



An
Bord
Pleanála

**S. 6(7) of Planning and
Development (Housing) and
Residential Tenancies Act 2016**

**Inspector's Report on
Recommended Opinion
306687-20**

Strategic Housing Development	446 residential units comprising 253 houses and 193 apartments and duplexes, crèche, neighbourhood centre (retail units) and community centre.
Location	Athlumney/Farganstown, Navan, Co. Meath.
Planning Authority	Meath County Council.
Prospective Applicant	Albert Developments Limited.
Date of Consultation Meeting	12 th May 2020.
Date of Site Inspection	7 th May 2020.
Inspector	Dáire McDevitt.

1.0 Introduction

Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority and the documentation received from the prospective applicant, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

2.1 The subject site, which has a stated area of 13.82 hectares, is located in the eastern environs of Navan c. 2.5km from Navan Town Centre. The site is bounded to the west by residential development, including Tubberclaire Meadows housing estate which is accessed off Old Road. It is bounded to the south by Old Road, a small country road, there are a number of individual houses and farm houses to the south and south east along Old Road. The LDR6, New Farganstown road (LIHAF) is under construction and forms the north eastern boundary of the site. The site forms part of a larger track of land, predominantly to the east (bounded by the Boyne Road to the north and Kentstown Road to the south) which is identified for development and subject to an overall Masterplan (MP 12 Lands). Part of which are indicated in the documentation submitted with this consultation application to be in the prospective applicant's control.

3.0 Proposed Strategic Housing Development

3.1 The proposed development comprises the construction of 446 residential units 4475sq.m of other uses, including crèche, retail and community centre together with all associated site works.

3.2 The following details are noted:

Parameter	Site Proposal
Application Site	13.82 ha
No. of Units	446
Height	2 to 7 storeys
Other Uses	Childcare Facility-510m ² 4 no. Retail units (151m ² , 224 m ² , 284 m ² and 2178 m ² respectively) Community centre -1128m ²
Car Parking	943 (506 for houses, 254 for apartments, visitors and crèche and 183 for retail units and community centre)
Bicycle Parking	210 spaces
Vehicular Access	Access off new Farganstown Road (LIHAF road currently under construction). This road is accessed off the Kentstown Road at the Metges Lane junction. Land ceded to MCC for potential to extend the LIHAF from that currently under construction to the Boyne Road
Part V	45 units
Density	36 units/ha

Public Open Space	<p>A total of 3.64 hectares of public open space is proposed, this includes:</p> <ul style="list-style-type: none"> • A public park (c.1.6 hectares) which part of a district public park identified in the Navan TDP that will be delivered as part of the application. • An area open space (c.450sq.m) adjoins the neighbourhood centre. • A Central Park (c.4650sq.m). • Open Space on the northern section (c.6485 and 450sq.m). • Open space on the southern section (c. 3030sq.m). • Communal open space (c. 2753sq.m) in the form of a roof top garden at podium level.
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3.3 The breakdown of unit types is as follows:

Unit Type	1 bed	2 bed	3 bed	4bed	Total
House	-----	-----	216	37	253
Apartment	50	83	-----	-----	133
Duplex	-----	30	30	-----	60
TOTAL	50	113	246	37	446

% Total	11.2%	25.3%	55.2%	8.3%	100%
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3.4 Parking:

	Car Parking	Cycle Parking
Houses	506	_____
Apartments, Duplex & Visitors	239	160
Crèche	15	_____
Retail and Community Centre	183	50
Total	943	210

4.0 National and Local Planning Policy

4.1 National

Project Ireland 2040: National Planning Framework

Chapter 6 'People Homes and Communities' includes 12 objectives among which include:

Objective 27 which seeks to ensure the integration of safe and convenient alternatives to the car design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.

Objective 33 which seeks to prioritise the provision of new homes at locations that can support sustainable development at an appropriated scale of provision relative to location.

Objective 35 which seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

Rebuilding Ireland – Action Plan for Housing and Homelessness 2016.

The Plan contains five key pillars of which Pillar 3 and 4 are of note:

Pillar 3 to build more houses: Increase the output of private housing to meet demand at affordable prices.

Pillar 4 – Improve the rental sector: Address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents.

Section 28 Ministerial Guidelines

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

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design Manual) (2009).
- Sustainable Urban Housing: Design Standards for New Apartments (2018).
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018).
- Design Manual for Urban Roads and Street (2013).
- The Planning System and Flood Risk Management' (including the associated Technical Appendices) (2009).
- Childcare Facilities- Guidelines for Planning Authorities (2001).
- Retail Planning Guidelines for Planning Authorities (including the associated Retail Design Manual (2012).

4.2 Regional

Eastern and Midland Regional Assembly – Regional Spatial and Economic Strategy (RSES) 2019.

The RSES is underpinned by key principles that reflect the three pillars of sustainability: Social, Environmental and Economic, and expressed in a manner which best reflects the challenges and opportunities of the Region.

Section 4.2 Settlement Strategy identifies Navan as a Key Town within the Core Region of the wider Eastern and Midlands area. Key towns are identified as large towns which are economically active and provide employment to their surrounding areas. They have high-quality transport links and the capacity to act as regional drivers to complement the Regional Growth Centres.

Section 4.6

Navan has a compact and walkable town centre surrounded by residential areas. The consolidation of residential development proximate to social and community infrastructure will be promoted. The sustainable development of vacant residential and regeneration sites in the town centre in conjunction with the implementation of the public realm and movement plan 'Navan 2030' will assist in reinvigorating the urban core of the town and making it a location of choice to live and do business. Navan has a number of strategic sites including the former County Council Offices at Railway Street, which are located in a key position between the cultural quarter, the town centre to the north, which has potential for mixed use development, and the town expansion area to the south, which has also been identified as the preferred location for a future train station. Other strategic lands include a residential Strategic Development Zone (SDZ) at Clonmagadden and a development opportunity at Farganstown. The LIHAF funded link road at Farganstown will facilitate the creation of a 'live-work' community at this location.

The LIHAF Farganstown road is identified as enabling infrastructure:

The following RPOs are of relevance:

- **RPO 3.1** Growth Strategy.
- **RPO 4.26** Key Towns
- **RPO 4.27** Key Towns.
- **RPO 4.42 to 4.47** Navan Key Town.
- **RPO 8.8** Rail Infrastructure.

4.3 Local:

The **Meath County Development Plan 2013-2019** is the operative County Development Plan.

Variation No. 2 gave effect to the Core Strategy of the Meath County Development Plan and Objectives CS OBJ 2 and CS OBJ 3.

Chapter 3 contains the County Meath Settlement Strategy. Objectives SS OBJ 1 to 6 refer to the Settlement Hierarchy.

Navan is identified as a 'Large Growth Town I' in the operative County Development Plan, where the policy of the Development Plan is to promote economically active towns supporting the surrounding area and maximising their location on multi modal corridors. They also seek to support critical mass.

Objective SS OBJ 8: To develop Navan and the Drogheda Environs as the primary development centres in Meath and to ensure that the settlements grow in a manner that is balanced, self-sufficient and supports a compact urban form and the integration of land use and transport.

Section 4.1.1: to develop Navan Core Economic Area. Development objectives include: The significant intensification of employment opportunities in Navan to serve the large resident population is a strategic objective of the Development Plan.

TRAN SP 6: To promote higher residential development densities within the Large Growth Towns I and II and Moderate Sustainable Growth Towns, as promoted by the Department of Environment Community and Local Government's 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' so as to support viable public transport services.

Navan Development Plan 2009-2015 (as varied)

Following the dissolution of all 3 Town Councils in May 2014, Navan and Trim Development Plan is now deemed to form part of the Meath County Development Plan 2013-2019 and is still in force as per Section 11c of the Planning and Development Act 2000 (as amended).

Zoning:

The Site is primarily on **A2 New Residential**. The balance of the lands are identified as **Phase II release (post 2019) and F1 Open Space**.

A2 New Residential with an objective *to provide for new residential communities with ancillary community facilities, neighbourhood facilities and employment uses as considered appropriate for the status of Navan as a Large Growth Town 1.*

CS OBJ 3 *To operate an Order of Priority for the release of residential lands as follows:*

- i) The lands identified with an A2 'New Residential' land use zoning objective corresponds with the requirements of Table 2Z4 of this Development Plan and area available for residential development within the life of this Development Plan.*
- ii) The lands identified with an A2 'New Residential' land use zoning objective but qualified as '**Residential Phase II (Post 2019)**' are not available for residential development prior to 2019.*

Neighbourhood Centre POL 1 *applies to a portion of the site with an objective to promote the development of new neighbourhood centres to serve the needs of new or expanding residential areas with basic facilities, such as local convenience shopping, community facilities, children's' playgrounds etc.*

It is intended that the facilities provided in neighbourhood centres will only service local needs and will not detract from the primacy of Navan Town Centre. In this regard, it is stated in the TDP that '*individual convenience stores in neighbourhood centres in A2 zoned area should generally not exceed 1000sq.m net retail floor space unless otherwise identified*'.

Objective SS OBJ 16: *Master Plan 12: These lands are located to the east of Navan in the townlands of Athlumney, Alexander Reid, Bailis, Farganstown and Ballymacon and are zoned for a mix of uses, primary residential, commercial and employment uses. These lands were previously the subject of Framework Plan Area 2 which shall be renamed Master Plan 12. Any development proposals shall accord with the Master Plan or this area. The Master Plan shall be updated to consider the additional lands not proposed to have an E1/E2 zoning objective as well as reconfiguration of the zoning objectives on the lands. The updated Master Plan shall promote the concept of a sustainable 'live work' community based planning model. All future development within the MP12 lands will have to take full account of the sensitivities of the receiving environment. Proposals for development which would be likely to have a significant effect on European site will only be approved if it can be ascertained, by means of an appropriate assessment, that the integrity of these sites will not be adversely affected.*

INF OBJ 2(a) refers to the provision of local distributor roads

LDR6 refers to the New Farganstown Road (LIHAF):

LDR 6 *Construction of link road between Kentstown Road (R153) and the Boyne Road including crossing the Navan/Kingscourt railway line by under bridge. A Part VIII planning consent is in place for LDR 6'*

DRAFT Meath County Development Plan 2020-2026:

This Plan went on display on the 18th December 2019 with the submission period running up to the 6th March 2020.

The bulk of the site is proposed to be zoned for immediate development (**A2 Residential**) within the MP12 Lands. The remainder of the site is **F1 – Open Space**.

A2 New Residential with an objective *to provide for new residential communities with ancillary community facilities, neighbourhood facilities and employment uses as considered appropriate for the status of Navan as a Large Growth Town 1.*

Masterplan Objective:

'Masterplan 12 relates to lands zoned for residential. Employment, community and open spaces/recreational uses in the Athlumney/Farganstown area. A Masterplan shall be prepared for these lands that will ensure the delivery of high quality, appropriately phased development including a suitable mix of house type, community and employment uses., To ensure that there is appropriate service provision in this part of the town, the development of these lands shall also include the provision of local services and facilities including a neighbourhood centre. The delivery of the Distributor Road LDR 2(a) is an integral part of the development of the lands. This Road shall be delivered in conjunction with the development of this Master Plan.

The development of these lands shall provide for phased and integrated development including the delivery of the distributor road and local services and community facilities in tandem with residential development. The phasing of the development of the lands shall be agreed in writing with the Executive of the Planning Authority as part of the preparation of the Master Plan.'

****Typographical error. Should read LDR6 not LDR 2 (a).**

Phasing II designation is proposed to be removed.

There is no Neighbourhood Centre noted. in lieu the draft Plan states ' Additional neighbourhood facilities may be required as part of large residential developments, these will be determined on a case by case basis having regard to the policies and objectives of Chapter 4 Economy and Employment and the Retail Strategy in Appendix 4.'

Section 11.16.7 Land Use Categories notes that '*individual convenience stores in neighbourhood centres on A2 zoned lands should generally not exceed 1000 sq.m net retail floorspace unless otherwise identified in a Local Area Plan.'*

4.4 Natural Heritage Designations

The River Boyne and River Blackwater SPA (Site Code: 004232) and SAC (Site Code: 002299) are c. 650m north of the site.

5.0 Planning History

There are a number of applications relating to the subject lands as per the Councils Planning Register.

PA Reference No. NT130029 refers to a 2013 grant of permission to William Smyth/The Ramparts Partnership for a foul pumping station, an underground detention tank and associated pipework as part of the initial infrastructure scheme for lands at Athlumney. A temporary entrance from the Old Athlumney Road and a temporary access road to the works.

PA Reference No. NT900087 refers to an application by the Ramparts Partnership for an application for parkland, residential development, neighbourhood centre etc. This file was deemed withdrawn. **PA Reference No. NT900077** refers to an incomplete application.

PA Reference 00415 refers to a 2000 decision to refuse permission for a 21000sq.m 400MW Gas Fired Combined Cycle Gas Turbine Electricity Generating Plant. Decision upheld by An Bord Pleanála (PL.17.120326) in 2001.

6.0 Section 247 Consultation(s) with Planning Authority

6.1 It is stated by the prospective applicant that pre-application consultations took place with the planning authority on the 19th November 2019.

7.0 Submissions Received

Irish Water (23rd March 2020):

Irish Water is committed to providing public water and wastewater services in support of Meath County Councils delivery of the Farganstown LIHAF scheme. In this regard the following should be noted:

Water:

There is no watermain at present but works are ongoing adjacent to site. The site will be served by 180mm watermain laid as part of the LIHAF road scheme currently under construction which will be delivered by Meath County Council due for completion by the end of 2020 (subject to change). A permanent solution to serve the complete masterplan for the area will include a 500mm watermain from Carne Hill. Part of this main is being installed at present as part of the LIHAF road.

Wastewater:

At present the main required to service this site is being installed as part of the LIHAF road scheme by Meath County Council which is due for completion at the end of 2020 (subject to change).

A temporary pumping station will be constructed as part of this application which will be delivered by the developer who will be responsible to secure all appropriate permissions. This PS should be strategically placed for ease of decommissioning and connection to permanent PS to be constructed by IW which is due to be delivered by 2024 (subject to change). Plans for the permanents are being developed at present. A rising main to service this temporary PS shall be laid in the new LIHAF road as part of the LIHAF contract.

Provision has been made to install permanent rising mains and gravity sewer to service the full area included in the master plan as part of the LIHAF road contract. The outstanding permanent infrastructure will be delivered by developers. Any third party consents or permissions required will need to be obtained by the developer.

8.0 Forming of Opinion

Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the planning authority submissions and the discussions which took place during the tripartite consultation meeting. I shall provide brief detail on each of these elements hereunder.

8.1 Documentation Submitted

- 8.1.1. The prospective applicant has submitted information pursuant to section 5(5) (a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia, completed application form, Copies of Irish Water Confirmation of Feasibility letter, Part V proposals, Architectural Drawings, Statement of Consistency, Statement of Material Contravention, Environmental Report, Design Statement, Housing Quality Assessment, MP12 Masterplan, Copy of correspondence from Meath County

Council, Landscape Masterplan and Landscape Design Statement, Preliminary Landscape and Visual Impact Assessment Statement, Engineering Drawings, Site Services Report, Flood Risk Assessment Report, Traffic and Transport Assessment, Operational Waste Management Plan, Energy and Sustainability Statement, Draft Appropriate Assessment Screening, Draft NIS Report, Bat Report, Archaeology Assessment.

8.1.2. I have considered all of the documentation submitted by the prospective applicant, relating to this case.

8.2 Planning Authority Submission

8.2.1 In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Meath County Council, submitted a note of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 13th March 2020.

8.2.2 The planning authority's 'opinion' included the following matters: description of development, Section 247 consultations, site description and location, planning history, national and local planning policy, key planning considerations and conclusions. The following points are noted:

Principle of Development:

Site is currently zoned A2 New Residential with a portion included in Phase II lands in the Order of Priority. A section of the site is zoned FI Open Space.

Justification for Material Contravention of a) Development of Phase II lands and b) relocation of the neighbourhood centre, a local objective has been submitted.

The removal of phasing is reflected in the Draft Meath County Development Plan 2020-2026.

The PA respectfully suggest that the Board should satisfy themselves as to whether or not the proposed development, as presented, complies with the requirements of Section 37(2)(b) of the Planning and Development Act 2000 to 2019.

A Masterplan has been provided as part of the documentation and a letter from the Planning Authority confirming that the Master Plan is deemed generally acceptable and in compliance with the relevant requirements.

The Planning Authority is in the process of preparing a PART VIII Housing Development for Meath County Council owned lands to the east of the site.

The Board is respectfully invited to consider the suitability of the Masterplan as part of their overall assessment.

Density, Design, Layout & Residential Amenity:

A density of 37 units per hectare can only be considered acceptable if the assessment of the individual merits of the scheme in terms of residential amenity, capacity of infrastructure, integration with the surrounding area etc is positive. Section 4 of the Statement of Consistency Report is used to justify the applicant's contention that the proposed development is consistent with the relevant policy, principle and guidance contained in the relevant Ministerial Guidelines, National, Regional and Local Plans.

The following is noted:

- Ensure maximum passive surveillance:
 - Of the western pedestrian link from the local road to the south.
 - The proposed pedestrian link to the south of unit 228.
- Ensure compliance with DMURS:
 - The discouragement of perpendicular parking, i.e to the west of units 205 to 218; to the west of dwellings 127 to 133 and to the south of Block 2 and crèche.
- The proposed treatment of part of the western and part of the eastern boundary is unclear.
- The northern elevation of the retail block does not provide an active street frontage onto the proposed distributor road. This element of the overall design could be improved at this location to create an active street frontage in accordance with recommendations contained in the Retail Planning Guideline 2012 and Retail Design Manual 2012.
- It is unclear how the proposed development will cater for a future car parking demand arising from the future sports hall.

- The apartment Blocks 1, 2 & 3 are surrounded by internal roads with long straight runs. Such an arrangement should be justified in accordance with DMURS and the Traffic Management Guidelines.
- The Nature of the proposed retail floorspace is not specified, i.e convenience/comparison. The applicant does not include a Retail Impact Assessment. The Board is invited to consider the issue of retail impact as part of their overall assessment.
- No phasing plan submitted.
- The future management of the community centre should be suitable considered and appraised by the Board as part of their overall assessment.
- The Board should have regard to the requirement that the proposed SHD does not exceed 15% commercial floorspace.

Open Space:

Public Open Space:

A total of 3.64hectares of public open space is proposed, this includes:

- A public park (c.1.6 hectares) which part of a district public park identified in the Navan TDP that will be delivered as part of the application.
- An area of open space (c.450sq.m) adjoining the neighbourhood centre.
- A Central Park (c.4650sq.m).
- Open Space on the northern section (c.6485 and 450sq.m)
- Open space on the southern section (c. 3030sq.m)
- Communal open space (c. 2753sq.m) in the form of a roof top garden at podium level.

The Public Park is located on lands zoned F1 Open Space, therefore does not contribute to the 15% required for the development.

Private Open Space:

A schedule for private open space should be provided. Private Open Space shall comply with the 2018 Apartment Guidelines.

Traffic Impact, Access and Parking:

Refer to the comments from the Road Section.

Public Lighting:

Refer to the comments from the Transportation (Public Lighting) Section.

Water Services, Wastewater Services and Surface Water Treatment and Disposal:

Refer to comments from Water Services Section.

Waste Management/Environmental Protection:

Refer to comments from Environment Department.

Part V and Taking in Charge:

Refer to comments from Housing Department.

Childcare & Education:

Need to justify the scale and consider the educational requirements (schools) arising from the proposed development.

Art Work, Estate name & Broadband:

Compliance with SOC POL 53 regarding the requirement for a work of public art.
This should be conditioned.

Estate name should be approved by Meath County Council.

Broadband required to be conditioned.

Cultural & Archaeological Heritage:

An Archaeological (desktop) Report has been submitted.

Reference to a report from the Conservation Officer which raised no objection to the proposed development.

Flood Risk:

Refer to comments from the Environment Department (Flooding).

In particular concerns were raised that the southern boundary area of the development site is likely to be situated in Flood Zone A and Flood Zone B. The requirement for a SSFRA and Justification Test.

Fire Service Department:

Refer to comments from the Fire Service Department.

Appropriate Assessment and other Ecological Considerations:

Appropriate Assessment:

Screening for AA has been undertaken. The report highlights that the site is located within the catchment of the River Boyne and River Blackwater SAC (site code: 2299) and SPA (site code: 4232).

It is recommended that An Bord Pleanála consult with Inland Fisheries Ireland and the National Parks and Wildlife Service (DCHG) in relation to the proposed development. The Board as the competent authority is invited to clarify the status of the Draft NIS.

No Ecological Impact Assessment submitted.

A Bat Survey has been submitted and noted.

Environmental Impact Assessment:

The site exceeds 10 hectares in area, therefore an EIA is required to be carried out as per Class 10 Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) and an EIAR submitted.

Other Technical Reports:

The Planning Authority's opinion refers to comments and reports from other Sections/Departments. No copies of the reports are included with the opinion.

8.2.3 I have reviewed and considered all of the documentation submitted by the planning authority relating to this case.

8.3 Consultation Meeting

8.3.1 A Section 5 Consultation meeting took place via Microsoft Teams on the 12th day of May 2020, commencing at 2:30pm. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

8.3.2 The main topics raised for discussion at the tripartite meeting were as follows:

1. **Principle of Development** with reference to the zoning, local objectives and phasing requirements of Meath County Development Plan 2013-2019 and the Draft Meath County Development Plan 2020-2026.
2. **Development Strategy** with particular regard to the overall site layout and architectural approach; unit mix and typology, distribution, layout and hierarchy of open space; connections and permeability; finishes and materials; the location and scale of the neighbourhood centre, crèche and community centre; interface with the Farganstown Road under construction, quality of public realm.
3. **Traffic and Transport** with particular regard to road hierarchy and compliance with DMURS; parking provision; extent of the Farganstown Road shown along the site frontage.
4. **Drainage & Flooding.**
5. **Any other business.**

8.3.3 In relation to Principle of Development, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- On the land Use zoning, local objectives and phasing requirements of Meath County Development Plan 2013-2019 and the Draft Meath County Development Plan 2020-2026.
- In particular, Phase II Residential Lands, provision of a Neighbourhood Centre and restrictions set out under Land Use Objective A2 New Residential for the size of convenience stores.

8.3.4 In relation to Development Strategy, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- The overall site layout and architectural approach;
- Unit mix and typology,
- Distribution, layout and hierarchy of open space;
- Connections and permeability;
- Finishes and materials;
- The location and scale of the neighbourhood centre,

- The location and scale of crèche
- The location and scale of community centre;
- Interface with the Farganstown Road under construction,
- Quality of public realm.

8.3.5 In relation to Traffic and Transport, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Road hierarchy.
- Compliance with DMURS.
- Parking provision.
- Extent of the Farganstown Road shown along the site frontage and timelines for delivery.

8.3.6 In relation to Drainage and Flooding, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Response to issues raised by the Environment Department (Flooding) in the PA's Opinion.
- Flood Zones affecting the site.

8.3.7 In relation to Any other business, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Timelines on the Draft Meath County Development Plan 2020-2026.
- All Reports, Assessments, Surveys and Drawings to correlate at application stage.

8.3.8 The prospective applicant and the planning authority were given the opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting 306687' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

9.0 Conclusion and Recommendation

- 9.1 Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 and as amended by Section 50 of the Planning and Development (Amendment) Act 2018.
- 9.2 I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the section 28 Ministerial Guidelines, and local policy via the statutory plans for the area.
- 9.3 Having regard to all of the above, I recommend that **further consideration and/or possible amendment** of the documents submitted are required at application stage as set out in the recommended Opinion below.
- 9.4 Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **requires further consideration and amendment in order to constitute a reasonable basis for an application** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 9.5 I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision-making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

10.0 Recommended Opinion

- 10.1 An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the

Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

10.2 Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion, that the documentation submitted **requires further consideration and amendment to constitute a reasonable basis for an application** for strategic housing development to An Bord Pleanála.

10.3 In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development.

1. Principle of Development

Further consideration of documents as they relate to the Principle of the Development including a detailed report setting out:

- The rationale/justification for the development of the lands having regard to their zoning for Phase 2 Residential (Post 2019) under the Meath County Development Plan 2013 – 2019. The report should assess the quantum and location of Phase I lands within Navan which remain undeveloped. In line with the objectives of Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009), the report should investigate whether the subject lands are sequentially appropriate for development having regard to the extent of zoned land and extant permissions in the settlement.
- The rationale/justification for the development having regard to the Neighbourhood Objective POL 1 and Master Plan 12 objective (SS OBJ 16) of the Navan Town Development Plan (2009-2015) which forms part of the Meath County Development Plan 2013-2019 pertaining to the lands set out therein.

Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

2. Development Strategy

- Further consideration and/or justification of the documents as they relate to the development strategy for the site, in particular the rationale of the proposed residential layout and urban design response with particular regard to the creation of active and architecturally appropriate urban street frontages having regard to the site context. How the proposed elevational treatments ensure a qualitative design response with optimal passive surveillance of public open spaces throughout the scheme, the creation of strong edges within the scheme and addressing the New Farganstown Road.
- Further consideration and/or justification of the documents as they relate to the landscaping plan and the hierarchy, function and usability of public open spaces including the use/linking of green areas throughout the scheme and boundary treatment. Computer Generated Images and cross-sections through the streets and open spaces should be submitted to show changes in levels and inter alia, the interface of boundary treatments and to public open spaces/streetscape
- Further consideration and/or justification of the documents as they relate to the design, height and siting of the development to ensure an appropriate urban edge and treatment along the New Farganstown road (LIHAF road).

Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

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

1. Detailed rationale for the proposed residential density, housing mix and height with regard to the provisions of the current Meath County Development Plan

and relevant national and regional planning policy including the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual'); The 'Design Standards for New Apartments – Guidelines for Planning Authorities' (2018) and the 'Urban Development and Building Heights – Guidelines for Planning Authorities' (2018).

2. A housing quality assessment which provides the specific information regarding the proposed apartments required by the 2018 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements. A building lifecycle report for the proposed apartments in accordance with section 6.13 of the 2018 guidelines should also be submitted.
3.
 - (a) Traffic and Transport Impact Assessment (TTIA) of the development, the scope of which is to be discussed in advance with Meath County Council.
 - (b) A report demonstrating compliance with the principles and specifications set out in DMURS and the National Cycle Manual.
 - (c) A Parking Strategy and Mobility Management Plan.
 - (d) A Quality Audit that includes: a) Road Safety Audit, Access Audit, Walking Audit and Cycle Audit.
4. A report that addresses issues of residential amenity (both existing residents of adjoining development and future occupants of the proposed scheme). Full and complete drawings including levels and cross sections showing the relationship between the development and nearby residential properties should be submitted.
5. Visual Impact Assessment, including photomontages and cross sections at appropriate intervals for the proposed development including how the development will interface with contiguous residential developments to the

southwest and the Farganstown Road. It should also include long views towards the site from all approaches.

6. A Retail Impact Analysis and Report.
7. A report identifying the demand for school and crèche places likely to be generated by the proposal and the capacity of existing schools and crèches in the vicinity to cater for such demand.
8. Respond to issues raised in the Drainage Section contained in the Planning Authority's Opinion dated 13th March 2020.
10. An Ecological Impact Assessment
11. A draft Construction & Environmental Management Plan and a draft Waste Management Plan.
12. a) A phasing plan for the proposed development which includes the phasing arrangements for the delivery of the public open spaces, surface water management proposals having regard to sub-catchments within the scheme and Part V provision.
b) A site layout plan indicating all areas to be taken in charge.

Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. Irish Water
2. Transport Infrastructure Ireland
3. Inland Fisheries Ireland
4. Minister for Culture, Heritage and the Gaeltacht (archaeology and nature conservation)
5. Meath Childcare Committee.

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2018 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Dáire McDevitt
Planning Inspector

20th May 2020