



An
Bord
Pleanála

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

Inspector's Report ABP-307507-20

Strategic Housing Development

320 no. residential units (136 no. houses, 184 no. apartments), creche and associated site works.

Location

Charterschool Land, Manorlands 2nd Divisions and Commons Td 7th Division, Trim, Co. Meath.
(www.manorlandstrimshd.ie)

Planning Authority

Meath County Council

Applicant

Keegan Land Holdings.

Prescribed Bodies

An Taisce
Department of Culture, Heritage and the Gaeltacht
Irish Water
Transport Infrastructure Ireland

Observer(s)

Eco Advocacy
Kieran Cummins
Manorlands Resident Association
Mornington Residents Association
Fiona Rafferty.

Date of Site Inspection

10th of September 2020

Inspector

Karen Hamilton

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Appendix A- EIA Screening Form

1.0 Introduction

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

2.0 Site Location and Description

- 2.1. The site (c.9.23ha) is located to the south west of Trim, Co. Meath. The site includes a former livestock market, which has been demolished, and associated hardstanding to the east of the site, adjoining the R 158 (Summerhill Road) and agricultural lands to the west of the site. The boundary along the R158 and the majority of the remaining site comprises of mature trees and hedgerows. The rear boundary walls of Manorland estate bound the north west.
- 2.2. The site is currently accessed from the R158/ Summerhill Road and extends from the north at Trim town Council offices and the Manorland housing estate to the south at the Care Choice Care Centre. The side adjoins the R158 Ring Road roundabout to the south of the site and an Applegreen Petrol filling station.
- 2.3. Mornington House (a protected structure) is located to the north east of the site and some trees associated with the house are located on the north east of the site. A view of Wellington Monument from the Summerhill Road is protected.

3.0 Proposed Strategic Housing Development

- 3.1. The proposed development comprises of the construction of 320 no. dwellings (136 no. houses, 120 no. apartments and 64 no. duplex units) with crèche, community centre and ancillary services.
- 3.2. Once vehicular access is proposed off the Summerhill Road along the east of the site and pedestrian links proposed to the north and south.
- 3.3. The apartment units are contained in 4 no. 4/5 storey blocks fronting onto Summerhill Road, along the east of the site.

Key Parameters

Parameter	Site Proposal
Gross Site Area	c. 9.23ha
Open Space	c. 12,371m ² public open space c. 888m ² communal open space
Units	320 no units (136 houses, 120 apartments, 64 duplex units)
Apartments	4 no. blocks along Summerhill Road
Height	4- 5 storey apartment blocks
Plot ratio	0.36
Density	c.39.4 units per ha c.8.8ha used for density calculations (removed community zoned lands)
Community Room	c. 219m ²
Crèche	c. 520m ²
Parking	563 no. car parking spaces, 188 no covered bike spaces
Dual aspect	77%

Housing mix

Unit Type	Houses	Apartments	Percentage
Studio	-	11	4%
1 bed dwelling	-	30	9%
2 bed dwelling	10	103	35%
3 bed dwelling	105	40	45%
4 bed dwelling	21	-	7%
Total	136	184	

4.0 **Submission from the Planning Authority (PA).**

4.1. A submission to the SHD application was received from the Chief Executive (CE) of Meath County Council (MCC) dated 01st of September 2020 and includes a summary of the development plan policy, relevant site history, the interdepartmental reports and the planning assessment of the proposed development. The opinion of the Elected Members did not accompany this submission. In general, the submission recommends a grant of permission subject to the Board addressing specific issues relating to the delivery of the road objective RT5, as part of the Core Strategy, Objectives and Framework Plan. The submission has been summarised below.

4.2. **Key Planning Considerations**

Master plan

- The subject site is subject to the preparation of a master plan (CS OBJ 2) Core Strategy Objective 2.
- The indicative master plan which accompanied the application was not agreed with the PA prior to the submission of the application.
- The zoning is consistent with that in the Draft Meath County Development Plan.
- The master plan should be assessed against the recommendation of the transport department and the delivery of RT5.

View/ prospect

- Further clarification on the exact location of the view/prospect relevant to the site is provide on Sheet No 38 (B) of the draft plan and heritage map for Trim.

Design & Layout

- The density is consistent with the County Development Plan and the character of the surrounding area.
- The housing mix and typologies provides a good mix.
- The Meath Development Plan requires 15% public open space. The applicant is providing public open space and communal open space in line with the development plan standards.

- The apartments are required to comply with the private open space standards in the apartment guidelines and the communal open space standards.
- Boundary treatments are considered acceptable.

Landscape and Visual impact

- View Point 11 is located along the eastern site frontage, along the Summerhill Road.
- “Verified photomontage for landscape and visual impact assessment” is submitted although does not consist a landscape and Visual Impact Assessment (LVIA) which should be prepared by a suitably qualified Landscape Architect as per the Guidelines for Landscape and Visual Impact Assessment (2013),

Transport & Traffic

- Detailed comments are provided during S247 consultations.
- The Roads Dept. have no objection subject to the Board satisfied in the roads Objective RT5 has been adequately dealt with.
- 11 no. conditions are recommended.
- A proposed road RT5 (southern distributor road), connecting the R161 and R160 is located at the rear of the site.
- The crèche is accessed from the R161 and was advised at pre planning that this was unacceptable.
- Strategic Objective TRAN OBJ 12 of the development plan requires the delivery of the RT5 and the applicant has not addressed this.
- The RT5 should be agreed by the applicant by condition or a Section 47 agreement and the proposal should not prejudice the achievement of the RT5.
- The trip generation is considered a representative assessment of the proposal.
- The results in the TTA do not represent both scenarios do min and do something for the years of assessment although the capacity for all junctions has been assessed for all scenarios

- Junction R158/ Patrick Street traffic signals has been omitted from the assessment of traffic impact and there is concern that the operational safety and efficiency of the junction will be impacted upon.
- Reference to traffic movement at the main junction (R158/ Summerhill road) and R158 Sumemrhill Road roundabout, is incorrect and there will be traffic from the first year although the operation of the junction at capacity in 2038 is included.
- Full PICADY output results have not been provided to allow review of geometric and volumetric inputs to ascertain the junction operation and should be provided.
- Sightlines and geometry into the site are deemed appropriate.
- Cycle facilities through the development should either be shared with or segregated from pedestrians as per Section 4.9 of the National Cycle Manual.
- A Road Safety Audit Stage 1/ 2 should be submitted and a DMURS Street Design Audit.
- The applicant has not provided a drawing clearly indicating the hierarchy of streets and order.
- Sightlines for internal roads should be provided with features impeding movements.
- The turning heads should be reduced in size to remove adhoc parking
- Road markings are not a necessity in home zone areas.
- There is little vehicle permeability to the south eastern portion of the site.
- There should be a road access to the housing estate to the north Manorlands Housing Estate.
- Parking adjacent to open spaces should be removed.
- The materials should be of a standard for taking in charge.
- The transition of cycle facilities into shared areas with cyclist is required.
- The quantum of parking is sufficient.

- Cycle parking should be in in fully enclosed buildings and accessible and lockable to residents only.

Surface Water Treatment & Disposal

- The proposal is broadly compliant.
- Conditions relating to attenuation and discharge into the surface water system are recommended.

Water/ environmental protection

- Conditions recommending the submission of a Construction Environmental Management Protection (CEMP) and implement a Waste Management Plan (WMP)
- Conditions are recommended for dust and noise during construction and operation.

Part V/ Taking in charge

- Agreement in principle for Part V subject to a condition.

Services & Other

- The applicant has included a crèche.
- A School Demand Assessment in submitted with the application.
- The community centre is supported by the policies of the development plan.
- A condition should be included requiring the submission of Art Work, estate name approval and broadband provision.

4.3. **Interdepartmental Reports**

Architectural Conservation Officer- No objection subject to the following:

- Apartment Block 2 should be reduced in height so as to integrate better with the setting of the adjoining PS Mornington House TT036-084 and when viewed from the PS Wellington Monuments and Protected View.
- The Recorded and Registered Monument ME 036-036/ ME 01635 Enclosure Manorland, need to be retained and a zone of exclusion created as green

space around the monument. The archaeological assessment may be unreliable due to interference with existing equipment.

Chief Fire Officer- No objection to the proposal.

Heritage Officer-

- No assessment of the extent of cumulative impact of hedgerow removal was undertaken.
- In relation to bats the mitigation measures in the EclA (Section 6.1) should be carried out by a qualified ecological specialist. Hedgerows should not be removed during nesting season and preventative measures in the CEMP should ensure non-native invasive species are not introduced on site.
- In relation to the Appropriate Assessment the Board should satisfy themselves that the efficacy of the SUDS Strategy and surface water management on the site will have no significant effects on the qualifying interest of any Natura 2000 site.
- There is no objection to the impact on the Wellington Monument (i.e. protected views)

Housing Section-

- There is no final agreement in place until a formal letter from Meath County Council has been issued.

Transport Section & Public Lighting-

- There are too many trees in the design which would physically obstruct the spread of light and the landscaping design should be alerted to complement the lighting.

Transport Section – No objection subject to the following.

- The Board should satisfy itself that the portion of the outer ring road (RT5) as required under Strategic Objective TRAN OBJ 12 of the development plan can be delivered.
- The submission has been summarised above under the planning assessment.

Water Services- No objection subject to conditions.

5.0 Third Party Submissions

5.1. A number of submissions were received in relation to the proposed development, 4 of these were from prescribed bodies as summarised in Section 9.0 and the remainder are from 2 no. residents associations, residents from the vicinity of the site and a legal company based in Enfield. The residents' association submissions are accompanied by petitions against the proposal and include multiple signatures. One of the residents' associations is on behalf of the Manorland estate to the north of the site, whilst the other from the estate on the opposite side of the R158, Summerhill Road, Mornington Estate. Issues raised throughout the submissions are similar and therefore I have summarised these into common themes as below:

5.2. Pre planning and SHD

- The preplanning documentation is noted and it is considered the exclusion of the public from this process is contrary to the Aarhus convention.
- There are other planning cases which indicate that the public should be allowed to participate in the planning process.
- There is no information on the Boards web site as to how the decisions on the pre application were arrived at.
- An article on the problems from SHD is attached to a submission.

5.3. Planning History

- The issues from the previous refusal remain applicable.

5.4. Residential Amenity

- There are concerns the two storey dwellings will overlook Manorlands Crescent and cause overbearing and overlooking.
- The proposed development will seriously injure the residential amenity and devalue property in the vicinity.
- It does not appear that excavation is proposed, therefore the height of the dwellings will be higher than those on Manorlands Crescent (c. 1.8m).

5.5. Visual Impact

- The site is already slightly elevated and the proposal and the impact on the surrounding area will be overbearing.
- The submitted photomontages do not clearly illustrate the impact due to the choice of location of the visuals for the proposal.

5.6. Documentation

- There was not sufficient documentation on the web page and a site layout was only available in a booklet.

5.7. Capacity Issues

- The GP practices in the town are full.
- There is insufficient school places available for children at present.
- There is a lack of community facilities in the town.
- A letter from school to a parent indicating the full capacity of the school, is attached to a submission.

5.8. Infrastructure

- The sewerage capacity is questioned.
- The lands to the rear are within the applicant's ownership and additional capacity may be required.
- The water pressure in the town is poor.

5.9. Design & Layout

- The multi-storey apartment blocks are inappropriate.
- The site is already elevated.
- High density housing would set an undesirable precedent.
- There are no buildings above 3 storey in Trim at present.
- The choice of location for the visuals and montages are not the best locations.
- The size of the units only meet the minimum and are too small.
- The housing mix should suit older people and those with disabilities.
- There are little storage facilities.

- The proposal does not promote sustainable living or optimal land use.
- Only 10% social and affordable housing is provided.

5.10. Historical context

- The proposed apartments are not in keeping with the heritage town.
- The proposal is not in keeping with the character of the area
- The siting of the apartments will impact on the heritage.
- The proposal will impact on tourism.

5.11. Car parking

- The number of spaces (523) will not serve the 320 housing units and a crèche.
- At least 640 car parking spaces area required.
- Underground parking should be integrated.

5.12. Traffic and Access

- There is concern over the limited visibility onto the road.
- The R158 is a very busy road.
- There is limited public transport to the site.
- At peak times there is a bottle neck of traffic in the town.
- The bus service is currently a considerable distance and oversubscribed.

5.13. Building material.

- The site is elevated and it is unclear where the materials will go.
- The other companies in the Keegan Group intended to supply materials and there is a previous issue with compliance by the applicant.

5.14. Surface Water

- SuDS should be incorporated.
- Attenuation tanks to be properly maintained

5.15. Applicants previous issues with non-compliance

- The applicant has breached planning application conditions previously, most noticeably quarrying activities and other activities outside the subject site.
- Court proceedings and judgements for non-compliance are attached.

5.16. Archaeology

- There is no reference to archaeology on the site.
- Past reports for other applications are reproduced.
- Surveys suggest additional surveys are required.
- There was a major archaeological find on lands owned by the applicant on another site and the Dept. consented to an order removing burial grounds, there is a possibility other sites were destroyed.

5.17. Biodiversity

- It is unclear how the proposal will impact the biodiversity on the site.

6.0 **Planning History**

6.1. There have been a number of previous applications on the subject lands. The most relevant of which are detailed below.

PL17.240389 (Reg Ref TA/110312)

Permission refused (2012) for 106 residential units, crèche, children's play centre, arts and craft centre, community shop and gym. The reason for refusal is summarised below:

Having regard to the layout of the proposed development including:

- the prevalence of car dominant roads and excessive vehicular connections to land to the east of the site,
- the unsuccessful proposed public open spaces within the site which would militate against the creation of a sense of community and place,
- the failure to create safe, secure and enclosed character areas,
- excessive mix of architectural styles,
- failure to incorporate the lands to the south of the proposed access road,

- and the fact that the main proposed open spaces of the proposal are surrounded on all sides by road access way,

the proposal does not comply with national guidance to promote high quality residential living.

PL17.235264 (Reg Ref TA/900170)

Permission refused (2010) for a development comprising the decommissioning of underground storage tanks, construction of 150 dwellings, crèche and 4 commercial units. The reason for refusal is summarised below:

The site is located in a prominent area in the historic town of Trim, a heritage town and close to a zone of Archeological potential and an ACA. It is an objective of the Trim Development Plan 2008-2014, which relates to this site under FP4 (inter alia) to provide for high quality design and layout, and development at a scale appropriate at this location and fully integrated with the existing urban fabric. The poor quality of the design would fail to integrate with the character of the town.

There were also a number of earlier applications pertaining to the site including TA/70042, TA/706094 and TA/801950 also relating to residential development. All were refused permission for reasons relating to failure to implement SuDS, poor site layout, deficiencies in water supply and inappropriate scale and form.

7.0 Section 5 Pre Application Consultation

7.1. A pre application consultation took place at the offices of An Bord Pleanála on the 13th of February 2020, and following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála issued an opinion that the documentation submitted required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála as summarised below:

1. Development Strategy

Further consideration of documents as they relate to the development strategy for the site, in particular the architectural approach and overall layout of the proposed development in relation to:

- The design and interface of the apartment blocks fronting the R158 Summerhill Road to create a strong urban edge and ensure satisfactory pedestrian and cyclist movements as well as potential permeability through the site.
- Creation of a hierarchy of high quality, functional and amenable public open spaces.
- A range of high quality housing typologies with distinct character areas.
- The treatment of corners with double fronted units.
- Compliance with DMURS regarding permeability and connections with existing street network; hierarchy of routes and street function; enclosure including building frontage, furniture and planting along streets; parking; widths of carriageways and footpaths; pedestrian crossing points; and types of junctions and corner radii.
- Compliance with the particular requirements of the National Cycle Manual should be demonstrated by the documents.
- Omit parallel roads and dominance of car parking.
- Appropriate connections and permeability to adjoining lands
- a high quality landscape strategy.
- SuDS measures should be incorporated into the landscape proposals as appropriate.
- Compliance the 12 criteria set out in the Urban Design Manual which accompanies the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities and the Design Manual for Urban Roads and Streets.

7.2. Furthermore, the prospective applicant was advised that the following **specific information** should be submitted with any application for permission, as summarised:

1. A visual impact assessment and additional CGIs of the development when viewed along the R158 should be provided.

2. Landscaping proposals including an overall landscaping master plan for the development site including measures to protect existing trees and hedgerows to be retained.
3. A report that specifically addresses the proposed materials and finishes to the scheme, the use of render is not acceptable for the apartment blocks at this location.
4. A detailed schedule of accommodation which shall indicate compliance with relevant standards in the 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018.
5. Childcare demand analysis and the likely demand for childcare places resulting from the proposed development.
6. School demand assessment.
7. A Building Life Cycle Report.
8. A construction and demolition waste management plan.
9. A phasing plan for the proposed development.
10. A site layout plan clearly indicating what areas are to be taken in charge by the Local Authority.
11. A detailed report outlining the any works to be undertaken to the R148.
12. Detailed design of proposed surface water management system proposed including attenuation proposals and cross sections of all SuDS features proposed on site in the context of surface water management on the site.
13. The information referred to in article 299B (1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 should be submitted as a standalone document.

7.3. Applicant's Statement

A Statement of Response accompanied the application as summarised below:

In relation to the further consideration of the **development strategy**:

- The design of the apartment blocks along the Summerhill Road have been revised and moved closer to the road to provide a strong urban edge and new street incorporating a cycle track and footpath.
- The proposed layout have been amended to include enhanced pedestrian and cycle route through the site.
- A wide range of residential types have been included with 6 main house types, 4 proposed character areas, 3 no apartment blocks and a community/ crèche area.
- There are no blank gables or side gables throughout the development
- The design is redesigned to comply with DMURS as per Section 11 of the Civil.
- The parallel roads have been omitted from the internal road network with a more rational parking layout.
- A pedestrian / cycle link to the vacant lands between Moorlands Crescent and Mornington House to the north , multiple links are provided along Summerhill Road , pedestrian/cycle link and emergency access to the southwest.
- High quality landscaping proposal incorporating SuDS is included.
- The proposal complies with the 12 criteria in the Urban Design Manual.

In relation to the specific information:

- A “Verified Photomontages for Landscape and Visual Impact Assessment” has been submitted.
- The “Landscape Design Rationale” includes all the materials for the landscaping.
- The “Architectural Design Statement” includes the full details of materials and finishes throughout the scheme.
- A “Housing Quality Assessment and Schedule of Accommodation” indicates compliance with the standards in the sustainable urban housing guidelines.
- The childcare analysis indicates a requirement for c. 69 childcare spaces.

- The School demand assessment indicates there are 5 no primary schools and 2 no post primary schools. The information from the Department of Education indicates that two post-primary schools are listed for further expansion and a dedicated Education together is at preliminary stage.
- A Building Lifecycle report is submitted.
- A Construction & Demolition Waste Management Plan is submitted.
- A Construction Phasing plan is submitted.
- A Taking in Charge Layout plan is included.
- Detailed SuDS systems are in place.

8.0 Relevant Planning Policy

8.1. National Planning Framework (NPF)

The National Policy Objectives (NPOs) which specifically relate to this proposal are summarised below:

- NPO 3a- Deliver at least 30% of all new homes nationally within the built-up footprint of existing settlements
- NPO 4- 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.
- NPO 33- Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- NPO 35- Increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill developments schemes, area or site –based regeneration and increase building heights.

8.2. Regional Spatial and Economic Strategy- Eastern and Midland Regional Assembly (RSES-EMRA) 2019-2031.

- Trim is designated as a medieval town and a designated Irish Heritage town.

- Table 4.2- Self Sustaining Growth Towns. Towns with moderate level jobs and services which have seen rapid residential expansion will require targeted expansion.
- Trim is located within the Core Region, close to Dublin Metropolitan Area.

8.3. Meath County Council Development Plan 2013-2019

Trim is identified as a Moderate Sustainable Growth Town in the settlement hierarchy.

Objective SSOBJ11 states:

“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.”

Housing

- **HS Pol 1:** *“To encourage and foster the creation of attractive mixed use sustainable communities which contain a variety of housing types and tenures with supporting community facilities, public realm and residential amenities.”*
- **HS Pol 2:** *“To require a high standard of design in all new residential schemes that are built in a style and scale that is appropriate to the landscape setting.”*
- **HS Pol 3:** *“To integrate new housing into the existing social and urban fabric of the County’s settlements.”*

8.4. Draft Meath County Council Development Plan 2021-2027

Trim development plan will be subsumed into the County Development Plan on adopted.

The household allocation for Trim up to 2026 is proposed at 1,333 and additional lands have been zoned for residential to accommodate this growth.

Master Plan 1- Former Potterton cattle sales yards for a mixed use development and community development.

8.5. **Trim Development Plan 2014-2020** (as amended by variation No.1 adopted September 2019).

Variation No. 1 of the plan made amendments to the plan to incorporate the key tenets of the Economic Development Strategy for County Meath 2014-2022.

The site is zoned primarily zoned A2 New Residential, where it is an objective, *“to provide for new residential communities with ancillary facilities, neighbourhood facilities and employment uses as considered appropriate for the status of the centre in the Settlement Hierarchy”*.

A small portion of the site to the south east is zoned G1 Community Infrastructure, where it is an objective *“To provide for necessary community, social and educational facilities.”*

Core Strategy

POL 3: *“to consolidate and develop a sustainable town and avoid further sprawl.”*

The subject lands and adjoining lands to the east are subject to Objective MP2.

Core Strategy Objective 2 states:

To provide for the development of a mixed use residential and community development as part of the overall proposals for the former Potterton cattle sales yard to the north of the Summerhill/Longwood Road roundabout off the Trim Inner Relief Road. Development shall be on a phased basis within the life of the Trim Development Plan as identified on the land use zoning objectives map. A Master Plan shall accompany any planning application for the development of these lands. The Masterplan which shall be agreed in writing with the Executive of the Planning Authority prior to the submission of a Planning Application on these lands. The Masterplan shall address land use, transportation, connectivity, and urban design, environmental impacts including flood risk, phasing and implementation to the satisfaction of the Executive of the Planning Authority.

The Masterplan shall contain, inter alia the following information:

- A design concept for the lands;
- Guidance for high quality design through the development;
- Building heights and densities;

- A landscape plan for the development and landscape management plan (post completion of the development);
- Specific landscape buffering and visual screening on all boundaries in the interest of visual amenity;
- Flood Risk Assessment which takes account of the policies and guidance within Section 3 of the SFRA;

A Transport Assessment which addresses the following issues:

- 1) Access arrangements to the development site;
- 2) Provision of safe cycleways and pedestrian routes throughout the lands and
- 3) Provision and access for service vehicles to the lands.

Housing

5.3.17 The plan sets out a number of policies and objectives regarding housing and includes the key housing aim to *“promote the development of mixed use sustainable communities with supporting community facilities, public realm and residential amenities which cater for a range of housing needs and tenures.”*

Transportation

TRANS OBJ 12-RT5 and an indicative road link to the west of the overall landholding
Section 5.3.18

Pending a review into the need for the distributor road network, the commencement of which would begin within one year of the adoption of the Plan, to preserve (and where indicated to construct subject to routing, environmental assessment and appropriate assessment) and secure from further development a corridor for the provision of distributor link roads which include the following routes:

- RT5: Construction of the local distributor road link between Kinnegad Road and Longwood Road. This shall be provided as part of Framework Plan No. 1.

TRAN POL 9: To support major road improvements by reserving the corridors of any such proposed routes free of developments, which would interfere with the provision of such proposals.

TRAN POL 10: To implement a programme of road construction / improvement works in an environmentally sustainable manner and local measures to improve road safety closely integrated with existing and planned land uses.

Protected View

Viewpoint 11 on Conservation Map No. 3 is located along the eastern site frontage
Objective HER OBJ 13: Views of Wellington Monument from Patrick St. Emmet St. and the Summerhill Road.

Objective HER OBJ 14: “To require an appropriate Landscape and Visual Impact Assessment (taking into account cumulative impacts) for development that may have a potential to impact adversely on significant built heritage and cultural landscape features such as scenic views and routes within and adjoining the Plan area.”

Tree Protection

TP7- Mature Deciduous and coniferous Trees- Grounds of Mornington House and Castle Arch Hall.

HER POL 3- ensure proposals do not compromise important trees.

HER POL 4- Require mature tree/ groups to be retained and protected.

Built Heritage

Mornington House, a Protected Structure (TT036-084) is located to the north, adjoining the site and the following polices would apply.

CH OBJ 13- Protection of all protected structures

CH POL 10-Conserve and protect the architectural heritage.

8.6. Designated Sites

The site is located c. 700m to the south of the River Boyne and River Black Water SAC (site code 002299) and c. 800m to the south of the River Boyne and River Blackwater SPA (site code 004232).

8.7. Applicants Statement of Consistency

A Statement of Consistency accompanied the application indicating compliance with the National, Regional and Local polices.

- Reference to need to provide housing within settlements as per NPO Objective 3a, 33 and 35 of the NPF which emphasises the need to locate housing in urban locations.
- In accordance with SPPR 3 and SPPR4 of the building height guidelines the site is appropriate for 5 storey apartment buildings and will create a new urban streetscape appropriate for Summerhill Road.
- The scheme complies with the assessment criteria for sustainable residential development and the accompanying Urban Design Manual. The visual impact assessment indicates that there will be no negative impact on the protected views.
- The apartment development complies with SPPR 1, 2, 3, 4, 5 & 6 of the sustainable urban housing: Design Standards for new apartments.
- A statement of compliance with DMURS is submitted.
- The proposal complies with the Meath County Council Development Plan 2013-2019 and the Trim Development Plan 2014-2020 (as amended by Variation No 1 Sept 2019).

9.0 Prescribed Bodies

9.1. Department of Culture, Heritage and the Gaeltacht

Archaeology

- The remains of a rectilinear enclosure of archaeological interest are in the footprint of the site.
- This enclosure is a Recorded Monument (RMP No. ME 036-026).
- The geophysical surveys which accompanied the application have limited information on the impacts of the development.
- In the event that permission is granted and Archaeological Impact Assessment should be prepared to assess the potential impact on any archaeological remains and a condition requiring detailed archaeological assessment during construction is required.

Nature Conservation

- The removal of any trees and hedgerows should only be undertaken during the period 01st of September and the end of Feb and condition should be included to ensure removal outside the bird breeding season.

9.2. **An Taisce**

Previous Refusals on the site

- Details of previous refusals on the site and the reasons for refusal are considered to remain the same.
- TA801950- SuDS issues
- PI17.235264 (TA900170) - Impact on the historic town of trim and the Zone of archaeological potential.
- PL17.240389 (TA110312) - Layout of the roads and location of public open space would militate against sense of community and excessive architectural styles.

Overarching considerations and justification for proposal

- Trim is promoted as a heritage town and proposals should reflect this.
- The River Boyne is 100m from the site.
- There is not sufficient local need to justify the proposed development.

Sustainable transport

- Trim is a major commuting town for Dublin and the proposal will add to this.
- The cycle path along Summerhill Road only starts and finishes at the site.
- The site is not well served by public transport (15m walk to the nearest bus stop) and the TTA fails to evaluate the bus service.
- There is only one vehicular entrance into the site and would result in traffic build up during busy times.
- The proposal will increase unsustainable dependence on the private car.

- A report from An Taisce submitted to the Organisation for Economic Cooperation and Development (OECD) accompanied the submission. The report highlights the necessity to promote sustainable transport patterns.

Scale and Visual Impact

- There are limited apartment developments in Trim.
- The proposed apartments (up to 5 storeys) would face onto Mornington Heights housing estate and single storey housing along Summerhill Road. These houses are at a much lower elevation.
- The five storey apartment block would be incongruous with the historic character of the town and would be visible from Trim castle.

Ecological Impact and Drainage

- A stream which runs 100m from the site flows into the River Boyne and aside from the impacts on the SAC/SPA there are concerns in relation to the spawning habitat for trout.
- The impacts on the river have not been adequately dealt with in the Ecological Impact Assessment.
- The Trim development plan 2014-2020 requires all development to include SuDS and lack of compliance was a reason for a previous refusal.

School Capacity

- It appears no assessment of the local schools was undertaken.

Social and Affordable housing

- The Trim Town Development Plan requires 16% for social and affordable housing although the applicant has only provided 10%.

9.3. Irish Water

- The applicant has been issued with a confirmation of feasibility for 361 residential units.
- In regards waste water a new connection is feasible without upgrade and the sewer along the ring road will avoid the local pumping station.

- In regards water an upgrade of the water mains is required and will be funded by the developer as part of the connection agreements. Consents not in the public domain are the responsibility of the applicant.
- A condition should be included requiring a connection agreement with IW.

9.4. **Transport Infrastructure Ireland (TII)**

- No observations to make.

10.0 **Assessment**

10.1. Having examined the application details and all other documentation on file, including the C.E. Report from the Planning Authority and all of the submissions received in relation to the application, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the main issues in this application are as follows:

- Core Strategy and Principle of Development
- Master Plan (MP 2) and Core Strategy Objective 2
- Density and Phasing
- Traffic and Transport
- Urban Design and Inclusion of Apartments
- Impact on future Residential Amenity
- Impact on the existing Residential Amenity
- Impact on Built and Natural Heritage
- Previous Non-Compliance by the applicant
- Waste Management
- Procedural Issues
- Chief Executive (CE) Submission

Core Strategy and Principle of Development

- 10.2. The proposed development comprises of 320 no. residential units a crèche and community hall located to the south east of Trim town on lands zoned in the development plan for both residential (A2, New Residential) and community (G1 Community Infrastructure). The lands are referred to as the Potterton sales yard lands in the development plan.
- 10.3. Trim town is identified as a Moderate Sustainable Growth Town in the settlement hierarchy for County Meath as set out in the Meath County Development Plan (CDP) 2013-2019. Moderate Sustainable Growth Towns or Self-Sustaining Growth Towns as defined in the EMRA-RSES are defined as sub-county market towns and commuter towns with good transport links and capacity for continued commensurate growth to become more self-sustaining.
- 10.4. The core strategy in both the CDP and the Trim Town Development Plan 2014-2020 (as amended) includes a dwelling allocation of 518 units for Trim for the life of the development plan. The qualitative analysis of the core strategy in the Planning Authority (PA) submission notes 437 extant units for Trim (excluding completed c. 30units). This analysis concludes that c. 50 units remain for the town as part of the core strategy allocation for Trim. I note Table 2A of the CDP identifies the site as “Site D” for the purposes of the Core Strategy evaluation. The site is ranked as first in the order of priority for the release of residential lands for development in Trim Town.
- 10.5. The Core Strategy allocation for Trim has not been raised as an issue of concern by the PA or in any third party submission. I note the core strategy information submitted by the PA does not include any analysis on the extant permissions. The PA submission notes an additional allocation of 1,333 units for Trim in the Draft Meath County Development Plan 2021-2027
- 10.6. Having regard to the current core strategy allocation for Trim of 518 units of which only c. 31 units have been completed, and the inclusion of the site as a priority site for residential development, I consider the principle of development at this location is acceptable. I note the submission from the PA refers to the balance of core strategy as c. 50 units, although having regard to the limited completion of dwellings in Trim

which is significantly below the 2013-2019 allocation, I do not consider the proposal represents a material contravention of the core strategy.

Master Plan 2 (MP 2) and Core Strategy Objective 2

- 10.7. Core Strategy Map 2 highlights the site as part of Master plan 2 (MP2). Section 2.3.7.1 of the Trim town plan requires that a master plan shall accompany any application for planning permission on these lands. The master plan is required to provide for all aspects outlined within specific policy Core Strategy Objective 2 (CS OBJ 2) in the Trim town plan.
- 10.8. CS OBJ 2 requires the development of mixed use residential and community development as part of the overall proposal for the Potterton cattle sales yard. The development is required on a phased basis as agreed with the PA and submitted as part of an application. The Master Plan is required to be agreed in writing with the Executive of the Planning Authority prior to the submission of a planning application on these lands and is to address land use, transportation, connectivity, urban design and shall contain , inter alia, the following:
- A design concept for the lands;
 - Guidance for high quality design throughout the development;
 - Building heights and densities;
 - A landscape plan for the development and landscape management plan (post-completion of the development);
 - Specific landscape buffering and visual screening on all boundaries in the interest of visual amenity;
 - Flood Risk Assessment which takes account of the policies and guidance within Section 3 of the SFRA.
 - A Transport Assessment which addresses the following issues:
 - 1) Access arrangements to the development site;
 - 2) Provision of safe cycleways and pedestrian routes throughout the lands; and,
 - 3) Provision and access for service vehicles to the lands.

10.9. Drwg no K-087-MP2-PL-09 and an associated written statement, Indicative Master Plan Scheme at Manorlands Trim, accompanied the application. The drawing includes indicative playing pitches, changing areas, potential secondary school and additional residential development all accessed from the north west of the site, along the R161, Newhaggard Road. This master plan drawing refers to potential pedestrian connectivity through the community lands to the south of the subject site and the residential lands. No vehicular access is provided through the site into the adjoining community lands. The site layout plan illustrates the applicant's ownership of all lands within the MP 2 area.

PA Submission

10.10. The submission from the PA notes that the applicant was advised of the need to sign off on any master plan in order to comply with policy CS OBJ 2, prior to the submission of a SHD application. The PA note in their submission that no formal agreement was undertaken. A detailed assessment of the Master plan documentation has not been undertaken by the PA and they invite the Board to consider the application in light of the recommendation of the Transport Section (TS) submission. The Transport Section (TS) are specifically concerned regarding the delivery of strategic objective TRAN OBJ 12- RT5, a specific transport objective which requires the delivery of a ring road around Trim Town, which they consider a is required to comply with the core strategy objective (CS OBJ 2). The report of the Roads Department considers the delivery of the section of the RT5, which bounds the applicants land holding, should be required as a condition on any grant of permission and request that the Board satisfy themselves that the applicant can deliver RT5 prior to any development.

10.11. I note TRAN OBJ 12-RT5 is not specifically required for the development of these lands (MP 2) and I draw the Board attention to CS OBJ 2 in Section 10.8 above, in particular the transport section which requires access arrangements, provision of safe cycleways and pedestrian routes and provision and access for service vehicle. Issues relating to traffic and transport and the requirement for delivering part of the ring road are further discussed in detail below. It is my opinion, having regard to the information listed in objective CS OBJ 2 that compliance with TRANS OBJ 12- RT5, in tandem with the master planning, is not a prerequisite for the development of this site.

10.12. The documentation submitted as compliance with the masterplan requirements includes one drawing and associated written statement and I am cognisant in my assessment relating to master plan compliance, of other documentation which accompanied the application, inter alia, Architectural Design Statement Masterplan, Traffic Impact Assessment and landscaping strategies. Having regard to the entirety of the information submitted I consider there is sufficient detail available before me to assess compliance with CS OBJ 2.

Community Infrastructure zoning and indicative school site

10.13. I note the lands within the area defined as MP 2 on maps within Volume 3 of the development plan encompass lands within the applicant's ownership, including additional lands to the west zoned for Community Infrastructure. The master plan drawing includes an indicative school site on the Community Infrastructure lands. The written documentation with the master plan notes two existing post primary schools designated for further expansion under the Departments of Education Schools Building Programme (2020) and a new Educate Together primary school planned. I note no specific requirement for a school on this site. The development plan includes a site specific objective for other Community Infrastructure lands to the east of Trim Town relating to the delivery of educational facilities as detailed: SOC OBJ 4 *"To facilitate the Department of Education and Science on the provision of a multi-school campus (Providing for a primary school and a Gaelscoil primary school) by making provision for such a site off the Dublin Road"*. A third party observation has attached a letter from a local school in Trim indicating no available spaces. This letter is personal correspondence and I do not consider it is representative of the available capacity within the town. I note the Community Infrastructure zoning allows for a wide range of uses. I do not consider there is any specific requirement for the provision of a school on the MP2 lands.

Crèche & Community Centre

10.14. The proposed development includes a crèche (c.85 childcare space), community centre (c. 220m²) and open space. Whilst I note the PA submission refers to the absence of any agreed master plan, S.247 meeting notes submitted with the PA submission discussed the need for the proposal to comply with zoning objectives and ensure accessibility to all lands in the framework plan. The zoning objective for

the community infrastructure lands “*To provide for necessary community, social and educational facilities*” . Whilst I consider the uses proposed are compatible with the zoning, I consider the scale of the crèche and community centre is purely commensurate with the scale of residential development proposed as submitted and not for the wider community. This aside, I note the remaining zoned community infrastructure lands within the applicants ownership and other residential redevelopment and I draw the Boards attention to Section 3.6 of the Indicative Master plan which reserves the community infrastructure lands until the final (Phase 3) lands until after additional residential lands (along the R161) within the applicants ownership. Having regard to the limited community infrastructure provided in the proposal which I consider will only support the 320 no residential units, I consider lands zoned for Community Infrastructure, in the master plan are required to support the wider community and should be released sequentially, prior to any further residential development. Having regard to the inclusion of the master plan with the SHD proposal I consider that in the interest of proper planning and sustainable development of the lands in the vicinity and Trim Plan, this phasing sequence should be addressed by the Board in its determination of the proposal and the applicant should be required to provide community infrastructure necessary to support this proposal and any future development. In this regard I consider it reasonable to condition an alteration of Section 3.6 of the Indicative Masterplan as submitted requiring the progression of community zoned lands as Phase 2 and the progression of separate residential lands along the R161, Kinnegad Road as Phase 3.

Pedestrian and Cycle Connectivity

10.15. The proposal as submitted includes pedestrian and cycle connectivity to the north, south and vehicular access to the remaining MP 2 lands. Lands at the rear of Trim Tennis Club are zoned in the development plan for mixed use development. Vehicular access into this site is currently from the north, along the R161. The MP2 drawing and accompanying documents illustrate a potential pedestrian link into these lands. Having regard to the zoning, location to the rear of the Tennis club and existing vehicular access onto the R161 I consider a proposed pedestrian access into these lands is sufficient to address any requirements for master planning in CS OBJ 2.

10.16. The vehicular access from the subject site into the remaining MP2 lands (Community Infrastructure zoning), is for emergency only traffic, I consider this would prevent permeability through the site into the Community Infrastructure lands, especially where the delivery of the ring road may not be deemed necessary in the long term. In this regard I consider a condition on any grant of permission should require that the vehicular access through the site, into the Community Infrastructure lands, should be retained as a potential access for traffic associated with future development.

Conclusion

10.17. I am aware of the requirements in CS OBJ 2 for the master plan to be agreed with the PA before the submission of a planning application. The absence of any formal agreement is noted in the PA submission although no commentary has been provided on the content of the indicative master plan. The PA have not recommended refusal on the absence of any agreement nor have any of the third party's raised this issue. As stated previous, I consider there is sufficient information within the documentation to assess the proposed development in light of the requirements for compliance MP 2. I consider the information contained within the indicative master plan acceptable to assess the proposed development. I do not consider the proposal precludes the future development of other lands within MP 2 area.

Density and Phasing

Density

10.18. An overall density of 39.5 units per ha is proposed and lands zoned as Community Infrastructure along the south of the site have been removed for the purpose of the density calculation (c.8.8 ha as opposed to the overall site area of c. 9.23 ha). A submission from An Taisce raised concern in relation to the absence of sufficient Sustainable Transport pattern options for the site which are necessary to support higher density development in locations such as Trim and consider the proposed development will lead to an unsustainable reliance on the car.

10.19. The report of the PA did not raise any concerns in relation to the density proposed. Chapter 5 of the Sustainable Residential Guidelines for Planning Authorities provides guidance for the appropriate density for lands within larger towns and for brownfield

lands a higher density allocation can be supported. Section 5.11 of the sustainable guidelines provides a guide of 35-30 dwellings per ha for lands location on the outer suburban area (greenfield sites) of larger towns.

10.20. In relation to sustainable transport, I note a regional bus service operates from Trim to Dublin and surrounding areas. The bus station is located within a 10min walking distance to the site. The applicant's Statement of Consistency refers to policies in the NPF and those key national policy objectives (NPO) which require increase residential densities in our urban areas. I note NPO 27 prioritises development with good walking and cycling accessibility. The proposal is located c. 500m to Trim Town Centre which offers a range of retail, educational and community services.

10.21. The applicant's supporting documentation refers to the density allocation as medium. I note the provision of c. 39.5 units per ha is on the lower end of the acceptable density for lands within towns such as Trim, where growth is promoted commensurate to the capacity. Phasing of the proposal is addressed in detail below, although I consider in the interest of compliance with the national guidance and the promotion of efficient land use where increase densities are provided in defined growth areas, the phased development of the site should be linked with the character areas, where the crèche is provided in tandem with Phase 1.

Phasing

10.22. 3 no. phases are proposed within the site. Phase 1 includes apartment (block no.4) the crèche and community centre and two storey dwellings in the centre of the site. Phase 2 includes an additional apartment block (block no.3), the two storey dwellings at the most westerly section of the site and some central open space area. The remaining, 2 no apartment blocks, all the duplex units and the main open space areas are contained within Phase 3. I do not consider this sequencing of the phasing schedule is appropriate. The phasing has not been linked to the delivery of infrastructure on the site nor does it follow any coherent pattern. I note the higher density development, i.e. the apartments and duplex units are included in the later phases. I would have concerns that these units, which I consider are necessary to achieve the appropriate densities for the efficient land use, may not be delivered. In addition, the areas allocated for play areas are set aside until the last phases which would have a negative impact on the residential amenity of the residents.

10.23. In this regard the roll out of phasing on the site should follow the orderly delivery of infrastructure and open space, rather than a haphazard approach. I consider the applicant should be required to submit an amended phasing with works linked to the development of the character areas where the apartments and access into the site are prioritised and the crèche and community centre operational prior to the second phase works.

Conclude

10.24. Having regard to the layout of the scheme, in particular the treatment along the R158 and the consolidation of the higher density units in character areas 1 and 2 which are required to provide densities in line with national guidance on efficient land uses, I consider the phasing scheme should have regard to the delivery of the character areas. I consider a condition on any grant of permission can reasonably address the effective phasing of the proposed development.

Traffic and Transport

10.25. The vehicular access is proposed onto the Summerhill Road (R158) along the north east of the site, in a similar location to the access for the livestock sales yard. An additional 3 no. pedestrian and cycle access are proposed along the Summerhill Road. A number of third party observations raised concerns in relation to the visibility from the new access onto the Summerhill Road, the capacity of the existing roads network, in particular on the road north into the town centre and the absence of any public transport serving the proposed development.

Traffic Impact Assessment (TIA)

10.26. A Traffic Impact Assessment accompanied the application which includes an assessment of two junctions adjoining the site, J1 to the north (Summerhill and R161) and J2 to the south, Summerhill Road and R158 roundabout. The TIA concludes that considering the traffic from the proposed development and a 2038 scenario both junctions are operating under capacity.

10.27. The submission from the Roads Department notes the information provided in TIA. A number of issues contained within the report have been highlighted including the:

- Absence of assessment of the Summerhill Road/ Patrick Street traffic signal junction,

- Trip generation rates,
- Absence of traffic movements in the design year,
- Absence of full PICADY or ARCADY output results,

10.28. The Roads Department report considers that having regard to the dwelling unit types, in particular apartments, and the availability of capacity at the two junctions analysed, i.e. R158 Summerhill Road/proposed entrance and R158 Summerhill Road Roundabout there will be capacity at these junctions. The concerns relating to the impact on the junction are dealt with in detail below.

R158 Summerhill Road/R161 Patrick Street

10.29. The R158 Summerhill Road/R161 Patrick Street is located c. 300m to the north of the site and is a major junction from the south into Trim Town centre. The TIA notes that 60% of the traffic along the Summerhill Road travel north towards the R161 and it is envisaged a similar split profile will remain on completion of the proposal.

10.30. As stated above, the TIA did not include an analysis of the impact of the proposal on this junction. The Roads Department considers the proposal will have a direct impact on the junction and recommends the inclusion of two conditions relating to this junction. The first recommended condition requires the submission of a design upgrade of the Summerhill Road/ Patrick Street Traffic Signal and an assessment to confirm capacity. The second condition relates to a development contribution of €160,000 towards the upgrade of the Summerhill Road/ Patrick Street traffic signal junction, in accordance with the provisions of Section 48 of the Planning and Development Act and the Contribution Scheme of the Meath County Council.

10.31. I note Appendix 3 of the CE submission “Development Contribution Calculations” includes a recommendation for a Special Contribution “towards the expenditure proposed in upgrading of the Summerhill Road/ Patrick Street traffic signal junction to align with DMURS principles and to maintain adequate operational safety and efficiency at this junction location”

10.32. Meath County Development Contributions Scheme 2016-2021 does not list the upgrade of Summerhill Road/ Patrick Street traffic signal junction as a project funded under the general development contributions. The national guidance Development Contributions: Guidelines for Planning Authorities states that a special contributions

may be imposed Section 48 (2) (c), where exceptional costs, which are not covered by the general contribution scheme and incurred by a local authority in the provision of public infrastructure, such as a new road junction. Only developments that benefit from the public infrastructure will be liable to pay.

10.33. I note the absence of any assessment of this junction in the submitted TIA and consider the concerns raised by the Roads Department are relevant having regard to the location of the site and the direct links to the Town via this junction. I note the Summerhill Road/ Patrick Street traffic signal junction is not located within the red line boundary for the application site and therefore conditions requiring the applicant to undertake any upgrade to this junction are not considered reasonable. A breakdown of costs for the upgrade of this junction has not been submitted although having regard to the requirements of any condition imposed under Section 48 (2)(c) being that they may only be used for works specified in the condition, I would be satisfied that these works could be carried out by the PA and the proposed development would directly benefit from these public infrastructure upgrades and I consider that the inclusion of the recommended condition for a special contribution is reasonable.

TRANS OBJ 12- RT5

10.34. Lands to the west of the site, along the boundary of the MP 2 lands are designated in the development plan for a potential ring road for Trim Town. Map 2 of the development plan illustrates all the sections of the ring road from RT 1- RT 7. The section adjoining the MP 2 lands is referred to as RT5 linking the Kinnegard Road and Longwood Road. Comments from the Roads Department reference the need to provide infrastructure to comply policy objective TRANS OBJ 12 and the provision of part of the southern distributor road (RT5) which adjoin the applicants land holding to the west.

10.35. Policy TRANS OBJ 12 - RT5 of the Trim development plan states that pending a review into the need for the distributor road network, the commencement of which would begin within one year of the adoption of the Plan, to preserve (and where indicated to construct subject to routing, environmental assessment and appropriate assessment) and secure from further development a corridor for the provision of distributor link roads which include the following routes:

- RT5: Construction of the local distributor road link between Kinnegad Road and Longwood Road.

10.36. The Roads Department notes the applicant's land holding forms 50% of the MP 2 lands, as discussed above, and therefore the absence of the proposal to adequately address policy objective TRANS OBJ 12 would prejudice the delivery of the RT 5.

10.37. In the first instance, I note the specific policy objective requests a review into the need for this distributor road network. Section 3.4 of the Indicative Master plan documentation (access & connectivity) states that should a review of the RT5 determine the road necessary, future access will be provided. The PA submission makes no reference to any review relating to the need for the road. Therefore, I do not consider the delivery of this road a necessity for the proposed development.

10.38. In the second instance I note the applicant's landholding adjoins although does not comprise of the lands located within RT5 and access through these lands would not be permissible without third party consents. I also note Appendix A of the Meath County Development Contribution Scheme 2016-2021 (Range of Projects which may be funded from the Development Contributions) lists the Trim Outer Bypass as a project under Class 2- Roads & Public Transport Infrastructure. Therefore, I consider the intention for delivery of the outer bypass and specifically RT5 is via funding provided by Section 48 Development Contribution Scheme.

10.39. Therefore, having regard to the location of the road outside the subject site and the information contained in TRANS OBJ 12, I do not consider this distributor road is required to service the proposed development. In addition, I do not consider the proposed development does not in any way compromise the delivery of the RT5 in the future.

DMURS Compliance and permeability to adjoining sites.

10.40. Connectivity to the west of the site- The proposal includes one major through road from the access along Summerhill Road to the west of the site. The plans indicate that this access will only be used for emergency access only and vehicular access to the community lands, adjoining the site will be from the north of the site, via the applicant lands within the MP 2 boundary, residential lands along the R161. Section 3.3 of the DMURS guidelines refers the street layout to limit the use of cul-de-sacs and provide through access. The submitted TIA concludes that there are no capacity

issues along the Summerhill Road and having regard to my assessment relating to the submitted master plan (MP 2) and the proposed upgrade of the R158 Summerhill Road/R161 Patrick Street, I consider there is a potential for the existing main route to access adjoining lands. Therefore, having regard to the principles of connectivity and permeability as promoted in both DMURS and the sustainable urban residential guidance I consider the potential for vehicular access through the site into adjoining lands should be retained to accommodate future development. I consider a condition requiring the potential future connection can be reasonably included on any grant of permission.

10.41. Connectivity to the North of the site: The Roads Department have referenced the undeveloped lands along the northern boundary to the east of Manorlands Housing Estate and note the proposed development has limited vehicular access into these lands. A condition to remove House no 33 is recommended to allow access north. As stated above in my assessment on the indicative master plan, I noted the potential vehicular access to lands at the rear of the Tennis Club, via the R161 and through Manorlands, I consider the proposed pedestrian and cyclist access acceptable to support the DMURS principles and connectivity into these lands. The rear gardens of those existing dwellings along the south boundary of Manorlands run along the subject site and there does not appear to be any potential for access into the residential estate.

10.42. Connectivity to the south: The report of the Roads Department considers the vehicle permeability to the south eastern portion of the site is restricted by cul-de-sacs and a more open network would allow for a safer movement of traffic. I note two cul-de-sacs along the south of the site, in front of No 161 and servicing the community centre and crèche, and I consider the potential for connectivity through the site has been removed by the inclusion of open space and footpaths. The layout can be altered to remove barriers for future access into the adjoining lands and increase permeability.

Urban Design and Inclusion of Apartments

10.43. The proposed development includes 320 no. residential units with 136 no houses and 184 no apartments a crèche and community centre. A major concern raised within the third party observations related to the inclusion of apartments within the

overall development and whilst the principle of residential development at this site was welcome by some, the height and typology of the apartments was considered excessive and not appropriate to Trim.

Planning History and the urban design of the current proposal

10.44. There are two previous refusals for permission on the site for residential development, PL17.240389 (Reg Ref TA/110312) in 2012 for 106 no units, crèche, community centre and gym and PL17.235264 (Reg Ref TA/900170) in 2010 for 150 no dwellings, crèche and 4 no commercial units. The 2012 refusal related to design of the layout in particular the dominance of excessive vehicular connections, the unsatisfactory layout and dominance of road around public open spaces and the excessive architectural styles. The previous refusal, 2010, related in the most part to the impact on the historic town of Trim having regard to the absence of a high quality design and layout. Third party observations consider these reasons for refusal remain applicable to the proposed development.

10.45. In relation to the submitted design I note the roads layout has been designed to include a hierarchy of streets in line with DMURS principles. Home zones are included where the roads adjoin the open space areas and the perpendicular parking, previously raised in the refusal is removed. The open space areas have been consolidated into larger areas to ensure greater functionality.

10.46. Four no. character areas have been proposed within the scheme as summarised below:

1. Apartment development with higher density (c. 85units per ha), similar design and associated open space and car parking,
2. Duplex and two storey dwellings along the centre, lower density (c. 26units per ha),
3. Mixed tenure and medium density (c. 34 units per ha),
4. Crèche and community centre.

10.47. I consider the inclusion of the character areas will ensure a sense of distinctiveness in line with the criteria set out in the national guidance and Urban Design Manual. The Architectural Design Master plan illustrates a similar brick cladding and render with colour variations between character areas. Slight style variations are evident

through each character area and I consider the proposal overcomes previous concerns raised in the planning refusal relating to the excessive architectural style proposed.

Design and layout of the apartments

- 10.48. The site fronts onto and adjoins a main transport route into Trim town centre, Summerhill Road (R158). 4 no. apartment blocks, 3- 4 storeys in height, are located along the front of the site, adjoining the Road. Apartment No 4, at the northern north aspect, adjoining the entrance to the site, has dual aspect fronting onto both the internal access road and the Summerhill Road. The design and layout of the 4 no. blocks are similar and external materials comprise of select brick with glass balustrade balcony surrounds of which I consider high quality.
- 10.49. In relation to the height, third party observations reference the absence of any buildings over 3 storeys in Trim. The Board will note the location of the site, outside the town centre and along a major route. An Apple Green filing station is located to the south adjoining a primary care centre which is 4 storeys in height. Recessed 4th floor is finished in Zinc Cladding. The applicant's Statement of Consistency refers to the Sustainable Urban Guidelines and those 12 point criteria in the Urban Design Manual which enables the creation of successful neighbourhoods. In this regard the location of the apartments along the front of the site is highlighted to create a strong urban edge and create a sense of space.
- 10.50. The 12 criteria set out in the Urban Design Manual, requires new developments to respond sufficiently to the characteristics of the site and surrounding area where the proposal should provide a focal point and create a sense of place. The location along the Summerhill Road provides a strong urban edge along the front of the site and by integrating the public path along the road I consider the design response is appropriate for a residential zoned site in an urban settlement. The layout provided focuses on active public streets by creating frontages directly onto the public area, in line with national guidance.
- 10.51. Criteria 6 of the Urban Design Manual, requires proposals to exploit views into and out of the site. I note the topography of the site is generally flat in comparison to the surrounding area although those four storey buildings may support a higher standard

of visual amenity for future occupants having regard to the location relative to Trim and those private amenity balconies.

Conclusion

10.52. Overall, I consider the design of the scheme addresses the main issues of concern raised by the Board in the previous refusal. I consider the proposal provides a strong urban edge along the Summerhill Road, includes a wide range of accommodation to allow a diverse range of household types, supports pedestrian and cyclist access and the urban design will provide a sense of place, in line with the criteria in the Urban Design Manual for good urban design.

Impact on future Residential Amenity

Compliance with National Apartment Standards

10.53. In relation to compliance with the national standards, I have summarised the quantitative aspects against the relevant policy requirements of the Sustainable urban Housing: Design Standards for New Apartments and note that the proposal complies in full with these Specific Planning Policy Requirements (SPPR):

- SPPR 1- Only 13% are studio and one bedroom units.
- SPPR 3- A Housing Quality Audit and Schedule of Accommodation accompanied the application which indicates that the areas meet or exceed the required minimum standards.
- SPPR 4- 77% dual aspect units are provided.
- SPPR 5- 2.7m height for the ground floor room is provided.
- SPPR 6- No more than 7 apartments are provide per core.

Public and Communal Open Space

10.54. Communal Open Space associated with the duplex units, along the north of the site, is located to the rear of the buildings between the units and the carpark areas. I consider the location and consolidation of this open space appropriate to ensure usability although I have concerns that desire lines will be created through the open space between the parking areas and the residential buildings. I consider that appropriate design of this space can overcome these issues to ensure the space is useable and functional to support the residential amenity of the future occupants. In

this instance, I consider a condition on any grant of permission can be included requiring the inclusion of paving and passive and active play areas for use by the duplex units.

10.55. A similar issue arising from the design of the communal open space associated with the apartments along the front of the site where the parking is located at a location adjoining the open space. Whilst I note pathways integrated for pedestrian access into the apartments, there is an absence of any defined functionality for this space. Section 4.13 and 4.14 of the Sustainable Urban Housing: Design Standards for New Apartments requires the recreational needs of different ages of children to be integrated into the communal open space. Two pocket play parks are located within the communal open space although the use of these spaces is not clarified in the submitted documentation. In this regard, I consider a condition on any grant of permission should require the submission of an amended landscaping proposal to integrate appropriate play facilities and cater for all ages within the communal open space adjoining the apartment development.

10.56. Other public open space within the site is located with the proposed development includes four larger areas, one at the entrance, adjoining the R158, a central open space area, a further open space area to the most westerly portion and the last adjoining the crèche and community centre at the south. In regard to the open space area at the entrance of the site, while it may not be a location for optimal use for play, I note the location adjoining a site with a Tree Protection Order (TP7) in the development plan and I consider passive use should be integrated by way of conditions. A larger play area is integrated into the central open space area and smaller play facility in the last open space at the west both spaces have adequate passive surveillance. The final open space area, adjoining the community space and crèche is a separate standalone space and units 161 and 167 have dual aspects to ensure passive surveillance.

10.57. I consider the quantum, layout and general design of the open space provided is sufficient to ensure a high level of residential amenity is included with the scheme, subject to conditions requiring details on play areas and passive recreation.

Conclusion

10.58. As previously noted in my assessment of urban design, the general layout of the scheme will comply with the 12 criteria of the Urban Design manual for creating sustainable neighbourhoods and the apartment and open space provided exceeds the required standards. Therefore, the proposal will provide for a high standard of residential amenity for the future occupants.

Impact on the existing Residential Amenity

10.59. The site is located to the south of an existing residential estate (Manorlands) and to the west of Mornington View, on the opposite side of Summerhill Road. Both estates comprise of two storey detached and semi-detached dwellings. The impact of overlooking on the rear of those properties in Manorlands was raised in the observations submitted. The observer notes the higher topography on the subject site in comparison to Manorlands.

10.60. Manorlands: In relation to those dwellings along the south of the existing dwellings at Manorlands, I note the FFL of between 64.9m- 68.00m and the FFL of those existing dwellings between 72.00m – 73.00m. Therefore, the proposed dwellings will be located lower than the existing dwellings. A minimum separation distance of c. 22m is included between first floor opposing windows. It is proposed to include a retaining wall along the majority of the northern boundary. There is no indication in the documentation why this wall does not continue along the full length of the boundary and this should be clarified by way of a condition on any grant of permission with appropriate boundary treatment integrated. 6 no proposed dwellings (house type H) along the north of the site include single storey semi-detached dwellings, illustrated as units for Part V. Having regard to the topography, height of dwellings and boundary treatment proposed, I do not consider the proposal will have a significant negative impact on the adjoining dwellings to the north of the site.

10.61. Mornington Estate: In relation to those dwellings in the Mornington Estate, I note the site is separated by a regional road and there is an existing landscaped buffer area between Mornington estate and this road. The 4 no. apartment blocks are proposed along the Summerhill Road. The distance between the closest dwelling and the apartment blocks would be in excess of 40m. The height of the tallest apartment block (Block 2) at c. 15m and located to the west of the Summerhill Road would ensure no overshadowing impacts on these dwellings. Therefore, having regard to

the distance, design and orientation of the apartment blocks I do not consider there will be any significant negative impact on the residential amenity of those residents in Mornington by way of overlooking, overbearing or overshadowing.

Impact on the Natural and Built Heritage

10.62. The site is located directly to the south of Mornington House, a protected Structure (RPS: TT036-084) and National Monument (ME01635), an enclosure, is located within the site, to the rear of the old livestock building. A protected view, view 11, is located to the front of the site, along the Summerhill Road.

Protected Structure

10.63. Mornington house is located to the north, adjoining the site and facing onto Summerhill Road. Appendix B of the Trim town development plan lists Mornington House (TT036-084) as a detached three-bay two-storey house, built c. 1880. Policy HER POL 15 of the Trim Town Plan requires that any development would not adversely affect the setting of the character of a Protected Structure.

10.64. The report of the Architectural Conservation Officer has no objection to the proposed development subject to the reduction in height of Apartment no. 2, due to its location on the crescent of the sloping site and considers a reduction of one storey would scale down the development when viewed from Mornington House and Wellington Monument (protected views). I have addressed the impact of the proposal on the protected views separately below.

10.65. Mornington House is located c. 26m from the northern boundary of the site. A Tree Protection order (TP7) current exists within the curtilage of Mornington House and these mature trees are to remain on the site which will ensure visual integration between the area of open space in the proposed development and the grounds of the protected structure. The vehicular entrance into Mornington House is contiguous to the subject site and the footpath along the front, Summerhill Road, and the new access will link with the existing entrance. The closest duplex unit, along the north of the site is c. 45m from the rear of Mornington House.

10.66. The Archaeology & Built Heritage report, which accompanied the application, does not specifically address the impact of the proposal on the Protected Structure. This aside, I note the location of Mornington House set back from the edge of the

Summerhill Road and located c. 45m from the closet duplex dwelling and the design and layout of the proposal. I consider that the overall scale of the development which adjoins Mornington House, in conjunction with the retention of the mature trees and the large area of landscaping, will ensure no significant adverse impact on the protected structure.

10.67. The visual impact assessment indicates that the apartment development along Summerhill Road will not be visible when viewed from the north of Mornington House. The optimal location to address any visual impact would, in my view, be at the front of the protected structure, although this has not been illustrated in the visual impact assessment. This aside, I note other supporting documentation on the file, in particular the site layout plans and cross section drawings and having regard to the downward sloping nature of the Summerhill Road I do not consider the apartment blocks along the front of the site or the closest duplex units would be cause any overbearing on the setting of the protected structure and therefore will not have a negative impact on the character or setting of Mornington House.

10.68. I note the comments of the Architectural Conservation Officer specifically requesting the reduction in height of Apartment No 2 although I consider the location of this apartment c. 200m south and set down from the protected structure will not have a significant negative impact on the character of Mornington House. In regard to the conservation officers comments, there may possibility be an error with reference to Apartment No. 2 , whereas the intention may have been Apartment No. 4 as this block is located closer to Mornington House. This aside, I note that the closest apartment block is located a considerable distance from the house and the reduction in the height of the block from 4 storeys to 3 storeys, will in my opinion, not alter the design significantly.

10.69. With regard the boundary treatment of Mornington House, I note an old stone wall runs along the south, adjoining the proposed development. The submitted documentation does not provide clarity on the proposed boundary treatment to the north, adjoining the protected structure and I consider a condition on any grant of permission should be included to retain this wall.

10.70. Therefore having regard to the location and setting of the existing Mornington House, which is set back c. 20m from the edge of the Summerhill Road, the existing mature

trees on the protected structure site and the overall design of the proposal which includes the integration of a substantial open space area beside Mornington House and distance of any dwelling from the protected structure, I consider there will be no adverse impact on the character and setting of the protected structure. In this regard, I consider the proposal complies with the policies and objectives of the development plan, in particular HER POL 15.

Views & Prospects

- 10.71. Map No 3 of the Trim Town Development Plan 2014-2020 includes a list of objectives relating to the protection of the natural and built environment in the town. View No 11 is located along the front, east, of the site along Summerhill Road at the location for the proposed entrance into the site. Map No. 3 illustrates the views protected are directed from the Summerhill Road north, along the road.
- 10.72. Policy HER OBJ 13 of the Trim town development plan lists View 11 as the “Views of the Wellington monument from Patrick St. Emmet St, and Summerhill Road. Wellington Monument is a c. 23m high tower statue, a war memorial, located at the junction of Summerhill Road and Patrick Street c. 300m north from the edge of the site. A number of third party submissions have specifically referenced the impact of the 5 storey apartments on the built heritage of Trim and those views which should be protected.
- 10.73. Policy HER OBJ 14 of the plan requires the submission of an appropriate Landscape and Visual Impact Assessment to assess the potential to impact adversely on the built heritage and cultural landscape such as scenic views and routes. The PA submission notes the absence of a specific Landscape and Visual Impact Assessment (LVIA) and does not consider the submitted “Verified Photomontages for Landscape and Visual Impact Assessment” can be deemed to be a LVIA. I note the PA submission does not raise any concerns in relation to the impact on the protected View 11.
- 10.74. The Report of Architectural Conservation Officer submission noted the submitted “Visual Impact Assessment View” and considered that whilst the impact of the view of the Wellington Monument will be altered, the intention and focus of the view would remain. In relation to apartment no. 2, the Architectural Conservation Officer,

considers the reduction of one height would scale down the development when viewed from Wellington Monument and Protected View.

10.75. I note Wellington Monument is a tall column, c. 23m in height located to the north of the site. The structure is extremely slender and is visible from most approach roads into Trim Town. Upon site inspection, I noted the monument was visible from along the Summerhill road which I consider is the primary view of the monument from the southern approach. As stated above, the views of Wellington Monument detailed in Policy HER OBJ 13 include those views from the surrounding area towards the monument rather than the monument out. In relation to the conservation officers comments on the height of apartment no 2, I note the location of the apartment blocks along Summerhill Road are set back c. 10m from the edge of the road and having regard of the distance of the site to the monument which consist of built up urban development, I do not consider the views from the monument will be impacted negatively by the proposed development.

10.76. I note the absence of a detailed LVIA although I also note the PA submission does not raise any concerns in relation to any impact on the views protected and photomontages have been submitted to illustrate the potential visual impact. I consider the design of the apartments and location set back from the Summerhill Road will not obstruct any views into the town, along Summerhill Road, towards Wellington Monument or the surrounding vicinity. Therefore, I do not consider the proposed development, in particular the apartments along the front of the site, will have a negative impact on the views and prospects from the site either of Wellington Monument or the surrounding environment of Trim.

Archaeology

10.77. National Monument (ME01635) is located to the rear of the demolished livestock building, to the north of the site. The monument is described as a cropmark of rectangular enclosure¹. An Archaeology & Built Heritage Report accompanied the application, referenced the archaeology on the site and wider area and concluded that there are no clear archaeological patterns recorded on the site.

¹ www.archeology.ie

10.78. A submission from the DCHG noted the geophysical surveys provided with the application and the limited information contained within these, in particular the impacts of the proposed development. The Dept. recommended the inclusion of a condition on any grant of permission requiring the submission of an Archaeological Impact Assessment and an inspection of test trenches which should be chosen having regard to the development plan layout. The Heritage Officer of the County Council has no objection to the proposal although requests the retention of enclosure with a zone of exclusion created as a green space around the monument.

10.79. I note the information contained within the archaeological report is dated 2005 and updated in 2011. Both Surveys were undertaken under licence to the DEHLG and although the surveyor noted no archaeological finds during initial investigations it concluded that further clarification may be required due to previous disturbance on the site from the livestock activity and any further modern interference. I note the recommendation from the submitted archaeological documentation for further investigative works and the Heritage officers request for a zone of exclusion. In this regard I consider the condition recommended by the DCHG is sufficient to reasonably allow further investigations on the entire site prior to any development and a cone of exclusion is not specifically required in the absence of any evidence to indicate archaeological findings.

Biodiversity

10.80. An Ecological Impact Assessment and Bat Survey accompanied the application. The Bat Survey concluded that the potential impact on bats without mitigation on a local scale would be significant. Mitigation measures proposed included additional surveys before construction, replacement planting as like-for like, use of least disruptive street lighting controls to restrict any impact of light pollution. The report of the Heritage officer notes these mitigation measures and those included in Section 6.2 of the Ecological Impact Assessment (EclA) and requires that those included in the EclA are undertaken by a qualified ecological specialist, which I consider reasonable.

10.81. The Heritage Officer also noted no assessment of the extent of cumulative impact of hedgerow removal was undertaken. In this regard I note the proposal integrates a hedgerow, identified in the development plan for protection. The removal of

hedgerows along the Summerhill Road and other planting on the site have been determined in the EclA as moderate or low value. Landscaping proposed includes native species planting although is limited in detail in relation to number, maturity and exact location of planting. In this regard, I consider it reasonable to include a condition for the landscaping details to be agreed in the event of any grant of permission.

Previous Non Compliance by the applicant

10.82. The applicant owns and controls quarries in the vicinity of Trim Town. A number of the observations submitted raise concerns relating to alleged previous non-compliance with planning and the operation of these quarries. It is requested that permission for the proposed development is refused based on previous non-compliance with permissions.

10.83. Section 35 of the Planning and Development Act, 2000 (as amended) allows the Planning Authority to refusal planning permission for past failures to comply. In this regard the Act states that the planning authority may form an opinion "*that there is a real and substantial risk that the development in respect of which permission is sought would not be completed in accordance with such permission if granted or with a condition to which such permission if granted would be subject,*" and therefore permission should not be granted.

10.84. The PA submission makes no reference to section 35 of the Act nor does it provide any reason why this permission should not be granted to the applicant. I note those concerns raised by the observers relate solely to a quarry development and I am of the opinion they do not specifically relate to the proposed development. I would not recommend refusal in relation to this matter.

Waste Management

10.85. A Construction & Demolition Waste Management Plan (CDWMP) accompanied the application, undertaken by a subsidiary company of the applicant. The plan details the waste generated from the proposed development i.e. demolition and construction and the procedures for the treatment of same. The submission from the Environment Section of the PA does not consider the information contained within this report as sufficient to address the protection of the environment during construction or control of dust and emissions during construction. A condition relating to the submission of a

detailed Construction & Demolition Waste Management Plan and a Construction Environmental Monitoring Plan (CEMP) is recommended.

10.86. I note the information contained within the submitted CDWMP does not include adequate detail for works during construction such as designated areas for refuelling, protection of trees on site, proposal to minimise dust etc. In this regard, I consider they may be adequately submitted to the PA for written approval and may be reasonably included as a condition on any grant of permission.

Procedural Issues

10.87. A number of concerns are raised by third party observations on the public participation at during the preplanning process. The principles of the Aarhus Convention are highlighted. Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016 where a potential applicant can enter into consultations with the board in relation to a proposed strategic housing development.

10.88. The application before the board falls to be determined on the basis of the proper planning and sustainable development of the area having regard to the material considerations set out in section 9 of the Planning and Development (Housing) and Residential Tenancies Act 2016. The matters raised in the third-party observations, with respect to flawed SHD process and absence of public participation during the Section 5 pre planning process do not justify refusing the current application for permission or to refrain from making a decision upon it. I consider that the information on file, including plans and drawings and supporting documentation is sufficient for an informed decision to be made in this case.

Chief Executive (CE) Submission from Meath County Council (MCC)

10.89. The submission from the CE of MCC is generally satisfied with the overall proposal as submitted. The PA highlight the absence of any agreed master plan as required to comply with policy CS OBJ 2. I note the submission of an indicative master plan, as compliance for this policy, was not formally agreed with the PA. The PA provide no comments on the information contained within the indicative master plan nor is refusal of permission recommended. Compliance with CS OBJ 2 or the information contained in the indicative master plan is not raised in any third party submissions. As highlighted throughout my assessment, I consider there is sufficient documentation provided on file to assess the proposal in light of the requirements of

this objective. Having regard to the substantial information submitted and the absence of any specific comments relating to the master plan I do not consider the proposal represents a material contravention of the development plan purely in the absence of a pre agreement. The Board will note previous comments on phasing and permeability and I consider the inclusion of conditions can ensure the appropriate roll out of future lands in the MP2 area. I do not consider the proposal will preclude the future development on other lands within the MP 2 site.

10.90. Concern has been raised by the Roads Department on a number of issues including the delivery of part of the outer ring road for Trim (RT 5), the absence of any assessment on the Junction to the north of the site R158 Summerhill Road/ R161 Patrick Street and minor works for the internal layout.

10.91. In relation to the delivery of RT 5, I note the location of this road is not within the applicant's control, nor is it contiguous to the subject site. As stated above the delivery of lands within the MP 2 lands is not reliant on the provision of RT5. Therefore, having regard to the location of the site and the specific details in CS OBJ 2 and the roads objective TRANS OBJ 12 I do not consider the proposal is premature pending the delivery of the outer ring road. I do not consider it is a sufficient reason to justify a refusal of permission for the proposed development.

10.92. In relation to the impact of the junction to the north, my assessment concludes that whilst the TIA submitted proves capacity in the majority of the surrounding road networks to accommodate an increase in traffic, the absence of a detailed analysis on junction R158 Summerhill Road/ R161 Patrick Street would lead me to apply a precautionary approach to the impact. The Roads Department have recommended a special contribution towards alterations at this junction and having regard to the information in the TIA which recorded 60% movement of traffic towards this junction, I consider the special contribution reasonable to ensure the safe flow of traffic into Trim. In relation to the internal layout, I have recommended additional permeability and allowance for future connectivity into adjoining sites.

10.93. The Board will also note that although the Architectural Conservation Officer has no objection to the proposed development it is recommended that the height of apartment Block 2 is reduced in height by one storey in order to integrate better with protected structure to the north, Mornington House, and scale down the proposal

when viewed from the Wellington Monument, a protected view. As per my assessment above, I have concluded that the overall development will not have a negative impact on Mornington House or Wellington Monument. The Board will also note the location of Apartment Block 2 separated from Mornington House site by Apartment Blocks 3 & 4. In this regard, I do not consider a reduction in height would significantly alter the impact on the surrounding area and the proposed development would not have a negative impact negative impact on protected views along Summerhill Road, in particular Wellington Monument or the character or setting of Mornington House.

11.0 Environmental Impact Assessment (EIA)

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

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

11.2. The proposed development is for 320 dwellings on a site c. 9.23ha. The proposed development is considered to be sub-threshold in terms of EIA having regard to Schedule 5, Part 2, 10(b) (i) and (iv) of the Planning and Development Regulations 2001 (as amended).

11.3. The applicant submitted an EIA Screening Report including the information set out in Schedule 7A of the Planning and Development Regulations, 2001 (as amended) to allow a screening for EIA in accordance with the criteria in Schedule 7 regarding the

- Characteristics of Proposed Development
- Location of Proposed Development
- Types and Characteristics of Potential Impacts

- 11.4. I have assessed the proposed development having regard to the above criteria and associated sub criteria having regard to the Schedule 7A information and other information which accompanied the application, inter alia, Appropriate Assessment Screening, Ecological Impact Assessment and landscape details and I have therefore completed a screening assessment as set out in Appendix A.
- 11.5. I recommend to the Board that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

The conclusion of this assessment is as follows:

Having regard to

- a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- b) the location of the site on lands zoned to protect and provide for residential uses and community infrastructure uses in the Trim Town Development Plan 2014-2020 (as amended),
- c) The existing use on the site and pattern of development in surrounding area;
- d) The planning history relating to the site,
- e) The availability of mains water and wastewater services to serve the proposed development,
- f) the location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended),
- g) 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),
- h) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and

- i) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the proposed Construction & Demolition Waste Management Plan (CDWMP).

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

12.0 Appropriate Assessment

12.1. The application is accompanied by an Appropriate Assessment Screening Report. This report concludes that there is no potential for likely significant effects on any European sites.

12.2. The proposed development is for 320 residential units, a crèche and a community building on a c. 9.28ha site, located within Trim town boundary, on serviced and zoned land. Waste water from the proposed development will connect to the Trim Wastewater Treatment Plant. Irish Water confirmed in a pre-connection enquiry that the development can be facilitated. Surface water will be directed to three separate but linked attenuation tanks and discharged into an existing stream 100m to the south and controlled to greenfield run off rates.

12.3. There are no European sites located within or in close proximity to the site. The Submitted Screening Report listed 2 no. sites within a 15km radius of the site as the follows:

- River Boyne and River Blackwater SAC (002299)
- River Boyne and River Blackwater SPA (004232)

Natura 2000 sites

Natura 2000	Site Code	Distance to site	Qualifying Interests
River Boyne and River	002299	c. 700m north of the site	Alkaline fens [7230] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0]

Blackwater SAC			Lampetra fluviatilis (River Lamprey) [1099] Salmo salar (Salmon) [1106] Lutra lutra (Otter) [1355]
River Boyne and River Blackwater SPA	004232	c. 800m north of the site	Kingfisher (Alcedo atthis) [A229]

12.4. The Conservation Objectives for the River Boyne and River Blackwater SAC includes:

- To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.

12.5. The Conservation Objectives for the River Boyne and River Blackwater SPA includes:

- To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.

12.6. The submitted screening report notes the location of the Kingfisher along the Boyne and Blackwater system. No habitats associated with this species are identified on the site. The surface water outfalls to a stream c. 100m south, a tributary of the River Boyne. The design of the surface water treatment takes into account the scale and nature of the proposed development, i.e. a housing development of moderate size which will be constructed and operated in accordance with standard environmental features associated with a residential development, it is not considered that the proposed development would have potential to have a significant impact on the water quality (and hence various qualifying interests) of the River Boyne and River Blackwater SAC and SPA. The submission from An Taisce refers to the location of the stream which flows into the River Boyne and notes the potential for impact on spawning habitat for trout as well as any potential impact on the European Sites. Trout is not listed as a qualifying interest for the River Boyne and River Blackwater SAC. I do not consider there is potential for any impact on the River Boyne through

any hydrological connections via surface, ground and wastewater pathway and therefore no potential for any significant adverse impact, from the proposed development, on the qualifying criteria of River Boyne and River Blackwater SAC.

12.7. The application site is not located adjacent or within a European site, therefore there is no risk of habitat loss, fragmentation or any other direct impacts. It is not considered that the proposed development would have any potential for a negative impact on the conservation objectives of the following Natura 2000 sites, or any other site:

- River Boyne and River Blackwater SAC (002299)
- River Boyne and River Blackwater SPA (004232)

12.8. I consider it is reasonable to conclude that, on the basis of the information on the file including the AA screening report and all of the planning documentation submitted by the applicant, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European site, in view of the said sites' Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

13.0 Recommended Board Order

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 08th of July 2020 by McGill Planning on behalf of Keegan Land Holdings Ltd.

Proposed Development:

The development will comprise of the construction of 320 no. dwellings comprising:

- 136 no. houses comprising 10 no. 2-bed, 105 no. 3-bed and 21 no. 4-bed;
 - 120 no. apartments within 4 no. 3-5 storey blocks comprising 11 no. studio, 30 no. 1-bed, 71 no. 2-bed and 8 no. 3-bed;
 - 64 no. duplex apartments within 8 no. 3-storey blocks comprising 32 no. 2-Bed and 32 no. 3-Bed.

- All units with associated private gardens/ balconies/ terraces to the north/ south/ east/ west elevations.
- A crèche and community centre (total floor area c.739 m²).
- 563 no. car parking spaces, 188 no. secure/covered bike parking areas and communal bin stores for apartments/duplexes.
- Vehicular and pedestrian accesses from Summerhill Road (R158) with associated upgrades including new cycleways and footpaths.
- All other site works, landscaping, boundary treatments, ESB substation/switchrooms, plant and services provision required to facilitate the development.

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.

13.1. Reasons and Considerations

Having regard to the following:

- a) the policies and objectives of the Meath County Development Plan 2013 - 2019, as varied,
- b) the location of the site on lands with a zoning objective for residential development and community infrastructure in the Trim Town Development Plan 2014-2020 (as amended),
- c) the National Planning Framework, Project 2040,
- d) the Rebuilding Ireland Action Plan for Housing and Homelessness, (Government of Ireland, 2016),

- e) the Eastern & Midland Regional Assembly RSES 2019-2031;
- f) the Design Manual for Urban Roads and Streets (DMURS), 2019
- g) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009
- h) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments, 2018
- i) the nature, scale and design of the proposed development,
- j) the availability in the area of a wide range of social, community and transport infrastructure,
- k) the pattern of existing and permitted development in the area,
- l) the report of the Chief Executive of Meath County Council;
- m) the submissions and observations received, and
- n) the report of the Inspector.

Appropriate Assessment Screening

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

Environmental Impact Assessment Screening

The Board completed an environmental impact assessment screening of the proposed development and considered the Environmental Impact Assessment Screening Report submitted by the applicant which contains the information set out Schedule 7A to the Planning and Development Regulations 2001 (as amended).

Having regard to:

- a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- b) the location of the site on lands zoned to protect and provide for residential uses and community infrastructure uses in the Trim Town Development Plan 2014-2020 (as amended),
- c) The existing use on the site and pattern of development in surrounding area;
- d) The planning history relating to the site,
- e) The availability of mains water and wastewater services to serve the proposed development,
- f) the location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended),
- g) 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),
- h) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and
- i) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the proposed Construction & Demolition Waste Management Plan (CDWMP).

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

Conclusions on Proper Planning and Sustainable Development

The Board considered that, subject to compliance with the conditions set out below that the proposed development would not seriously injure the residential or visual

amenities of the area or of property in the vicinity, would not endanger public safety by reason of traffic hazard, or have a negative impact on the character or setting of the protected structure to the north, Mornington House, or impact of the protected View No 11, towards Wellington Monument. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.2. **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 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 Pleanala for determination.

Reason: In the interest of clarity

2. The proposed development shall be amended as follows:

(a) The phasing proposal set out in Section 3.6 of the Indicative Master plan (MP 2), shall be altered to include the development of Community Infrastructure lands within Phase 2 and the development of residential lands along the R161, Kinnegad Road as Phase 3.

(b) The vehicular access through the site, into the Community Infrastructure lands, shall be retained as a potential access for traffic associated with future development. Submission of an amended boundary treatment plan shall have regard to the above and retain any identified future vehicular, pedestrian and cycle connection points free from development.

Revised drawings/ documentation showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority/An Bord Pleanála prior to commencement of development.

Reason: In the interests of proper planning and sustainable development of Tim.

3. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs, shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in DMURS. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of amenity and of traffic and pedestrian safety.

4. The proposed cycle infrastructure be designed so as to comply with all necessary standards in the NTA National Cycle Manual.

Details of the layout, marking demarcation and security provisions for the cycle spaces and cycle infrastructure shall be as submitted to An Bord Pleanála with this application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

5. The developer shall facilitate the protection of archaeological materials or features which may exist within the site. In this regard, the developer shall -
 - (a) undertake an Archaeological Impact Assessment, submitted prior to commencement of any development to the Planning Authority for writing approval,

- (b) 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,
- (c) submit to and agree in writing with the planning authority any revised proposals for the design which is deemed necessary to ensure that the development will not cause avoidable disturbance to archaeological material and will limit any unavoidable disturbance,
- (d) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (e) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

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.

6. Mitigation and monitoring measures outlined in the plans and particulars, including the Section 6.1 of the EclA 'Mitigation and Monitoring', shall be carried out in full, except where otherwise required by conditions attached to this permission. A qualified ecological specialist shall monitor these works.

Reason: In the interest of protecting the environment and in the interest of public health.

7. 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

8. A minimum of 10% of all car parking spaces should be provided with EV charging stations/points, and ducting shall be provided for all remaining car parking spaces facilitating the installation of EV charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, the development shall submit such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.

Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles

9. (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.

(c) Details of all proposed uses and operational arrangements within the community centre shall be submitted to and agreed in writing with the planning authority prior to occupation of any uses. The community centre shall be retained for the general use of the public.

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

10. The landscaping and earth works scheme and play facilities shown on drg no. 1, landscape master plan, as submitted to An Bord Pleanála as part of this application shall be carried out within the first planting season following substantial completion of external construction works. In addition to the proposals in the submitted scheme, the following shall be carried out: The site shall be landscaped, using only indigenous deciduous trees and hedging species, and shall include:

(b) submission of a tree planting scheme including details of the type, quantity and location.

(c) the planting shall integrate the recommendations as proposed in the Ecological Impact Assessment.

(d) play facilities shall be provided within the communal areas of the apartment development in line with the requirements of Section 4.13 of the Sustainable Urban Housing: Design Standards for New Apartments. Guidelines for Planning Authorities (2018)

(e) all details of the play facilities and passive recreation facilities shall be submitted for the agreement of the planning authority prior to commencement of development.

(f) details of boundary treatment and the integration of the old stone wall around Mornington House.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

11. (a) The development shall be carried **out on a revised phased basis. The first phase shall consist of those apartment blocks in Character Area 1,**

followed by the Character Area 2 & 3. No more than 75 units, together with their associated site development works, shall be occupied until the crèche and associated development is made available. Prior to commencement of any development on the overall site, details of the first phase shall be submitted to, and agreed in writing with, the planning authority.

(b) Work on any subsequent phases shall not commence until completion of Phase 1 or such time as the written agreement of the planning authority is given to commence the next phase. Details of further phases shall be as agreed in writing with the planning authority.

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

12. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

13. The applicant or 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.

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. Proposals for an estate/street name, house 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 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 place names for new residential areas.

16. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity

17. 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.

18. 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 of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

19. 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.

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.

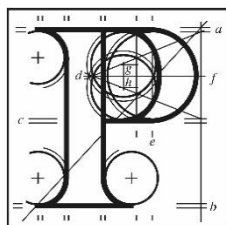
20. The developer shall pay the sum of € 160,000 (One hundred and sixty thousand euro) (updated at the time of payment in accordance with changes in the ***Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office), to the planning authority as a special contribution under section 48 (2)(c) of the Planning and Development Act 2000, in respect of the upgrading of the Summerhill Road/ Patrick Street traffic signal junction. This contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate. The application of indexation required by this condition 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.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

Karen Hamilton
Senior Planning Inspector

06th of October 2020

Appendix A: EIA Screening Form



An
Bord
Pleanála

EIA - Screening Determination for Strategic Housing Development Applications

A. CASE DETAILS		
An Bord Pleanála Case Reference		ABP-307507-20
Development Summary		Construction of 320 no. residential units (136 no. houses, 184 no. apartments), crèche and associated site works
	Yes / No / N/A	
1. Has an AA screening report or NIS been submitted?	Yes	An EIA Screening Report and a Stage 1 AA Screening Report was submitted with the application
2. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	

<p>3. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA</p>	<p>Yes</p>	<p>SEA undertaken in respect of the Meath County Development Plan 2013-2019 and Trim Town Development Plan 2014-2020 (as amended)</p>
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<p>B. EXAMINATION</p>	<p>Yes/ No/ Uncertain</p>	<p>Briefly describe the nature and extent and Mitigation Measures (where relevant)</p> <p>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)</p> <p>Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.</p>	<p>Is this likely to result in significant effects on the environment?</p> <p>Yes/ No/ Uncertain</p>
<p>1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)</p>			
<p>1.1 Is the project significantly different in character or scale to the existing surrounding or environment?</p>	<p>No</p>	<p>The development comprises the removal of an old cattle livestock mart building and construction of residential units on lands zoned residential and community in keeping with the residential development in the vicinity.</p>	<p>No</p>

<p>1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</p>	<p>Yes</p>	<p>The proposal includes construction of a residential estate which is not considered to be out of character with the pattern of development in the surrounding town.</p>	<p>No</p>
<p>1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?</p>	<p>Yes</p>	<p>Construction materials will be typical of such urban development. The loss of natural resources or local biodiversity as a result of the development of the site are not regarded as significant in nature.</p>	<p>No</p>
<p>1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?</p>	<p>Yes</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and implementation of a Construction Environmental Management Plan will satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.</p>	<p>No</p>

<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Yes</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and implementation of a Construction Environmental Management Plan will satisfactorily mitigate potential impacts.</p> <p>Operational waste will be managed via a Waste Management Plan to obviate potential environmental impacts. Other significant operational impacts are not anticipated.</p>	<p>No</p>
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No</p>	<p>No significant risk identified. Operation of a Construction Environmental Management Plan will satisfactorily mitigate emissions from spillages during construction. There is no direct connection from the site to waters. The operational development will connect to mains services. Surface water drainage will be separate to foul services.</p>	<p>No</p>

<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Yes</p>	<p>Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature and their impacts may be suitably mitigated by the operation of a Construction Environmental Management Plan. Management of the scheme in accordance with an agreed Management Plan will mitigate potential operational impacts.</p>	<p>No</p>
<p>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p>No</p>	<p>Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of a Construction, Environmental Management Plan would satisfactorily address potential impacts on human health. No significant operational impacts are anticipated.</p>	<p>No</p>
<p>1.9 Will there be any risk of major accidents that could affect human health or the environment?</p>	<p>No</p>	<p>No significant risk having regard to the nature and scale of development. Any risk arising from construction will be localised and temporary in nature. The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location.</p>	<p>No</p>

1.10 Will the project affect the social environment (population, employment)	Yes	Redevelopment of this site as proposed will result in an increase in residential units of 320 no. units which is considered commensurate with the development of a Moderate Growth Town such as Trim.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No	Stand alone development, with minor developments in the immediately surrounding area.	No
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: <ol style="list-style-type: none"> 1. European site (SAC/ SPA/ pSAC/ pSPA) 2. NHA/ pNHA 3. Designated Nature Reserve 4. Designated refuge for flora or fauna 	No	No conservation sites located on the site. An AA Screening Assessment accompanied the application which concluded no significant adverse impact on any European Sites.	No

<p>5. Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</p>			
<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	<p>No</p>	<p>No such uses on the site and no impacts on such species are anticipated.</p>	<p>No</p>
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p>No</p>	<p>There is an identified enclosure on the site, (RMP ME036:026) a protected structure the north of the site and a protected view along the east of the site. The design and layout of the scheme considers all these built environment issues and mitigation measures are in place to address concerns.</p>	<p>No</p>
<p>2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?</p>	<p>No</p>	<p>There are no areas in the immediate vicinity which contain important resources.</p>	<p>No</p>

<p>2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?</p>	<p>No</p>	<p>There are no connections to watercourses in the area. The development will implement SUDS measures to control surface water run-off. The site is not at risk of flooding.</p>	
<p>2.6 Is the location susceptible to subsidence, landslides or erosion?</p>	<p>No</p>	<p>There is no evidence in the submitted documentation that the lands are susceptible to lands slides or erosion and the topography of the area is flat.</p>	<p>No</p>
<p>2.7 Are there any key transport routes(eg National Primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?</p>	<p>No</p>	<p>The site is served by a local urban road network.</p>	<p>No</p>
<p>2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?</p>	<p>Yes</p>	<p>There is no existing sensitive land uses or substantial community uses which could be affected by the project.</p>	<p>No</p>

3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No	No developments have been identified in the vicinity which would give rise to significant cumulative environmental effects.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	No trans boundary considerations arise	No
3.3 Are there any other relevant considerations?	No		No

C. CONCLUSION			
No real likelihood of significant effects on the environment.	Yes	EIAR Not Required	
Real likelihood of significant effects on the environment.	No		

D. MAIN REASONS AND CONSIDERATIONS

Having regard to: -

- (a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- (b) the location of the site on lands zoned to protect and provide for residential uses and community infrastructure uses in the Trim Town Development Plan 2014-2020 (as amended), and the results of the Strategic Environmental Assessment of the plan;
- (c) The existing use on the site and pattern of development in surrounding area;
- (d) The planning history relating to the site
- (d) The availability of mains water and wastewater services to serve the proposed development,
- (e) the location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended)
- (e) 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),
- (f) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and
- (g) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the proposed Construction & Demolition Waste Management Plan (CDWMP) .

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

Inspector: _____ Karen Hamilton

Date: _____ 29/09/2020