



An
Bord
Pleanála

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

Inspector's Report ABP-307244-20

Strategic Housing Development

Demolition of existing structures,
construction of 212 no. residential units
(113 no. houses and 99 no.
apartments), crèche and all associated
site works.

Location

Grangend, Dunshaughlin, Co. Meath

Planning Authority

Meath County Council

Applicant

Loughglynn Development Limited.

Prescribed Bodies

1. Irish Water
2. Department of Culture, Heritage
and the Gaeltacht (DAU)

Observer(s)	15 no. submissions and observations – listed in Appendix 1.
Date of Site Inspection	1 st July 2020
Inspector	Paul O'Brien

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1.0 Introduction

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

2.0 Site Location and Description

- 2.1. The subject site of 7.907 hectares, comprises greenfield lands to the south/ south east of the Rathoath Road - R125 regional road and approximately 400 m to the north east of the centre of Dunshaughlin, Co. Meath. The subject lands consist of a number of large agricultural fields, with boundaries primarily in the form of hedgerows and trees. The R125 forms the northern/ north western boundary, 'Grange Park' residential development is located to the south west and 'Cnoc Tiarnach' residential development is located to the south and the south east. Agricultural lands form the boarder the site to the east. Two derelict cottages are located to the northern side of the site, along the southern edge of the R125.
- 2.2. A drainage channel crosses the site on a north west to south axis. The site is generally flat with a very gentle rise west of the drainage channel on a west to east axis and to the east of the drainage channel there is a fall on a north west to south east axis.
- 2.3. The R125 connects Dunshaughlin to Rathoath to the east, and continues eastwards to Ashbourne and Swords, Co. Dublin, to the west it extends to Kilcock. This regional road provides a circuitous link between the M1, M2, M3 and M4 motorways.
- 2.4. Public transport is provided in the form of bus services currently operated by Bus Éireann. Route 109 connects Dunshaughlin to Dublin via Blanchardstown and Kells via Navan, 109B also provides a link to Dublin and to Trim via Kilmessan. The other route serving Dunshaughlin is the 109A which serves Ashbourne, Dublin Airport and DCU and northwards to Navan and Kells. This route is altered at night to serve Dublin City Centre and combined with the other two routes, Dunshaughlin has a 24-hour service to the City Centre and Navan/ Kells.

3.0 Proposed Strategic Housing Development

3.1. The proposal, as per the submitted public notices, comprises the demolition of structures, the construction of 113 no. houses and 99 no. apartments, crèche and all associated site works.

The following tables set out some key elements of the proposed development:

Table 1: Key Figures

Site Area	7.907 hectares
Net Development Area	5.808 hectares
No. of Houses	113
No. of Apartments	99
Total	212
Density –	
Total Site Area	26.6 units per hectare
Net Development Area	36.5 units per hectare
Part V Provision	
Houses	9
Apartments	12
Total	21
Public Open Space Provision	0.9149 hectares
Childcare Provision	1 Crèche – Floor area of 396.22 sq m.
Car Parking –	
Houses	226
Apartments	126
Crèche	20
Total	372
Bicycle Parking	264

Table 2: Apartments - Unit Mix

	1 Bed – 2 Person	2 Bed – 4 Person	3 Bed – 5 Person	Total
Block A – 3 Storey	2	12	1	15
Block B - 3 Storey	2	12	1	15
Block C – 3 Storey	2	12	1	15
Block D – 3 Storey		18		18
Block E – 3 Storey		18		18
Block F – 3 Storey		18		18
Total:	6	90	3	99

Table 3: Houses – Unit Mix

	Detached	Semi-Detached	Terraced	Total
3 Bed	4	48	40	92
4 Bed	3	16	2	21
Total	7	64	42	113

- 3.2. Three new vehicular accesses, onto the R125, are to be provided to the northern side of the site. The access to the north east corner will provide a junction and section of road that forms part of the future Dunshaughlin Distributor Road. In addition to the new access points, connections to the existing road network in Grange Park to the south of the site, will also be provided. Pedestrian links to adjoining lands and within the site are also proposed.
- 3.3. Water supply and foul drainage connections to the existing public network will be provided. An Irish Water Pre-Connection Enquiry in relation to water connections was submitted with the application, as required. Irish Water stated no objection to the proposals in their response.

- 3.4. A central area of public open space is proposed, and which incorporates the existing watercourse that crosses through the site. Passive and active recreation in the form of a playground are proposed within this central 'civic park'. Additional areas of open space in the form of pocket parks are provided throughout the site. Communal open space is provided adjacent to the apartment blocks.
- 3.5. An Environmental Impact Assessment Screening Report prepared by McGill Planning was submitted with the application.
- 3.6. A Natura Impact Statement prepared by Whitehill Environmental was submitted with the application.
- 3.7. A number of other documents were submitted in support of the application, including the following:
- Daylight & Sunlight Assessment – Prepared by Digital Dimensions
 - Outline Construction Environmental Management Plan (OCEMP) – Prepared by Traynor Environmental Ltd.
 - Operational Waste & Recycling Management Plan (OWRMP) – Prepared by Traynor Environmental Ltd.
 - External Lighting Report – Prepared by Coffey Consulting Engineering.
 - Ecological Impact Assessment – Prepared by Whitehill Environmental
 - Bat Assessment - Prepared by Donna Mullen
 - Engineering Assessment Report – Watermain Moylan
 - Traffic and Transport Assessment – Waterman Moylan
 - Arboricultural Report - Tree Survey, Arboricultural Impact Assessment & Arboricultural Method Statement – Charles McCorkell Arboricultural Consultancy
 - Landscape Report – Jane McCorkell, Landscape Architect
 - Architectural Design Statement – oda
 - Archaeological Pre-Development Testing at Grangend Common & Dunshaughlin, Co. Meath – Dominic Delany & Associates

4.0 Planning History

Subject Site

There have been no applications on any part of this site since 2008. A full planning history is provided in the Meath County Council Chief Executive Report and I will provide a summary here of relevant applications:

P.A. Ref. DA802808/ ABP Ref. 233893 refers to a September 2009 decision to refuse permission for 50 residential units, in the form of 27 houses and 23 apartments, including realignment of the Ratoath Road and construction of a segment of the proposed relief road for Dunshaughlin. A single reason for refusal was issued as follows:

‘The site is a Greenfield site located on the northern edge of Dunshaughlin town, where the preparation of the Dunshaughlin Local Area Plan is currently in progress. Development of the kind proposed would be premature pending the adoption of the Local Area Plan, which will guide the appropriate form of development on the site in accordance with the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area’.

P.A. Ref. DA70574 refers to a January 2008 decision to refuse permission for the demolition of a derelict building and the construction of 255 residential units and a sessional day care crèche for 80 children. The residential units comprise of 55 houses and 200 apartments. The proposed development included the construction of a segment of the proposed relief road for Dunshaughlin and the realignment of the existing Ratoath road, a new site entrance off the Ratoath Road, on site carparking, footpaths, site services and all associated site works.

P.A. Ref. 98855 refers to a May 1998 decision to refuse permission for the demolition of an existing house and the construction of a new house, bicycle treatment system and new vehicular entrance.

P.A. Ref. 95482 refers to an October 1995 decision to refuse permission for an extension to an existing cottage and the provision of a new septic tank and percolation area.

Adjacent Sites:

P.A. Ref. RA180619 refers to a December 2018 decision to grant permission for an extension to the Grange Park development (south of the subject site) and will consist of the construction of 1 no. five bedroom detached house, 5 no. four bedroom detached houses and 4 no. four bedroom semi-detached houses with access via Grange Park (Ref. RA/170527), connection to Grange Park services, provision of additional public open space, new cycle track and public footpath along Western boundary, landscaping and associated site works. The proposed development also consists of the demolition of 2 no. existing habitable dwelling houses, 1 no. barn and 1 no. shed.

P.A. Ref RA/170527 refers to an August 2017 decision to grant permission for the demolition of an existing single storey habitable dwelling and existing sheds, construction of 6 no. five bedroom detached dwellings and 16 no. four bedroom detached dwellings, create new entry point to public road, new roads and paths, open space, landscaping and all associated site works.

5.0 Section 5 Pre-Application Consultation

- 5.1. A Section 5 Pre-Application Consultation took place at the offices of An Bord Pleanála on the 11th of December 2019; Reference ABP-305822-19 refers. Representatives of the prospective applicant, the Planning Authority and An Bord Pleanála attended the meeting.
- 5.2. An Bord Pleanála was of the opinion having regard to the consultation meeting and the submission of the Planning Authority, 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.

The prospective applicant was advised that the following issues were to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development:

The Treatment of the Ratoath Road – R125. Documents to demonstrate the upgrade of this road in compliance with DMURS and to be able to function as a safe, attractive and comfortable street. The submitted documents to demonstrate that adequate access would be maintained to existing houses on the Ratoath Road and that cycle facilities would be provided on that road and on the proposed part of the outer relief road which would serve cycle movements in both directions and across junctions in accordance with the standards set out in the National Cycle Manual. Specific references to the National Cycle Manual and DMURS, general or unsupported assertions were not acceptable.

Furthermore, Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant was 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. Plans showing the proposed development in relation to the development to the south authorised under ABP-303433-19 and illustrating how the proposed development would be compatible with the completion of the planned outer relief road to the east of the town.
2. A Site-Specific Flood Risk Assessment Report. The prospective applicant was advised to consult with the relevant section of the Planning Authority prior to the completion of this report and which was to describe this consultation and clarify if there are any outstanding matters on which agreement has not been reached with regard to surface water drainage.
3. An appropriate assessment screening report.
4. An archaeological impact assessment report.

5. A housing quality assessment which provides the specific information regarding the proposed apartments required by the 2018 Guidelines on Design Standards for New Apartments and the assessment to demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements.
6. Details of proposed boundary and surface treatments throughout the development, and of landscaping and planting.
7. A draft construction management plan
8. A draft waste management plan.

5.3. Finally, a list of authorities that should be notified in the event of the making of an application were advised to the prospective applicant and included:

1. Irish Water
2. The Minister for Culture, Heritage and the Gaeltacht,
3. The Heritage Council
4. An Taisce

5.4. **Applicant's Statement**

A 'Statement of Response to An Bord Pleanála Opinion' was submitted with the application, provided for under Section 8(1)(iv) of the Act of 2016. This statement attempts to address the points raised and outlined above.

Treatment of the Ratoath Road – R125. The site layout has been revised and the section along the Ratoath Road designed as a street, road frontage development is introduced, layout is in accordance with DMURS and an additional vehicular access point is proposed. Access to the existing houses on this stretch of road are protected. Revised signage is proposed here including 'Gateway' signage.

The following information was also provided in response to the opinion, items 1 to 8:

1. Drawings included that demonstrate how the outer relief road/ distributor is to be provided and connect into other phases of this road.
2. A 'Site Specific Flood Risk Assessment' has been prepared and is included with the application.
3. A 'Natura Impact Statement' has been prepared and submitted. Mitigation measures have been incorporated into the 'Method Statement for the Stream Realignment' and the 'Outline Construction Environmental Management Plan', which are also included with the application.
4. A revised 'Archaeological Pre-Development Testing Report' has been prepared and submitted with the application. Test trenches were dug, and some material was found. It is recommended that archaeological monitoring be undertaken.
5. A revised housing quality assessment has been prepared and submitted with the application.
6. A Landscape Masterplan' includes boundary treatment details etc.
7. A 'Draft Construction & Environmental Management Plan' has been prepared and submitted with the application.
8. An 'Operational Waste & Recycling Management Plan' has been prepared and submitted with the application.

The submitted details address each of the items raised in the opinion and in addition to the above, some further amendments to the layout/ development have been made.

6.0 Relevant Planning Policy

6.1. National Policy

6.1.1. Project Ireland 2040 – National Planning Framework (NPF)

Chapter 4 of the NPF is entitled 'Making Stronger Urban Places' and it sets out to enhance the experience of people who live, work and visit the urban places of Ireland.

A number of key policy objectives are noted as follows:

- National Policy Objective 4 seeks to ‘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 11 provides that ‘In meeting urban development requirements, there be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth’.
- National Planning Objective 13 provides that “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”.

Chapter 6 of the NPF is entitled ‘People, Homes and Communities’ and it sets out that place is intrinsic to achieving a good quality of life.

A number of key policy objectives are noted as follows:

- National Policy Objective 27 seeks to ‘Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages’.
- National Policy Objective 33 seeks to ‘Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location’.
- National Policy Objective 35 seeks ‘To increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights’.

6.1.2. **Regional Spatial and Economic Strategy (RSES) 2019 – 2031**

- The Eastern & Midland Regional Assembly 'Regional Spatial & Economic Strategy 2019-2031' provides for the development of nine counties including County Meath and supports the implementation of the National Development Plan (NDP). Dunshaughlin is included in the 'Sustaining Growth Towns' category in Table 4.1. Such urban places are to be targeted for consolidation with investment to improve local employment opportunities, services and the provision of sustainable transport. These villages/ towns are to be developed to be self-sustaining urban places.

6.1.3. **Section 28 Ministerial Guidelines**

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

- 'Urban Development and Building Heights - Guidelines for Planning Authorities' – (DoHPLG, 2018)
- 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities' (DoHPLG, 2018)
- 'Design Manual for Urban Roads and Streets' (2013)
- 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual') (DoEHLG, 2009)
- 'Quality Housing for Sustainable Communities' (DoEHLG, 2007).
- 'The Planning System and Flood Risk Management' including the associated 'Technical Appendices' (DEHLG/ OPW, 2009).
- 'Childcare Facilities – Guidelines for Planning Authorities' (2001)
- 'Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020'.
- 'Transport Strategy for the Greater Dublin Area 2016 – 2035'.

6.2. **Meath County Development Plan**

- 6.2.1. The Meath County Development Plan 2013 - 2019 is the current statutory plan. The Plan designates Dunshaughlin as a moderate sustainable growth town. Various footnotes in the plan state that Dunshaughlin will become a Moderate Sustainable Growth Town following the granting of permission of a railway order for the Navan Rail Line Phase II, including a station at Dunshaughlin, as also stated in the RPGs. However, elsewhere in the plan, it is stated that until such time as the railway order for Phase II is approved, Meath County Council considers that the town must develop in a manner consistent with that of a Moderate Sustainable Growth Town, i.e. focusing on self-sustaining, integrated and compact development.
- 6.2.2. Chapter 3 of the County Development Plan deals with the settlement strategy and housing for the County.

Relevant objectives include:

SS OBJ 1 'To secure the sustainable development of County Meath in accordance with the settlement hierarchy set out in Table 3.2. In doing so, development will be primarily directed towards the identified Large Growth Towns. In towns and villages, development will facilitate in the first instance, the consolidation of settlements and the integration of land use and transport. The expansion of urban areas where it is necessary to facilitate growth as set out in the Development Plan shall promote mixed use development and be guided by the sequential approach in order to create a compact urban form and facilitate sustainable modes of transport'.

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

SS OBJ 6 'To have regard to capacity in social infrastructure, when assessing applications for residential development. Planning applications for 200 or more dwelling units must be accompanied by a report identifying the demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand and an audit of the social infrastructure and community facilities available to serve the proposed development'.

SS OBJ 11 'To ensure that Moderate Sustainable Growth Towns develop in a self-sufficient manner with population growth occurring in tandem with physical and social infrastructure and economic development. Development should support a compact urban form and the integration of land use and transport'.

6.2.3. Volume 5 of the County Development Plan provides a number of specific policies and objectives for the development of Dunshaughlin. The following are noted as relevant to this site.

SP 1 'To operate an Order of Priority for the release of residential lands in compliance with the requirements of CS OBJ 6 of the County Development Plan as follows:

- i) The lands identified with an A2 'New Residential' land use zoning objective corresponds with the requirements of Table 2.4 Housing Allocation & Zoned Land Requirements in Volume I of this County Development Plan and are 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 within the life of this Development Plan'.

FR POL 1 'To manage flood risk and development in Dunshaughlin in line with policies WS 29 – WS 36 inclusive in Volume I of this County Development Plan'.

6.2.4. The site is located lands that are subject to two principle land use zonings.

- The largest proportion of the site is located on lands subject to zoning objective 'A2' New Residential – 'To provide for new residential communities with ancillary community facilities, neighbourhood facilities and employment uses as considered appropriate for the status of the centre in the Settlement Hierarchy'.
- The balance of the site is subject to objective 'F1' Open Space – 'To provide for and improve open spaces for active and passive recreational amenities'.
- There is a small area of 'white land' to the south east of the site and this is land with no specific zoning objective and lies outside of the 'Development Area Boundary' for Dunshaughlin.

The lands are also subject to a number of Specific Objectives as follows

- The 'A2's zoned lands are also designated as 'Residential Phase II (Post 2019)'
- A 'Major Distributor Road' is indicated as crossing the site on a north to south axis.
- A section of the R125 is indicated as part of a 'Major Distributor Road'.

6.3. Dunshaughlin Local Area Plan

6.3.1. The Dunshaughlin Local Area Plan 2009 – 2015 was significantly altered by Amendment no.1 in 2015 and which included:

- 'the land use zoning objectives and an order of priority for the release of residential and employment lands, and associated policies and objectives together with
- the land use zoning objectives map'

6.3.2. The land use zoning map for Dunshaughlin was amended to replicate the land use zoning map included in Volume 5 of the Meath County Development Plan 2013 – 2019. This amendment brought the Local Area Plan to be in line with the county development plan and National Guidance.

6.4. The applicant has submitted a detailed and comprehensive statement of consistency with national and county planning policy. A particular emphasis has been made in demonstrating compliance with the 'Residential Phase II' designation of the residential zoned lands. In summary, all Phase I lands have been developed/ have the benefit of a planning permission for their development. It is also noted that the site is close to the town centre, public transport is available in the area, community facilities are available, there is a need for a new road which the development can facilitate and the development of this site would be consistent with the sequential approach to urban development.

7.0 Third Party Submissions

7.1. A total of 17 submissions were received. Irish Water, and the Department of Culture, Heritage and the Gaeltacht (DAU) as prescribed bodies, a submission from the Cnoc

Tiarnach Residents Association and the other submissions were from residents from the Dunshaughlin area.

The submissions from residents/ the residents association can be summarised as follows:

- Concern about impact on existing residential amenity with particular reference to the Cnoc Tiarnach development to the south of the subject site.
- Concern about the increase in traffic in the area arising from the development, submitted information do not offer any comfort in this regard. The proposal will give rise to 'rat runs' in the area.
- Concern about the road layout and a number of safety concerns are identified.
- Traffic survey fails to take account of all development in the area including a new Aldi retail unit.
- Insufficient car parking to serve the development.
- There is a need for the distributor road to be fully complete before any development, otherwise the development is premature.
- Identified a block size larger than is recommended in DMURS.
- There is a level difference between the subject site and the existing Cnoc Tiarnach development which may give rise to overbearing and overlooking issues. Also, a potential road safety issue for if a car loses control it may fall into Cnoc Tiarnach.
- Need for a suitable boundary to the south of the site to screen the existing residential development and also to protect from noise/ nuisance.
- Submitted contiguous elevations/ CGIs do not provide a view from the existing residential development to the south of the site.
- The proposed development will contradict the Draft Meath County Development Plan 2020 – 2026.
- Will result in overdevelopment of the area and density is too high.
- Development is dependent on the extension of the railway to Navan with a station at Dunshaughlin. The existing bus service cannot cater for additional demand.

- The proposed childcare facility does not comply with the Childcare Guidelines.
- The submitted plan is different to that presented to residents in the area.
- Part of the site is subject to Article 27 notice – soil and stone removal.
- Concern about flooding as the site is adjacent to a high-risk flood zone.
- History of refusal on this site.
- Devaluation of property through a change in housing character/ number of units proposed.
- Concern about the economic outlook and potential for incomplete development of this site.

8.0 Planning Authority Submission

8.1. The Chief Executive's report, in accordance with the requirements of section 8(5)(a) of the Act of 2016, was received by An Bord Pleanála on the 22nd of July 2020. The report states the nature of the proposed development, the site location and description, submissions received and details the relevant Development Plan policies and objectives. The CE report also includes a summary of the views of the elected members of the Ratoath Municipal District held on the 15th of July 2020, and these are outlined as follows:

- Concern raised about the current traffic volumes and speed on the R125. There is a need for the upgrade of this road.
- Queried the effectiveness of houses along the R125 in slowing traffic. Concern that the residents of these houses may be negatively impacted by traffic noise.
- Queried the demand for apartments in Dunshaughlin.
- The proposal should not include any block in excess of three storeys.
- Concern that the density would not be in keeping with the character of Dunshaughlin.
- A number of issues raised in relation to the crèche including the need for it to be provided early on in the development of the site, that an operator be found to run it and query if there was adequate green space to serve it.

- Identified the need for adequate open space, park and playground facilities to serve the proposed and existing developments in the area.
- Noted a recent survey on the types of housing required for social housing. There is a need for one and two-bedroom units but also there is a need for larger family type houses.
- Need for step-down housing, would the smaller units suit the elderly when there is a preference for bungalow rather than apartment type units.
- Queried the overall car parking provision including the provision for the crèche and playgrounds.

8.2. The following is a summary of the 'Key Planning Considerations' raised in the assessment section of the Chief Executive's report:

8.2.1. **Principle of the Development Proposal and Planning Policy** – Dunshaughlin is designated as a 'Moderate Sustainable Growth Town' in accordance with the Meath County Development Plan 2013 – 2019. The development lands are zoned 'A2' and are designated as Phase II development, which precludes the Planning Authority from considering residential development on these lands within the current plan period. The Draft Meath County Development Plan is currently on display, it is not proposed to bring forward all of the lands for rezoning from Phase II to Phase I Residential. Table 8.0 is provided which outlines the number of units allocated under the Core Strategy, the number of units permitted etc. Core Strategy allocates a total of 1,082 units/ circa 1,156 units are extant – quantum of units is in excess of core strategy.

8.2.2. **Density, Layout & Phasing**

The applicant was advised during Section 247 consultation to refer to development management standards set out in the Meath County Development Plan in addition to the zoning objectives and all National guidance. Net density is 36.50 units per hectare. Refers to Section 11.2.1 of the Meath County Development Plan and that the issue of density cannot be considered only in numerical terms, but regard must be had to the impact on the character of the area. The report states that 'The Planning Authority are of the view that the proposed density is consistent with the County Development Plan and the character of the surrounding area. Layout is noted and the type of residential is generally acceptable, however the Board are

invited to consider revised house types with reduced bedroom numbers in order to facilitate step-down housing opportunities. Standards are generally met.

8.2.3. Open Space, Landscaping and Boundary Treatment

Sets out the Meath County Development Plan requirements for public open space – 3.2 hectares per 1000 population or a minimum of 15% of a site. 15.75% is proposed and the centrally located space is accessible and benefits from passive surveillance. The Planning Authority consider that the development would benefit from a playground and additional play facilities to serve future residents. Private amenity space, landscaping and boundary treatment details are considered.

8.2.4. Access, Traffic, Parking & Public Lighting

Comments are provided by the Transportation Department of Meath County Council. Note the submitted traffic surveys/the locations where undertaken, current road layout, public transport provision and zoning. The proposed development in relation to road/ footpaths and cycling provision is considered in depth by the Transportation Department. The transition from rural road to town street has not been appropriately addressed along the R125. Recommend that this be revised in accordance with DMURS Advisory Note 1 – ‘Transitional Zones and Gateways’. Generally, the trip generation and distribution is acceptable though some inconsistencies are noted. Traffic growth assessment uses 2016 rather than 2019 information. It is noted that relevant road junctions are operating within capacity. The assessment does not include the R147/ Lagore Road Junction and the development may impact on the operational safety and capacity of this junction. This road should be upgraded to be a signalised junction and a suitable design/ special levy will be sought to undertake these necessary works.

There is a need for the applicant to indicate the anticipated traffic volumes during the construction phase of development and a preliminary Construction Traffic Management Plan is also recommended. A Road Safety Audit (Stage 1) has been submitted but no Quality Audit has been submitted as part of the application. Internal street and junction geometry are in accordance with DMURS. Access junctions provide for sightlines of 90 m at a setback of 2.4 m, sightlines of 65 m would be sufficient for a road with a posted speed of 60 kmh. May need to revise the

location of trees which may affect the sightlines at these junctions and trees should not be within 0.5 m of the edge of any cycle facility.

Recommend that mid-block pedestrian and cyclist crossings be provided in a number of indicated locations. In addition, the proposed shared surface 'Home Zones' on a number of indicated streets should be revised. The interaction of cycle track and sides roads may need revision along the R125. Other road revisions are outlined by the Transportation Department.

An adequate amount of car and bicycle parking is proposed to serve this development. Bicycle parking spaces should be accessible to residents. The submitted taking in charge drawing is acceptable and proposed materials should be in accordance with MCC Taking in Charge Policy document.

A contribution of €306,500 is proposed towards the development of the Dunshaughlin Distributor Road. Public lighting is to be in accordance with MCC standards.

8.2.5. Water Management, Wastewater & Water Supply

The proposed surface water system and treatment meets the requirements of Meath County Council subject to addressing a number of technical issues to the satisfaction of the county council.

There is no objection to the proposed development in relation to demonstrating compliance with CFRAMS flood mapping/ requirements. The site is located within an designated as Flood Zone C – low risk of flooding. A number of technical conditions are recommended to be attached to a grant of permission.

8.2.6. Waste Management, Environmental Protection & Public Health

Notes that the applicant submitted a 'Bat Assessment' report, an 'Operational Waste & Recycling Plan' and an 'Outline Construction Environmental Management Plan' and the comments within should be considered by the Board.

8.2.7. Particulars Relating to Construction Stage

A construction and demolition waste management plan should be developed by the applicant. The removal of material from the site should be carefully considered in the applicant's programme/ Construction Management Plan (CMP) and Waste

Management Plan (WMP). Other considerations to be made in relation to the CMP and WMP – to be provided by way of condition.

8.2.8. **Part V Housing, Development Contributions & Taking in Charge**

19 residential units (Nine houses and 10 apartments) are to be built and transferred to the Local Authority – The MCC Housing Section have issue an ‘Agreement in Principle’ letter to the applicant. Contributions are recommended to be in accordance with the MCC Development Contribution Scheme 2016 – 2021 as amended and taking in charge to be in accordance with the MCC Taking in Charge policy document.

8.2.9. **Childcare Facility and School Assessment**

8.2.10. The proposed facility can accommodate 60 children which is in excess of the minimum requirement of 57 children. This is acceptable and the Planning Authority request that if permitted, that the facility be provided at an early stage of the development.

No Schools Capacity Assessment or Social Infrastructure report have been provided in accordance with the objectives of the Meath County Development Plan 2013 – 2019.

8.2.11. **Other: Artwork, Estate Name & Broadband**

The Planning Authority request that a condition be provided in relation to the installation of a suitable artwork on site and that the Estate Name be conditioned to be agreed with the Planning Authority. No information has been provided as to how broadband will be facilitated in this development.

8.2.12. **Heritage Impacts**

Note the comments of the Department of Culture, Heritage and the Gaeltacht in relation to archaeological protection and recommend that a condition be attached in this regard. Also note a previous application on site that sought the retention of a vernacular house on site, however, it is also noted that there are no structures listed for protection on site.

The comments of the Department of Culture, Heritage and the Gaeltacht in relation to biodiversity are noted. There does not appear to be significant numbers of bats on site, however careful/ suitable mitigation measures should be provided. The loss

of hedgerow is regrettable, the diversion of an existing stream need careful consideration and conditions are recommended in this regard.

The site lies within the boundary of the Dunshaughlin County Geological Site (MH028) and where a large depression of over 1 sq km in area consists of silica. It is recommended that consultation be held with the Geological Survey of Ireland.

A number of trees are to be removed in addition to the loss of hedgerow. It is noted that approximately 536 trees will be planted on site.

8.2.13. Environmental Assessment

A Natura Impact Assessment has been prepared and is submitted with the application. The site is not within a Natura 2000 sites and three designated sites (River Boyne SAC/ SPA, River Blackwater SAC/ SPA and The Rye Water Valley/ Carton SAC) are within 15 km of the site. The NIA was prepared as there is hydrological connectivity between the site and Malahide Estuary SAC/ SPA which is 25 km downstream via the Broadmeadow River.

Environmental Impact Assessment is not required as the site area is 7.907 hectares and is for 212 housing units; the thresholds for site area and development totals are not met. An Environmental Impact Assessment Report Screening Report has been prepared.

8.2.14. Submissions

A total of 15 submission were received and are noted. All issues have been considered in the report from the Planning Authority. The proposed development has been brought to and described to the relevant Municipal District – Athboy, in accordance with Section 8(4)(c)(ii) of the 2016 Act.

8.2.15. Copies of all referenced internal reports have been included with the Planning Authority report.

8.3. The Planning Authority recommended standard conditions in relation to Development Contributions, Taking in Charge, Childcare Facilities, Artwork, Estate Name, Broadband Provision, Archaeology and Natural Heritage.

9.0 Prescribed Bodies

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

- Irish Water
- The Minister for Culture, Heritage and the Gaeltacht,
- The Heritage Council
- An Taisce

9.2. Irish Water and the Department of Culture, Heritage and the Gaeltacht responded, and the following is a brief summary of the issues raised.

Irish Water:

Irish Water has issued a Confirmation of Feasibility for the development of 225 no. residential units to connect to the public water and wastewater networks. The applicant has engaged with Irish Water and has submitted design proposals and Irish Water has issued a Statement of Design Acceptance. Irish Water has requested that in the event that permission is granted that a condition be included as follows:

‘The applicant is required to obtain a connection agreement with Irish Water prior to any works commencing on site and to connecting to our network. All development is to be carried out in compliance with Irish Water Standards codes and practices’.

A minor revision was made to the original recommended condition – letter dated 3rd July 2020 confirms the above condition.

Department of Culture, Heritage and the Gaeltacht:

With regard to Archaeology, the National Monuments Service (NMS) note the submitted archaeological testing report and recommend conditions in the event that permission is granted.

The National Parks and Wildlife Service noted the submitted documentation. Regret the removal of the townland hedgerow, note bat activity reports undertaken in September 2019 and the finding of only one bat on site, and the realignment of the stream is also considered. The stream directly connects into the Ratoath Stream and in turn the Broadmeadow River and Malahide Estuary some 26 km downstream

of the site. There is potential for pollution from run-off sediments/ silts from the site if not properly undertaken. Conditions are again recommended in the event that permission is granted.

10.0 **Assessment**

10.1. The Board has received a planning application for a housing scheme under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. My assessment focuses on the relevant section 28 guidelines and I examine the proposed development in the context of the Meath County Development Plan, the statutory plan for the area. In addition, the assessment considers and addresses issues raised by any observations on file, under relevant headings. I have visited the site and its environs.

The assessment of the development is therefore arranged as follows:

- Principle of Development
- Material Contravention
- Phasing of Development
- Design and Layout
- Transportation and Traffic
- Residential Amenity
- Childcare and Part V Social Housing Provision
- Infrastructure and Flood Risk
- Other Matters
- Appropriate Assessment – Natura Impact Statement
- Environmental Impact Assessment
- Ecological Impact Assessment

10.2. **Principle of Development**

10.2.1. Having regard to the nature and scale of proposed development which is in the form of 212 residential units consisting of 113 houses and 99 apartments on lands zoned for residential development, I am of the opinion 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.

- 10.2.2. I note the concerns raised by third parties regarding overdevelopment and that the residential zoning for these lands is to be removed as set out in the draft county development plan. The comments contained within the Chief Executive's report are noted regarding the Core Strategy and in particular the comment that 'The quantum of extant units in Dunshaughlin is in excess of the Core Strategy Allocation set out in the 2013 – 2019 CDP'. The CE report then comments on site density and considers this to be consistent with the CDP and also with the character of the surrounding area.
- 10.2.3. As already identified, the majority of the site is zoned 'A2' – new residential development and the proposed housing is located on these lands. The remaining parts of the site are zoned 'F1' – open space and white lands; these parts of the site are proposed for open space/ recreational uses and I consider the proposed uses of these lands to be acceptable. The use of white lands for open space provision is acceptable. The zoning is appropriate for residential development and associated open space provision. These lands have been zoned since at least 2013 for such development and whilst I note the comments made in the third party submissions regarding the draft county development plan, this plan is not in place at present and may undergo further revision before coming into force.
- 10.2.4. The development incorporates a section of the indicative 'Major Distributor Road'. This is located to the western edge of the site and is considered to be acceptable. This road is accessed to the south of the R125 and provides for a single connection to the development almost midway along the western side and continues south, terminating at the southern boundary of the site. Full pedestrian and cycle provision are made, and a number of pedestrian accesses are provided to this road thereby providing for suitable permeability.
- 10.2.5. Childcare provision in accordance with the Childcare Guidelines is made in the form of a crèche located to the north east corner of the site. This is considered further in this report.

10.2.6. In conclusion, I consider that the proposed development of these lands in the manner outlined are acceptable in terms of the zoning objectives that apply to this part of Dunshaughlin.

10.3. **Material Contravention**

10.3.1. The 'A2' zoned lands for which the development is located on also have the designation for 'Phase II' development and which was to take place post 2019. A footnote included within the Core Strategy states 'Dunshaughlin will become a Moderate Sustainable Growth Town following the granting of permission of a railway order for the Navan Rail Line Phase II, including a station at Dunshaughlin'. Chapter 3 – Settlement Strategy & Housing of the plan states 'The Meath County Development Plan 2007–2013 identified the potential for Dunshaughlin to achieve the role of Moderate Sustainable Growth Town. This has been recognised in the Regional Planning Guidelines for the Greater Dublin Area 2010 which state that the town will be classified as a Moderate Sustainable Growth Town following the granting of permission for a railway order for Phase II of the Navan Rail Line, including a station at the town. Until such time as the railway order for Phase II is approved, Meath County Council considers that the town must develop in a manner consistent with that of a Moderate Sustainable Growth Town, i.e. focusing on self-sustaining, integrated and compact development'.

10.3.2. The Chief Executive report states 'While residential development is permitted on A2 New Residential Lands, the Planning Authority is currently precluded from the consideration of residential development on A2 New Residential/ Residential Phase II (Post 2019) lands within the current Plan period'. The report then refers to the Statement of Consistency submitted with the application and that 'An Bord Pleanála is invited to consider the above in their assessment of the application'.

10.3.3. The Statement of Consistency outlines the current situation regarding residential development in Dunshaughlin. Reference is made to development to date and that during the adjudication of ABP Ref. 303433, the Planning Authority outlined that all lands within Phase 1 had been developed or had extant planning permissions. The Planning Authority through the CE report state that there is circa 2.5 hectares of

Phase 1 lands with no extant permission. The applicant does not refer to any issue of Material Contravention in their submitted documentation.

10.3.4. I do not consider that the development as submitted is a Material Contravention in terms of the zoning that applies. The lands are zoned for residential and open space use and the submitted development is for such uses. The issue of Material Contravention having regard to Phase II lands (Post 2019) is an appropriate consideration. There are a number of reasons why I do not consider that this is a Material Contravention. The application was lodged in 2020 and if permitted, development of the site would be post 2019, in accordance with the objective. I note the decision taken by the Board with respect to ABP Ref. 303433 for a substantial residential development on lands to the north of the R147/ Dublin Road, Dunshaughlin. Part of these lands were designated for Phase II development; however, it was considered appropriate that permission be granted and that the section of lands designated as Phase II not be commenced until after 2019 in accordance with the submitted phasing plan. A similar consideration applies to the subject case.

10.3.5. No railway order has been progressed for the development of the Navan Rail Line and the 'Transport Strategy for the Greater Dublin Area 2016 – 2035' states the following 'The corridor previously identified for a rail link to Navan should be protected from development intrusion pending a re-evaluation, as part of the next Strategy review, of the likely future usage of such a rail connection, taking into account the level of development that will have taken place over the next six years in Navan and Dunshaughlin and their environs, together with any additional or revised information on the future development potential of these areas then available'. The non-Phase II 'A2' zoned lands in Dunshaughlin have been developed or have grants of permission for development. It is therefore logical that consideration be made to the development of these residentially zoned lands.

10.3.6. While I am satisfied that the proposed development does not Materially Contravene the Meath County Development Plan and I would further note the Planning Authority in the Chief Executive's Report has not cited this as a recommended reason for refusal or consideration to deter An Bord Pleanála from considering the case positively, in the event that the Board considers this to be relevant, I have examined the provisions of Section 37(2)(b). Section 37(2)(b) of the Planning and

Development Act, 2000 as amended states that where a Planning Authority has decided to refuse permission on the grounds that a proposed development materially contravenes the development plan, the Board may only grant permission in accordance with *paragraph (a)* where

it considers that—

- (i) the proposed development is of strategic or national importance,
- (ii) there are conflicting objectives in the development plan, or the objectives are not clearly stated, insofar as the proposed development is concerned, or
- (iii) permission for the proposed development should be granted having regard to the regional spatial and economic strategy for the area, guidelines under *section 28*, policy directives under *section 29*, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or
- (iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.

10.3.7. Having regard to the characteristics of the proposed development, Section 37 (2)(b) (i), (iii) and (iv) are considered relevant in this instance.

Section 37(2)(b)(i)

The proposed development falls within the definition of Strategic Housing as set out in the Planning and Development (Housing) and Residential Tenancies Act 2016 and by the government's policy to provide more housing set out in Rebuilding Ireland – Action Plan for Housing and Homelessness as issued in July 2016, the proposed material contravention is justified by reference to section 37(2)(b)(i) of the act.

Section 37(2)(b)(iii)

- National Policy Objectives 4 and 33 of the National Planning Framework which support the creation of high-quality urban places and provide for housing in a location that can support sustainable development in such locations.

- Section 4.7 of the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Region 2019 - 2031 which indicates that Self-Sustaining Growth Towns and Self-Sustaining Towns act as important local drivers in providing a range of functions including housing.
- SPPR1 and SPPR4 of the Urban Development and Building Heights Guidelines, 2018 which support increased densities and a mix of housing typologies.

Section 37(2)(b)(iv)

The proposed development falls within the definition of Strategic Housing and the proposed material contravention is justified by reference to section 37(2)(b)(iv) of the act for the following reasons:

- Lands to the south are in residential use and in addition to the zoning of the site, it is apparent that the intention was to continue development northwards in a similar form to that already in place to the south.
- The development of these lands would complete/ finish the development of lands between Dunshaughlin town centre and the R125.

10.3.8. The subject application is for a development of 212 residential units and I consider that the development of these Phase II lands would be appropriate for a number of reasons as follows.

(Note: I am only commenting on the issue of phasing at this stage and no other matters such as the appropriateness of the layout, open space provision etc.)

- Firstly, the lands have been deemed suitable for residential development in terms of the zoning that applies and in addition to the housing that can be provided, open space has been provided for, to serve future residents and which utilises lands zoned for such purposes. Whilst the Meath County Development Plan is currently under review, the 2013 – 2019 plan remains in place, though demand for housing does not necessarily stop in conjunction with such a review. It has been identified that very little Phase 1 housing land remains to serve the population needs of Dunshaughlin.
- Secondly, the site is located within the development boundary of Dunshaughlin, is within walking distance of the town centre and allows for the consolidation of

the urban area. From looking at Google Earth/ Maps it is evident that development has primarily occurred to the west/ north west of the town centre and not as much has taken place to the north east/ east. The proposal will provide for a more balanced form of development of Dunshaughlin. The layout of the site includes a number of vehicular and pedestrian links to existing development to the south, thereby indicating how it can be easily integrated into the existing urban form.

- Thirdly, the development of these lands will provide for road improvements along the R125 and also a section of the new Distributor Road along the eastern side of the site. I would suggest that the development of this road will provide for a defined boundary to the eastern side of Dunshaughlin and which in turn aids the process of consolidation, demonstrating compliance with SPPR1 of the Urban Development and Building Heights Guidelines, 2018.
- Finally, I note again the intention of the county development plan to seek the provision of residential development in conjunction with public transport improvements, in this case the Navan Railway line. As I have outlined, there is no definite timeframe for the development of this railway line. I would consider it inappropriate to effectively stop the development of Dunshaughlin when there is a good bus service already in place. I have already outlined the existing bus routes in the area, and I note that Dunshaughlin has a 24-hour bus service and direct services to Dublin City Centre/ Dublin Airport/ Navan/ Kells and Trim. Permitting this development does not negatively impact on the provision of the railway line and in fact it may support the planning/ business case for such a service, however I am satisfied that sufficient public transport can be provided to serve the demand from the additional proposed housing.

10.3.9. In conclusion I am therefore satisfied that this residential scheme is acceptable and that the Phase II designation should not restrict the development of these lands for the reasons I have outlined.

10.4. Phasing of Development

10.4.1. In relation to the development of these lands, in the event that permission is recommended, a condition for phasing to be agreed with the Planning Authority

should be attached. I note Fig. UDM03 – Character Areas in the ‘Architectural Design Statement & Urban Design Manual Statement of Consistency’ and a phasing based on the development of the character areas may be appropriate. The Traffic and Transport Assessment refers to a similar phasing proposal and I consider it to be appropriate.

10.5. Design and Layout

- 10.5.1. The site is an irregular shape, constrained by the Ratoath/ R125 Road to the north, existing housing to the south/ south west, a watercourse passing through the centre of the site on a north to south axis and all contained within zoned lands. A total of 212 residential units is proposed in the form of 99 apartments and 113 houses. The Meath County Development Plan 2013 – 2019 includes an objective for a distributor road through this site. A childcare facility and public open space are provided to serve the development.
- 10.5.2. The CE report comments that the overall layout/ design is acceptable. I note third party comments regarding non-compliance with elements of DMURS and I will consider them in this section of the report.
- 10.5.3. The applicant has outlined a significant change to the layout that was made in terms of the northern boundary of the site/ area that addresses the Ratoath/ R125 Road. The applicant was advised in the pre-application meeting to reconsider this section of the development and I would consider that this revision has been done in a successful manner. The layout along the R125 is designed having regard to DMURS and the National Cycle Manual. The road is reconfigured to act as a street rather than a road, with houses directly facing onto it, the provision of footpaths and cycle tracks that have priority. A continuous two-way cycle track is proposed to the south/ south east of the road and the cycle track crosses the two central access roads such that the cyclist has clear priority. Similar priority is provided at the junction with the distributor road to the east of the south.
- 10.5.4. House Type 4 (two-storey detached/ semi-detached units) are proposed along this section of the site in addition to Type 2 and 5 units (also two-storey units). This allows for a seamless integration with the existing houses in Grange Park to the south of the subject site, which are two/ two and a half storey houses). At present the rear of the Grange Park houses are facing north, such that the entry to

Dunshaughlin is provided by the rear of these houses. The proposed development will significantly improve the entrance to Dunshaughlin. The north eastern section of the R125 consists of a three-storey apartment block (Block F) and the childcare facility. Blocks E and D continue southwards along the western side of the proposed distributor road. I consider this layout and unit type to be appropriate. The height of these units provides for a suitable frontage at the junction of the R125 and the distributor road and is an appropriate urban design solution acting as a 'gateway' to Dunshaughlin/ the future potentially important junction of the R125 and the distributor road.

- 10.5.5. Blocks A to C, are located to the south/ south east corner of the site and again I consider their location to be appropriate. The remainder of the site consists of housing in the form of terraces, semi-detached and detached units. The mix of house types provides for a suitable variety throughout the site in accordance with the Urban Design Manual. Two-character areas are proposed, one on either side of the watercourse that passes through the site. The western side consisting of houses and the eastern side primarily of apartments with houses located towards the centre/ north western section of Character Area 2.
- 10.5.6. House no. 1 and 21 are designed to integrate with the adjoining Grange Park development to the south west of the site. Additional open space is also provided that increases the amount of space available to residents of Grange Park. Open space is primarily provided in a large area towards the centre of the site. As already noted, part of this open space is located on 'white lands' – undefined/ unzoned lands and this is considered to be acceptable. A total of 15.75% of the site is in the form of open space, however additional open space is available in the form of the Civic Park to the south of the site. A pocket park to the west of the site and communal open space to the north east ensures that all residents have easy access to an area of open space. The proposed houses generally provide for in-curtilage parking except for the houses along the R125, where shared parking is provided. Similar parking is provided for houses no. 72 to 81 in Character Area 2. These parking spaces are easily accessible to residents and are suitably overlooked providing for passive surveillance.
- 10.5.7. Dual frontage houses are a feature of this development and this is to be welcomed as a good design solution where there is a need to address more than one street or

a street and open space area. A number of corner site units are provided as dual-frontage units and also where there is a need to address a pedestrian/ cycle route such as house numbers 14/15 and 29/30.

10.5.8. A Building Life Cycle Report has been submitted in accordance with Section 6.13 of the apartment guidelines and the submitted details are considered to be acceptable. I note that consideration has been made to facilitate the provision of electric vehicle charging.

10.5.9. The comments raised by a number of the third parties are noted in relation length of road, lack of enclosure in accordance with DMURS and the size of urban block. A number of these issues refer more to existing development to the south of the subject site. I concur that there is a level difference between the existing houses in Grange Park and Cnoc Tiarnach to the south, however this is not an issue with the subject site. As noted, the applicant has proposed the provision of raised tables and shared surfaces in accordance with DMURS and these measures are appropriate to reduce road speeds. In addition I note that many urban areas have introduced road speeds of 30 kmh within the built up area and it is likely that such measures will be introduced to Dunshaughlin in time, which again will provide a clear form of traffic calming. Bollards have been proposed along the road between the R125 and the existing road in Grange Park, I would suggest that alternatively a 'chicane' could be provided that would reduce traffic speeds and may allow for a suitable crossing between the residential units on the western side of the street and the open space to the east. I am satisfied that the applicant has proposed suitable measures to overlook the open space areas and I note the location of Block A which will perform a key role in passive surveillance. I am also satisfied that the urban blocks are of a suitable size and are broken by pedestrian/ cyclist routes in appropriate locations.

10.5.10. In conclusion I consider that the proposed design and development layout are appropriate, has suitable regard to the adjoining area and will provide for a suitable extension to the urban form of Dunshaughlin.

10.6. **Transportation and Traffic**

Increased traffic, excessive length of straight sections and comment on the Traffic Impact Assessment were some of the matters raised by third parties. I note the

comments raised in the CE report and supported by the Meath County Council Transportation Department report. Issues raised include the need to assess the impact of traffic on the junction of Lagore Road and R147/ Main Street to the south of the site, the need for a transition zone along the R125, some inconsistencies in the use of TRICS (trip generation software) and that some of the home zones may need reconsideration. The cycle track along the R125 may need revision at junctions. It is also noted in the CE report that a Road Safety Audit has been submitted, desire lines for pedestrians and cyclists have been catered for, crossing points are generally acceptable though additional points may be required along the distributor road and car parking provision is acceptable. A number of conditions are listed for consideration in the event that permission is granted.

10.6.1. As already referred to, vehicular access is proposed from the R125 in three locations and two location through Grange Park to the south west. A single access is proposed from the distributor road to the east of the site which in accessed the R125. Vehicular access will be increased on completion of the distributor road. A single road provides a link between the two-character areas. The location of the distributor road on the eastern side of the site is considered to be acceptable and appropriate as this location ensures that the development is not split by this road. Walking and cycling can be prioritised within the site and car traffic not related to the site can be kept outside of the development area. I note the comments made in the CE report about the provision of suitable crossing points along this proposed distributor road.

10.6.2. Pedestrian and cycle permeability are considered to be of a high quality throughout the development. Links from outside of the site such as from the R125 to the north and Grange Park to the south are of a good quality and additional accesses/ routes are provided in addition to the vehicle routes. Links within the development are of a high quality. For example, the route between houses no. 14/15 and 29/30 provides for a useful shortcut through the site, as does the central route through the open space. The provision of shared surfaces and raised tables will result in slower motorised vehicle speeds which will benefit the promotion of more sustainable forms of transport such as walking and cycling. A DMURS Statement of Consistency has been included with the application and the submitted details are considered to be acceptable.

- 10.6.3. The Traffic and Transportation Assessment prepared by Waterman Moylan is noted. At full operational stage (all residential units and the childcare facility) a total of 161 vehicle movements (47 arrivals and 114 departures) are expected in the AM Peak hour and 154 in the PM Peak (98 arrivals and 56 departures). The impact on the road network and junctions is noted, however nothing in this report gives rise to concern. The completion of the distributor road would clearly aid future traffic flows in the area. I note the comments by third parties in relation to the lack of consideration in the TIA about a discount retail unit that has opened in the area. I am unaware of what the issues are in relation to this though I would suggest that traffic congestion at junctions may be a matter of concern. Whilst this is noted, commuting peaks differ to retail peak times and I note the proximity of the development to the Lidl in Dunshaughlin.
- 10.6.4. I have noted the comments in the Meath County Council Transportation Report. I am not aware if the issue of upgrading the junction of Lagore Road and R147/ Main Street was raised with the applicant prior to the lodging of this application. A total of €145,000 is requested towards this upgrade in addition to the applicant/ developer having to design this junction. I am not aware of the total cost of this junction upgrade and it is not clear what percentage the applicant will have to pay. However, I do accept that a proportion of the traffic generated by the development will use this junction and as such it is appropriate that it be upgraded to facilitate the proposal.
- 10.6.5. It should be possible to revise the road along the R125 to include a transition zoned especially on the section east of the road junction adjacent to the western side of Block F. None of the houses on this road have direct vehicular access to the road and a transitional zone incorporating a cycle path should be provided, as well as incorporating any necessary junction modifications. The final details can be agreed with the road's authority.
- 10.6.6. I note that the CE report refers to a contribution in respect of provision of a special levy for the development of the distributor road outside of the subject site. I consider this to be somewhat excessive as the applicant is providing for a significant section of this road within their lands. It would be possible to provide for much of the subject development without this road and I consider the section that is included within the application to be a significant planning gain for the Local Authority as well as a significant cost to the applicant.

10.6.7. In conclusion, the internal road layout is acceptable, and the provision of suitable pedestrian and cycle routes have been carefully considered and incorporated into the development. There will be increased traffic in the immediate area as a result of this development, however the development promotes cycling and walking through its layout and permeability measures. Suitable measures have been taken to reduce internal road speeds and many of the third-party concerns refer to development outside of the subject site, issues that the applicant cannot address.

10.7. Residential Amenity

10.7.1. The CE report comments favourably on the design but requests that consideration be given to reduced bed numbers as the housing layout is primarily for 3 - and 4 - bedroom units. The apartment room sizes should also be assessed for compliance with the Apartment Guidelines. Third party concerns referred to impact on residential amenity through loss of property value, scale of development and issues relating to overbearing impact

10.7.2. In general, I do not foresee any negative impacts to existing residential amenity in terms of overlooking leading to a loss of privacy and overshadowing leading to a loss of daylight/ sunlight. The layout has been carefully designed to ensure integration with the existing houses to the south and west of the site. Type 4 houses are designed to ensure that the first-floor rear windows do not give rise to overlooking and therefore addresses concerns in relation to overlooking. These windows serve bathrooms/ en-suites and stairs and are fitted with obscured glazing that prevents overlooking.

10.7.3. I note the location of house no. 2 in relation to the existing Grange Park houses to the south. Whilst overlooking is not an issue, overbearing is a concern. The rear gardens of the existing houses are short and house no. 2 is proposed to be located almost on the boundary. I would recommend that this unit be omitted, and that house no. 3 be revised to be a detached unit similar to no. 6. A pedestrian/ cyclist link could be provided over the footprint of no. 2.

10.7.4. The proposed houses demonstrate compliance with the 'Quality Housing for Sustainable Communities' – Best Practice Guidelines in terms of floor areas, room widths and room sizes and are considered to be acceptable. Storage provision is

also acceptable. All houses are provided with an adequate area of private amenity space.

10.7.5. House Type 4 (detached and semi-detached) are somewhat unusual in that the rear garden depths vary between 2.5 m (southern corner of house no. 39) and 7 m (house no. 43 as indicated). These units are provided with in excess of 60 sq m of private amenity space and the rear gardens are not directly overlooked by houses to their rear. I would recommend that exempted development rights be restricted for these units as an extension could negatively impact on adjoining units.

10.7.6. The proposed apartments are also considered to be acceptable and demonstrate compliance with the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities'. Room sizes and storage provision are in accordance with minimum required standards. Storage is provided throughout the floor area and this is acceptable.

- Apartment Blocks A, B and C are located to the south eastern corner of the site, are four storey units consisting of 15 units. The fourth storey is in the form of a Mansard type roof such that there are pitched roof elements. Each block provides for 12 no. two bedroom units, 2 no. one bedroom unit and a large three-bedroom apartment. All units are dual aspect and area provided with an adequate amount of private amenity space in conjunction with communal open space that is primarily located to the southern side of the apartment blocks. An entrance on the northern western elevation provides access to a long corridor described as a common/ circulation area and leads to a stairwell and a central lift providing access to all floor levels. External treatment consists of plaster ground floor, red brick on the first and second floors and concrete roof tiling on the upper floor.
- Apartment Blocks D and E are located on the eastern side of the site and consist of 18 units each over three floors, with pitched roof over. Front access is possible from the east and west elevations. Car parking is located to the west and communal open space is primarily to the west. All units are two-bedroom dual aspect. A central lobby/ stairwell between each pair of units provides access to a stairwell and lift.

- Apartment Block F is a similar design to Blocks D/E and is located to the northern side of the site/ north west corner. 18 no. two bedroom units are provided here. Communal open space is located to the southern side with car parking also on this side. A planting scheme and provides for a suitable boundary/ buffer along the northern side adjacent to the R125 road.
- All apartments are provided with car parking and bicycle parking which is generally located in an easily accessible location relative to the apartments. It may be possible to provide for additional parking under the stairs in the ground floor lobby area, it is not specified if there is a space under here and if so, what it is for.
- As stated, all apartment units are dual aspect and whilst some units have the benefit of south/ west elevations, others in the block may have north/ east elevations, with a consequential lack of evening/ afternoon sunlight. There is no solution to this issue and residents in these units will have the benefit of morning sun which other residents will not have.

10.7.7. The submitted Computer Generated Images (CGIs) provide a good indication of how the houses and apartment will look post construction. The use of similar materials throughout the site provides for a good level of visual integration throughout the subject site.

10.7.8. I note the comments regarding unit mix. There is little doubt that this development is aimed at the family market and even the apartment units are large enough to cater for family use. I note the comments in the CE report regarding density and integration with its surrounding area. This development, although within walking distance of the town centre, is on the edge of the urban area and I consider the height and layout to be appropriate. The provision of more one- and two-bedroom units would significantly change the character of the development and may not result in the optimum use of these lands. The applicant has clearly attempted to propose the development of these lands at 35 units per hectare whilst having full regard to integration with the existing Grange Park to the south. I consider that this has been achieved and I am satisfied with the mix of unit types.

10.7.9. It is considered that block walls should be provided in the rear gardens of the houses rather than panel fencing. This provides for a higher quality of finish and reduces the long-term maintenance costs for homeowners.

10.7.10. I am satisfied that the proposed development will provide for a good quality of residential development for future occupants and I do not foresee any negative impacts on the existing amenity of residents in the area subject to the omission of House number 2; the omission of this unit will ensure that the houses along the R125 are not overbearing on the existing houses to the south in Grange Park.

10.8. **Childcare and Part V Social Housing Provision**

10.8.1. The CE report notes that the childcare facility can accommodate 60 children, which is in excess of the requirement for 57 spaces, this is acceptable, and the quantity of open space is also acceptable. The CE report requests that consideration be given to policies in the county development plan in relation to childcare and associated parking, and that the facility be provided at an early stage of the development. Third party comments include the lack of childcare to facilitate the larger area.

10.8.2. A crèche is proposed to be provided to the north eastern corner of the site. This is a two-storey unit with pitched roof and the external finish is similar to the proposed houses/ apartment throughout the site. Access is provided to the western elevation, though carers/ children can access the outside from other sides of the building on the ground floor and I assume that this will be for play times etc. Younger age groups (1 to 3) are indicated to be accommodated on the ground floor with older age groups on the upper floor. A mix of sessional and all-day care childcare is indicated for the first floor uses. Ancillary rooms such as offices/ reception on the ground floor and staff room on the first floor are indicated on the submitted plans.

10.8.3. This facility has capacity for 60 children though this number may change depending on TUSLA requirements/ internal configuration of the floor areas.

10.8.4. This facility is located in the part of the site with the greatest unit density, though I would caution that the adjacent apartment units may not be the main source of use of this facility. A cul-de-sac terminates to the west/ front of the crèche and which will allow for set-down for users of the facility. Despite the promotion of sustainable forms of transport, the use of cars to transport children to the crèche remains likely.

Unfortunately, the proposed cul-de-sac layout will require reverse manoeuvres of cars, which gives rise to a potential vehicle/ pedestrian conflict in an area where vulnerable pedestrians can be expected. It should be possible to rearrange the layout to address this issue, though this may result in the loss of car parking spaces in the immediate area of the childcare facility.

10.8.5. The CE report has raised no objection to the type/ location of housing proposed to meet the Part V obligations. I also note the Housing Department report submitted in support of the CE report. I have no objection to the submitted details.

10.8.6. In conclusion, the proposed childcare facility and Part V housing are acceptable. The comments raised by third parties in relation to the lack of childcare in the area are noted but again, this is not a matter that the applicant can necessarily address and in fact they have proposed the over provision of childcare spaces which may go a small way to meeting the shortfall in the area.

10.9. Infrastructure and Flood Risk

10.9.1. Irish Water and Meath County Council have reported no objection to this development in relation to the connection to public foul drainage and water supply systems. No capacity constraints have been identified. An existing 450 mm diameter foul sewer is in place along the R125 to the north of the site. A pumping station, to the south east of the site, is required to pump part of the site that cannot be discharged by gravity.

10.9.2. The development includes the realignment of an existing drainage channel/ watercourse that crosses the site on a north to south axis. This discharges to the Ratoath Stream and in turn the Broadmeadow River. This realignment will not impact on the capacity of the watercourse and in turn there are no implications in relation to flood risk.

10.9.3. A detailed SUDS strategy is included with the application. Measures include the provision of permeable paving, swales, a pond to the south east of the site, attenuation tanks with hydro-brake and petrol interceptors where appropriate. Four surface water drainage catchment areas will be developed on site.

- 10.9.4. A comprehensive 'Site Specific Flood Risk Assessment' has been prepared by IE Consulting. This is a very thorough document and included a number of high quality/ clearly illustrated maps. Some of the submitted third-party concerns referred to flooding in the area, however, no issues in relation to historical flooding were identified that would have affected this site. The Fingal East Meath Catchment Flood Risk & Management Study (CFRAMS) was undertaken by the OPW with the final version of the flood maps made available in September 2016. From the relevant map, it is apparent that the site does not lie within an area within a predictive 1 in 10 year (10%), 1 in 100 year (1%) or 1 in a 1000 year (0.1%) fluvial flood zone. The majority of the site is within Flood Zone 'C'. Where a small area of flooding is identified however, the re-grading and realignment of the watercourse will eliminate this risk. The development will not in itself increase the potential for flooding.
- 10.9.5. In conclusion, I am satisfied that the site is suitably serviced in terms of public water supply provision and there is adequate capacity in the foul drainage system to accommodate the proposed development. From the submitted report and comments made in the CE report, I do not foresee that the development will be impacted by any flooding in the area and will not give rise to increased flooding of the surrounding area. Suitable SUDs measures and compliance with CFRAMS will help address any such issues.

10.10. Other Matters

- 10.10.1. I have referred to two existing houses on site, that are proposed for demolition. These are in poor condition and I consider that they are not worthy of retention or integration into this development. I did not notice them as significant features on the day of my site visit. I note the comments of the Planning Authority in relation to this matter and reference is made to a report from the Conservation Officer in relation to a previous application. The integration of these structures into this development would require significant revisions and the generally successful layout as proposed, would be lost.
- 10.10.2. The Planning Authority have requested that a condition be attached to any grant of permission that the naming of the development be made a function of the Local Authority, I have no issue with this.

- 10.10.3. I note the request that a piece of artwork be provided on site in accordance with SOC POL 53 which seeks 'To incorporate works of public art into the overall scheme of major new commercial and private residential developments in the County in order to enhance the amenities of the local environment'. I consider this development to be of an appropriate scale to warrant such a condition in the event that permission is granted.
- 10.10.4. I note the comments made regarding the geology of the site. This issue has not been raised as significant by the Planning Authority or any other body to warrant the restriction of development in this area.
- 10.10.5. Despite the historical nature of Dunshaughlin, the 'Archaeological Pre-Development Testing' undertaken by Dominic Delany & Associates did not uncover any significant findings other than a spread of burnt material to the north of the site and a rim sherd of Bronze Age pottery found in the vicinity of this area. It is recommended that this area be archaeologically excavated prior to development and that all topsoil removal be monitored. The Department of Culture, Heritage and the Gaeltacht – Development Applications unit did not raise any concerns in their report and recommend a condition in the event that permission is to be granted.
- 10.10.6. I have referred to a number of the issues raised in the observations already in this report. The development promotes the use of sustainable transport and will also facilitate the development of the distributor road on the eastern side of Dunshaughlin. The proposed density is at the lower range to be expected for an urban location such as this, however the density is appropriate as it has regard for the existing character of the area and its location on the edge of the urban area of Dunshaughlin. The development is generally well considered providing for a mix of residential unit types. Open space provision is good and does include a centrally located playground that will be available to all including existing residents in Grange Park. I do not foresee that any difference in levels will negatively impact existing houses in the area and as outlined, the issue of flooding is not foreseen.
- 10.10.7. I note that the majority of the observations have come from residents in Grange Park. As I have identified in this report, many of their concerns refer more to existing issues rather than issues with the proposed development and whilst I may not disagree with some of their concerns, the current proposal cannot resolve these

concerns. I also note the frequent reference to the draft county development plan and I also note that the current plan has an end date of 2019 though is still in force. The draft plan has no status with regard to submitted applications for development as it may be revised or significantly altered before coming into force.

10.10.8. Full consideration has been had to the comments raised at the Ratoath MD meeting. The proposed development will improve the R125 through reducing road speeds and allowing for greater traffic calming on the approach to Dunshaughlin. Lower traffic speeds will create less noise. The use of apartments has been carefully considered in this development and provides for a suitable density without giving rise to overlooking/ overshadowing. The density takes full account of the existing character of the area. The provision of apartments in the indicated locations also allow for suitable passive surveillance of the public open space areas whilst ensuring that a suitable density can be achieved. The propose childcare facility is acceptable in this location and is suitably provided for in terms of open space.

11.0 Appropriate Assessment – Natura Impact Statement

11.1. Stage 1 – Appropriate Assessment

11.1.1. The applicant has engaged the services of Whitehill Environmental to carry out an appropriate assessment screening. A Natura Impact Statement (NIS) was submitted as a precautionary approach as there are identified hydrological pathways between the subject site and designated Natura 2000 sites. Particular importance in this regard, is that part of the development includes the realignment of a watercourse that crosses the site on a north to south axis and which feeds into the Ratoath Stream which in turn discharges into the Broadmeadow River, which itself discharges into Malahide Estuary; this is a hydrological linkage of 25 km. Malahide Estuary is a SAC/ SPA and therefore is a designated site.

11.1.2. The submitted screening report lists the following Natura 2000 sites:

Site Name	Site Code	Distance/ Direction	Qualifying Interests	Potential Impacts

The River Boyne & River Blackwater SAC	002299	12.2 km. North west	<ul style="list-style-type: none"> • Alkaline fens • Alluvial forests with alder (<i>Alnus glutinosa</i>) and ash (<i>Fraxinus excelsior</i>) • Otter (<i>Lutra lutra</i>) • River Lampey (<i>Lampetra fluviatilis</i>) • Salmon (<i>Salmo salar</i>) 	<ul style="list-style-type: none"> • No direct hydrological connectivity – direct impacts unlikely. • Foul drainage is sent to the Dunshaughlin WWTP and eventually discharges into Boyne catchment. Connecting to this WWTP will result in no direct or cumulative impacts to this SAC.
The River Boyne & River Blackwater SPA	004232	12.2 km north west	<ul style="list-style-type: none"> • Common Kingfisher (<i>Alcedo atthis</i>) 	<ul style="list-style-type: none"> • No direct hydrological connectivity – direct impacts unlikely. • Foul drainage is sent to the Dunshaughlin WWTP and eventually discharges into Boyne catchment. Connecting to this WWTP will result in no direct or cumulative impacts to this SPA.
The Rye Water Valley/ Carton SAC	001398	14.8 km. South	<ul style="list-style-type: none"> • Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>) • Narrow-mouthed Whorl (<i>Vertigo angustior</i>) 	<ul style="list-style-type: none"> • The SAC is not hydrologically connected to the subject site and therefore impacts on this SAC can be ruled out.

			<ul style="list-style-type: none"> • Petrifying spings with tufa formation (Cratoneurion) 	
Malahide Estuary SAC	000205	25 km downstream via Broadmeadow River - East	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide. • Salicornia and other annuals colonising mud and sand. • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) • Mediterranean salt meadows (Juncetalia maritimi) • Shifting dunes along the shoreline with Ammophila arenaria (white dunes) • Fixed coastal dunes with 	<ul style="list-style-type: none"> • The SAC is hydrologically connected to the subject site and potential impacts need further consideration.

			herbaceous vegetation (grey dunes)	
Malahide Estuary SPA	004025	25 km downstream via Broadmeadow River - East	<ul style="list-style-type: none"> • Great Crested Grebe (Podiceps cristatus) • Light-bellied Brent Goose (Branta bernicla hrota) • Shelduck (Tadorna tadorna) • Pintail (Anas acuta) • Goldeneye (Bucephala clangula) • Red-breasted Merganser (Mergus serrator) • Oystercatcher (Haematopus ostralegus) • Golden Plover (Pluvialis apricaria) 	<ul style="list-style-type: none"> • The SPA is hydrologically connected to the subject site and potential impacts need further consideration.

			<ul style="list-style-type: none"> • Grey Plover (Pluvialis squatarola) • Knot (Calidris canutus) • Dunlin (Calidris alpina) • Black-tailed Godwit (Limosa limosa) • Bar-tailed Godwit (Limosa lapponica) • Redshank (Tringa totanus) • Wetland and Waterbirds 	
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Note: The submitted NIS includes incorrect directions/ distances in relation to the subject site.

11.1.3. In summary, the application site is not in or immediately adjacent to any Natura 2000 site, however there are hydrological connections to a SAC/SPA at Malahide Estuary. The watercourse that passes through the site, and which it is proposed to realign/ regrade, feeds into the Ratoath Stream and in turn the Broadmeadow River which enters the sea at Malahide Estuary. The following areas were considered in relation to potential impacts from the proposed development on the designated Natura 2000 sites:

1. Deterioration in water quality within the designated site arising from pollution from surface water run-off during the site preparation and construction phases of development.
2. Deterioration in water quality within the designated site arising from pollution during the operation stage of the development.

3. Cumulative Impacts with other proposed/ existing developments.

The other identified sites (Rivers Boyne and Blackwater and The Rye Water Valley/ Carton) are screened out of the process based on their distance from the proposed development and also due to the fact that they are outside of the zone of influence of these sites and that no direct impacts are therefore likely to arise.

- 11.1.4. It cannot be excluded at this stage that the development would not have a significant impact on a designated site – Malahide Estuary SAC and SPA. As the proposed development is not directly connected or necessary for the nature conservation management of a designated site and therefore, I consider that it is necessary to proceed to Stage II Appropriate Assessment.

11.2. **Natura Impact Statement (NIS)**

- 11.2.1. I am satisfied that the submitted NIS is in accordance with current guidance/ legislation and the information included within the report in relation to baseline conditions and potential impacts are clearly set out and supported with sound scientific information and knowledge.
- 11.2.2. The application site is not in or immediately adjacent to any Natura 2000 site. The appropriate assessment screening report that was submitted with the application listed the Natura 2000 sites within the hydrological catchment of the site; the Malahide Estuary SAC & SPA is located approximately 25 km to the east. The SAC and SPA are of a similar size, though the SPA excludes the dune habitats along the golf course.

The Conservation Objectives of the SAC are: 'To maintain/ restore the favourable conservation status of the qualifying interests of this SAC'.

- 11.2.3. The submitted report details the Conservation Objectives of the SAC/ SPA and I will summarise these – full details are contained within the submitted NIS report:
1. Mudflats and sandflats not covered by seawater at low tide: Water quality is not a target for the maintenance of this Qualifying Interest (QI) and the development will not lead to any changes in the area, community extent, structure or distribution of the habitat within this SAC. The development will not therefore have a direct impact on this QI.

2. Salicornia and other annuals colonising mud and sand: Water quality is not a target for the maintenance of this QI and the development will not lead to any impacts on this QI by way of changes to the physical structure of this habitat or to the vegetation structure which defines its favourable conservation status.
3. Atlantic Salt Meadows: Water quality is not a target for the maintenance of this QI and the development will not lead to any impacts on this QI by way of changes to the physical structure of this habitat or to the vegetation structure which defines its favourable conservation status.
4. Mediterranean Salt Meadows: Water quality is not a target for the maintenance of this QI and the development will not lead to any impacts on this QI by way of changes to the physical structure of this habitat or to the vegetation structure which defines its favourable conservation status.
5. Shifting Dunes along the Shoreline with *Ammophila arenaria* (white dunes): Water quality is not a target for the maintenance of this QI and the development will not lead to any impacts on this QI by way of changes to the physical structure of this habitat or to the vegetation structure which defines its favourable conservation status.
6. Fixed Coastal Dunes with Herbaceous Vegetation (grey dunes): Water quality is not a target for the maintenance of this QI and the development will not lead to any impacts on this QI by way of changes to the physical structure of this habitat or to the vegetation structure which defines its favourable conservation status.
7. Malahide Estuary SPA: The development will not occur in an area used by the listed bird species. The development will not lead to any decreases in bird population and will not lead to any decrease in the range, timing or intensity of use of any of the areas within the SPA by the QI bird species. The development will not result in any loss of designated wetland areas.

11.2.4. The potential impacts as already identified are considered here. These impacts are restated:

1. Deterioration in water quality within the designated site arising from pollution from surface water run-off during the site preparation and construction phases of development.

2. Deterioration in water quality within the designated site arising from pollution during the operation stage of the development.

3. Cumulative Impacts with other proposed/ existing developments.

The potential impacts are considered in detail and I will summarise the main points:

1. Construction phase – impact on water quality: The existing watercourse is to be realigned and regraded. Potential for pollution could occur during construction from run-off into the stream if insufficient procedures are in place. Oil, silt, cement and hydraulic fluid would also have a significant impact. Appropriate mitigation measures can maintain the water quality. However, the distance from the Natura 2000 site at over 25 km would result in significant dilution and in any case water quality is not defined as a specific target in achieving the Site Specific Conservation Objectives (SSCOs).

2. Operational impacts: Water quality impacts are not likely to occur to the designated sites having regard to the distance and potential for dilution. Similarly impacts to bird species are unlikely due to the separation between the subject site and the Malahide Estuary SAC/ SPA.

3. Cumulative impacts: The proposed development will not lead to any cumulative impacts on the designated SAC/ SPA when considered in combination with other plans or projects that have been screened for Appropriate Assessment.

Wastewater is discharged to the Dunshaughlin Wastewater Treatment Plant, which is fully licensed by the EPA.

11.2.5. Section 5 of the NIS includes a list of mitigation measures. These refer to site preparation/ construction works and site operation measures. Additional measures outside of the direct NIS process have been proposed in relation to protection of bats and landscaping measures have been identified that will allow for the promotion of biodiversity. I note again, a separate Bat Report and a report on the Realignment on the Stream have been submitted in support.

11.2.6. The National Parks and Wildlife Service (NPWS) note (report included in the Department of Culture, Heritage and the Gaeltacht submission) the submitted NIS and have included a condition in the event that permission is to be granted. This refers to the Construction Environment Management Plan and it to be agreed with

the Planning Authority and Inland Fisheries Ireland prior to the commencement of development.

11.2.7. I have had full consideration of the information, assessment and conclusions contained within the NIS. I have also had full regard to National Guidance and the information available on the National Parks and Wildlife Service (NPWS) website in relation to the identified designated Natura 2000 sites. I consider it reasonable to conclude that on the basis of the information submitted in the NIS report, including the recommended mitigation measures, and submitted in support of this application, that the proposed development, individually or in combination with other plans or projects would not be likely to adversely affect the integrity of Malahide Estuary SAC/ SPA or any other Natura 2000 site, in view of the sites Conservation Objectives.

12.0 Environmental Impact Assessment

12.1.1. This application was submitted to the Board after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

12.1.2. Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended and section 172(1)(a) of the Planning and Development Act 2000 as amended provides that an EIA is required for infrastructure developments comprising of urban development which would exceed:

- 500 dwellings
- Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. A business district is defined as 'a district within a city or town in which the predominant land use is retail or commercial use'.

12.1.3. An EIA Screening Report has been prepared and submitted with the application. As the proposed development is for 212 residential units and the site area, which is not within a business district, is 7.907 hectares, there is no mandatory requirement for Environmental Impact Assessment. It is also considered that a sub threshold EIAR

is not required for this development as the proposal is below the thresholds of Schedule 5 of the Planning and Development Regulations 2001 as amended. The applicant outlines that it is not foreseen that the development will have significant impacts on the environment. I note the submitted screening report and agree with its conclusions.

13.0 Ecological Impact Assessment (EclA)

- 13.1.1. The applicant has engaged the services of Whitehill Environmental, who have prepared an 'Ecological Impact Assessment' (EclA) of the development. In conclusion it is found that the development would have a negative to neutral impact upon local ecological receptors. The eradication of giant hogweed found on site would be a positive impact. The protection of treeline features and the proper management of the site/ its green areas would allow for the development of biodiversity on site.
- 13.1.2. A Bat Survey found that bat activity on site was low. No bats were seen to enter the existing buildings and trees on site and no swarming was recorded. Recommendations are made in the event that permission is granted – carefully check for bats before demolition of structures on site, put in place bat boxes, stop work if bats are found, light pollution to be reduced, check trees to be removed and monitor the bat boxes after a year.
- 13.1.3. The National Parks and Wildlife Service (NPWS) note (report included in the Department of Culture, Heritage and the Gaeltacht submission) the submitted EclA and Bat Survey and have included conditions in the event that permission is to be granted. These refer to the removal of vegetation only outside of the bird breeding season and that the mitigation measures contained within the Bat Survey be carried out in full.
- 13.1.4. In conclusion, I am satisfied that the submitted details in the EclA, including mitigation measures are acceptable.

14.0 Recommendation

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

- (a) grant permission for the proposed development.
 - (b) grant permission for the proposed development subject to such modifications to the proposed development as it specifies in its decision,
 - (c) grant permission, in part only, for the proposed development, with or without any other modifications as it may specify in its decision, or
 - (d) refuse to grant permission for the proposed development,
- and may attach to a permission under paragraph (a), (b) or (c) such conditions it considers appropriate.

14.1.2. In conclusion, I consider the principle of development as proposed to be acceptable on this site. The site is a suitably zoned, serviced site within walking distance of the centre of Dunshaughlin, where public transport, social, educational and commercial services are available. The proposed development is of a suitably high quality and provides for a mix of residential unit types which are served by high quality open space and a childcare facility.

14.1.3. I do not foresee that the development will negatively impact on the existing residential and/ or visual amenities of the area. Suitable pedestrian, cycling and road infrastructure is proposed to serve the development, and which will benefit the immediate area. The development is generally in accordance with National Guidance and County Policy and is in accordance with the proper planning and sustainable development of the area.

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

15.0 Reasons and Considerations

Having regard to

- (i) the site's location on lands with a zoning objective for residential development and the policy and objective provisions in the Meath County Development Plan 2013 - 2019 in respect of residential development,

- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Meath County Development Plan 2013 - 2019 and appendices contained therein,
- (iii) to the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (iv) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, and the accompanying Urban Design Manual – A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009,
- (v) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of the Housing and Planning and Local Government, March 2018,
- (vi) 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,
- (vii) the availability in the area of a wide range of social and transport infrastructure,
- (viii) to the pattern of existing and permitted development in the area, and
- (ix) Chief Executive's Report and supporting technical reports of Meath County Council,
- (x) the comments made at the Ratoath Municipal District meeting,
- (xi) to the submissions and observations received,

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

16.0 Recommended 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 28th day of May 2020 by McGill Planning, on behalf of Loughglynn Development Limited.

Proposed Development:

The provision of 212 no. residential units comprising 113 no. detached, semi-detached and terraced two-storey houses (92 no. 3-bed units and 21 no. 4-bed units) and 99 no. apartments in 6 no. 3-storey blocks (6 no. 1-bed, 90 no. 2-bed and 3 no. 3-bed apartments). The development includes a childcare facility, public/ communal open space and a playground.

Access to the site is proposed via three entrance points off the R125 to the north of the site and connections into existing cul-de-sacs to the south of the site into the existing Grange Park development. One of the connections to the north east will provide for part of a distributor road to the eastern side of Dunshaughlin. The development to also consist of a revised layout along the R125.

Associated infrastructural site and drainage works, including foul and surface water drainage, a pumping station, car parking spaces, 4 no. bin and cycle storage units, and all other landscaping, services and associated works above and below ground.

The application contains a statement setting out how the proposal will be consistent with the objectives and policies of the Meath County Council Development Plan 2013 - 2019.

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.

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

- (i) the site's location on lands with a zoning objective for residential development and the policy and objective provisions in the Meath County Development Plan 2013 – 2019 in respect of residential development,
- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Meath County Development Plan 2013 – 2019 and appendices contained therein,
- (iii) to the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (iv) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, and the accompanying Urban Design Manual – A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009,
- (v) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of the Housing and Planning and Local Government, March 2018,
- (vi) 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,
- (vii) the availability in the area of a wide range of social and transport infrastructure,
- (viii) to the pattern of existing and permitted development in the area, and
- (ix) Chief Executive's Report and supporting technical reports of Meath County Council,
- (x) the comments made at the Ratoath Municipal District meeting,
- (xi) to the submissions and observations received,
- (xii) The Inspector's Report.

Appropriate Assessment (AA)

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 adequately serviced urban site, the information for the Screening Report for Appropriate Assessment and the Ecological Impact Statement submitted with the application, the Inspector's Report, and submissions on file. As it was not possible to exclude at that stage, that the development would not have a significant impact on a designated site, – namely Malahide Estuary SAC and SPA, and the proposed development is not directly connected or necessary for the nature conservation management of a designated site, it was therefore considered appropriate to proceed to Stage II Appropriate Assessment.

A Natura Impact Assessment (NIS) was undertaken and combined with the submitted information, it is considered reasonable to conclude that on the basis of the information submitted in the NIS report, including the recommended mitigation measures, and submitted in support of this application, that the proposed development, individually or in combination with other plans or projects would not be likely to adversely affect the integrity of European sites, namely Malahide Estuary SAC/ SPA, in view of the site's Conservation Objectives.

Environmental Impact Assessment (EIA)

The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report submitted by the applicant, identifies, and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

Having regard to:

- The nature and scale of the proposed development, which is under the mandatory threshold in respect of Class 10 – Infrastructure Projects of the Planning and Development Regulations 2001 as amended,
- The location of the site on lands that are zoned for residential uses under the provisions of the Meath County Development Plan 2013 – 2019, and the results of

the strategic environmental assessment of the Meath County Development Plan undertaken in accordance with the SEA Directive (2001/42/EC),

- The location of the site within the town boundary of Dunshaughlin, which is served by public infrastructure and the existing pattern of residential development in the vicinity,
 - The location of the site outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended) and the mitigation measures proposed to ensure no connectivity to any sensitive location,
 - the guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003), and
 - the criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended),
 - the Schedule 7A of the Planning and Development Regulations 2001 as amended, information submitted with the application.

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.

Conclusions on Proper Planning and Sustainable Development:

The Board considered that the development was compliant with the Meath County Development Plan, notwithstanding the Phase II objective, based on the consideration that the Phase II designated lands were to be developed post 2019 – and it is now post 2019.

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

development would, therefore, be in accordance with the proper planning and sustainable development of the area.

17.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior to commencement of development, or as otherwise stipulated by conditions hereunder, 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.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) House no. 2 (Type 4) shall be omitted in its entirety and House no. 3 be revised to be a detached, dual frontage house.
 - (b) A pedestrian/ cycle path shall be provided to the south of House no. 3, connecting the public footpath on the Ratoath Road with the shared surface area.
 - (c) The area to the front of the childcare facility to be revised such that set-down can be facilitated without the need for reverse manoeuvring of cars. This may result in the loss of car parking spaces in this area.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interests of residential amenity.

3. The number of residential units permitted by this grant of permission is 211 no. units.

Reason: In the interests of clarity.

4. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the Type 4 houses (4, 4(A), 4(B)) dwelling houses without a prior grant of planning permission. This refers to units no. 3 to 6 and 39 to 47.

Reason: In the interest of residential amenity.

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

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

6. The 'Mitigation Measures' outlined in the 'Natura Impact Statement', the 'Mitigation and Monitoring' measures outlined in the 'Ecological Impact Assessment' and the 'Site Works Mitigation Measures' outlined in the 'Outline Method Statement for Stream Re-alignment' shall be carried out in full by the developer.

Reason: In the interest of biodiversity protection and to ensure that water quality is maintained.

7. Not more than 75 of residential units shall be made available for occupation before completion of the childcare facility unless the developer can demonstrate to the written satisfaction of the planning authority that a childcare facility is not needed (at this time).

Reason: To ensure that childcare facilities are provided in association with residential units, in the interest of residential amenity.

8. Details of the materials, colours, and textures of all the external finishes to the proposed dwellings/buildings shall be as submitted with the application, unless otherwise 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.

Reason: In the interest of visual amenity.

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

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

10. Public lighting shall be provided in accordance with a scheme, which shall 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/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

11. 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.

Reason: In the interests of visual and residential amenity.

12. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs and access to service areas shall be in accordance with the detailed construction standards of the Planning Authority for such works and design standards outlined in DMURS. The following amendments in relation to roads/ pedestrian paths and cycleways shall be carried out in full by the developer:

(a) A chicane or similar measure shall be provided on Street 2 and Street 3 to reduce the length of straight section of street.

(b) A mid-block pedestrian and cycle crossing shall be provided on the distributor road to the east of the site.

(c) Landscape trees shall be omitted from the width of the two-way cycle track adjacent to the R125 and the developer shall ensure that no landscape feature is within or closer than 0.5 m from the edge of any cycle facility.

(d) The developer/ applicant shall prepare a design for the written agreement of Meath County Council, providing for the removal of a potential traffic conflict

between drivers exiting the proposed development and contraflow cyclists on the two-way cycle track i.e. those cyclist approaching from the left hand side as vehicles exit the development access junctions. The layout shall be revised in accordance with Section 4.9.2 of the 'National Cycle Manual'.

(e) The developer/ applicant shall prepare a design for the written agreement of Meath County Council, for a transition zone on the R125 approach to the proposed development to incorporate appropriate measures in line with DMURS Advisory Note 1 'Transition Zones and Gateways'.

(f) The developer/ applicant shall prepare a design for the written agreement of Meath County Council, for the upgrade of the R147/ Lagore Road junction to a traffic signal junction. The design shall align the junction with DMURS principles and provide additional pedestrian facilities whilst ensuring operational safety and capacity. An assessment of the junction shall be undertaken to confirm capacity.

(g) A detailed construction traffic management plan 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.

Reason: In the interests of traffic, cyclist and pedestrian safety and to protect residential amenity.

13. The proposed development shall make provision for the charging of electrical vehicles. All car parking spaces serving the development shall be provided with electrical connections, to allow for the provision of future charging points and in the case of 10% of each of these spaces, shall be provided with electrical charging points by the developer. Details of how it is proposed to comply with these requirements, including details of design of, and signage for, the electrical charging points and the provision for the operation and maintenance of the charging points (where they are not in the areas to be taken in charge) shall be

submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: in the interests of sustainable transportation.

14. 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 commencement of development the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit.

Upon Completion of the development, a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the Planning Authority for written agreement.

Reason: In the interest of public health and surface water management

15. The developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

16. The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

17. (a) Prior to commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained shall be enclosed within stout fences not less than 1.5 metres in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum a radius of two metres from the trunk of the tree or the centre of the shrub, and to a distance of two metres on each side of the hedge for its full length, and shall be maintained until the development has been completed.
- (b) No construction equipment, machinery or materials shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work is shall be carried out within the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.
- (c) Excavations in preparation for foundations and drainage, and all works above ground level in the immediate vicinity of tree(s), as submitted with the application, shall be carried out under the supervision of a specialist arborist, in a manner that will ensure that all major roots are protected and all branches are retained.
- (d) No trench, embankment or pipe run shall be located within three metres of any trees or hedging which are to be retained on the site.

Reason: To protect trees and planting during the construction period in the interest of visual amenity.

18. Bat roosts shall be incorporated into the site and the recommendation of the Bat Assessment report shall be carried out on the site to the written satisfaction of the Planning Authority and in accordance with the details submitted to An Bord Pleanála with this application unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure the protection of the natural heritage on the site.

19. (a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials [and for the ongoing operation of these facilities] for each apartment unit shall be submitted to, and agreed in writing with, the Planning Authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

(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.

(c) This plan shall provide for screened bin stores, which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

20. Prior to commencement of development, the applicant 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.

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.

21.(a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/ bin storage and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company

(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the Planning Authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

22. 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. [The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.].

Reason: In the interest of sustainable waste management.

23. 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. This plan shall provide details of intended construction practice for the development, including:

- Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- Location of areas for construction site offices and staff facilities;
- Details of site security fencing and hoardings;
- Details of on-site car parking facilities for site workers during the course of construction;
- Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- Measures to obviate queuing of construction traffic on the adjoining road network;
- Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

- A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority.

Reason: In the interest of amenities, public health and safety.

24. Site development and building works shall be carried out only between the hours of 0800 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.

25. The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of any development.

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

26. Prior to the first occupation of the development, the developer shall provide a piece of public art, sculpture or architectural feature, designed and located in consultation with the Planning Authority. This piece shall have a relationship to the local area.

Reason: To comply with Development Plan objectives and in the interest of visual amenity.

27. 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 -

(a) Notify the Planning Authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,

(b) The applicant shall engage the services of a suitably qualified archaeologist to co-ordinate the mitigation proposals contained in the testing report for archaeological excavations and archaeological monitoring of groundworks. The archaeologist will excavate the remains of the burnt spread identified in the testing phase and to monitor under licence all groundworks associated with the development.

(c) Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Department of Culture, Heritage and the Gaeltacht with regard to any necessary mitigating action (e.g. preservation in situ, or excavation) and should facilitate the archaeologist in recording any material found.

(d) The Planning Authority and the Department of Culture, Heritage and the Gaeltacht shall be furnished with a report describing the results of the monitoring.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

28. Prior to commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company or such other security as may be accepted in writing by the Planning Authority, to secure the protection of the trees on site and to make good any damage caused during the

construction period, coupled with an agreement empowering the Planning Authority to apply such security, or part thereof, to the satisfactory protection of any tree or trees on the site or the replacement of any such trees which die, are removed or become seriously damaged or diseased within a period of [three] years from the substantial completion of the development with others of similar size and species. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To secure the protection of the trees on the site.

29. 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 provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public 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 or maintenance of any part of the development. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

30. The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as

amended. The contribution shall be paid prior to 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.

Note: The total shall include a contribution in respect of the upgrading of the junction of the R147/ Lagore Road to a traffic signalised junction

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.

Paul O'Brien
Planning Inspector

19th August 2020

Appendix 1: Third Party Submissions & Observations

Alicia O'Connor & Tadhg O'Hanlon

Cnoc Tiarnach Residents Association

Dr Robert Yeo & Sandra Collins

Gary & Anne Hessman

Greg & Audrey Fraher

Leonard & Paul Grogan

Liam Downey

Mark & Alex Keegan

Michael & Wendy Tyner

Michael Wells & Deirdre Synnott

Miriam Nally & Maria Enright

Phillip Roche & Bridget Green

Scott & Emma Colley

Trevor & Karen O'Toole

Victoria Gray