



An
Bord
Pleanála

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

Inspector's Report ABP-305819-19

Strategic Housing Development

217 no. residential units (137 no. houses, 80 no. apartments), crèche and associated site works.

Location

Lands at Newtownstalaban,
Newfoundwell Road, Drogheda, Co.
Louth.
(www.newtownstalaban.com)

Planning Authority

Louth County Council

Applicant

Lagan Homes Development Ltd.

Prescribed Bodies

Department of Culture, Heritage and the Gaeltacht; Irish Water; Transport Infrastructure Ireland.

Observer(s)

Senator Ged Nash; Cllr Michelle Hall.

Date of Site Inspection

2nd February 2020

Inspector

Una O'Neill

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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

- 2.1.1. The subject site (5.87 ha in area) is located approx. 2.5km to the northeast of Drogheda town centre, north of the River Boyne, within the development boundary of Drogheda, Co. Louth.
- 2.1.2. The site is currently a greenfield site comprising one large field and three smaller fields subdivided by trees/hedgerows. The site was formerly in agricultural use and is generally flat. There are two existing 38kV overhead cables crossing the site and two disused farm buildings to the northeast.
- 2.1.3. The site is located between the Newfoundwell Road/R166 and the Newtown Road/L2307, which run parallel to each other. These roads are connected north east of the site, where the L2307 forms a junction with the R166 and further south of the site where a north-south link road has been developed which serves residential and commercial developments. The site is at present accessed via an agricultural entrance onto the Newfoundwell Road/R166 to the northwest (also known as the Termonfeckin Road), the boundary to which is a low post and rail concrete fence. There is also an agricultural entrance onto the Newtown Road/L2307 to the southeast and this boundary is defined by a standard hedgerow. The Newfoundwell Road/R166 can be described as largely residential in character while the Newtown Road/L2307 is a more rural/local road in nature, albeit it serves a number of businesses and provides an access to the Port side of the town.
- 2.1.4. Adjoining the site to the north is a detached bungalow accessed from the R166. To the south/southwest is the Newtown Blues GFC with its pitch forming two straight edge boundaries to the application site and mature evergreen trees defining these straight boundaries. There is a secondary school, St. Joseph's CBS, located approx. 500m to south-west of the site along the R166. On the opposite side of the R166 there is a large area of land forming an arc shape around the northern edge of

Drogheda, which is governed by the North Drogheda Environs Local Area Plan (LAP) area, 2004. This LAP is supported by policy in the current county development plan and governs an area of approx. 500 hectares of residential and employment zonings, which can accommodate a projected population of 20,000. Directly opposite the application site a portion of these lands have been developed with a residential scheme known as Beaulieu Village. Northwest is another residential area within these lands referred to as Aston Village/Termon Abbey, where there is a primary school and a neighbourhood centre. The R166 forms the southern boundary/edge of this LAP area, and defines the zoned residential edge to Drogheda along the R166. The application site forms the extent of zoned residential lands on the south side of the R166, as governed by the Drogheda Borough Council Development Plan 2011-2017 (as extended). This application site, in addition to the lands opposite, therefore, will form the new urban residential edge/entrance to Drogheda from the rural area/surrounding hinterland to the northeast.

- 2.1.5. The Newtown Road/L2307 while very narrow and rural in character appears to be well used serving a number of businesses along this road and serving as an alternative access route to Drogheda town centre. The Boyne Business Park is located south of the application site, with a number of warehousing units proximate to and visible from the southern boundary. This business park comprises a wide range of commercial operators and one unit is in use as a gym with 20m swimming pool. Between the Boyne Business Park and the application site boundary is an overgrown grassed area which is identified in the documentation as the old cement branch railway line (no rails present/visible). A hedgerow boundary to the site is on one side of this grassed railway line and a palisade fence along the Boyne Business Park is on the other side. This railway line/grassed area is accessible albeit overgrown, and links into the cut grassed verge to the south of the GAA pitch/boundary with the Boyne Business Park. Directly opposite the site on the L2307 is an ESB substation and an industrial type unit occupied by 'Butterly Shipping'. North of the site on the L2307 is an agricultural laneway, which runs along the northern boundary of the site, and north of that entrance is an existing single storey building which appears to be in use as a mechanics workshop/panel beaters. Further north of the mechanics is the entrance to the Drogheda and District Athletic Club, which comprises a portacabin, parking area and a large field with high lighting

poles positioned all along its perimeter. There is also another secondary school, Our Lady's College, located off Newtown Road, approx. 800m southwest of the application site.

- 2.1.6. There is a bus route along the R166/Newfoundwell Road which serves the town of Drogheda. There is an existing footpath and a CPO has been obtained by LCC to upgrade the R166, with the proposal being for a footpath on both sides of the R166 in addition to a cyclepath on the southern side of the R166. The Newtown Road to the southeast boundary is narrow with no footpaths and no plans in the development plan to upgrade this road.

3.0 Proposed Strategic Housing Development

- 3.1. The proposal, as per the submitted public notices, comprises the demolition of derelict farm outbuildings and construction of 217 dwellings. A two storey building comprising a crèche/residents gym/coffee bar/communal room is also proposed.
- 3.2. An Environmental Screening report and Appropriate Assessment Screening report have been submitted with the application.
- 3.3. The following tables set out some of the key elements of the proposed scheme as identified by the applicant:

Key Figures:

Site Area Net	5.87 ha
No. of Residential Units	217 dwellings (137 houses and 80 duplex apartments)
Density	37 units per hectare
Childcare Facility	380 sqm crèche – ground floor area of proposed two storey building.
Other Uses	Upper floor resident's gym, coffee bar and communal room (total area of 448 sqm) in two storey building, with crèche at ground level.
Public Open Space	8445 sqm (14.5% of the site area)

Height	Two to three storeys
Part V	22 units

Unit Mix:

	1 bed	2 bed	3 bed	4 bed	Total
Apartments/Duplexes	2	38	40		80
Houses		22	100	15	137
	2	60	140	15	217
As % of total	1%	28%	64%	7%	100%

Parking Provision:

Car Parking	364 spaces and 2 motorbike spaces
Bicycle Parking	220 spaces

- 3.4. Vehicular access to the site is proposed from the R166/Newfoundwell Road. The site has frontage onto the L2307 and an agricultural entrance but no access is proposed from here, however, the applicant has set back the development 2m from this boundary with the L2307 to allow for any future footpath upgrade works and states a vehicular access could be facilitated at this location in the future, if required. Louth County Council (LCC) has no plans for upgrading the L2307.
- 3.5. In terms of site services, a new water connection to the public mains is proposed, together with a new connection to the public sewer. An Irish Water Pre-Connection Enquiry in relation to water and wastewater connections was submitted with the application, as required. It states that subject to a valid connection agreement being put in place and conditions listed, the proposed wastewater connection to the Irish Water network can be facilitated.
- 3.6. The application is accompanied a number of reports and documentation, including inter alia a Planning Report and Statement of Consistency, Statement of Response ABP’s Consultation Opinion, Masterplan, Design Statement, Building Lifecycle Report, DMURS Statement of Compliance, Traffic and Transport Assessment,

Mobility Management Plan, Landscape Report, Environmental Screening Report, Ecological Impact Assessment, and Screening for Appropriate Assessment.

4.0 Planning History

ABP Ref. HA0007 and ABP Ref. KA0004 [relates to a small section of the application site]:

Planning permission granted to Louth County Council and the associated CPO confirmed for modifications for the development of the Port Access Northern Cross Route (PANCR) in 2008, which provides for an orbital roadway across the Drogheda Environs from west to east, linking the R132 to the west with the Baltray Road at Tom Roes Point to the east. The provision of the PANCR provides for the upgrading of a number of side roads, including the Twenties Lane, Ballymakenny Road and the Termonfeckon Road. The provision of PANCR is essential in providing adequate road infrastructure to serve the northern environs of Drogheda.

Residential Scheme to North of Application site (Beaulieu Village, phase 1 of which has been constructed):

PL12.230807 (PA ref 0801) – A 10 year permission GRANTED for 318 dwellings on a 8.59 ha site (to expire 10th June 2019).

16/458 – Permission GRANTED for modified entrance and provision of a signal controlled pedestrian crossing on Termonfeckin Road (referred to as Newfoundland Road in current application).

16/900 - Permission GRANTED to modify 63 dwellings previously granted under planning ref 08/1 (*this permission relates to phase 1 of PL15.230807 which has been constructed*).

18/1 – Permission GRANTED for modifications to PL15.230807 (ref 08/1) involving change of house types to include disability/retirement houses and a new 123 bed nursing home. (*This permission relates to a proposed phase 2 of Beaulieu Village, which is not yet constructed*).

18/939 – Permission GRANTED to modify Beauvillage, including modification of approved site plan and change of house types permitted under PL15.230807 (ref

08/01). (*This permission relates to a proposed phase 3 of Beaulieu Village, which is not yet constructed*).

19/214 - An extension of duration for 08/01 GRANTED, expiring on 9th June 2024. Condition 2 links this development with conditions granted under 16/900, 18/1 and 18/939.

5.0 Section 5 Pre Application Consultation

5.1. Pre-Application Consultation

5.1.1. A section 5 pre-application consultation with the applicants and the planning authority took place at the offices of An Bord Pleanála on Friday 23rd August 2019 (ref ABP-304876-19) in respect of a proposed development of 217 residential units (137 houses and 80 duplex apartments) and a crèche. The main topics discussed at the meeting were –

1. Development strategy for the site to include inter alia urban design response, layout, open space, boundary treatment.
2. Connections and permeability to include DMURS.
3. Surface water management and flood risk
4. Any other matters

Copies of the record of the meeting, the Inspector's Report, and the Opinion are all available for reference on this file.

5.2. Notification of Opinion

5.2.1. An Bord Pleanála issued a notification that it was of the opinion that the documents submitted with the request to enter into consultations required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development, which should have regard to the following issues:

1. Urban Design Response, Layout and Density:
 - Further consideration and/or justification of the documents as they relate to the rationale of the proposed residential layout and urban design response with particular regard to the creation of distinct neighbourhood areas within the overall site, the creation of active and aesthetically pleasing urban street

frontages particularly along the Newfoundwell Road and Newtown Road and within the development site itself.

- Further consideration and/or justification of the documents as how the proposed design and elevational treatments interface with existing adjoining residential properties, boundary to the playing fields, the Newtown Road and dis-used railway line to the south to ensure a qualitative design response with optimal passive surveillance of streets and public open spaces throughout the scheme.
- Further consideration should be given to the 12 criteria set out in the Urban Design Manual which accompanies the Sustainable Residential Development in Urban Areas Guidelines and also reference to the Design Manual for Urban Roads and Streets and how the proposal specifically responds to these criteria having regard to the site characteristics.
- Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

2. Connections and Permeability

- Further consideration of how the layout, future connections, access arrangements street hierarchy and parking configurations are consistent with, inter alia, the principles of Design Manual for Urban Roads and Streets should be provided.
- Further consideration should also be given to the proposed shared surfaces and the functionality/usability of these spaces vis-à-vis their location relative to private housing and proposed boundary treatments to ensure optimal accessibility/usability by all residents.
- The further consideration of this issue may require an amendment to the documents and/or design proposals submitted.

3. Surface Water Management and Flood Risk

- Further consideration of documents as they relate to surface and storm water management for the development lands and the risk for displaced or increased discharge of waters downstream in the Boyne River. Any surface water management proposals should be considered in tandem with any Flood

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

The opinion notification pursuant to article 285(5)(b) also referred to specific information that should be submitted with any application which can be summarised as follows –

1. Details demonstrating that the qualitative and quantitative standards of the proposed residential units having specific regard to the provisions of Specific Planning Policy Requirements contained in inter alia the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2018. In this regard, access proposals from housing units to private amenity spaces should be clearly indicated.
2. Full set of plans, particulars including elevations pertaining to all house types proposed which clearly identify access to private amenity spaces. Cross-sections and photomontages should also be submitted particularly at key interfaces such as Newfoundwell Road, Newtown Road and the dis-used rail-line.
3. Details of proposed external finishes to residential units, street furniture, play equipment, surface finishes etc. should be submitted.
4. An Appropriate Assessment screening report and/or Natura Impact Statement if considered necessary, which should consider inter alia the issue of surface water run-off and in-combination effects of relevant Natura 2000 sites.
5. Details of undergrounding or re-routing of any utilities that may exist on site.
6. A site layout plan indicating pedestrian and cycle connections through the development lands to existing and proposed transport modes in the vicinity. Details of the permitted Part 8 scheme to Newfoundwell Road regarding pedestrian/cyclist enhancements should be clearly indicated for clarity.
7. A construction and demolition waste management plan should be provided.

8. A phasing plan for the proposed development which clearly indicates the surface water management proposals and open space provision for each phase.
9. A site layout plan indicating all areas to be taken in charge.
10. A Building Life Cycle Report in respect of the proposed apartments as per section 6.13 of Sustainable Urban Housing: Design Standards for New Apartments- Guidelines for Planning Authorities (2018).

5.3. Applicant's Statement

- 5.3.1. A statement of response to the Pre-Application Consultation Opinion, as issued by the Board, was submitted with the application, as provided for under section 8(1)(iv) of the Act of 2016, which is briefly summarised as follows:

Item 1: Urban Design Response, Layout and Density:

- A masterplan has been submitted, which has been strongly influenced by the site characteristics, in particular the sewer line along the pitch boundary which imposes a wayleave along its length, over which no housing or private open space can be built; and the council position that no access is possible via Newtown Road/L2307.
- Eight character areas have been created, defined by their function and spatial characteristics. Community uses are located in one building at the entrance from Newfoundwell Road; two home zones proposed; trees along boundary to the north determines the character of that area; the central green will be a focal point and provides for high quality open space which is overlooked by surrounding houses; a greenway is proposed alongside (outside of) the southern boundary of the site with the rear elevations along this boundary considered in order to create an attractive built façade to any future greenway; the boundary along Newtown Road will comprise a dwarf wall and railing and a pocket open space will mark the old entrance from this road; active street frontages are proposed fronting onto the boundary with the GAA pitch to the west.
- The site layout has been amended on foot of the pre-application opinion. Street frontage boundaries along Newfoundwell Road and Newtown Road as well as on a number of stretches within the site have been revised. An 'active corner' with seating has been created at the Newfoundwell Road entrance. A railing alongside the crèche

located at the Newfoundwell Road is proposed to increase transparency into the site. A dwarf wall with railing and planting is proposed along the Newtown Road boundary to the rear of the duplexes/houses at this location, with the upper floors of the duplexes comprising balconies which overlook Newtown Road; in terms of the GAA pitch, elevations are fronting onto both of its boundaries in addition to a wildlife corridor with additional planting along the southern boundary with the GAA pitch with a linear park along the western boundary with the GAA pitch, which also provides for a pedestrian and cyclist link to the railway line; the boundary to the old railway line/proposed greenway will have first floor level balconies to proposed duplexes overlooking it and the boundary has been changed from proposed 2m high wall to a wall and railing along this boundary, except at the interface of the proposed plaza at this boundary positioned between two of the duplex buildings.

- 3 areas of the internal street network have been amended to better address the street as recommended in the opinion. Area A in the submitted document proposes 4 units with parallel parking spaces onto a section of the internal access street where the proposal previously was for two units; Area B along the eastern boundary with the GAA pitch has been amended with 8 units now facing this boundary instead of previous proposal for two units with high boundary walls and unit 162 has access from the side to increase passive surveillance. A wider linear park area is now proposed at this location; Area C has been amended to provide for a central open space in lieu of previously proposed home zone street.
- The Masterplan and Architect's Design Statement address in detail the 12 criteria set out in the Urban Design Manual which accompanies the Sustainable Residential Development in Urban Area guidelines.

Item 2: Connections and Permeability:

- A DMURS statement of compliance document has been compiled.
- At locations where there are long sections of street due to site constraints, traffic calming measures of raised tables, home zone/shared surfaces and on street parking have been provided.
- An access point is indicated as possible to the employment lands to the north. The footpath at this location is run up to the boundary to avoid potential of a ransom strip.

- A future connection to the Newtown Road will be possible via the proposed pocket park at that boundary, this could be incorporated in the future without affecting the park activities.
- Newfoundwell Road Access: A pedestrian crossing will be implemented to cross Newfoundwell Road to allow for connection to Beaulieu Village residential development. The crèche building has also been moved north following a request from Louth roads department.
- Newtown Road Potential Access: It is not proposed to access the site from this road due to substandard road infrastructure and the planning authority requirements, however access would be possible via the proposed park at a section of this boundary. In addition a grass verge is provided along Newtown Road between the boundary wall of the site and the road to allow for future realignment of the road at a future date. It is noted there is no plan by Louth County Council to upgrade this road.
- Street Hierarchy: The proposed street hierarchy comprises a main spine road, secondary streets and homes zones, which results in a legible movement pattern. The spine road is 6m wide and other roads are 5.5m wide. The main pedestrian route is designed to a future bus stop located near the entrance of the site from the R166. It crosses the main open space in a diagonal fashion following the anticipated desire line.
- Parking: The Board considered the previous layout to be car dominant. The layout has been revised to mitigate the visual impact of the parking by redistributing the public open space so that parking is viewed within a landscape setting; increasing the number or size of intermittent landscaped strips between parking spaces with additional trees in selected areas; redesigning the parking layout to minimise face to face parking; street widths at 5.5m with wider parking spaces to allow for manoeuvring, as recommended in DMURS and home zone streets of 4.8m width; a mix of parallel and perpendicular parking is proposed with all parking directly overlooked by individual residences.
- The home zone streets in the centre of the scheme have been amended to improve usability and functionality, with more dwellings directly overlooking the street and improved boundary treatment.

Item 3: Surface Water Management and Flood Risk

- A Flood Risk Assessment has been undertaken by JBA Consulting and an Engineering Report has been submitted which provides for further details of the proposed surface water and storm water management for the development lands. The site is within Flood Zone C. The risk for displaced or increased discharge of waters downstream in the Beaulieu Stream/Boyne River has been eliminated by restricting runoff from the site to the existing greenfield rate.

The specific information required in the Opinion issued to the applicant has also been submitted.

6.0 Relevant Planning Policy

6.1. Section 28 Ministerial Guidelines

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

- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (2009) and the accompanying Urban Design Manual: A Best Practice Guide (2009)
- Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities (2018)
- Urban Development and Building Height Guidelines for Planning Authorities (December, 2018)
- Design Manual for Urban Roads and Streets (December 2013)
- Architectural Heritage Protection – Guidelines for Planning Authorities (2011)
- Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme.
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009)

6.2. Project Ireland 2040 - National Planning Framework

6.2.1. The NPF recognises the key role of Drogheda-Dundalk-Newry cross-border network with respect to building stronger regions and accessible centres of scale. It states that 'it will be necessary to prepare co-ordinated strategies for Dundalk and Drogheda at both regional and town level to ensure they have the capacity to grow sustainably and secure investment as key centres on the Drogheda-Newry cross-border network'. It is a key future planning and development and place making priority to have a focussed approach to compact, sequential and sustainable development of the larger urban areas along the Dublin-Belfast economic and transport corridor, where there are settlements of significant population such as Dundalk and Drogheda.

6.2.2. The NPF seeks to capitalise on and further support the economic potential of the Dublin-Belfast corridor by:

Effectively planning and developing large centres of population and employment along the main economic corridor, including in particular Drogheda and Dundalk.

6.2.3. In addition to objective 7, which seeks to apply a tailored approach to urban development with a particular focus on *inter alia* Drogheda, the following key policy objectives are noted as follows:

- National Policy Objective 2b: The regional roles of Athlone in the Midlands, Sligo and Letterkenny in the North-West and the Letterkenny-Derry and Drogheda- Dundalk-Newry cross-border networks will be identified and supported in the relevant Regional Spatial and Economic Strategy.
- National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- National Planning Objective 13: In urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to

achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

- National Policy Objective 27: 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.
- National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

6.3. Regional Policy

- 6.3.1. The Regional Social and Economic Strategy for the Eastern and Midlands Region 2019-2031 (RSES) identifies Drogheda as a Regional Growth Centre within the Core Region of the Eastern and Midland Region. An element of the growth strategy is to target growth of the regional growth centres, including Drogheda, as regional drivers and to facilitate the collaboration and growth of the Dublin-Belfast Economic Corridor, which connects the large towns of Drogheda, Dundalk and Newry.
- 6.3.2. The RSES aims to enable Drogheda to realise its potential to grow to city scale, with a population of 50,000 by 2031 through the regeneration of the town centre, the compact and planned growth of its hinterland and through enhancement of its role as a self-sustaining strategic employment centre on the Dublin-Belfast Economic Corridor.
- 6.3.3. The following regional policy objectives are noted:
- RPO4.11 – A cross boundary statutory Joint Urban Area Plan (UAP) for the Regional Growth Centre of Drogheda shall be jointly prepared by Louth and Meath County Councils in collaboration with EMRA.
 - RPO 4.12 - support the role of Drogheda Docklands and Port in particular by:
 - Supporting and protecting the role of Drogheda Port as a port of regional significance
 - Facilitate relocation of Drogheda Port subject to a feasibility study and appropriate coastal zone management.

- Supporting the future development of the Port Access Northern Cross Route (PANCR).
- RPO4.14 - promote self-sustaining economic and employment-based development opportunities to match and catch-up on rapid phases of housing delivery in recent years to provide for employment growth and reverse commuting patterns.
- RPO 4.15 - Promote Drogheda as an urban tourism destination while protecting its natural and built heritage resources...

6.4. Louth County Development Plan 2015-2021

6.4.1. Chapter 2, Core Strategy and Settlement Hierarchy – The development lands are located within Drogheda, which is a Primary Development Centre and designated Large Growth Town 1. Table 2.4 indicates that Drogheda and Environs is expected to have a population growth of 2571 persons by 2021, which equates to 952 residential units.

- Policy CS1 seeks: To promote the household and population growth in the County in accordance with Table 2.5 and 2.6 of the Core Strategy.
- Policy CS 3 : To require that a ‘Core Strategy Population and Phasing Statement’ will be submitted with all applications for residential development on zoned land detailing how the application complies with the core strategy household allocations and phasing proposals included in the settlement plan’.
- Policy SS1 seeks: To maintain the settlement hierarchy within the County and to encourage residential development within each settlement that is commensurate with its position in the hierarchy and the availability of public services and facilities.
- Policy TC 20: To secure the implementation of the Council’s Road Improvement Programme 2015-2021....The Port Access Northern Cross Route is listed as a Strategic New Road in Table 7.8...

6.4.2. Section 2.16.4 of the development plan refers to Policy SS4, to review the Drogheda Borough Council Development Plan 2011-2017 and to prepare a Local Area Plan for Drogheda and Environs, which will be consistent with the County Plan. The

development plan states that the Louth County Development Plan 2015 – 2021 will be an over-arching Development Plan for the entire county including Drogheda.

6.5. **Drogheda Borough Council Development Plan 2011-2017**

- Zoning Objective 'RN' – Residential New which has an objective “to protect and/or improve the amenity of developed residential communities”.
- Core Strategy Phasing Map – The application lands are within Residential Phase 1.
- Policy TR 12... Maintain the abandoned Drogheda Port Rail Link (“Cement Branch”) rail alignment for future rail-based use.
- Table 5.1: Road Traffic and Management Objectives within each Character Area - RT35: Upgrade all approach Roads to future Port Access Northern Cross Route (PANCR).

6.6. **Designated Sites**

6.6.1. The site is not located within or adjoining a European Site.

6.6.2. The following European Sites are located within proximity of the site:

- Boyne Estuary SPA (site code 4080) - approx. 0.8m to the south of the site.
- Boyne Coast and Estuary SAC (1957) & pNHA – approx. 1.2km southeast.
- The River Boyne and River Blackwater SAC, (site code 2299) - approx. 0.6km south of the site.
- Clogher Head pNHA (site code 1459) – approx. 8.8km to the northeast.
- River Nanny Estuary and Shore SPA (site code 4158) – approx. 6.8km to the southeast.

6.7. **Applicant’s Statement of Consistency**

6.7.1. 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 and the Development Plan.

7.0 Third Party Submissions

7.1. Two submissions were received from elected representatives. The submissions received may be broadly summarised as follows:

Traffic and Transportation

- This SHD should not progress until there is full funding and construction of the Port Access Northern Cross Route (PANCR). Conditions on other applications in this area for Termon Abbey and Aston Village refer to this road.
- This SHD should be considered premature pending either the construction of the PANCR or a strict timeline commitment from the state or Louth Council Council to fund and build this road. This road is required to alleviate traffic congestion and also to open up lands in the Drogheda Northern Environs Plan for development.
- Little consideration has been given to impact of the development on local roads and on congestion.
- Road Traffic surveys/projections did not take into account future traffic from proposed housing at the old Bridgeford site, Newfoundwell Road and Phases 2 and 3 of Beaulieu Village, which will add traffic going into Drogheda and cause delays.
- Concern that traffic will turn right and travel along the more dangerous L2307 or along Newtown Road to access Drogheda to avoid traffic jams.
- Additional traffic calming measures are required, such as chicanes/raised platforms as there are long stretches of straight road proposed in the estate.
- The planned upgrade of the R166 (which has plans, CPOs and Part 8 in place) with proposed pedestrian and cyclist routes should be carried out immediately, regardless of lack of funding for PANCR.
- LCC should engage with landowners about the access road from the Link Road to the Boyne Business Park to avoid pedestrians using the L2307. The L2307 is a dangerous road and is frequently used by pedestrians to access services such as HSE Early Intervention Services and Gym in the business park and St. Joseph's Secondary School.

- Concern that possible exits onto L2307 will be used as shortcuts before official exits are put in place and will pose danger to pedestrian safety on the rural road.
- Lagan Homes should install the footpath/cycle path on the boundary of the L2307 during construction instead of leaving two metres setback for future paths.
- A traffic and speed count should be carried out within six months of new pedestrian lights being installed at Beaulieu Village. If there is no decrease in traffic, raised tables should be installed. There were three major RTAs from 2005-2015.
- The 80km speed limit boundary should be extended.
- There is little to no possibility of a greenway on the disused railway track being developed as proposed on the plans.
- The L2307 should be upgraded with a pedestrian/cyclist path asap. There will be increased usage of this road to access Drogheda & District AC, businesses and services in the Boyne Business Park, Secondary School, proposed new gaelic grounds at Newtown Cross, Drogheda Town Centre and South Quays (to cross the river).

Schools & Crèche

- Existing second level schools are at capacity.
- The proposed crèche and community centre don't blend into the existing landscape. All existing businesses are positioned further back from the road. It is questionable whether the proposed childcare facility is feasible, given one has recently opened in Aston Village (which was vacant for ten years) and there is an existing crèche on Newfoundwell Road. If building is left unoccupied, it will have a detrimental effect on road landscape and antisocial behaviour.

Other Matters

- Part V provision should be increased to 20%.
- Landscaping to be in line with All Ireland Pollinator Plan.
- Construction materials should be recyclable and more details given in this regard.
- If permission is granted, the name needs to change from the townland name of Newtownstalaban as this will cause great confusion in the future.

8.0 Planning Authority Submission

8.1. Overview

8.1.1 In compliance with section 8(5)(a) of the 2016 Act, Louth County Council submitted a report of its Chief Executive Officer in relation to the proposal. This was received by An Bord Pleanála on 17th December 2019. The report notes the policy context, summary of third party submissions, and summary of views of the relevant elected members. The submission includes several technical reports from relevant departments of Louth County Council. The Chief Executive's Report recommends that permission is granted. The CE Report from Louth County Council is summarised hereunder.

8.1.1. Summary of Inter-Departmental Reports

- Housing Department: No formal agreement is in place. The current proposal is for 22 housing units to be transferred to the Local Authority.
- Infrastructure Report: Some areas require further consideration. Conditions are recommended.
- Environment Section: Conditions are recommended.

8.1.2. Summary of View of Elected Members:

- Need for funding for PANCR so as to alleviate traffic congestion in Drogheda.
- Upgrade of the Termonfeckin Road required to facilitate this development.
- What measures are in place to prevent speeding within the Estate layout and hierarchy of roads.
- Future pedestrian and vehicular access points in the subject development.
- Inadequate capacity of local roads to facilitate both pedestrian and vehicular use.
- Design and proposed use of community building/crèche and need to avoid anti-social behaviour.

8.1.3. Planning Analysis

The planning analysis in the CE report is summarised as follows:

- The Port Access Northern Cross Route (PANCR): This is a Strategic New Road as listed in the development plan, which also proposes upgrades of local roads, including Termonfeckin Road (Newfoundwell Road) and Baltray Road with the provision of pedestrian and cyclist facilities. The applicant has submitted a Traffic and Transport Assessment Report which demonstrates the surrounding road network has capacity. The Infrastructure Section of Louth County Council has assessed the proposal and has raised no refusal reasons.
- The lands are zoned and prioritised for development in the relevant Drogheda Development Plan 2011-2017 (as extended). It is the intention of the Council to implement policy TC20 subject to funding.
- Newfoundwell/Local Road Improvements: Louth plan to upgrade Newfoundwell Road/R166 with a 1.9m wide pedestrian footpath and cycle facilities along the R166, which will tie in with existing pedestrian and cycle facilities to the west of the site, outside St. Joseph's Secondary School. The development has incorporated the future set back distance required for the road upgrade.
- Traffic Safety Measures within the Development: The Infrastructure Section of LCC recommends the internal street design requires further consideration. There are long sections of street and a requirement for tables. Some internal estate bends are below the minimum curvature radius. It is recommended appropriate conditions be attached to oversee the internal vehicular movements.
- Pedestrian Connectivity: The upgrade of the L2307 is not on the list of road improvement programmes, however, allowance has been made by the applicant to construct a pedestrian path. It is not appropriate for the costs of the footpath construction to be borne by the applicant at this stage given the absence of detailed design for an upgrade to this local road.
- Policy TR12 seeks to maintain the abandoned Drogheda Port Rail Link (Cement Branch) rail alignment for future rail based use. It had been envisaged by the applicant that this disused railway line may be used as a future greenway route, subject to design and availability of funding. The possible connectivity to the employment zone which also provides recreational and social issues will be reviewed by LCC in the preparation of a LAP for Drogheda going forward.

- Education/Schools/Community Facilities: It is anticipated that future existing nearby schools at their present or expanded size will meet the requirements from the future population.
- Inappropriate Design/use of Community Centre and crèche building: The council is satisfied that the community/crèche facility is necessary and its design has been fully considered and will not compromise the residential or landscape amenities of the area.

8.2. Statement in accordance with 8 (3) (B) (II)

Louth County Council Chief Executive's Report recommends a grant of permission, subject to a number of conditions, including the following:

- C4: Development contributions.
- C10: Palette of materials and finishes.
- C17: Details of a management scheme.
- C20: Archaeologist.

9.0 Prescribed Bodies

The applicant was required to notify the following prescribed bodies prior to making the application:

1. Irish Water
2. Minister for Culture, Heritage and the Gaeltacht
3. The Heritage Council
4. An Taisce – the National Trust for Ireland
5. Córas Iompair Éireann
6. Transport Infrastructure Ireland
7. Local Childcare Committee

Three of the bodies have responded and the following is a summary of the points raised:

- 9.1. Department of Culture, Heritage and the Gaeltacht, DAU: It is recommended an archaeologist be engaged to co-ordinate the mitigation proposals contained in the submitted archaeological report.
- 9.2. Irish Water: Based upon details submitted by the developer and the Confirmation of Feasibility issued by Irish Water, Irish Water confirms that subject to a valid connection agreement being put in place between IW and the developer, the proposed connection(s) to the Irish Water network(s) can be facilitated.
- 9.3. Transport Infrastructure Ireland: No observations.

10.0 Environmental Impact Assessment

- 10.1.1. The applicant has submitted an Environmental 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.
- 10.1.2. Item (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:
- Construction of more than 500 dwelling units
 - Urban development which would involve an area greater than 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)
- 10.1.3. 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 environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment.
- 10.1.4. The proposed development of 217 residential units on a 5.87ha site is located on a site in an urban area that is zoned and 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 the findings of section 12 of this assessment).

10.1.5. 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.

11.0 Assessment

11.1. Introduction

11.1.1. I consider the main issues relating to this application are as follows:

- Principle of Development
- Density and Housing Mix
- Layout and Urban Design
- Childcare Facility
- Open Space, Landscaping and Boundary Treatments
- Residential Amenity
- Impact on Amenity of Neighbouring Properties
- Traffic, Transportation and Access

- Infrastructural Services, including Flooding Issues
- Archaeology
- Other Matters

These matters are considered separately hereunder.

11.2. Principle of Development

11.2.1. The site is zoned 'RN' – Residential New, the objective of which is 'to protect and/or improve the amenity of developed residential communities'. The application lands are identified on the core strategy phasing map as being within Residential Phase 1.

11.2.2. I am of the view that the residential development of this site, with ancillary uses in a detached two storey building of a crèche and residents gym/coffee bar/meeting room would be in keeping with the zoning objective for the site. The principle of the proposed development on zoned and serviced lands is acceptable.

11.3. Density and Housing Mix

11.3.1. Under national guidance as set out in the guidelines Sustainable Residential Development in Urban Areas (2009), the site is an outer suburban greenfield site whereby net densities of between 35 and 50 dwellings per hectare are encouraged and those below 30 dwellings per hectare are discouraged.

11.3.2. The site is located within the development boundary of Drogheda and is within 2.5km of the town centre and a range of local shops and services, including secondary and primary schools. The proposal is for 217 units on a 5.87 ha, which equates to a residential density of 37 units per hectare. The proposed density is in line with national policy and is supported by the Drogheda Borough Council Development Plan 2011-2017 and the Louth County Development Plan 2015 – 2021.

11.3.3. The dwelling mix caters for a range of 1, 2, 3 and 4 bed units in a range of unit types, including primarily semi-detached dwellings, some terraced dwellings, detached dwellings, and duplex apartment units. I consider this mix to be reasonable and will enhance the housing mix of the area.

Part V

11.3.4. I note the applicant proposes within the documentation to accommodate part V on the site and has identified 22 units. Further consultation and agreement with the planning authority is required, which can be addressed by way of condition.

11.4. Layout and Urban Design

11.4.1. A Masterplan document and a Design Statement document have been submitted with this planning application.

11.4.2. The masterplan submitted examines the site context and establishes the urban design strategy. Eight character areas are identified, with materials in the buildings of render, brick and stone used to define the character areas.

11.4.3. A 'road hierarchy' is identified, with the main entrance road width stated to be 6m and all other widths 5.5m. The location of the main entrance road is influenced by the existence of a service wayleave associated with a water mains and foul sewer pipeline. Three home zones are proposed to create their own character. A vehicular access is not provided for to the L2307, however it is stated that potential for one is maintained through the location of a proposed green space between two duplex units at the eastern boundary with the L2307. Landscaping is proposed at the boundaries with the employment zones, with duplexes proposed to the south and east to give a stronger residential character. The main open space is positioned centrally within the scheme, under which a stormtech attenuation area is proposed.

11.4.4. The Design Statement submitted further elaborates upon the masterplan document. Diagrams are included relating to connectivity and permeability across the scheme; roads hierarchy; and a location diagram showing the distribution of nine house types across the scheme. The building proposed at the entrance from the R166 is identified as a landmark building and is to be used as a crèche/community facility.

11.4.5. The development strategy proposes public open space which is stated to equate to 14.5% of the site. The open space strategy comprises a central green open space referred to as 'the village green' (c. 4257.8 sqm), which will comprise a playground and small all weather pitch. A narrow rectangular green called 'the boulevard' is proposed in the southern section of the site. A linear green space, 'linear park' (1944 sqm), is proposed along a section of the western boundary with the GAA pitch. Newtown pocket park (c. 1042.4 sqm) is proposed along the eastern boundary.

Additional pocket parks are identified across the scheme, albeit I note the majority of these are residual spaces with limited functionality.

Street Layout

- 11.4.6. The proposed access to the site is from Newfoundwell Road/R166 (also known as Termonfeckin Road) along the western boundary. The site is irregular in shape, with the entrance section to the scheme being approx. 88m wide, with the development site widening out further in from the road. A crèche/gym building and its associated communal space provides a built edge to Newfoundwell Road/R166, with the proposed dwellings positioned further into the site away from the road frontage and only visible from the road at an oblique angle. The site also has a boundary with the Newtown Road/L2307, having a roadside boundary/frontage of approx. 109m. No vehicular access is proposed to this road, given its narrowness and lack of footpath provision, however, potential for a vehicular access to this road is provided for on the layout, with the boundary set back 2m to cater for any potential upgrade of pedestrian facilities in the future, albeit no such road improvement plan forms part of Louth County Council's strategy for the area.
- 11.4.7. The layout of the scheme has been informed by the existing site context, with the main street network informed primarily by its boundaries with an existing GAA pitch. Alongside the GAA boundaries is an existing pipeline, over which it is stated no development is permitted.
- 11.4.8. While the positioning of the main access street and a secondary street alongside the GAA boundaries are acceptable, given the existing constraints with pipelines and wayleaves, these streets are long and straight with the entrance street from the R166 approx. 210m in length. The Chief Executives report refers to potential issues with the length of the proposed two straight stretches of street alongside the GAA pitch and to inadequate traffic calming measures. I consider these streets have not been adequately designed in accordance with DMURS. This issue is also raised by third parties. In my opinion, this issue can be addressed by way of condition should the Board be minded to grant permission.

Pedestrian Movement and Connectivity

- 11.4.9. In terms of pedestrian movement and connectivity within the site, the site is largely permeable and legible with connections shown to adjoining lands. I note a linear park

is proposed at the eastern boundary of the GAA pitch which incorporates a pedestrian pathway with provision for an access gate south of the site into the adjoining old railway line (where there is an existing informal opening into the GAA pitch) and which adjoins the business park. The pathway within the linear park is not however continued northwest along the southern side of the entrance street from the R166. There is a section of path at the entrance which stops 20m into the site with a street crossing proposed. Given the focus on safe routes to school with planned upgrades of pedestrian/cyclist facilities along the R166 to the front of this site, it is in the interests of pedestrian connectivity and safety that the main entrance/exit street to this development caters for pedestrian movement on both sides of the street in accordance with DMURS, and the linear pathway is continuous around the site. This issue can in my opinion be adequately addressed by way of condition with provision for a path along both sides of the entrance street into the scheme, which will be safer for school children accessing the local school south of the site as well as providing for an improved amenity walk around the site, which can be developed further as part of the evolving green infrastructure in this area with connections to amenities and services on adjoining lands in the future.

11.4.10. I have concerns in relation to the footpath network relating to the proposed home zones. Home zones (5.5m in width) are proposed on four of the secondary streets within the site, one at the cul-de-sac at the entrance, one to the north of the central public open space 'village green' and two between the rectangular public open space 'the boulevard' to the southwest. DMURS defines home zones as 'A type of Shared Surface Street in a residential area which may also include items of street furniture that would normally be used within areas of open spaces'. It states that the total carriageway width for home zones should not exceed 4.8m. Home Zones are further detailed in the document Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, where 'Home Zones' are defined as residential streets in which the road space is shared between drivers and other users (therefore separate footpaths are not provided) and where the wider needs of residents, including pedestrians, cyclists, and children, are emphasised in the design. The guidelines state the street can be designed as an attractive place with distinctive paving, planting, play areas and seating. The Louth Development Plan 2015-2021 also refers to home zones and states characteristics of such streets

include 'incorporation of a wide variety of housing design and development layout, including variations in building lines, building heights, deviations in the width and alignment of vehicle paths, variety of surface treatments and extensive use of street furniture and planting'.

11.4.11. The two home zone streets adjoining the 'boulevard' open space are 5.5m wide (greater than the recommended 4.8m), are straight stretches of street approx. 80m in length, with perpendicular parking along their length. No deviation in the width/alignment of the streets is proposed, with no projecting planting bays, street furniture or other design feature typical of a home zone, that would support reduced speeds and increase pedestrian priority, with the main differentiating proposal being for a coloured surface. In my view the layout of these 'home zones' compromises the pedestrian environment and would not result in a reduced speed environment. In light of this, I am of the view that these two streets should be redesigned to provide for separate pedestrian paths between the front of the dwellings and the rear of the proposed perpendicular parking spaces, with these paths to connect into the proposed path network on the adjoining streets. In addition raised tables to slow down traffic and provide for connectivity from the paths across the street to the proposed 'boulevard' open space should be provide for. I consider this issue could be adequately dealt with by way of condition, should the Board be minded to grant permission. I note the dwellings within these blocks have back to back separation distances of 26.5m to 28.5m, which is significantly greater than the 22m guide generally provided for between directly opposing rear windows. To facilitate the addition of footpaths, while maintaining the width of the proposed central open space, the rear gardens within the blocks of housing at this location could be reduced. Any design solution should not compromise or impinge in any way on the width of the proposed central 'boulevard' open space as such a measure would comprise the functionality of this space. Options to increase the width of the open space should be considered in any redesign solution put forward.

11.4.12. There are two additional home zone streets proposed to the north and northwest. These streets are above the width required for home zones and similarly have not been designed with additional street planting, seating etc to reduce speeds and make them more pedestrian friendly. As these two home zone streets are cul-de-sacs, there is an opportunity, however, for them to be redesigned to incorporate

additional elements to ensure they function as home zones. This issue can be addressed by way of condition, should the Board be minded to grant permission.

Building Height

11.4.13. With regard to building types and height, the majority of the scheme is two to three storey in height. Three storey duplex units are proposed along the eastern and southern perimeter of the site, adjoining the boundary with the L2307 and with the Boyne Business Park/disused railway line. The rationale for providing the majority of the three storey units with upper floor balconies/terraces along these boundaries is to provide from additional passive surveillance given the potential to provide for permeability/connectivity to the south and east of this site for pedestrians. This strategy for the development site is welcomed.

Connectivity to Adjoining Lands

11.4.14. It is stated by the applicant that the main spine street has been designed to potentially link up with the L2307 to the east of the site, should LCC plan to upgrade the L2307 in the future. Potential links north and south to adjoining lands are also indicated on the site layout plan. A potential pedestrian/cycle link to the southern old railway link/grassed area is provided for from the southwest corner to the application site to the south, with a gate proposed at that location. This connection exists at present onto a section of this grassed area bounding the Boyne Business Park and there is an informal opening from the application site into the adjoining GAA pitch. Any future connection into the Boyne Business Park would be subject to agreement with the owners of that development, however, as proposed, this development layout would facilitate connections to adjoining amenities.

11.4.15. With regard to a link to the L2307, I consider that a pedestrian gate should be provided for in the southeastern boundary with the L2307 with this gate to remain closed until such time as a pedestrian path is provided for along this road. The applicant has set back the eastern boundary of the site with the L2307 by two metres to provide for space for a potential footpath along this road in the future. A pocket park is identified along the boundary through which a vehicular access could be facilitated, should it be required. I note from site inspection that this road is rural in character and appears to be well trafficked as well as being utilised by pedestrians accessing local businesses and amenities. The footpath officially commences 682m

south of the site. Approx. 320m north of the site along the L2307 is the entrance to the Drogheda and District Athletic Club. The club is not served by footpaths either along the L2307 or via the Newfoundwell Road (at present). While LCC has no plans to upgrade the L2307, the applicant's proposal for a 2m wide verge at the site boundary is welcomed in order to future proof this development, given this road could potentially provide for a direct pedestrian route to the town centre as well as to a range of local services and businesses, including the athletics club to the north, the secondary school 850m to the south, and the neighbouring business park which includes a gym and swimming pool. To ensure that pedestrian connectivity is facilitated in the future and ransom strips avoided, provision for a pedestrian gate in the eastern boundary with a path leading to that gate should be designed into the site layout plan (as is the case for the pedestrian access identified to the southwest). This issue can be addressed by way of condition should the Board be minded to grant permission.

Conclusion – Layout and Urban Design

11.4.16. Overall, the development strategy as proposed is acceptable, the street layout is overall permeable and legible with connections facilitated to adjoining lands, and the buildings have in general been designed to address corner locations and public open spaces, with the public open spaces themselves well designed and appropriately located. Issues in relation to the design of the home zones and pedestrian pathways/connectivity within the scheme could in my view be addressed by way of condition, should the Board be minded to grant permission.

11.5. Childcare Facility

11.5.1. The development proposes one childcare facility. The Childcare Facilities Guidelines for Planning Authorities recommends a minimum provision of 20 childcare places per 75 no. dwellings. The applicant indicates that the proposed childcare facility will cater for 60 children. This is acceptable.

11.5.2. I note concerns are raised by third parties in relation to viability of a crèche at this location having regard to existing crèches in the wider area and also its design is considered out of character with the existing area.

11.5.3. I note the planning history and context of this area, where there are a number of extant permissions for developments to the north as part of the North Drogheda

Environs Local Area Plan. The proposal for a crèche at this location is warranted having regard to the number of dwellings proposed, with each development required to make adequate provision for childcare facilities to service its own population.

11.5.4. I consider the overall architectural design of this building to be appropriate for this evolving urban area. While a crèche use will not provide activity and animation at street level in the evening, I note the proposal for a gym at first floor level, which would contribute to evening activity at this location. Overall I consider the location of the crèche/gym building at the entrance to the development to be acceptable from an urban design and location/traffic management perspective.

11.6. Open Space, Landscaping and Boundary Treatments

11.6.1. The guidelines Sustainable Residential Development in Urban Areas states that, in general, in green-field sites or those sites for which a local area plan is appropriate, public open space should be provided at a minimum rate of 15% of the total site area; for large infill sites or brown field sites, public open space should generally be provided at a minimum rate of 10% of the total site area. It is stated also that a more flexible approach to quantitative open space standards is necessary with greater emphasis on qualitative standards.

11.6.2. Four main open space areas are proposed, the central 'village green', the rectangular 'boulevard' to the southeast, a linear park to the west and Newtown pocket park to the east. In addition the site is located directly adjacent to a GAA pitch and close to an existing athletic club. The public open space provision falls short of 15%, however, I am satisfied that the provision is in excess of 10% of the site area and given the design, scale and location of the central 'village green', 'boulevard', linear park, and eastern pocket park, the proposed public open space areas will adequately serve the needs of the future population from a qualitative perspective. In general, it is considered that the overall layout and quantum of public open space is acceptable and consistent with the provisions of national guidelines and local policies.

11.6.3. I note that the proposed central 'village green' is to comprise a playground and an all-weather pitch, with a widened plaza area adjoining the street, internal paths and bicycle parking provision. A stormtech attenuation area is proposed across the majority of the central 'village green' open space. The detail of the landscaping plans should be agreed in consultation with the planning authority to ensure the

construction and levels of the space are designed appropriately to support the play areas and landscaping proposed, in conjunction with the attenuation tank.

- 11.6.4. A pocket park with small ball court is indicated between the gables of the duplex units 100/101 and 102/103. To the west of this space is a 'pocket park' which is dominated by parking and street access. In the interests of maximising the functionality and safety of this space, in my view the cul-de-sac/road surface in front of dwellings 90-101 and 102-109 should be omitted in favour of the main access street continuing as one street, linking into the street in front of units 217-210. The location of the parking spaces associated with affected units should be redesigned/relocated to the edge of the pocket park to enable the consolidation of this open space. With the omission of parking spaces/road surface the adjoining pocket park between the duplex units will connect to this space in a more meaningful way to form one larger/more functional pocket park, with an option to relocate the proposed ball court to a more appropriate location than currently proposed between two of the duplex units. I do not consider this amendment affects the proposal for a potential road link between units 100/101 and 102/103 given what is currently presented, and there is adequate space remaining should such a road link ever be required.

Existing Trees/Hedgerows and Landscaping

- 11.6.5. An Ecological Impact Assessment report and an Arboricultural Assessment report have been submitted with the application. A landscape report and landscape plan have also been submitted.
- 11.6.6. The existing field hedgerows within the site are to be removed, with proposals to retain the perimeter tree and hedge boundary along the northwestern and northern boundary incorporated within the landscape plan.
- 11.6.7. I consider the landscaping plan will mitigate the loss of existing biodiversity through significant additional planting and conditions are recommended in relation to the protection of trees/hedgerows during construction and all other measures proposed in the ecological impact assessment report, should the Board be minded to grant permission.

Boundary Treatments

- 11.6.8. A boundary proposals plan has been submitted with the application, drawing no. 1443-6025. While overall the boundaries proposed are acceptable, I do have concerns with regard to the boundary treatment proposed to the R166 and the L2307, which are important edges to this development, given this site forms the urban edge to Drogheda from the northeast.
- 11.6.9. The intended boundary treatment to the R166 is a 2m high block wall, approx. 50m in length, with a section of 1m high railing at the entrance to the development. As previously discussed, this site represents the entrance to the urban area of Drogheda with the lands opposite (governed by the Drogheda Northern Environs LAP) also forming the entrance to zoned lands/to the urban edge on the northern side of the R166. Proposed road upgrades to the front boundary of the application site include provision for an improved footpath and a dedicated cyclepath. The approx. 50m length of a 2m high solid wall is a poor interface with the R166 from a visual as well as a safety and amenity perspective. Given the building at this location is a crèche with upper level recreational/community uses, a 2m high solid blank boundary is unwarranted in terms of privacy requirements and is visually unattractive. This boundary is not serving the crèche play area but a communal area associated with this building, with the crèche play area defined as a much smaller area to the side of the building with its own boundary. The boundary with the adjoining R166 can therefore be improved upon without impacting on the privacy of future occupiers of the crèche/community building. This boundary should in my opinion comprise a low wall and railing with an overall height of 1.8m supported by adjoining native hedgerow planting, which would provide adequate privacy while supporting a greener entrance to Drogheda at this transition with the rural area. The 1m high railing at the entrance as proposed is visually acceptable. This issue can be addressed by way of condition.
- 11.6.10. The applicant has provided for duplex units with first floor balconies along the L2307 to improve the urban edge of this road and provide for a level of passive surveillance, without a direct frontage. It is stated that a low wall with railings with an overall height of 1.8m will be provided for at the site's boundary with the L2307 with sections of brick panels also proposed measuring 2.15m high and c. 5.7m in width. I consider the proposed boundary treatment with sections of high solid wall to be in stark contrast to what exists along this rural road and would provide a poor visual

aspect and urban edge into the future. Existing businesses south along this road generally have retained existing hedgerows with palisade fencing behind these hedgerows, although the ESB substation across from the site and the neighbouring haulage business have limited hedgerows with palisade fencing defining the road edge. In my opinion a revised boundary treatment comprising a mesh fence only supported by native hedgerow planting should be provided for along this entire boundary in the interests of maintaining a softer landscaped corridor of biodiversity value along this existing rural road, which will tie in with existing boundaries which have in the majority of cases maintained a hedgerow presence. This green edge will also provide an attractive boundary should footpaths be provided in the future, with the proximity and design of the duplex units providing adequate passive surveillance for this evolving area. Provision should also be made for a pedestrian gate along this boundary, with this gate remaining closed until such time as a footpath is provided for as part of any future road upgrade. Such a pedestrian access would provide for the most direct access from this site to the town centre as well as to a host of local amenities and services, including the athletics club to the north, a secondary school to the south and the neighbouring gym/swimming pool in the adjoining business park. This issue could be addressed by way of condition, should the Board be minded to grant permission.

11.6.11. The proposed dwellings within the scheme have largely been designed to turn corners and address open spaces. However, at a number of points this design is detracted from with the proposed provision of 2m high block walls. This is particularly the case where the communal gardens relating to the duplex units interface with public open spaces. To ensure issues of safety and overlooking, as well as improved biodiversity, a railing with planting would be preferable in a number of instances. These issues could be addressed by way of condition, should the Board be minded to grant permission.

11.7. Residential Amenity

11.7.1. The proposed development provides for a range of house types, primarily semi-detached dwellings, with a limited number of terraced and detached dwellings, in addition to duplex apartments.

Design Standards for New Apartments

- 11.7.2. The Guidelines for Planning Authorities on Design Standards for New Apartments issued by the minister in 2018 contain several Specific Planning Policy Requirements (SPPRs) with which the proposed apartments must comply.
- 11.7.3. The development provides for 80 duplex apartments. The duplex units are primarily positioned along the southern and eastern boundaries with a small number also positioned along the northeastern boundary.
- 11.7.4. The apartment have been designed to comply with the 'Sustainable Urban Housing Design Standards for New Apartments' and the floor areas meet or exceed the required provision in all instances, therefore complying with SPPR 3. All of the units are dual aspect. SPPR 5 states ground level apartment floor to ceiling heights shall be a minimum of 2.7m, which is the case in the proposed apartments.
- 11.7.5. Communal open space is highlighted within the guidelines as important in contributing to the amenity needs of residents, and is a high priority for families with young children and for less mobile older people. The guidelines state the proposed minimum communal floor space of 5, 6/7 and 9 sqm per 1, 2 and 3 bed units respectively are required, which equates to an area of 598 sqm for this development. I note communal amenity space is proposed to the rear of the duplex units and these areas have bin storage and bicycle storage areas designed into them. The communal areas proposed are stated to be 1200 sqm in area. I consider, overall, the public communal amenity areas and access from these units to neighbouring public open spaces will adequately serve the needs of this development.
- 11.7.6. A Building Lifecycle Report, as required by the guidelines, has been submitted.
- 11.7.7. Car parking provision, as discussed elsewhere in this report, is considered acceptable. The provision of additional bicycle parking could be addressed by condition, should the Board be minded to grant permission.
- 11.7.8. The proposed development overall would provide an acceptable standard of amenity for the occupants of the proposed apartments.

House Designs

- 11.7.9. The proposed houses are adequate in size and have a sufficient level of internal accommodation and private garden space. Generally back to back distances greater than 22m are generally proposed. Two parking spaces are proposed per dwelling.

- 11.7.10. The majority of dwellings provide adequate frontage and passive surveillance to streets and open spaces, with dual aspect designs incorporated on corner sites. As noted previously in this report some of the boundary treatments detract from passive surveillance of the streets, however, this issue could be adequately addressed by way of condition should the Board be minded to grant permission.
- 11.7.11. Overall, I consider the proposed dwellings are adequately designed and would provide an acceptable level of amenity for future occupants.

11.8. Impact on the Amenities of Neighbouring Properties

- 11.8.1. I have considered the impact of the proposed development on surrounding properties, including the existing dwellings to the north of the site, which share boundaries with the proposed development.
- 11.8.2. The first cul-de-sac within the scheme is located proximate to the boundary with an existing bungalow, whose gable end is positioned at/within one metre of the boundary. The bungalow is angled toward the crèche/gym building, which is approx. 35m from the bungalow. The communal garden to the crèche/gym building is proposed along a portion of this boundary with the landscaping plan indicating the planting of an orchard at this location. The applicant also proposes a green area with landscaping adjoining the boundary where the gable end of the bungalow is located. A turning head and two parking spaces are located proximate to this boundary. The nearest proposed two storey dwelling is approx. 14m from the gable of the bungalow.
- 11.8.3. There is an existing detached two storey dwelling located along the northwestern boundary with the application site. The dwelling is approx. 19m from the shared northwestern boundary and approx. 26m from the nearest proposed two storey dwelling.
- 11.8.4. Having regard to the positioning of the proposed dwellings relative to the shared boundaries with the existing dwellings, to the separation distances involved, in addition to the proposed retention of existing mature deciduous planting where it exists, in addition to the proposed landscaping plan, I do not consider the development will have a significant negative impact on existing residential dwellings in terms of overlooking, overshadowing or visual dominance.

11.9. Traffic, Transportation and Access

- 11.9.1. A Traffic and Transport assessment has been submitted with the application. It sets out adequately the methodology utilised in undertaking an analysis of the site and also describes the existing road network, public transport routes and pedestrian/cycle facilities. Baseline traffic data was gathered and junction surveys carried out at Newfoundwell Road/R166 prior to the Beaulieu Village entrance and at the junction of the Newfoundwell Road and Beaulieu Village. Traffic data was also used from counts taken for LCC on the Termon Abbey /Newfoundwell/ Newtown Meadows four arm staggered junction leading to the existing primary and secondary schools. Committed development of the entirety of the Beaulieu Village development, which is only partially complete, has been stated to have been taken into account. Trip assumptions utilised in a traffic model have also been set out.
- 11.9.2. In terms of public transport services, the nearest bus stop is at the secondary school, approx. 700m west of the site. Bus services are also in place at Aston Village. A regional route exists on the R166 (the stop being 1.8km from the site) linking Drogheda with Dublin in one direction and Termonfeckin/Clogherhead in the other. The train station is 3.7km from the site.
- 11.9.3. At present, there is a footpath along the southern side of the R166 from the site to Drogheda town centre. A CPO has been obtained to upgrade the R166 in the immediate vicinity of the site as part of the Port Access Northern Cross Route. Upgrades to the R166 will comprise provision of a 1.9m wide footpath on the northern side of the R166, and on the southern side there will be a 1.9m wide cycleway and a 1.8m wide footpath. The proposed development has been designed in accordance with the requirements of this road upgrade, as per plans issued by Louth County Council to the applicant. A pedestrian crossing of the road is also provided for between this site and the opposite development, Beaulieu Village, which formed part of the planning permission for Beaulieu Village.
- 11.9.4. Vehicular access is proposed via a priority junction with Newfoundwell Road/R166, with a staggered junction arrangement with the existing priority junction into Beaulieu Village on the opposite side of the R166.
- 11.9.5. With regard to trip generation, it is stated that the overall development will generate a total number of 136 and 132 two way movements during the AM and PM peak hours

respectively. These figures were obtained using the Trip Rate Information Computer System (TRICS 7.6.1). The assumed Opening Year (2025) and Future Year scenarios (2030 and 2040) were calculated using High Growth Rates from TII's Travel Demand Projections (Unit 5.3) to take into account the level of committed developments in the immediate vicinity of the development.

- 11.9.6. The result of the junction analysis undertaken indicates that traffic from the proposed development can be accommodated on the surrounding road network without any material or adverse impact on the road infrastructure.
- 11.9.7. A Mobility Management Plan is proposed as mitigation during the operational phase to promote sustainable modes of transport.
- 11.9.8. Mitigation measures are proposed for the construction phase via the development of a Construction Management Plan, which will put traffic management measures in place.
- 11.9.9. I consider the assumptions overall in the TTA to be acceptable. The trip generation volumes and the junction analysis undertaken on the site access and priority junction to the north of the site access demonstrates that traffic from the proposed development can be accommodated on the surrounding road network without any material or adverse impact on the road infrastructure.
- 11.9.10. Third parties contend that the development is premature as there is no timeline/funding in place for development of the Port Access Northern Cross Route or the upgrades of the R166 associated with the PANCR. I note a CPO is in place for the road upgrades and while no date has been given as to when this will be undertaken other than a statement that it will be undertaken subject to funding, I am satisfied that there are sufficient plans in place which indicate an intent to progress these upgrades works. I note the planning authority has not raised concerns in relation to progressing the development ahead of said upgrade works. I have considered the local existing road network without the upgrades in place. There is an existing footpath along the R166 which can accommodate pedestrians and in my opinion the existing network can cater for the volume of traffic proposed without giving rise to a traffic hazard.
- 11.9.11. I have considered all of the written submissions made in relation to traffic and transport. I am satisfied that the proposed development would not have any

unacceptable direct or indirect impacts in terms of traffic and transport and the proposed development would not give rise to a traffic hazard.

Car Parking

- 11.9.12. 354 car parking spaces are proposed for the 217 dwelling units (137 are houses; 80 apartments) and 220 bicycle spaces. The development also provides for a crèche, meeting room, gym and coffee bar.
- 11.9.13. 2 spaces are assigned to each house, 1 space per apartment, and 10 parking spaces are provided for the crèche. No provision is made for parking for the gym/coffee bar/meeting room uses. I consider there will be an element of dual usage and therefore a discount in spaces would be reasonable for these commercial elements. Car parking spaces for the dwelling units are provided for in the form of on-street communal parking, broken up visually with street tree planting. It is stated that ducting infrastructure will be provided for all car parking spaces for electric vehicle charging, with one fully functional electric vehicle charging facility at the crèche building parking area.
- 11.9.14. Of the 220 bicycle spaces, 130 are stated to be provided for in the communal duplex gardens (for the 80 apartments; 202 required under the guidelines relating to apartment beds, plus 109 for visitors), 56 spaces (uncovered) are within the public open space and 34 spaces (uncovered) are stated to be provided for adjacent to the crèche building. The LCC development plan requires a provision of 27 bicycle spaces for the apartments whereas the guidelines would require 311 bicycle spaces. The applicant states that as part of a mobility management plan, the level of use of the bicycle stands will be monitored and where additional spaces are required there is adequate space to provide for them. The greater the availability of, and visibility of, secure and sheltered cycle parking for future residents/visitors, the greater the chance of the improvement of uptake of this sustainable mode of transport in place of the car. A condition with regard to the level of bicycle parking and design of sheltered spaces should be included in any grant of permission, should the Board be minded to grant permission.
- 11.9.15. Overall, I consider the level of parking proposed to be commensurate with the sites location, which is highly accessible, within walking/cycling distance of a range of services and served by public transport, with proposals for the provision of a new

bus stop proximate the site and a dedicated cycle path. Should the Board be minded to grant permission, a final mobility management plan should be required by condition to further support the uptake of walking and cycling in this area.

Internal Street Design

- 11.9.16. The main spine street into the site from the R166 is 6m wide, and secondary streets in the scheme are 5.5m wide. It is stated that 1.8m wide pedestrian footpaths are provided for throughout the site. Shared surfaces, 5.5m wide, are proposed to serve the crèche building and three streets within the scheme.
- 11.9.17. The Infrastructure Section of LCC recommends the internal street design requires further consideration. There are long sections of street and a requirement for tables. Some internal estate bends are below the minimum curvature radius. It is recommended appropriate conditions be attached to oversee the internal vehicular movements.
- 11.9.18. The applicant has stated that the layout has been designed in accordance with DMURS. No Road Safety Audit has been submitted with the application.
- 11.9.19. As discussed in section 11.4 above, I have concerns in relation to the design of the 'home zone' streets bounding the 'boulevard' public open space area to the southeast of the site. I consider the issues I have raised in addition to the questions raised by the planning authority can be adequately addressed by way of condition, should the Board be minded to grant permission. Furthermore, I consider a safety audit would be warranted in relation to the internal street design and proposed access onto the Newfoundwell Road/R166.
- 11.9.20. Overall, I consider that a development of the scale proposed at this site can be accommodated within the existing road network and I do not consider the proposal would give rise to a traffic hazard or be seriously injurious to the residential amenity of those in the immediate area of the site, subject to conditions.

11.10. Infrastructural Services, including Flooding Issues

- 11.10.1. A Civil and Structural Engineering Report has been submitted with this planning application. The applicant has examined the existing infrastructure in the area.

- 11.10.2. A surface water pipe runs along the Newfoundwell Road which discharges north to the Beaulieu Stream, which is the main watercourse draining the existing catchment.
- 11.10.3. The existing foul network comprises a 750mm diameter gravity network which enters the site from the north and travels along the east and south within the site along the boundary with the Newtown Blues GFC grounds. This sewer exits the site at the southern boundary before entering Boyne Business Park and ultimately ending at the nearby wastewater treatment plant.
- 11.10.4. A site investigation study has been undertaken on the lands with six trial pits excavated. The ground conditions comprise of gravelly clay with no ground water encountered to 3m below ground. There will be no infiltration to ground within the clay subsoils.
- 11.10.5. In terms of water supply, there is an existing 200mm public water main within the site, which runs along the east and south boundary with the Newtown Blues GFC club.

Surface Water Management

- 11.10.6. The surface water strategy involves attenuation of storm water to a greenfield discharge rate. Ground infiltration of surface water is limited due to the nature of the existing ground conditions (clay). The main drainage will discharge to an underground attenuation area located in the main green spaces which discharges to a hydrobrake chamber (limited to greenfield runoff rate Q_{bar}) prior to discharging from the development to the existing public storm network along Newfoundwell Road/R166. Flows in excess of the hydrobrake will surcharge to the network into a stormtech (or equivalent) attenuation tank for volumes up to a 1 in 100 year event. It is stated in the submitted Civil and Structural Engineering Report that due to the relatively flat topography of the site, the attenuation tank must be as shallow as possible in order to positively drain to the existing storm sewer at Newfoundwell Road. The cross section in the document indicates 460mm of subsoil to the top of the stormtech unit.
- 11.10.7. SUDS is being provided for in the form of the underground attenuation tank; hydrobrake at the outfall; petrol interceptor downstream of the hydrobrake flow control device; water butts for each residential unit; swales around the perimeter of

the green space to allow storm water to drain from the road network into the central public space.

11.10.8. Given the stormtech unit is proposed under the majority of the central public open space area, details of the landscape plan should be considered alongside the technical requirements of the engineering plan to ensure the play facilities and landscape proposals as part of this area are appropriately designed into the space.

11.10.9. I am satisfied that the issue of stormwater management has been adequately addressed as part of this application.

Foul Drainage

11.10.10. Effluent from the new dwellings will be collected via a local piped network and discharge into the new public foul piped network located within the internal access roads prior to discharging to the existing gravity foul sewer (no pumping is required). It is stated that there is sufficient capacity in the existing pipeline for the proposed development. Irish Water and the planning authority have raised no concerns in relation to the proposal. The final design and details of the foul network are to be agreed with Irish Water prior to the commencement of development.

Water Supply

11.10.11. Irish Water has confirmed that a proposed connection to the network is available.

Flood Risk Assessment

11.10.12. A detailed Flood Risk Assessment by JBA Consulting has been submitted with the application. The ground water vulnerability is classified as low and no groundwater flooding has been reported in the area. Flooding from tidal sources has been screened out. The CFRAM mapping indicates the site is not at risk of inundation from fluvial flood events. The site has been determined to be within Flood Zone C. Pluvial flooding/surface water within the site will be managed by the proposed stormwater network and attenuation system designed for the new development.

11.10.13. With regard to ponding identified along the L2307, it is proposed to provide for a filter drain in the proposed 2m wide verge at the site boundary to accept surface

water runoff from the L2307 along the site boundary instead of potentially allowing surface water into the site.

- 11.10.14. Some localised flooding on the Newfoundwell Road has been identified which were caused by blocked gullies. LCC Drainage Department has confirmed that these localised flooding issues have been resolved by the subsequent upgrading of the public sewers on Newfoundwell Road.

11.11. Archaeology

- 11.11.1. An Archaeological Impact Assessment has been submitted. The site is deemed to be of moderate archaeological potential. It is recommended that geophysical survey of the site followed by test trenching be undertaken prior to development. It is recommended that the farm buildings to the east of the site boundary, which originally formed part of the Newtown Stabalan settlement cluster, be subject to a photographic survey in advance of demolition. A submission from the Department of Culture, Heritage and the Gaeltacht recommends an archaeologist be engaged to co-ordinate the mitigation proposals contained in the submitted archaeological report. This issue can be addressed by way of condition, should the Board be minded to grant permission.

11.12. Other Matters

- 11.12.1. The applicant states they have been in consultation with the ESNB Drogheda and propose to underground the overhead powerlines traversing the site.
- 11.12.2. An issue has been raised in relation to the naming of the development. This issue can be addressed by way of condition should the Board be minded to grant permission.
- 11.12.3. A concern has been raised by a third party in relation to school spaces. The applicant has submitted an assessment of existing schools in the area and planned school provision in the wider area, in addition to the number of spaces likely to be required as a result of this development. It is anticipated that existing nearby schools at their present or expanded size will meet the requirements arising from the future population. I am satisfied that the applicant has adequately addressed this issue.

12.0 **Appropriate Assessment**

12.1. **Introduction**

- 12.1.1. The application is accompanied by an AA Screening Report. The report concludes that the proposed development either individually or in combination with other plans or projects would not be likely to have a significant effect on any Natura 2000 sites and that a Stage 2 Appropriate Assessment is not required.
- 12.1.2. Having reviewed the documentation available to me, I am overall satisfied that there is adequate information available in respect of baseline conditions to clearly identify the potential impacts on any European site and I am satisfied that the information before me is sufficient to allow for appropriate assessment of the proposed development.

12.2. **Appropriate Assessment Screening**

- 12.2.1. The proposed development is for 217 residential units and a crèche/community building on a 5.87 ha site. The proposed development will be connected to a public water, surface water and foul sewer network.
- 12.2.2. The site is not located adjacent or within a European site. The application site was surveyed and no invasive plant species were recorded.
- 12.2.3. The application site itself is characterised by agricultural land and a network of hedgerows. There are no known water courses on the site or direct connections into the River Boyne, south of the site. The proposed development is located 50 – 60 m south of the Beaulieu Stream, which flows from west to east. It flows to the east of the site and joins the River Boyne estuary approximately 2.1 km downstream. The River Boyne also flows to the east, and meets the coastal waters of the Irish Sea a further 4 km downstream. Attenuated surface water will outfall from the development to the Beaulieu Stream.
- 12.2.4. A potential pathway is identified to the Boyne Estuary SPA (4080) and to the Boyne Coast and Estuary SAC (1957), as the discharge point of the Beaulieu Stream is onto a polder (an area of reclaimed land) which is within the Boyne Estuary SPA and within the Boyne Coast and Estuary SAC.

12.2.5. No viable pathways are identified for the River Boyne and River Blackwater SAC and SPA as they are upstream of the point of confluence between the River Boyne and the Beaulieu Stream and cover only the freshwater section of the river, water borne pollutants in the estuary could not flow upstream into this SAC. With regard to the River Nanny Estuary and Shore SPA and the Clogher Head SAC, these are located several kilometres from the mouth of the River Boyne and any pollutants would be diluted to negligible concentrations by coastal waters.

12.2.6. The following European sites are therefore deemed to be within the zone of influence of the site and their relevant qualifying interests and separation distances from the application site are listed:

Name of Site	Conservation Objective	Qualifying Interests	Distance
Boyne Estuary SPA (004080)	<p>Objective 1: To maintain the favourable conservation condition of the non-breeding waterbird Special Conservation Interest species listed for Boyne Estuary SPA.</p> <p>Objective 2: To maintain the favourable conservation condition of the wetland habitat at Boyne Estuary SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.</p>	<p>Shelduck (Tadorna tadorna) [A048]</p> <p>Oystercatcher (Haematopus ostralegus) [A130]</p> <p>Golden Plover (Pluvialis apricaria) [A140]</p> <p>Grey Plover (Pluvialis squatarola) [A141]</p> <p>Lapwing (Vanellus vanellus) [A142]</p> <p>Knot (Calidris canutus) [A143]</p> <p>Sanderling (Calidris alba) [A144]</p> <p>Black-tailed Godwit (Limosa limosa) [A156]</p>	<p>c. 440m from the main body of the site.</p> <p>I note the road works proposed on Marsh Road (relating to water services) are permitted as part of a separate application. The permitted road does not form part of this application, however it is within the site boundary as the application site proposes to connect to this permitted road.</p>

		<p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Turnstone (<i>Arenaria interpres</i>) [A169]</p> <p>Little Tern (<i>Sterna albifrons</i>) [A195]</p> <p>Wetland and Waterbirds [A999]</p>	
<p>Boyne Coast and Estuary SAC (001957)</p>	<p>Objective: To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in the Boyne Coast and Estuary SAC, which is defined by the following list of attributes and targets.</p> <p>Target 1 The permanent habitat area is stable or increasing, subject to natural processes.</p> <p>Target 2 Conserve the following community types in a natural condition: Intertidal estuarine mud and fine sand with <i>Hediste diversicolor</i> and <i>Corophium volutator</i> community; and Fine sand dominated by bivalves community complex.</p> <p>Objective: To maintain the favourable conservation condition of Estuaries in the</p>	<p>Salicornia and other annuals colonising mud and sand (1310)</p> <p>Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) (ASM) (1330)</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) (MSM) (1410)</p> <p>Embryonic shifting dunes (2110)</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) (2120)</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) (2130)*</p>	<p>c. 1.6km from the SAC.</p>

	<p>Boyne Coast and Estuary SAC, which is defined by the following list of attributes and targets.</p> <p>Target 1: The permanent habitat area is stable or increasing, subject to natural processes.</p> <p>Target 2: Conserve the following community types in a natural condition: Intertidal estuarine mud and fine sand with Hediste diversicolor and Corophium volutator community; and Subtidal fine sand dominated by polychaetes community.</p>		
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12.2.2. A brief description of the European sites and their conservation objectives are set out as follows:

Boyne Estuary SPA

12.2.3. This moderately-sized coastal site is situated east of Drogheda Town on the border of Counties Louth and Meath. The site comprises the estuary of the Boyne River, from downstream of the town of Drogheda, flowing eastwards towards Baltray where it narrows behind a sand and shingle spit bounded by sand dunes, before entering the sea. A stretch of sandy coastline north and south of the estuary mouth is included in the designated site. Apart from one section which is over 1 km wide, the estuary width is mostly less than 500 m. The river channel, which is navigable and regularly dredged to allow passage to the port of Drogheda, is defined by training walls which are breached in several places. Intertidal flats occur along both sides of the channelled river. The estuary sediments vary from fine muds in the sheltered areas to sandy muds or sands towards the mouth while the linear stretches of shoreline north and south of the estuary mouth are composed mostly of sand (sand

flats). Eelgrass (*Zostera* spp.) was known to occur in the estuary (but not recorded during recent intertidal surveys) and several intertidal areas are fringed with salt marsh.

12.2.4. The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for a number of species, which are listed in the table above. The E.U. Birds Directive pays particular attention to wetlands and, as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds. The site is of considerable ornithological importance for wintering waterfowl, with Black-tailed Godwit occurring in internationally important numbers and nine other species having populations of national importance. Of particular significance is that two of the wintering species, Golden Plover and Bar-tailed Godwit are listed on Annex I of the E.U. Birds Directive. Little Tern is also listed on Annex I of this directive.

12.2.5. The following are the conservation objectives listed for Boyne Estuary Special Protection Area, the overarching objective being to ensure that the winter bird populations and their wetland habitats are maintained at, or restored to, favourable conservation condition:

- **Objective 1:** To maintain the favourable conservation condition of the non-breeding waterbird Special Conservation Interest species listed for Boyne Estuary SPA.
- **Objective 2:** To maintain the favourable conservation condition of the wetland habitat at Boyne Estuary SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.

12.2.6. Factors that can affect the achievement of this objective include (from NPWS Boyne Estuary SPA Conservation Objectives Supporting Document 2012):

- **Habitat modification:** activities that modify discrete areas or the overall habitat(s) within the SPA in terms of how one or more of the listed species use the site (e.g. as a feeding resource) could result in the displacement of these species from areas within the SPA and/or a reduction in their numbers.
- **Disturbance:** anthropogenic disturbance that occurs in or near the site and is either singular or cumulative in nature could result in the displacement of one or

more of the listed waterbird species from areas within the SPA, and/or a reduction in their numbers

- Ex-situ factors: several of the listed waterbird species may at times use habitats situated within the immediate hinterland of the SPA or in areas ecologically connected to it. The reliance on these habitats will vary from species to species and from site to site. Significant habitat change or increased levels of disturbance within these areas could result in the displacement of one or more of the listed waterbird species from areas within the SPA, and/or a reduction in their numbers.

Boyne Coast and Estuary SAC (001957)

12.2.7. Boyne Coast and Estuary SAC encompasses the tidal sections of the River Boyne as far upriver as Drogheda. The qualifying interests related to this European site are as set out in the table above.

12.2.8. The following conservation objective applies to Boyne Coast and Estuary SAC (from NPWS Boyne Coast and Estuary SAC Conservation Objectives Supporting Document 2012):

- **Objective:** To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in the Boyne Coast and Estuary SAC, which is defined by the following list of attributes and targets.
 - Target 1 The permanent habitat area is stable or increasing, subject to natural processes.
 - Target 2 Conserve the following community types in a natural condition: Intertidal estuarine mud and fine sand with *Hediste diversicolor* and *Corophium volutator* community; and Fine sand dominated by bivalves community complex.
- **Objective:** To maintain the favourable conservation condition of Estuaries in the Boyne Coast and Estuary SAC, which is defined by the following list of attributes and targets.
 - Target 1: The permanent habitat area is stable or increasing, subject to natural processes.

- Target 2: Conserve the following community types in a natural condition: Intertidal estuarine mud and fine sand with *Hediste diversicolor* and *Corophium volutator* community; and Subtidal fine sand dominated by polychaetes community.

12.2.9. With regard to direct impacts, the application site is not located adjacent or within a European site, therefore there is no risk of habitat loss, fragmentation or any other direct impacts.

12.2.10. With regard to indirect impacts, in relation to construction pollutants, in a worst-case scenario (e.g. a period of very high rainfall) it is possible that surface water runoff from the construction site could carry pollutants to the Beaulieu stream, which would provide a potential hydrological pathway to the Boyne Estuary SPA and Boyne Coast and Estuary SAC. However, there are a number of factors that would prevent 'likely significant effects' on the SAC or SPA. Any runoff from the site would have to flow over at least 50 m of agricultural land to reach the Beaulieu stream, which would provide a degree of filtration. Any runoff reaching the stream would then be diluted by approx. 2 km of intervening watercourse prior to reaching the Boyne Estuary, and subsequently by the considerable volume of flowing water in the estuary. The qualifying interests of the SAC and SPA (estuarine / intertidal habitats and birds) are considered to have relatively low sensitivity to suspended sediments or other pollutants, and their conservation objectives would not be compromised.

12.2.11. I have also considered operational impacts and potential of pollutants entering the surface water network. As per the construction phase assessment, any unattenuated runoff reaching the stream would be diluted by approx. 2 km of intervening watercourse prior to reaching the Boyne Estuary, and subsequently by the considerable volume of flowing water in the estuary. The qualifying interests of the SAC and SPA (estuarine / intertidal habitats and birds) are considered to have relatively low sensitivity to suspended sediments or other pollutants, and their conservation objectives would not be compromised.

12.2.12. In combination impacts have been considered and the risk of in combination impacts with the Beaulieu Village residential development can be ruled out.

12.2.13. Having regard to the nature and scale of the proposed development on fully serviced lands, to the intervening land uses, the lack of a direct hydrological

connection, the filtration / dilution of intervening land and waters, the low sensitivity of qualifying interests in the relevant European sites, and distance from the European Sites, 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 4080 (Boyne Estuary SPA), and 1957 (Boyne Coast and Estuary SAC) or any other European site, in view of the said sites' conservation Objectives, and a Stage 2 Appropriate Assessment is not, therefore, required.

13.0 Recommendation

I recommend that permission is granted, subject to conditions.

14.0 Reasons and Considerations

Having regard to the following:

- (a) the zoning of the site and the policies and objectives of the Drogheda Borough Council Development Plan 2011-2017,
- (b) the policies and objectives in the Louth County Council Development Plan 2015 to 2021,
- (c) the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (d) the nature, scale, layout and design of the proposed development,
- (e) the availability in the area of a wide range of social infrastructure,
- (f) the pattern of existing and permitted development in the area,
- (g) the planning history within the area,
- (h) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009,
- (i) the provisions of the Urban Design Manual – A Best Practice Guide, 2009,
- (j) the Sustainable Urban Housing: Design Standards for New Apartments, 2018

(k) 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,

(l) the Planning System and Flood Risk Management (including the associated Technical Appendices), 2009,

it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density in this suburban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

15.0 Recommended Draft 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 1st day of November 2019 by MacCabe Durney Barnes on behalf of Lagan Homes Drogheda Limited.

Decision

Grant permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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

In coming to its decision, the Board had regard to the following:

- (a) the zoning of the site and the policies and objectives of the Drogheda Borough Council Development Plan 2011-2017,
- (b) the policies and objectives in the Louth County Council Development Plan 2015 to 2021,
- (c) the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (d) the nature, scale, layout and design of the proposed development,
- (e) the availability in the area of a wide range of social infrastructure,
- (f) the pattern of existing and permitted development in the area,
- (g) the planning history within the area,
- (h) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009,
- (i) the provisions of the Urban Design Manual – A Best Practice Guide, 2009,
- (j) the Sustainable Urban Housing: Design Standards for New Apartments, 2018
- (k) 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,
- (l) the Planning System and Flood Risk Management (including the associated Technical Appendices), 2009, and
- (m) the report of the Inspector

The Board considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density in this suburban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within a zoned and serviced urban site, the Screening for Appropriate Assessment report submitted with the application, the Inspector's Report, and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment

The Board completed an environmental impact assessment screening of the proposed development and considered the Environment Impact Assessment screening section of the Planning Report submitted by the applicant.

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),

the Board 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 Board decided, therefore, that an environmental impact assessment report for the proposed development was not necessary in this case.

16.0 Conditions

1.	The development shall be carried out and completed in accordance with
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	<p>the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The proposed development shall be amended as follows:</p> <ul style="list-style-type: none"> a. The cul-de-sac street to the front of dwellings 90-101 and the cul-de-sac/road surface to the front of dwellings 102-109 shall be omitted and the main access street from the west realigned to link into the street to the front of units 217-210. The resulting space at this location shall be extended into the public open space/pocket park, with parking spaces serving the units relocated/repositioned to avoid the dissection of this public open space. b. A pedestrian path shall be provided to the front of dwellings 184-191 which shall connect into the pedestrian path to the front of dwellings 183 and 166. A pedestrian path shall also be provided to the front of dwellings 197-204 which shall connect into the pedestrian path to the front of dwellings 192 and 205. The pedestrian paths shall be located behind the car parking spaces and a vegetation buffer shall be inserted between the buildings and the footpath. The public open space between these streets where the footpaths are proposed shall not be reduced in width to accommodate these footpaths. Revised plans illustrating these amendments, shall be submitted to the planning authority for their written agreement. c. Additional pedestrian crossings/raised tables shall be provided for between the proposed footpaths under (b) and the central 'boulevard' open space.

	<p>d. A pedestrian path shall be provided for along the southern side of the access street adjoining the boundary with Newtown Blues GFC, which shall connect from the entrance to the site into the pedestrian path within the linear park to the southeast.</p> <p>e. The home zone street to the northwest and the home zone street to the north of the central green space shall be redesigned in accordance with the guidance within the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, with a focus on distinctive paving, planting, play areas and seating designed into the streets, to the satisfaction of the planning authority.</p> <p>f. Details of the proposed playing pitch, playground and landscaping proposals for the central open space, in conjunction with the detailed construction requirements for the proposed attenuation tank under the central open space shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.</p> <p>g. The dwelling on site 3 shall be redesigned with a dual aspect to the side, with the parking spaces associated with that dwelling positioned to the front of the dwelling. The proposed turning head and two parking spaces adjoining site 3 shall be omitted and the resulting space at this location shall be extended into the proposed pocket park.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to provide a satisfactory standard of residential amenity.</p>
3.	<p>Details of boundary treatments, generally in accordance with Drawing No. 1443-6025, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development, subject to the</p>

following amendments:-

- (a) Site boundary treatment to the R2307 shall comprise a 1.8m high mesh fence supported by native hedgerow planting. A pedestrian gate within this boundary and a pathway to this gate shall be provided for at the location of the proposed pocket park. This pedestrian gate shall not be open for use until such time as a footpath along the L2307 is provided for.
- (b) Site boundary treatment to the R166 shall comprise a low wall and railing, with no brick infill panels, and an overall height of 1.8m, supported by native hedgerow planting. A 1m high railing proximate to the site entrance, as per drawing no. 1443-6025, shall be provided.
- (c) Site boundary to the southern old railway line shall comprise a low wall and railing, with no brick infill panels, and an overall height of 1.8m, supported by native hedgerow planting.
- (d) Site boundary adjoining the pedestrian gate to the southern old railway line shall comprise a low wall and railing with an overall height of 1.8m to replace the proposed 2m high block wall.
- (e) The 2m high block wall between duplex units 142/143 and 140/141 shall be replaced with a low wall and railing 1.8m high, supported by shrub planting.
- (f) The 2m high block wall to the semi-private communal garden between dwellings 118/119 and 116/117 shall be replaced with shrub planting.
- (g) The 2m high block wall between dwellings 100/101 and 102/103 shall be replaced with a low wall and railing 1.8m high supported by shrub planting.
- (h) The 2m high wall to the front and side elevations of the dwelling on site 32 shall be omitted and replaced with shrub planting.
- (i) The 2m high wall to the side elevations of the dwellings on sites 45

	<p>and 46 shall be omitted and replaced with shrub planting.</p> <p>Reason: In the interest of residential and visual amenity.</p>
4.	<p>Bicycle parking provision and covered accessible storage shall be in accordance with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, and Louth County Development Plan 2015-2021, to the satisfaction of the planning authority.</p> <p>Reason: In the interest of sustainable transport.</p>
5.	<p>The developer shall comply with all requirements of the planning authority in relation to roads, access, lighting and parking arrangements, including facilities for the recharging of electric vehicles. In particular:</p> <p>(a) The roads and traffic arrangements serving the site (including sightlines, footpath connections and signage) shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.</p> <p>(i) The roads layout shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths, corner radii and pedestrian crossings.</p> <p>(ii) The materials used in any roads / footpaths provided by the developer shall comply with the detailed standards of the Planning Authority for such road works.</p> <p>(iii) A final Mobility Management Plan shall be prepared and submitted to the planning authority for approval prior to the commencement of development.</p> <p>(iv) The developer shall carry out a Quality Audit (which shall include a Road Safety Audit, Access Audit, Cycle Audit and Walking Audit), which shall be submitted to the planning authority for its written agreement. The developer shall carry out all agreed recommendations contained in the audits, at the developer's expense.</p> <p>(c) Within six months of substantial completion of the development a Stage 3 Quality Audit (including Road Safety Audit, Access Audit, Cycle Audit and</p>

	<p>Walking Audit), of the constructed development shall be submitted to the planning authority for approval.</p> <p>(d) All car parking spaces shall be provided with electric vehicle charging points. Details of how it is proposed to comply with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>(e) Clearly designated spaces for car share use shall be provided.</p> <p>Reason: In the interests of pedestrian, cyclist and traffic safety.</p>
6.	<p>Retained trees and hedgerows shall be protected from damage during construction works, as per the tree protection/mitigation measures contained within the Arboricultural Impact Assessment report, dated 22nd October 2019. Within a period of six months following the substantial completion of the proposed development, any planting which is damaged, or dies, shall be replaced with others of similar size and species. The removal of shrubs and trees from the development site shall only be carried out in the months from September to February inclusive, that is, outside the main bird breeding season.</p> <p>Reason: In the interests of amenity, ecology and sustainable development.</p>
7.	<p>The site shall be landscaped in accordance with the submitted scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The developer shall retain the services of a suitably qualified Landscape Architect throughout the life of the site development works. The approved landscaping scheme shall be implemented fully in the first planting season following completion of the development or each phase of the development and any plant materials that die or are removed within three years of planting shall be replaced in the first planting season thereafter.</p> <p>Reason: In the interest of residential and visual amenity.</p>
8.	<p>All recommended measures outlined in the submitted Ecological Impact Assessment report, including inter alia measures to mitigate the impact on</p>

	<p>bats, shall be implemented in full.</p> <p>Reason: In the interests of biodiversity.</p>
9.	<p>Details of the materials, colours and textures of all the external finishes to the proposed buildings and detailed public realm finishes shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
10.	<p>Details of signage relating to the crèche/gym building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of the visual amenities and good urban design.</p>
11.	<p>All plant including extract ventilation systems and refrigerator condenser units shall be sited in a manner so as not to cause nuisance at sensitive locations due to odour or noise. All mechanical plant and ventilation inlets and outlets shall be sound insulated and/or fitted with sound attenuators to ensure that noise levels do not pose a nuisance at noise sensitive locations.</p> <p>Reason: In the interest of residential amenity.</p>
12.	<p>Proposals for a development name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and dwelling numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.</p>
13.	<p>Public lighting shall be provided in accordance with a scheme, which shall</p>

	<p>include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.</p> <p>Reason: In the interests of amenity and public safety.</p>
14.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.</p> <p>Reason: In the interests of visual and residential amenity.</p>
15.	<p>The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall:</p> <p>(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation relating to the proposed development,</p> <p>(b) employ a suitably-qualified archaeologist who shall prior to the commencement of development undertake a geophysical survey of the site followed by test trenching, and shall monitor all site investigations and other excavation works, and</p> <p>(c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.</p> <p>(d) carry out the recommendations of the Archaeological Impact Assessment report, dated 28th June 2019.</p> <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the site and to</p>

	secure the preservation and protection of any remains that may exist within the site.
16.	The developer shall enter into water and waste water connection agreements with Irish Water, prior to commencement of development. Reason: In the interest of public health.
17.	Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit to the planning authority for written agreement a Stage 2 – Detailed Design Stage Stormwater Audit. Upon completion of the development, a Stage 3 Completion Stage Stormwater Audit to demonstrate that Sustainable Urban Drainage Systems measures have been installed, are working as designed, and that there has been no misconnections or damage to stormwater drainage infrastructure during construction, shall be submitted to the planning authority for written agreement. Reason: In the interests of public health and surface water management.
18.	Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. Reason: In order to safeguard the residential amenities of property in the vicinity
19.	(a) A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular recyclable materials, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the

	<p>agreed plan.</p> <p>(b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.</p> <p>Reason: To provide for the appropriate management of waste, and in particular recyclable materials, in the interest of protecting the environment.</p>
20.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.</p> <p>Reason: In the interest of sustainable waste management.</p>
21.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
22.	<p>Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority a properly constituted Owners’ Management Company. This shall include a layout map of the permitted development showing the areas to be taken in charge and those areas to be maintained by the Owner’s Management Company. Membership of this company shall be compulsory for all purchasers of property in the development. Confirmation that this company has been set up shall be submitted to the planning authority prior to the occupation of the first</p>

	<p>residential unit.</p> <p>Reason: To provide for the satisfactory completion and maintenance of the development in the interest of residential amenity.</p>
23.	<p>Prior to commencement of 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 an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.</p> <p>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.</p>
24.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion 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.</p> <p>Reason: To ensure the satisfactory completion of the development.</p>
25.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the</p>

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

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Una O'Neill
Senior Planning Inspector

5th February 2020