



An
Bord
Pleanála

Inspector's Report

ABP-306684-20

| | |
|-------------------------------------|--|
| Development | Solar farm and associated works |
| Location | Newtown, Beauparc, Navan, Co. Meath |
| Planning Authority | Meath County Council |
| Planning Authority Reg. Ref. | LB191585 |
| Applicants | Panda Power |
| Type of Application | Permission |
| Planning Authority Decision | Refuse Permission |
| Type of Appeal | First Party |
| Appellants | Panda Power |
| Date of Site Inspection | 11 th August 2020 |
| Inspector | Dolores McCague |

1.0 Site Location and Description

- 1.1.1. The site is located at Newtown, Beuparc, Navan, County Meath, in a rural area to the south of Slane. The site is located on the western side of the N2 national primary road, c.4km from Slane and c.400m the north of Rathdrinagh Crossroads. There are several houses, a farmhouse with out buildings, and a public house, along the local road to the south on both sides of the crossroads and two dwellings on the opposite side of the N2. The associated lands shown outlined in blue on the opposite side of the N2, were the subject of planning permission for a solar farm granted in 2019.
- 1.1.2. The site comprises flat agricultural land used for tillage. The site extends along the N2 as 2 flat fields that are separated by a diagonal drain and hedge. At the northern end the site extends in depth to about 250m and at the southern to approx. 125m. These two site areas are roughly rectangular with the southern section being of less length as well as less depth. The diagonal drain extends from the junction of the two areas in a NNE / SSW direction. The entire southern and western boundary is a townland boundary. Some other field boundaries which formerly existed and have been removed, can still be seen as crop marks within the enlarged fields.
- 1.1.3. The roadside boundary is formed by timber fencing and discontinuous sections of low hedge. There are two overgrown gateways close together south of the mid point of the site frontage. It is proposed to improve the southernmost gateway as the proposed entrance. The N2 along the road frontage crosses a crest in the vicinity of the proposed entrance and has a continuous white line, prohibiting south bound overtaking. An ungated gap in the road boundary at the northern end of the frontage appears to be the point used to access the land. This is located beneath 110kv overhead power lines which cross the north eastern corner of the site.
- 1.1.4. This section of the busy N2 is used by fast moving traffic. It comprises a single carriageway and a hard shoulder in each direction. Just south of the southern gateway the hard shoulder narrows as a ghost island for Rathdrinagh Crossroads begins.
- 1.1.5. The gateway to the land on the opposite side of the N2, where it is proposed to access the permitted solar farm, is located c 70m north of the proposed site entrance.

1.1.6. The site is given as 8.49ha.

2.0 Proposed Development

2.1.1. The proposed development is a 3MW solar farm with a c.30-year lifespan comprising:

- Photovoltaic panels on ground mounted frames.
- A single storey ESB MV sub-station/switch room building (~~10m x 4.3m~~)
- 3 x transformers, ducting & underground electrical cabling
- Perimeter fencing & pole mounted CCTV cameras (~~3m high~~)
- Upgrade existing vehicular entrance, & provision of internal access track
- All associated site works & services.

2.1.2. The letter accompanying the application includes a decommissioning method statement.

2.1.3. The existing entrance is proposed to be upgraded to facilitate the development, by creating a splayed entrance with a 4m wide pair of gates. This entrance is located at the location of an existing field gate. The proposal does not make reference to the second field gate or the gap entrance at the northern end of the site or of any intentions in this regard.

2.1.4. It is not proposed to remove the existing hedgerow to provide a set back of 3m from the metalled road edge. If considered necessary, as part of the Construction Traffic Management Plan, the existing hard-strip or hard shoulder on the southern side of the access can be marked with a solid yellow boundary and yellow ghost hatching, thereby temporarily closing the hard shoulder to traffic and ensuring that the 3m set-back from the edge markings is satisfactory. Appropriate advance warning signs indicating the arrangement of the hard shoulder and the works access would be included as part of the Construction Traffic Management Plan

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The planning authority decided (27th January 2020) to refuse permission for 4 reasons:

1 Intensification of use of an existing entrance to the N2, precedent could lead to proliferation.

2 Contrary to policy

3 intensification of use of an existing entrance to the N2.

4 Internal layout could disorientate users on the heavily trafficked N2, particularly during hours of dusk and create a traffic hazard.

3.2. Planning Authority Reports

3.2.1. Planning Reports

1. The planning report recommending refusal includes:

- National, regional and local policies are referred to and quoted.
- Central Lowland LCA. The landscape character is high with medium sensitivity and regional importance.
- The site is not within any identified flood risk zone.
- The PA concludes that the proposed development would not be likely to have a significant effect on European sites and that stage 2 AA is not required.
- EIA – EIA is not required.
- Accords with policy on use.
- Acceptable on visual grounds.
- Transportation – Transportation report is referred to. TII observation is referred to. A refusal is recommended under this heading.
- Glint and Glare – no assessment supplied.
- Archaeology – proximity to monuments.

- Development contribution – €30,000.
- Recommending refusal for 4 reasons, which issued.

3.2.2. Other Technical Reports

3.2.3. Architectural Conservation Officer – further information re landscaping. Proximity to recorded monuments ME026-031 and ME026-008.

3.2.4. Transportation Department –

- The proposal to intensity movements through an existing entrance onto a national road does not comply with the Meath CDP objective RD POL 37 or DoECLG Spatial Planning and National Roads, Guidelines for Planning Authorities (2012) and should be refused.
- The roads parallel to the N2 could disorientate users on the heavily trafficked N2, particularly during hours of dusk and create a traffic hazard.
- Recommending refusal.

3.2.5. Environment Section –

- Two agricultural fields of low ecological value. Roadside hedgerows of higher value for which mitigation would be required, but no ecological walkover was carried out. The fields are divided by an open drain which will be culverted as part of the proposal. It is generally not favourable to culvert long stretches of wet ditches, as changes in hydromorphology can impact on ecology, flooding etc. the ditch should be inspected by an ecologist and the appropriateness of culverting assessed. As a minimum, the proposed culvert construction should be carried out in accordance with 'Guidelines for the Crossing of Watercourses during the Construction of National Road Schemes (NRA, 2008).
- No site description, eg. whether the perimeter hedgerows are associated with wet ditches. A min buffer of 5m should be reserved from wet ditches.
- No landscaping plan submitted.
- The site is less than 3km from the River Boyne and River Blackwater SAC (002299) and SPA (004232). No AA screening has been submitted.

- An Environmental Report to include a biodiversity chapter also to be submitted. Cumulative impact to be included.
- No indication of the planned route of cabling/overhead line to the local substation; to be included.
- Recommending FI.

3.3. Prescribed Bodies

3.3.1. EHO – documentation unavailable and could not be properly assessed.

Applicant has failed to carry out a glint and glare assessment. This is particularly important to ensure the safety of road users along the N”.

The application does not include any information regarding plant and equipment required to convert solar power to electricity; to enable assessment of environment impact – noise etc.

3.3.2. IAA – no observations.

3.3.3. DAA - no observations.

3.3.4. TII –

- Insufficient data to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity.
- No glint and glare assessment.
- The Council to determine the requirement for a Road Safety Audit re modifications to existing field access.

4.0 Planning History

None given for subject site.

Opposite side of N2

302368 PA Reg Ref LB1805070 permission granted on foot of PA decision to refuse for development comprising 3MW solar farm with a c.30-year lifespan on a c.12.5ha site including - photovoltaic panels on ground mounted frames ESB MV sub-

station/switch room building (10m x 4.3m) and 3 x transformers, ducting & underground electrical cabling.

LB171501 withdrawn.

LB171433 incomplete.

5.0 **Policy Context**

5.1. **National and Regional Policy**

5.2. National Planning Framework, 2018 (NPF)

The NPF is the Government's high-level strategic plan which will shape the future growth and development of the country up to 2040. Relevant provisions include:

5.3. **Development Plan**

Meath County Development Plan 2013 to 2019

Strategic Planning Approach:

Core Principle 8 seeks to support agriculture & agricultural related development in Meath and strengthen the county as a hub for the vibrant agricultural & food sectors.

Energy & communications policies & objectives:

EC POL 1: seeks to facilitate energy infrastructure provision, including the development of renewable energy sources at suitable locations.

EC POL 2: seeks to support international, national & county initiatives for limiting emissions of greenhouse gases through energy efficiency & renewable energy.

EC POL 3: seeks to encourage the production of energy from renewable sources including solar, subject to normal proper planning & environmental considerations.

EC POL 4: seeks to support the National Climate Change Strategy and, in general, to facilitate measures which seek to reduce emissions of greenhouse gases.

EC OBJ 3: seeks to investigate the preparation of a renewable energy strategy.

Renewable Energy: the Council is committed to developing a more diverse range & combination of energy sources (including solar energy).

All Renewable Energy Developments: the Council will take the proper planning & sustainable development of the area into account and will consider the environmental and social impacts of the proposed energy development.

Employment in Agriculture: sustain rural communities & farm diversification.

Biofuels and Renewable Energy: renewable energy generation is a growing sustainable industry that can supplement the development of the rural economy.

ED POL 5: seeks to promote continued growth in rural areas by encouraging rural enterprise, especially those activities that are resource dependent (including energy production) in a sustainable manner at appropriate locations.

Economic Development Strategy:

ED POL 19: seeks to recognise the contribution of rural employment to the overall growth of the economy and to promote this growth by encouraging rural enterprise and diversification generally and to promote certain types of rural enterprises, especially those activities which are rural resource dependent (including renewable energy production, food production & processing).

Transportation:

TRAN POL 28: seeks to safeguard the capacity & safety of the National road network by applying the provisions of Spatial Planning & National Road Guidance.

Heritage:

LC OBJ 1: to ensure the preservation of the uniqueness of all landscape character types, to maintain the visual integrity of areas of exceptional value & high sensitivity.

LC OBJ 5: seeks to preserve the views & prospects and the amenity of places and features of natural beauty or interest listed in Appendix 12 (Map 9.5.1) from works that would interfere with the character & visual amenity of the landscape.

Appendix 7 - Landscape Character Assessment: the site is located within Landscape Character 6 (Central Lowlands), which is described as having a High landscape value and Moderate landscape sensitivity, and which has the capacity to absorb renewable energy developments, overhead cables, sub stations and masts.

5.4. Natural Heritage Designations

- 5.4.1. The nearest Natura sites are River Boyne and River Blackwater SAC (002299) and SPA (004232), located less than 3km straight line distance, from the subject site.

5.5. EIA Screening

- 5.5.1. Having regard to the nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. The appeal by McCabe Durney Barnes, on behalf of the applicant, against the planning authority's decision to refuse permission, includes:
- 6.1.2. TRAN POL 28 of the Meath County Development Plan 2013-2019 and RD POL 37 are cited.
- 6.1.3. Re. Material contravention: the inspector's report on 302368 (section 4.1) is quoted regarding the use of an existing entrance and that the provisions of the Spatial Planning and National Roads Guidance 2012 do not apply instance and that the proposed development would not materially contravene TRAN POL 28 of the Meath County Development Plan 2013-2019. It is stated that the same circumstances apply in the subject case.
- 6.1.4. Re. Intensification of use:
- No intensification of use during the operational phase & closure of the north eastern entrance. The lands will be used for sheep grazing during the operational stage.
 - Lands are in agricultural use for cereal growth, CSO figures recorded an overall growth in cereals (wheat, oats & barley) in 2018 the overall yield was

7.1 tonnes /ha., therefore c.59.64 tonnes of cereal are grown on this site during a typical year, which is planted, treated, harvested and transported by large tractors fitted with or pulling heavy agricultural equipment that access the site over the 6-month growing season, which results in an average of 6 visits per month.

- Direct access off the N2 is via overgrown entrances.
- The Board is referred to the (TIA) traffic assessment submitted for ABP – 302368-18, and the cover letter submitted with the subject application. The construction stage of 12 weeks x 6 HGV movements per week, with the exception for 8 HGV for one week when the stone is delivered. A total of 265 trips during the construction phase.
- Table 1 sets out the existing entrance use, associated with cereal growing.
- No specific figure for the operational phase, although it states that trip generation would not increase over the current agricultural use.
- Experience confirms that maintenance of solar panels & their support systems is minimal, consisting of visual inspections mainly after extreme weather conditions.
- They need almost no routine maintenance, they are continuously monitored remotely and require few visits.
- Similar solar farm in Westbury, England requires 27 visits per annum of small LGVs which is less than the 72 vehicle trips per year for agricultural use.
- There would be a decrease in traffic movements over a 20-year period:
$$\text{Agricultural use: } 72 \times 20 = 1,460$$
$$\text{Solar farm development \& use: } 265 + (27 \times 20) = 805.$$
- The contravention of TRAN POL 28 and RD POL 37 is only on supposed increase in turning movements generating intensification of use at an existing access point. The previous inspectors report is referred to.

6.1.5. Reduced Capacity:

- The TIA submitted for application LB/180570, ABP – 302368-18 illustrates that there is no issue with the capacity of the N2 given the relatively light AADT. The previous inspectors report is referred to. There will be a reduction in traffic due to the subject development. The two proposals are for the same client and for similar development. This might suggest the possibility of co-ordinated single trips in the operational stage for both developments.
- The proposal cannot reduce capacity as it is reducing traffic generation.
- The road has adequate capacity.

6.1.6. Setting a precedent for similar entrance:

- Each application should be treated on its merits.
- If precedent is considered, then it should be in the context of contributing to the national targets set for Irelands electricity to come from renewable sources (40% by 2020) as part of its mandatory obligation under the EU Renewable Energy Directive 2009/28/EC.

6.1.7. Interfering with the free flow of traffic resulting in a traffic hazard:

- Reason for refusal only considered the intensification of use and plausible confusion due to internal road layout.
- The intensification of use has already been referred to.
- This section of the N2 is straight with generous hard shoulders.
- Existing entrance will be upgraded set back 3m from the metal edge and clear 220m sight lines will be created in both directions,
- Nature of vehicles will change from slow moving large agricultural vehicles to small fast moving LGVs (vans). This will reduce traffic hazard.
- The internal road laid parallel to the N” has been set behind the security fence. The same arrangement as 302368. It is inconceivable that the motorist on the public road would confuse the internal road with the national primary road. Maintenance by service vehicle will generally only occur during daylight hours. There is no demonstrable traffic hazard evident.

6.2. Planning Authority Response

6.2.1. The Planning Authority have responded to the grounds of appeal, reiterating the reason for refusal.

7.0 Assessment

7.1.1. The issues which arise in relation to this appeal are appropriate assessment, material contravention, the principle of the development, noise and other issues and the following assessment is dealt with under these headings.

7.2. Appropriate Assessment

7.3. The application was accompanied by a Stage 1 AA Screening Assessment report attached as an appendix to the Ecological Impact Assessment

7.3.1. The proposed development comprises:

- Photovoltaic panels on ground mounted frames.
- A single storey ESB MV sub-station/switch room building (~~10m x 4.3m~~)
- 3 x transformers, ducting & underground electrical cabling
- Perimeter fencing & pole mounted CCTV cameras (~~3m high~~)
- Upgrade existing vehicular entrance, & provision of internal access track
- All associated site works & services.

7.3.2. The proposed development is not within a European site and the works are not relevant to the maintenance or management of any such sites.

7.3.3. The following European sites are located in the vicinity of the site:

| European Site | Site Code | Relevant QIs & CIs | Distance |
|--------------------------------------|-----------|--|----------|
| River Boyne and River Blackwater SAC | 002299 | Alkaline fens and Alluvial forests (priority habitat) River Lamprey, Atlantic Salmon and Otter, | 3km |
| River Boyne and River Blackwater SPA | 004232 | Kingfisher | 3km |

- 7.8.1. Conservation objectives are: to maintain or restore the favourable conservation condition of the Annex I habitat(s) and species for which the SAC has been selected.
- 7.8.2. The SPA, covering the same area, is of high ornithological importance because of the nationally important population of Kingfisher, a species listed on Annex I of the EU Birds Directive. Conservation objectives are: to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.
- 7.8.3. Drainage in the area flows east to join the R Boyne at Roughgrange less than 6km to the east of the site. The site is therefore hydrologically connected to the protected sites.
- 7.8.4. The construction phase of the proposed development would include site preparation works, including site clearance and excavation works but in particular the culverting of a large drain is proposed. There is potential to affect the water quality of the drains and streams in the vicinity of the work and the possibility of impact on the River Boyne and River Blackwater SAC / SPA must be considered
- 7.8.5. I note that the inspector's report on the previous application for a solar farm development on the opposite side of the N2 (302368), which had the benefit of an AA screening report supplied with the application, concluded that 'it is unlikely that any sediments released during the construction phase would reach the European sites, provided that best construction practices are adhered to'. It has since been clarified that the appropriate test is consideration of whether the development is capable of affecting the integrity of the protected site, rather than is likely to affect the integrity of the protected site and it is not possible at screening stage to consider mitigation, including mitigation by best construction practices. Appropriate assessment is therefore required.

7.9. **Material Contravention**

- 7.9.1. The reason for refusal includes that the proposed development materially contravenes the development plan and accordingly the Board may only grant permission for the proposed development where it considers that one of the situations listed in S37(2) (b) arise. These include as item (ii) there are conflicting

objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned.

Reason no.2 of the planning authority's decision to refuse permission states that:

Having consideration to the nature of the proposed development as indicated on the plans and particulars submitted including the intensification of use of an existing entrance located on the N2 National Route where the maximum speed limit applies, it is considered that the proposed development would be contrary to policy TRAN POL 28 of the Meath County Development Plan, 2013-2019, would be contrary to the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012). Accordingly to grant the proposed development would contravene materially a policy of the County Development Plan, would endanger public safety by reason of a traffic hazard, would be contrary to ministerial guidelines issued to the planning authorities under Section 28 of the Planning and Development Act 2000, as amended, and therefore be contrary to the proper planning and sustainable development of the area.

TRAN POL 28 of the Meath County Development Plan 2012 to 2019 seeks to safeguard the capacity and safety of the national road network by applying the provisions of Spatial Planning and National Road Guidance. Section 2.5 of the Spatial Planning and National Roads Guidance states that the policy of the planning authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60km/h apply.

The proposed development is not of national or regional importance. The Development Plan incorporates all relevant national planning policy and regional guidance and Development Plan policies and objectives are clearly stated without conflict. The pattern of planning permissions since the last Development Plan was adopted reflect current planning policy for the area. I am satisfied that the current case does not represent an exemption under Section 37 (2) (b).

Section 2.5 of the Spatial Planning and National Roads Guidance relates to the creation of additional access points from new development or the generation of

increased traffic from existing accesses. The site is currently served by an existing entrance off the N2.

The proposed development would not provide a new entrance off the national road, it would utilise an existing entrances. Furthermore, the proposed development would not give rise to increased traffic from the existing retained agricultural access during the operational phase having regard to the nature of the proposed development, the use of remote monitoring technologies and the anticipated infrequency of the maintenance visits.

Having regard to the foregoing, I am satisfied that the provisions of the Spatial Planning and National Roads Guidance 2012 do not apply in this instance and that the proposed development would not therefore materially contravene TRAN POL 28 of the Meath County Development Plan 2013-2019. It is worth noting that the Board considered the issue of material contravention in their consideration of 302368, considered the development plan provisions, and decided to grant permission.

7.10. Principle of development

The proposed 3MW solar farm development would be located in a rural area and the c.12.5ha site is currently used for tillage. The proposed development would comply with national, regional and local planning and environmental policy which supports a move to a low carbon future and encourages the use of renewable resources to reduce greenhouse gas emissions. National policy recognises the role of solar power whilst policies EC POL 1 and 3 of the Development Plan support renewable energy subject to normal planning and environmental considerations. The proposed development would contribute to the national targets set for Ireland of 40% of the country's electricity to come from renewable sources by 2020 as part of its mandatory obligation under the EU Renewable Energy Directive 2009/28/EC to source 16% of all energy consumed from renewable sources by 2020. These targets are required to reduce greenhouse gas emissions and to ensure a secure energy supply. The proposed development, which would contribute the achievement of these targets, would be acceptable in principle.

7.11. Use of Agricultural land

- 7.11.1. The proposed solar farm would be located on agricultural lands that are currently used for tillage. There is no national guidance in relation to where solar farms should or should not be located and there is no policy which precludes the development of solar farms on agricultural land. It is noted that UK guidance seeks to direct large-scale solar farms to previously developed brownfield sites and it has a grading system for land, ranging from Grade 1 (most productive) to Grade 5 (most marginal) and most agricultural land is mid-range.
- 7.11.2. At national level, the agricultural strategic vision as set out in Food Wise 2025 supports increasing the value of agri-food, fisheries and wood production sector by 70% and the value of food exports by 85%. The strategy also recommends on-farm diversification along with a suite of recommendations and actions which do not place any restrictions on land use. Having regard to scale of the proposed 3MW solar farm on the c.12.5ha site it is unlikely that the proposed development would compromise the value of agri-food or the value of food exports to such an extent that it would outweigh the renewable energy benefits of the proposed development.
- 7.11.3. The Development Plan supports farm diversification and policies ED POL 5 and 19 seek to encourage and promote rural enterprise including energy production. There would be local employment opportunities during the construction phase and the development would contribute to a reduced need for energy imports. The dual agricultural use of the lands for grazing could continue with the PV solar arrays in place and it is noted that sheep growth opportunities are envisaged under Food Wise 2025. The temporary c.30-year duration of the use would also ensure that there would be no permanent or irreversible loss of agricultural land.

7.12. Glint and Glare

- 7.12.1. In the previous application for a solar farm development on the opposite side of the N2 (302368), the Board was provided with a Glint and Glare Assessment report prepared by Macroworks consultants, and the inspector's report was able to conclude that the proposed solar farm would not have an adverse impact on the visibility and safety of passing motorists by way of glint and glare, subject to the

augmentation of the existing hedgerow boundaries to the west along the N2 with native semi-mature trees.

7.12.2. The subject application was not accompanied by a Glint and Glare Assessment such that the potential for reflectance on the surrounding area including roads and houses can be assessed. Adverse impacts on residential amenities of property in the vicinity or on motorists using the national primary road or local roads can therefore not be evaluated and this is a reason to refuse permission.

7.13. **Ecology**

7.13.1. No walkover survey of the ecological importance of the site and site features was undertaken. The report of the Environment Section notes that the open drain will be culverted as part of the proposal and that culverting long stretches of wet ditch is generally not favoured, as changes in hydromorphology can impact on ecology, flooding etc; recommending that the ditch should be inspected by an ecologist and the appropriateness of culverting assessed. I concur with this assessment. No justification has been given for culverting the drain, there is no obvious impediment to carrying out the proposed development with the drain remaining in place. I concur with the Environment Sections assessment of this matter and the site ecology in general, that a specialist report is required.

7.14. **Vehicular access and traffic**

7.14.1. Refusal reasons 1, 3 and 4 refer to traffic hazard arising from the intensification of use of an existing entrance to the N2 and that the internal layout could disorientate users on the heavily trafficked N2, particularly during hours of dusk and create a traffic hazard.

7.14.2. The proposed development would be located along the N2 national primary road, within the 100km/hr speed zone and along a straight section of carriageway which has hard shoulders on either side. The road is heavily trafficked and operational speeds are relatively high. There are direct accesses to this road. On the subject landholding there are two existing gateways located south of the middle section of the roadside boundary together with what appears to be an informal entrance at the northern corner. As set out earlier in this report it is not considered that the proposed

development would be contrary to policy on access to national roads, however given the nature of the road, with high speed traffic and high traffic levels, the need to maximise the safety of the proposed access is an important consideration. From the appearance of the existing gateways and the open gap in use at the northern end of the site frontage, it appears to me that recently the use of the gateways may have been discontinued in favour of a preferred access point.

- 7.14.3. The letter accompanying the application states that it is not proposed to remove the existing hedgerow to provide a set back of 3m from the metalled road edge. If considered necessary, as part of the Construction Traffic Management Plan, the existing hard-strip or hard shoulder on the southern side of the access can be marked with a solid yellow boundary and yellow ghost hatching, thereby temporarily closing the hard shoulder to traffic and ensuring that the 3m set-back from the edge markings is satisfactory; and that appropriate advance warning signs indicating the arrangement of the hard shoulder and the works access would be included as part of the Construction Traffic Management Plan.
- 7.14.4. TII in submission on the planning application stated that there was insufficient data to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity; that no glint and glare assessment had been submitted and advised the Council to determine the requirement for a Road Safety Audit re modifications to existing field access.
- 7.14.5. The grounds of appeal refers to closure of the north eastern entrance and to the generous hard shoulder where the entrance will be set back 3m from the metal edge and with clear 220m sight lines created in both directions.
- 7.14.6. As previously noted the hard shoulder narrows south of the proposed site entrance and road markings are already in place on the carriageway for Rathdrinagh Crossroads. I am satisfied that the proposed development can be safely accessed for construction purposes from the national road and that during the operational phase the traffic accessing the site will be less than that in the current regime. However in my opinion, having regard to the horizontal alignment of the road and the narrowing of the hard shoulder, the applicant has not demonstrated (by the report of a specialist roads engineer) that the proposed access is the optimal location for the

proposed entrance. I also consider that greater clarity is required in relation to proposals regarding the other existing entrances.

7.14.7. The internal access road would run north and south from the entrance parallel to the eastern site boundary with the N2. The report of the Transportation Department considers that roads parallel to the N2 could disorientate users on the heavily trafficked N2, particularly during hours of dusk and create a traffic hazard.

7.14.8. The grounds of appeal states that it is inconceivable that the motorist on the public road would confuse the internal road with the national primary road; maintenance by service vehicle will generally only occur during daylight hours; and that there is no demonstrable traffic hazard evident.

7.14.9. I can see no likelihood that the proposed access road placement parallel to the N2 and behind a hedgerow, would disorientate national road users.

8.0 Recommendation

8.1.1. In accordance with the foregoing I recommend that planning permission should be refused for the following reasons and considerations.

9.0 Reasons and Considerations

- 1 On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement the Board cannot be satisfied 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 Nos. 002299 and 004232, or any other European site, in view of the sites Conservation Objectives. In such circumstances the Board is precluded from granting permission.

- 2 The information provided with the application and appeal is not sufficient to enable the Board to determine that, the use of the proposed site entrance by construction traffic and the impact arising from glint and glare would not endanger traffic safety on the N2.

Planning Inspector

19th August 2020

Appendices

Appendix 1 Photographs

Appendix 2 Meath County Development Plan 2013-2019 (extended), extracts