenches).

12.8.2. Flood Risk Assessment

The application is accompanied by a Site-Specific Flood Risk Assessment that considers the risk of pluvial, fluvial or groundwater flooding. OPW CFAMS maps indicate that the site is not within CFRAMS Flood Zone's A or B with a low probability of tidal, fluvial and pluvial flooding. The SFRA concludes that the proposed development is at low risk of flooding.

12.8.3. Foul Drainage

Wastewater generated by the proposed development will discharge to a wastewater sewer under the route of the ORR. The receiving sewer will discharge to a new pumping station that is under construction to the south of the Ashbourne Road. On completion the pumping station will discharge to an existing larger pumping station in Ratoath, which connects into the Dublin WWTS. The Inland Fisheries Ireland submission states that it is essential that local infrastructural capacity is available to deal with increased surface and foul water generation from the proposed development. In this regard, I would note that Irish Water have confirmed the feasibility of a connection.

12.8.4. Water Supply

It is proposed to connect to a watermain under the route of the ORR. Irish Water have confirmed the feasibility of this connection.

12.8.5. Drainage, Flood Risk and Site Services Conclusion

I am satisfied with the proposed foul and surface water drainage and water supply arrangements, subject to conditions.

12.9. Waste Management

- 12.9.1. The application is accompanied by a Waste Management and a Construction Management Plan. The PA opinion notes that these documents will require further development. In particular, it is noted that there is no reference to soil and stone waste arising during the construction stage. I would also note the comments raised by Inland Fisheries Ireland in relation to the potential for pollution from poor on-site construction practices and the need for detail in relation to the handling of excavated material and management of invasive species.
- 12.9.2. In relation to the operational stage, the submitted documents state that each apartment will have sufficient internal storage space to facilitate a 3-Bin System and that there are dedicated communal refuse storage areas at ground level. The apartment blocks have dedicated refuse storage areas at basement level. A total of 4 no. communal bin stores are proposed for the duplex units (2.5m by 5m) with space for 3 no. wheelie bins in each. There are no design details for these communal refuse areas. I am of the view that the level of bin storage proposed is inadequate to cater for the demands of the duplex units.
- 12.9.3. I am of the view that the issue of waste management during both the construction and operational phases has not been satisfactorily addressed.

12.10. Other Issues

Archaeology, Architectural and Cultural Heritage

The application is accompanied by an Archaeology, Architectural and Cultural Heritage Study. The key area of concern relates to archaeology. There are no known architectural features within the application site or in the immediate vicinity. The lands are c. 850 m south east of the zone of archaeological potential of the historic town of Ratoath (RMP NO. ME044-034) with a number of monuments contained therein, and there is a ploughed-out ringfort (RMP No. ME045-011) c. 800 metres to the east of the site. Previous archaeological investigations of adjoining sites found nothing of archaeological significance (Ratoath Community College and ORR), while excavations in the wider area did reveal archaeological sites and / or artefacts. In view of the sites large size and greenfield nature, the study recommends that pre-development archaeological investigations (geophysical survey and test trenches)

are undertaken. The application was referred to the Department for Culture, Heritage and The Gaeltacht, however, no response has been received. In the event that the Board is minded to grant permission for the proposed development I recommend that a condition is attached requiring pre-development testing to be undertaken in accordance with the recommendations of the submitted Archaeology, Architectural and Cultural Heritage Study.

Part V

The applicant has submitted Part V proposals comprising the transfer of 23 units to the planning authority. The PA indicate agreement in principle and recommend that a condition is attached to this effect. I recommend that a condition requiring a Part V agreement is imposed in the event of permission being granted.

13.0 Appropriate Assessment

13.1. AA Screening

- 13.1.1. The application is accompanied by an AA Screening Report, an Ecological Impact Assessment and other Engineering Reports. This Report concludes that there is no potential for likely significant effects on European sites. I am satisfied that there is sufficient information on the file to allow me to undertake AA Screening.

Description of the Development and the Site

- 13.1.2. Permission is sought for a residential development comprising 288 no. residential units and a creche on a site of 6.2976 hectares. The site is at the southern edge of Ratoath on lands that are zoned and serviced. The site is characterised by disturbed agricultural grasslands with some hedgerow remaining. Desktop surveys and site surveys found no records of any species or habitats for which European sites are designated within the proposed development site. Foul water from the proposed development would discharge to a public foul sewer and will be pumped to the Ringsend WWTP from where it will ultimately discharge to the Irish Sea. Surface water will outfall to the public surface water system which in turn discharges to the Broadmeadow River. Soils underlying the ground have low permeability and as such, infiltration to ground will be limited.

Zone of Influence

- 13.1.3. There are no European sites located within or in close proximity to the application site. The development would not have the potential, therefore, to have any direct effects on any such site. In considering the likely zone of influence for indirect effects, I have had regard to the potential for source-pathway-receptor links to European Sites. The closest European Site to the proposed development site is the Rye Water Valley / Carton SAC which is c. 13.5 km from the site. There are no hydrological or ecological pathways between the development site and this European site. The site is within the catchment of the Broadmeadow River, which discharges to European Sites in Malahide Estuary c.16.7 km east of the site. On this basis there is a potential hydrological link to the Malahide Estuary SPA (004025) and SAC (000205). Foul waters from the proposed development are treated at Ringsend WWTP which ultimately discharges to Dublin Bay, and as such there is a potential hydrological link to European sites at and adjacent to the discharge point within Dublin Bay, namely South Dublin Bay and River Tolka Estuary SPA (004024), South Dublin Bay SAC (000210) and North Bull Island SPA (004006).
- 13.1.4. I would note that Appendix 1 of the Screening Report sets out the qualifying interests / special conservation interests for each of the sites listed above (save Malahide Estuary SAC which I have reviewed separately on the NPWS website). I consider this approach to be reasonable.
- 13.1.5. The application site is on zoned and serviced land at the edge of Ratoath in an area that is underdevelopment. The proposed development would not result in a significant increase in storm water flow into the municipal sewer. There is no potential, therefore, for the proposed development to alter the volume or characteristics of the flows into or from the surface water sewerage system, such that it could conceivably have a significant effect on downstream Natura 2000 sites. The foul effluent from the proposed development would drain to the wastewater treatment system for Dublin. The scale of the proposed development relative to the rest of the area served by that system means that the impact on the flows from that system would be negligible and it would not have the potential to have any significant effect on any Natura 2000 site. As the proposed development does not have the potential to have an effect on any Natura 2000 site, there is no potential for it to have likely significant effects on any site in combination with any other plan or project.

13.1.6. On the basis of the foregoing I am satisfied that the potential for likely significant effects arising from hydrological or ecological connection to European sites be excluded at the screening stage.

13.1.7. AA Screening Conclusion

It is reasonable to conclude that on the basis of the information on file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No. 004024 (South Dublin Bay and River Tolka Estuary SPA), European Site No. 000210 (South Dublin Bay SAC), European Site No. 004006 (North Bull Island SPA), European Site No. 001398 (Rye Water Valley / Carton SAC), or any European site, in view of the site's Conservation Objectives, and that a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

14.0 Conclusion

14.1.1. In conclusion, I consider the principle of residential development to be acceptable on this site. I am of the opinion that this is a zoned and serviced site within an established area where a wide range of services and facilities exist. An appropriate development on this site has the potential to contribute to the provision of high-quality housing within the area. Notwithstanding this, I have serious reservations in relation to the proposal before me, in terms of quality of the layout and design. The application does not adequately address issues raised in the Section 5 pre-application consultation opinion. The layout and design of the proposal is considered to be of poor quality and if permitted would not meet the standard of provision required under the various section 28 guidelines, in particular the Urban Design Manual and the 12 criteria therein. Furthermore, minimum standards set out in the Development Plan and in Section 28 guidance in respect of public open space provision, private open space provision, unit size, storage space and cycle parking are not met. The size of the site is such that it could create its own character and become an attractive place in which to reside. This is not being achieved in the current proposal, in my opinion.

15.0 Recommendation

15.1.1. I recommend that permission be refused for the reasons and considerations set out below.

16.0 Recommended Draft Board Order

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 20th of August 2019 by Sherwood Homes (Ratoath) Limited care of PD Lane Associates, 1 Church Road, Greystones, Co. Wicklow.

Proposed Development: The development will consist of 228 no. residential units comprising of 19 no. 1 bed units, 68 no. 2 bed units, 133 no. 3 bed units and 8 no. 4 bed units to be provided in a mix of unit types as follows: 88 no. semi-detached houses, 6 no. detached houses, 11 no. terraced houses, 9 no. independent living units, 52 no. apartments, 32 no. duplex units with 30 no. apartment units above. A three storey childcare facility building with ancillary outdoor plan area. Provision of a temporary shared pedestrian / bicycle path along the southern boundary of the site within the reservation of the future extension of the Ratoath Outer Relief Road. Minor amendments to the 'link road'. All other associated landscaping, boundary treatments, site development and service infrastructure works.

Decision

Refuse permission for the above proposed development based on the reasons and considerations set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

1. The “Urban Design Manual – a Best Practice Guide” issued by the Department of the Environment, Heritage and Local Government in 2009, to accompany the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas includes key criteria for residential development such as context, connections, inclusivity, variety, distinctiveness, layout and public realm. It is considered that the proposed development results in a poor design concept for the site that is substandard in its form and layout; fails to provide high quality usable open spaces; fails to establish a sense of place; and would result in a substandard form of development that lacks in variety and distinctiveness, all of which would be injurious to the residential amenities of future occupants and contrary to the provisions of the Urban Design Manual – a Best Practice Guide and to the development standards of the Meath County Development Plan 2013-2019. Furthermore, the layout of the proposed scheme, being dominated by roads, is contrary to the provisions of the Design Manual for Urban Roads and Streets, issued by the Department of the Environment, Community and Local Government and the Department of Transport, Tourism and Sport in 2013. The proposed development would, therefore, seriously injure the residential amenities of future occupants, would be contrary to Ministerial Guidelines and would be contrary to the proper planning and sustainable development of the area.
2. The “Sustainable Urban Housing Design Standards for New Apartments, Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in 2018, includes Specific Planning Policy Requirements and criteria in relation to the design of apartment developments. The guidelines permit two-bedroom 3 person apartments in limited circumstances only. The quantum of this unit type within the proposed development exceeds the maximum allowance of 10% of the overall units. Furthermore, standards in respect of communal open space, storage and bicycle parking are substandard by reference to the minimum standards set out in guidelines. The proposed development is substandard by reference to the standards set out in the “Sustainable Urban Housing Design Standards for New

Apartments, Guidelines for Planning Authorities” and would, therefore, be contrary to Ministerial Guidelines and would be contrary to the proper planning and sustainable development of the area.

3. The proposed development, by reason of its inadequate qualitative and quantitative provision of private and public open space, would conflict with the development standards of the Meath County Development Plan 2013-2019. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Karen Kenny

Senior Planning Inspector

18th November 2019

Appendix A - List of Observers

1. Emma Adams.
2. Elaine & John Killion.
3. Milltree Management Company Limited.
4. Michael Treacy.
5. Aoife Clarke.
6. Catherine & Garry Malone.
7. Veronica & Jonathan Thomas.
8. Fergus O’Riordan.
9. Brian Dunne & Elaine McCormack.
10. Anne Stafford.
11. Suzanne Turns.
12. Declan O’Rourke.
13. Clonkeen Residents Association.
14. Robert Unwin.
15. Rachel Lane.
16. Aoife Jordan.