



An
Bord
Pleanála

Inspector's Report ABP-308231-20

Development	Construction of 43 dwellings.
Location	Land To The North Of Churchlands Housing Estate Slane, & To the West Of Crann Daire Brae Housing Estate, Slane, Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	LB200838
Applicant(s)	Fastnet Heritage Land Management Ltd.
Type of Application	Permission.
Planning Authority Decision	Refuse permission
Type of Appeal	First Party v' Refusal
Appellant(s)	Fastnet Heritage Land Management Ltd.
Observer(s)	Peter and Kathleen Donner.

Date of Site Inspection

18th of February 2021.

Inspector

Stephanie Farrington

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1.0 Site Location and Description

- 1.1. The appeal site is located in the urban area of Slane, a designated Village settlement in the Meath County Development Plan 2013-2019. The site, which has a stated area of 2.84ha, is a roughly rectangular shaped parcel of land and consists of densely vegetated and overgrown scrubland and an area of public open space to the north of the existing Churchlands estate.
- 1.2. The site is located to the north and east of the Churchlands housing estate and to the west of the Crann Daire Brae housing estate. Pedestrian access from both residential estates is currently provided to the site.
- 1.3. The topography of the site rises significantly from the southern to the northern site boundary c.71OD to the south to 82OD to the north. There is a steep slope located in the north eastern boundary in proximity to existing residential properties at Crann Daire Brae. A stream traverses the site in an east to west direction.
- 1.4. The site is located adjacent to the Slane Castle Architectural Conservation Area and the Slane Architectural Conservation Area. The site is also located in proximity to a number of protected structures (MH019-227 Mount Charles Lodge, MH019-208 Slane Glebe and MH019-202 Main Street Lower detached house).

2.0 Proposed Development

- 2.1. The proposed development comprises the construction of 43 no. dwellings. Vehicular access to the development is proposed via the existing road network on Crann Daire Brae and the proposal will be served with pedestrian access from the existing Churchlands estate. The proposed development comprises of footpaths, landscaping, boundary fencing and walls, car parking, lighting, and new foul and surface water sewers and associated infrastructure. The development includes a proposal to divert an existing watercourse.
- 2.2. The following table details some of the key elements of the scheme:

Table 1: Key Figures	
Site Area	2.84ha
No. of Residential Units	39 no. houses 4 no. apartments
Unit Mix	5 no. three-storey five-bedroom detached houses; 3 no. two storey four bedroom detached houses, 5 no. single-storey three bedroom detached houses, 26 no. two storey three bedroom semi-detached houses, 1 no. two storey block comprised of four two bedroom apartments.
Dwelling Type	House Type 1 – detached 3 storey 5 bedroom dwelling. 10.6m high, floor area of 228 sq.m. Units 08 and 26. House Type 1 (h) – detached 3 storey 5 bedroom dwelling, 10.6m high, floor area of 228 sq.m.. Units 34, 27, and 9. Units 27 and 9 are corner sites and should be encouraged to present dual elevations. House Type 2 – detached 2 storey 4 bedroom house, 8.76m high, floor area of 152 sq.m. Site no. 19. House Type 2H – detached 2 storey 4 bedroom house, 8.76m high, floor area of 152 sq.m. Site no. 16. House Type 3 – detached, 4 bedroom house, 8.87m high, floor area of 164 sq.m. Site no. 1

	<p>House Type 4- detached 3 bedroom house, 6.586m high, floor area of 94.5m. Site nos. 35,36,37, 38 and 39.</p> <p>House Type 5- 3 bedroom semi-detached house, 8.75m high, floor area of 106.7sq.m. Site nos. 02-03, 06-07,10-11,14-15,17-18,20-21, 24-25, 28-29, 32-33.</p> <p>House Type 6 – 2 bedroom apartments, 66 sq.m. Site nos. 40-43. 9.736m high.</p> <p>House Type 7 – 3 bedroom, semi-detached house, 106 sq.m. 9.28m high, Site nos. 04-05, 12-13,22-23,30-31.</p>
Density	15 units per ha
Public Open Space	9,171 sq.m., 38% of site area
Height	<p>Residential units: single storey to 3 storeys (6.586m to 9.736m).</p> <p>Apartment Block – 9.736m</p>
Car Parking	2 per unit
Bicycle Parking	None indicated.

- 2.33. The scheme is arranged into rows of houses/blocks which front onto the internal access road. The northern part of the access road extends west and south from the proposed vehicular entrance from Crann Daire Brae residential development. Public open space is provided at the north western end of the estate and to the south.
- 2.34. Proposed materials include a render finish and stone cladding features to walls, timber windows, timber doors and pitched slate roofs.
- 2.35. Water supply is proposed via a new connection to the existing public mains. Effluent disposal is via a connection to the public mains and surface water is proposed via a connection to the surface water sewer/drain.
- 2.36. The planning application is accompanied by the following documentation:

- Biodiversity/Ecological and Bat Assessment;
- Appropriate Assessment Screening Statement;
- Civils Report;
- Design Statement;
- Visual Impact Statement;

3.0 Planning Authority Decision

3.1. Decision

Planning permission was refused for the proposal by Meath County Council in accordance with the following reasons and considerations:

1. *It is the strategic policy of the Meath County Development Plan 2013-2019 (as varied), Slane Written Statement (SP5);*

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

- i) *The lands identified with an A2 “New Residential” land use zoning objective corresponds with the requirements of Table 2.4 Housing Allocations and Zoned Land Requirements in Volume 1 of this County Development Plan and are available for residential development within the life time of this Development Plan.*
- ii) *The lands identified within an A2 “New Residential” land use zoning objective but qualified as “Residential Phase II (Post 2019)” are not available for residential development within the life of this Development Plan.*

The proposed development is predominately located on Residential Phase II lands and, if permitted, would materially contravene the County Development Plan in force at the time.

2. *Having regard to the elevation location and topography of the site, it is considered that the proposed development would be visually obtrusive and*

would seriously injure the visual amenities of the area and of property in the vicinity. The proposed development, would therefore, be contrary to the proper planning and sustainable development of the area.

3. *The plans and particulars lodged with the application do not provide the planning authority with sufficient information to make a determination with respect to traffic safety, wastewater treatment and disposal, and the orderly collection, treatment and disposal of surface water and, if permitted, may be prejudicial to public health and endanger public safety by reason of traffic hazard or obstruction to road users or otherwise.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner's report sets out a recommendation to refuse permission for the proposed development. Key points raised within the planner's report include the following:

- The lands are identified as Phase II residential lands within Variation no. 2 of the County Development Plan. The proposal is therefore considered to be a material contravention of Strategic Policy SP5 of the County Development Plan. A recommendation to refuse permission is set out on this basis.
- The planner's report cites legal precedent - JR decision Heather Hill Management Company clg. & anor.v's An Bord Pleanala & anor. (2019) IEHC 450.
- The design and layout of the proposal should be justified on the basis of a Landscape and Visual Impact Assessment.
- Concerns raised in relation to the proposed apartment block within a housing development. Reference is made to the guidance set out within Section 11.2.2.3 of Meath County Development Plan as varied which states that apartments will not generally be permitted on sites surrounded by or gaining access through family occupied suburban housing estate development.
- Concerns raised relating to siting of proposed apartment block and lack of provision of private open space to serve units.

- Reference is made to information deficiencies within the application drawings in relation to levels of proposed private open space and proposed public open space and boundary treatment.
- Inadequate justification has been provided for the proposed means of vehicular access through an established residential development.
- Reference is made to verbal conversation with the Conservation Officer. Concerns raised within the Conservation Officer's report under PA Ref: LB191331 still apply to the current proposal. A request for further information is recommended in relation to a Visual Impact Assessment.
- The submitted Visual Impact Assessment does not provide any commentary on the potential visual impact of the proposal. A full Landscape and Visual Impact Assessment should be submitted.

3.2.2. Other Technical Reports

- Transportation Department (Slane Bypass) – No objection raised.
- Transportation Department – Further information is recommended in relation to a DMURS compliant layout including increase in car parking dimensions to 2.75m and other amendments to the proposed road layout. It is stated that the proposed broadwalk is unacceptable and leads to a bend in the road with the existing development to the south.
- Transportation Department (Lighting) – Further information is recommended in relation to a proposed lighting design compliant with MCC standards/ Landscaping Design to reflect same.
- Conservation Officer – Report dated 24/08/2020 recommends a refusal of planning permission. The proposal is deemed to have a negative effect on the setting and character of Slane village, a designated ACA, and will compromise Slane Hill ACA.
- Housing Department – No objection to principle of proposal. Part V to be met by the delivery of units on site.
- Chief Fire Officer – No objection subject to condition.

- Broadband Officer – Recommends general broadband connection recommendations.
- Water Services Department – Recommends further information in relation to 7 no. points.

3.3. Prescribed Bodies

- Department of Culture, Heritage and Gaeltacht - The site is located within an area of high archaeological potential and the site is located in close proximity to the Hill of Slane and which includes monuments on the RMP. Further information is recommended in relation to an Archaeological impact Assessment and Visual Impact Assessment.
- Irish Water: Report dated 6/8/2020 recommends a request for further information.

3.4. Third Party Observations

A total of 10 no. submissions were received and considered by the Planning Authority. The following provides a summary of the issues raised:

- Limited sewerage and water capacity in Slane.
- Concerns in relation to the visual impact of the proposal.
- Concerns in relation to ecology, natural heritage and built heritage.
- Proposal to develop Phase II lands is in contravention of the Meath County Development Plan.
- Limited water and waste water capacity in Slane,
- Impact on residential amenity- overlooking, visual dominance on bungalows in Crann Daire Brae and 1.5 storey dormer bungalows in Churchlands,
- Poor quality of proposed finishes,
- Existing open space in front of nos. 50-52 Churchlands and associated boundary treatment should be retained. Proposed pathway and rerouting of stream is unnecessary and will encourage anti-social behaviour.
- Site is not on the vacant site register; legal precedent is cited in this regard (Navratil v's An Bord Pleanala (2020) IEHC 292.

- Assessment of Cumulative Environmental Impact has not been rigorously considered particularly in respect of climate change, biodiversity protection, resource efficiency and sustainability.
- Reference is made to the history of incomplete developments in Slane by applicant.
- Procedural issues are raised in relation to on-line display of the file.
- Access and Transportation Concerns: relating to proposed siting of vehicular entrance, provision of additional traffic onto the N2 in proximity to the school entrance. Proposed future access road would create a rat-run through Churchlands and Crann Daire Brae and Churchlands.

4.0 Planning History

The following planning history relates to the appeal site.

PA Ref: LB200760: Application for construction of 43 no. dwellings on site declared invalid.

PA Ref: LB191331: Permission refused by Meath County Council in December 2019 for 55 no. houses. The application site extended to include lands to the south of the appeal site.

Reasons for refusal related to:

- (i) Material Contravention of Meath County Development Plan Order of Priority/ Residential Phase II lands.
- (ii) Impact on nos. 35 to 38 Churchlands to the south of the site and would result in overlooking and overdominance from these properties. The proposal would materially contravene policies HS POL 1 and HS POL 2 of the Meath County Development Plan 2013-2019. The proposal would be injurious to amenities, result in depreciation in property values and set an undesirable future precedent.
- (iii) Visual Impact.
- (iv) Insufficient information in respect of Traffic Safety, Wastewater Treatment and Disposal, Surface Water, Prejudicial to Public Health/Traffic Hazard.

PA Ref: SA/50401 - ABP Ref: 17.219107: – permission refused by An Bord Pleanála In February 2007 for permission for extension to previously approved development Ref 99/85 to include for the construction of 4 no. extra dormer bungalows on grounds of visual impact:

“Having regard to the elevated location and topography of the site, it is considered that the proposed development would be visually obtrusive and would seriously injure the visual amenities of the area and of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area”.

PA Ref SA/40254 (ABP Ref: 17.211667): Split decision issued by An Bord Pleanála in August 2005 to grant permission for 3 no. dwellings and refuse permission for 4 no. dwellings for reasons relating to visual impact and impact on residential amenity.

5.0 Policy Context

5.1. Meath County Development Plan 2013-2019

The site is located within the administrative boundary of Meath County Council. The Meath County Development Plan 2013-2019 is the relevant plan for the area. Chapter 2 sets out the Core Strategy and Chapter 3 is devoted to the Settlement Strategy and Housing. Under the Core Strategy (Chapter 2) Slane is designated as a Village. The role of a Village as set out within the settlement strategy is to “*serve smaller rural catchment, provide local services with some smaller scale rural enterprises in a number of such villages*”.

Relevant Objectives include:

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

guided by the sequential approach in order to create a compact urban form and facilitate sustainable modes of transport.

- SS OBJ 2 - To ensure that throughout the county, growth takes place concurrent with the provision of necessary services and infrastructure, including water services. Planning permission shall only be granted where the Planning Authority is satisfied that there is adequate capacity available to serve development.
- HS POL 10: To support a sequential approach to residential development in which the first choice location for new housing is within the built up area of towns and villages maximising under-utilised and brownfield lands within and adjoining town and village centres in the first instance and thereafter moving sequentially outwards.
- CS OBJ 6 To improve the jobs ratio level in Meath and address commuting patterns by building up the local economy to a more sustainable level through:
 - (i) Fostering employment creation and maximising jobs potential in designated growth centres in particular the promotion of 5 key economic development sites highlighted in the Economic Development Strategy for County Meath 2014-20226;
 - (ii) Working with the Regional Assembly in the preparation and implementation of a Regional Spatial Economic Strategy;
 - (iii) Assisting Enterprise Ireland and other state agencies in the development and growth of indigenous Meath companies and high potential start-up companies with an export led business in worldwide markets

The following objectives are set out within the County Development Plan for villages:

- SS OBJ 15: To ensure that Villages in Meath cater for a local catchment for service provision. Future population growth in Villages shall be managed to ensure that they do not lead to unsustainable commuting patterns.
- SS OBJ 16: To ensure that Villages grow in a manner that is balanced, self-sustaining and supports a compact urban form and the integration of land use and transport.
- SS OBJ 17: To ensure that in Villages, no proposal for residential development should increase the existing housing stock (including permitted

units) of the village by more than 15% within the lifetime of the Development Plan.

Housing Allocation

Table 2.4 of the County Development Plan sets out the Housing Allocation and Zoned lands requirements for settlements within Meath. The following figures are set out for Slane.

- Household allocation of 120 units,
- a net density of 20 units per ha is allocated,
- 6ha of zoned land is required,
- 10.3ha of residential zoned land is available, an additional 0.5ha of mixed use land is available

Table 2.5 identifies allocated and committed units for each centre as per the 2 year review contained in the County Development Plan progress report. 14 committed and unbuilt units are identified for Slane as of December 2014.

Development Management

Development Management objectives are set out within Chapter 11 of the County Development Plan. Section 11.2.2. relates to residential design criteria. The following are of relevance:

- In housing developments containing 15 or more units, a mix of house types and sizes should generally be provided. Variety in design, within a unified concept, will generally be required. This may be achieved through scale and massing, roof profiles, materials and decorative details. In smaller scheme, i.e., less than 15 units, uniformity in design and finishes may be acceptable, depending on the site context.
- Public open space within residential developments should be designed so as to complement the residential layout and be informally supervised by residents.
- Minimum private open space provision is set out within Table 11.1 of the Development Plan as follows: One/two bedroom – 55 sq.m., Three bedroom – 60 sq.m., Four + bedrooms – 75 sq.m.

- Minimum of 22m between directly opposing windows shall be observed.
- Minimum distance of 3.2m shall be provided between dwellings for the full length of the flanks in all developments of detached, semi-detached and end of terrace houses.
- 11.9 car parking standards – 2 per conventional dwelling.

Landscape Character Areas

Landscape Character Areas are identified characterised within Maps 2 and 3 of Appendix 7 of the County Development Plan. Slane is located within the Boyne Valley Character Area which is identified as being of “exceptional value” and “high sensitivity”.

Slane Written Statement 2016

Variation no. 2 of the Meath County Development Plan, 2016, introduced written statements, objectives and maps for urban centres that were previously subject to a Local Area Plan, including Slane. Volume 5 of the County Development Plan sets out the written statement for Slane. The following provisions of the Slane Written Statement are considered to be relevant.

Zoning Objectives:

The appeal site is subject to the following zoning objectives:

- The northern part of the site is zoned for “A2” - New Residential Phase II (post 2019) purposes with an objective: *“To provide for new residential communities with ancillary community facilities, neighbourhood facilities and employment uses as considered appropriate for the status of the centre in the Settlement Hierarchy”*. Residential is listed as a permissible use on A2 zoned lands.
- The southern part of the site is zoned for “FI - Open Space” purposes with an objective *“to provide for and improve open spaces for active and passive recreational amenities”*. Residential is not listed as a use which is either permitted or open for consideration on lands zoned for open space purposes.
- Part of the southern part of the site is zoned for “A1 - Existing Residential” purposes with an objective – *“To protect and enhance the amenity of developed residential communities”*. Residential is listed as a permissible use on A1 zoned lands.

- The zoning map illustrates indicative access points via the existing cul de sac access road from Churchlands Residential Estate.

Residential Development:

Section 04 of the written statement relates to Residential Development. This outlines that the population of Slane has risen by 64% between 2002 and 2011 and continued growth at these levels would be unsustainable and inappropriate to the status of Slane as a village within the settlement hierarchy.

The plan outlines the following in respect of future residential development:

- On the basis of an average density of 20 units per hectare, there is a requirement for 6.0 hectares of residential land.
- Residential land will be delivered on a phased basis as illustrated on the land use zoning objective map.
- Phase 1 Residential Order of Priority Lands identified for Slane have been selected primarily on the basis of applying a sequential approach from the main village crossroads in addition to topographical constraints.
- Sites identified for residential development in the 2009 Local Area Plan (Sites D, E (Partial) and F) were discounted from being developed in Phase I. These lands are not intended to be released during the period of the current County Development Plan and are identified as Phase II lands.

Appendix A of the written statement sets out an evaluation of residential zoned lands in Slane. The appeal site is identified as Sites D and F as illustrated in the attached presentation document. These sites are identified as Phase II (post 2019) Order of Priority sites on the basis of their sequential distance from the central village square in addition to unfavourable land topography associated with these sites.

Strategic Policies

The following Strategic Policies are of relevance:

- SP2: Future residential development shall integrate visually with the existing village whilst preserving and enhancing the character of Slane and shall adhere with the design Guidelines of this Development Framework.

- SP3: To encourage the sequential development of the village core from the centre outwards, in order to ensure that the higher order facilities and the higher density development is located on the most central lands where possible, with optimum access and the highest levels of services.
- SP5: To operate an Order of Priority for the release of residential lands in compliance with the requirements of CS OBJ 6 of the County Development Plan as follows:
 - (i) The lands identified with an A2 “New Residential” land use zoning objective corresponds with the requirements of Table 2.4 Housing Allocations and Zoned Land Requirements in Volume 1 of this County Development Plan and are available for residential development within the lifetime of this Development Plan.
 - (ii) The lands identified within an A2 “New Residential” land use zoning objective but qualified as “Residential Phase II (Post 2019)” are not available for residential development within the life of this Development Plan.

Architectural Heritage:

Section 8.1 of the Plan relates to Architectural Conservation Areas within Slane. Three existing ACA’s are identified within the village including Slane Castle Demesne ACA, Slane Mill ACA, Slane Village Centre ACA.

The site is located adjacent to the Slane Castle Demesne Architectural Conservation Area and the Slane Architectural Conservation Area. The site is also located in proximity to a number of protected structures (MH019-227 Mount Charles Lodge, MH019-208 Slane Glebe and MH019-202 Main Street Lower detached house).

The following policies as set out within the Slane Written Statement are of relevance.

- HER POL 2 – To discourage development that would lead to a loss of, or cause damage to, the character, the principal components of, or the setting of the special historic interest of Slane Castle Demesne and Slane’s many other important protected structures including the four houses on Slane Square and the Architectural Conservation Areas and features contained therein;

- HER POL 9: To ensure that development, particularly in sensitive landscapes adheres to tailored design guidelines. Sensitive landscapes include designated views and prospects in Slane, the three Slane ACA's and close to the River Boyne and River Blackwater Natura 2000 network.

Water and Wastewater Services

- WWS POL 1 – To endeavour to maintain and provide adequate potable water and wastewater treatment infrastructure that is sufficient to meet the development needs of the town within this Plan period. However, the Council acknowledges that there are significant constraints on the capacity of the existing infrastructure and may consider restricting development in circumstances where such infrastructure is inadequate.

Design Guidelines

Appendix B of the Slane Written Statement sets out Design Guidelines. Slane is located within the “Boyne Valley Landscape Character Area”- Character Area no. 5 (High Sensitivity). Slane is described as follows within the context of the character area:

“Slane is a medium sized historic town, which was originally a demesne village. The overall historic built fabric of Slane remains intact. The town is centred on four large 3- storey detached houses facing a central crossroads. The local vernacular style dates from the 18th Century, with simple square cut stone buildings, with less brick detailing than is common elsewhere in the county. Residential development in the town centre is limited apart from some 1950’s – 70’s housing on the western approach. However, there is a concentration of new development to the north of the town on higher ground. Further development of this type should be avoided due to its size, within the context of the town and its prominence in the landscape. Slane is a popular tourist attraction due to its location and heritage. Slane Castle is situated to the west of the town with Brú na Bóinne WHS to the east.”

Specific Design Guidelines are set out for residential lands located north of Churchlands Housing Estate, which includes the appeal site. The plan outlines that these are provided for the long term development of the site and the development framework anticipates that the site will not be developed for residential development during the lifetime of the County Development Plan (2013-2019):

- A character appraisal of the development site shall be prepared outlining how the natural features of the site, views into and out of site, access to site and topography of the site have influenced the final development proposal;
- The maximum residential density shall be 20 units per hectare;
- Vehicular access to the site, if possible, shall be via the existing vehicular access to Crann Daire Brea Estate;
- Development shall provide a minimum of 15% public open space provision;
- Developer should consider formally linking open space provision for the proposed development with the open space provision of Crann Daire Brea Estate in order to maximise open space provision in this area of Slane village
- The proposed residential development should not impact negatively on views southwards towards the village core from the “Hill of Slane”. The roofscapes should be consistent with the existing roofscapes of Slane. Roof materials should be consistent throughout the development and the use of traditional materials such as slate is recommended. Roof colour should be blue/black/grey, consistent with the Slane area.
- The development will provide a mix of unit types, and varying bedroom provision (one/ two/ three/ three +). The mix of bedroom provision will be discussed and agreed with Meath County Council prior to the submission of the planning application.
- Apartment units are not deemed an appropriate form of development in Slane.

Residential Design Guidelines for development within Slane are set out within Table 1 of Appendix B of the Written Statement.

5.2. National Policy

5.2.1. The National Planning Framework (NPF) recommends compact and sustainable towns/ cities and encourages brownfield development and densification of urban sites. Relevant policies from the NPF include the following:

- NPO 11 – In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages,

subject to development meeting appropriate planning standards and achieving targeted growth.

- Objective 27 is to prioritise walking and cycling accessibility to existing and proposed development.
- Objective 33 is to prioritise the provision of new homes that can support sustainable development.
- Objective 35 is to increase residential density in settlements.

5.2.2. The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas were issued by the minister under section 28 in May 2009. Section 1.9 recites general principles of sustainable development and residential design, including the need to prioritise walking, cycling and public transport over the use of cars, and to provide residents with quality of life in terms of amenity, safety and convenience.

5.2.3. Chapter 6 of the Guidelines refers to Small Towns and Villages (pop. 400 - 5,000 persons). This includes that each residential scheme within a small town or village should be designed to make the most effective use of the site, make a positive contribution to its surroundings, have a sense of identity and place, provide for effective connectivity, include a design approach to public areas such as streets and open spaces and encourage a safe sense of place.

5.2.4. Section 6.11(b) of the Guidelines relate to 'Edge of centre site' where densities to a range of 20-35 dwellings per hectare will be appropriate including a wide variety of housing types from detached dwellings to terraced and apartment style accommodation. Section 6.12 of the guidelines allow for lower densities of 15-20 dwellings per hectare along or inside the Edge of small town/village locations, The guidelines provide for densities of less than 15-20 dwellings per hectare along or inside the edge of small town/village locations in instances where such lower density does not represent *"more than about 20% of the total new planned housing stock of the small town or village in question"*.

5.2.5. A design manual accompanies the guidelines which lays out 12 principles for urban residential design.

5.3. **The Eastern and Midland Regional and Spatial Economic Strategy 2019-2031**

5.3.1. The RSES is a strategic plan which identifies regional assets, opportunities and pressures and provides appropriate policy responses in the form of Regional Policy Objectives. The settlement hierarchy for the region is set out within Table 4.2. At the top of the hierarchy is Dublin City and Suburbs, followed by Regional Growth Centres, Key Towns, Self-Sustaining Growth Towns, Self-Sustaining Towns, Towns and Villages and Rural areas. Within Meath, Drogheda Environs is identified as a Regional Growth Centre and Navan and Maynooth are designated as Key Towns.

5.3.2. Section 4.8 relates to rural towns, villages and the countryside. The RSES outlines the following in respect of residential development within these areas:

“Facilitating housing is paramount to ensuring the sustainability, vitality and viability of the rural places of the Region. Support for housing and population growth within rural towns and villages will help to act as a viable alternative to rural one-off housing, contributing to the principle of compact growth. The availability of serviced sites, in tandem with schemes such as the Irish Water Scheme for Small Towns and Villages, will help to enable this”.

5.4. Natural Heritage Designations

The subject site is not located within or adjacent to any designated European Sites. The following sites are located within 15km of the site.

- River Boyne and River Blackwater SAC - 85m - Site Code 002299.
- River Boyne and River Blackwater SPA - 195m - Site Code 004232.
- Boyne Estuary SPA - 14.6km - Site Code 004080.
- Boyne Coast and Estuary SAC - 15.8km - Site Code 001957.
- Boyne Woods pNHA – 0.4km – Site Code 001592.

5.5. EIA Screening

Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded. An EIA -

Preliminary Examination form has been completed and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A first party appeal prepared by Joe Bonner Town Planning Consultant was submitted in respect of the notification of decision of Meath County Council to refuse permission for the proposed development. The appeal is accompanied by the following documentation:

- Visual Impact Assessment;
- Biodiversity and Ecological Report and Bat Assessment.
- Civils and Utilities of the Report;

6.1.2. The following provides a summary of the grounds of appeal. Further elaboration on the grounds of appeal is provided within Section 7 of this report:

Response to Reason for Refusal no. 1- Phasing:

- In responding to Meath County Council's first reason for refusal reference is made to the criteria set out under Section 37(2)(b) of the Planning and Development Act under which An Bord Pleanála can consider granting permission. A case is made in support of the development under each of the criteria cited under Section 37(2)(b) of the Act.
- Reference is made to a precedent case within the appeal wherein An Bord Pleanála granted permission for a residential development on Phase II residential zoned lands in Enfield, Co. Meath (ABP PL.304296-18).

Response to Reason for Refusal no. 2- Visual Impact:

- In response to the second reason for refusal a case is made that the proposal is not visually obtrusive and would not seriously injure the visual amenities of the area or the property in the vicinity.
- The appeal response cross refers to the Visual Impact Assessment which was submitted in conjunction with the application and a case is made that this

demonstrates that the proposed buildings would not appear from the surrounding skyline when viewed from the protected viewpoints.

Response to Reason for Refusal no. 3 – Services:

- A report prepared by VCL Consultants is submitted in conjunction with the appeal response. A case is made that all technical matters raised can be agreed with the planning authority by means of compliance.
- Reference is made to the existing Churchlands development, which is served by a public watermain, a stormwater sewer and foul water sewer. It is stated that these services were sized to accommodate the future development of the appeal site.

6.2. Planning Authority Response

6.2.1. A response to the grounds of appeal has been received from Meath County Council. The following provides a summary of the points raised:

- The proposed development is not considered to be consistent with the proper planning and sustainable development of the area.
- The proposal is considered to constitute a material contravention of the Meath County Development Plan.
- The proposal would be visually intrusive and seriously injure the visual amenities of the area. Cross reference is made to the submission on the application from the Department of Culture, Heritage and the Gaeltacht regarding an Archaeological Impact Assessment (including a Visual Impact Assessment).
- Reference is made to information deficiencies in the application in relation to traffic safety, wastewater treatment and surface water treatment and in this regard the proposal may be prejudicial to public health and endanger public safety by reason of a traffic hazard. Cross reference is made to the submissions/reports on file from Irish Water, the Water Services Department, the Transport Department and Transportation Department (Lighting).

- Requests the Board to uphold the decision of the planning authority and refuse permission for the development.

6.3. Further Responses

None.

6.4. Observation

6.4.1. An observation on the appeal was lodged by Peter and Kathleen Donner residents of the Crann Daire Brae Estate located to the east of the site. The following provides a summary of the points raised:

- Concerns are raised in relation to the proposed vehicular access arrangements through Crann Daire Brae. It is stated that there are alternative options available to the applicant. The proposed vehicular access would cause disruptions to traffic flow through the estate and safety concerns are raised in relation to the proximity of the entrance to the existing playground on the estate. Concerns relating to the impact of the construction phase of the development are also raised.
- Reference is made to existing incomplete residential developments by the family company of the applicants “Land and Heritage Properties Holdings Ltd.”
- Concerns are raised in relation to the removal of the existing boundary hedge between the appeal site and Crann Daire Brae. The residents of the estate have maintained the existing hedge and it provides privacy between the appeal site and existing properties within the Crann Daire Brae estate.
- The style and design of the proposed houses is not in keeping with existing properties at Crann Daire Brae which comprise single storey 2 bedroom bungalows. The proposed development would “dwarf and overpower” the Crann Daire Brae estate and erode its identity. The development is more in keeping with the character of Churchland homes.
- Requests the Board to refuse permission for the proposed development.
- A copy of the original submission on the application is attached to the observation. This raises concern in relation to the impact of the proposed

access arrangements on the existing cul de sac estate in terms additional traffic impact associated with tourist and residents travelling through the estate. Reference is furthermore made to the planning history of the site wherein concerns were raised in relation to overlooking and overdominance from the Churchlands estate.

7.0 Assessment

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

- Compliance with Zoning Objective and Phasing Requirements
- Density, Design and Layout
- Visual Impact
- Impact on Residential Amenity
- Access and Transportation
- Site Services – Water, Surface Water and Foul Water
- Appropriate Assessment
- Other Issues

7.2. Compliance with Zoning Objective and Phasing Requirements

7.2.1. The appeal site is subject to three separate zoning objectives within the Meath County Development Plan 2013-2019 namely A1 Existing Residential, A2 New Residential (Phase II) Post 2019 and F1 Open Space. The proposed 43 no. residential units are located on lands zoned for A2 New Residential (Phase II) purposes within the Development Plan. Residential development is a use which is permitted in principle under this zoning objective.

7.2.2. The Slane Written Statement, attached as Volume 5 of the Meath County Development Plan adopts a sequential approach to residential development within Slane. Policy HS POL 10 of the County Development Plan 2013-2019 seeks: “to

support a sequential approach to residential development in which the first choice location for new housing is within the built up area of towns and villages maximising under-utilised and brownfield lands within and adjoining town and village centres in the first instance and thereafter moving sequentially outwards”.

7.2.3. Meath County Council’s first reason for refusal states that the proposed development is predominately located on Residential Phase II lands which are not available for development within the lifetime of the Development Plan and, if permitted, would materially contravene Strategic Policy 5 of the Meath County Development Plan 2013-2019 which relates to the “Order of Priority” for development of residentially zoned lands.

7.2.4. Strategic Policy 5 of the County Development Plan seeks:

“SP5: To operate an Order of Priority for the release of residential lands in compliance with the requirements of CS OBJ 6 of the County Development Plan as follows:

- (i) The lands identified with an A2 “New Residential” land use zoning objective corresponds with the requirements of Table 2.4 Housing Allocations and Zoned Land Requirements in Volume 1 of this County Development Plan and are available for residential development within the lifetime of this Development Plan.*
- (ii) The lands identified within an A2 “New Residential” land use zoning objective but qualified as “Residential Phase II (Post 2019)” are not available for residential development within the life of this Development Plan”.*

7.2.5. The area in which residential development is proposed is identified as Site F, as illustrated in the attached presentation document. These lands are not intended for release within the lifetime of the current development plan. The existing plan, which came into effect on in January 2013, would have been due to expire in January 2019. The review of the plan was paused pending the completion of the Regional Spatial and Economic Strategy (RSES), which was adopted on May 3rd, 2019 and came come into effect on June 28th, 2019. Until such time as the new county development plan is adopted, the existing development plan remains operational.

- 7.2.6. A rationale for the designation of the lands as Phase II (post 2019) lands is set out within the Written Statement on the basis its sequential distance from the central village square in addition to visual prominence and unfavourable land topography associated with the site.
- 7.2.7. On review of the wording of SP5 and in particular the statement that Residential Phase II (Post 2019) zoned lands “*are not available for residential development within the lifetime of this Development Plan*” I consider that the proposal would constitute a material contravention the provisions of the Meath County Development Plan 2013-2019 in accordance with the planning authority’s first reason for refusal.
- 7.2.8. Section 37(2)(b) of the Planning and Development Act, 2000, as amended, sets out the circumstances when the Board can consider a material contravention of the plan. The first party appeal sets out the justification for the development against each of the criteria set out in section 37(2)(b) as follows:
- (i) *The proposed development is of strategic or national importance;*
- 7.2.9. A case is made within the 1st party appeal that the delivery of 43 no. houses within Slane is of strategic and national importance having regard to national policy objectives set out within the National Planning Framework, the Rebuilding Ireland Action Plan for Housing and Homelessness 2016, the sites location on zoned lands and the policies and objectives of the Meath County Development Plan.
- 7.2.10. Extensive reference is made within the appeal to a SHD permission in Enfield, Co. Meath (ABP Ref: 304296-18) wherein permission was granted for residential development on Phase II zoned lands. It is stated that similar circumstances apply in the instance of the proposal.
- 7.2.11. It is recognised at national and regional level that the population of the country and the regions will continue to growth, which will generate demands for additional homes. The projected 20% increase in population by 2040 will generate a requirement for at least an additional half a million new homes in the same period.
- 7.2.12. The target of the NPF is that at least 40% of those homes will be delivered in existing cities, towns and villages, with increased emphasis on compact growth and increased densities. In principle the provision of additional housing units within Slane

could be considered to be in accordance with the national strategic objective of increasing the supply of housing.

- 7.2.13. However, any such growth should be in accordance with the role of Slane as a designated village within the Meath County settlement hierarchy, the sequential location of the site and resolution of any site development constraints. In terms of Slane's designation as a village I note that Objectives SS OBJ 15 and 16 of the County Development Plan which support the compact growth of villages.
- 7.2.14. The core strategy of the Meath County Development Plan advocates a sequential approach to the delivery of residential zoned lands within settlements in the County. The appeal site is located in an edge of centre location and is designated for Phase II (post 2019) purposes. The distance of the site from the village Square together with the unfavourable topography and the visual prominence of the site are cited as reasons for the designation of the lands for Phase II purposes within the Development Plan.
- 7.2.15. The first party appeal refers to the housing allocation for Slane of 120 units as set out within the 2013-2019 Meath County Development Plan. It is stated that permission has been granted for two thirds of this allocation and while the level of activity in the planning process has been significant this has not been translated in units being delivered in the village. In sequential terms, I note that the site is located adjacent to established residential development at Crann Daire Brae and Churchlands and I accept that the development of the site would support compact growth in this regard.
- 7.2.16. However, I do not consider that the development as currently proposed delivers a satisfactory resolution of site development constraints including topography and visual impact or addresses the specific design guidance for the site as set out within Appendix B of the Slane written statement. In this regard I do not consider the proposal to be in accordance with Section 37(2)(b)(i) of the Planning and Development Act, 2000.

(ii) there are conflicting objectives in the Development Plan or the objectives are not clearly stated, insofar as the proposed development is concerned;

- 7.2.17. In addressing the above criteria, a case is made within the first party appeal that the relationship between policy SP5 and objective CS OBJ 6 of the County Development

Plan as cited within the reason for refusal is unclear. In this regard a case is made that CS OBJ 6 *“is not clearly stated, insofar as the proposed development is concerned”*.

- *Strategic Policy 5 seeks “to operate an Order of Priority for the release of residential lands in compliance with the requirements of CS OBJ 6 of the County Development Plan”.*
- *CS OBJ 6 seeks “to improve the jobs ratio in Meath and address commuting patterns...”*

7.2.18. In considering the case made by the applicant, I consider that the relationship between SP5 and CSOBJ 6 of the County Development Plan relates to the objective to support compact growth and work/live communities in accordance with the proper planning and sustainable development of the area. In this regard I do not consider that the provisions of Section 37 (2)(b)(ii) apply.

7.2.19. A case is furthermore made within the appeal that the wording of SP5 is poorly written and can be interpreted in a number of ways. Reference is made to the wording “not available for residential development” and it is stated that this would not preclude the submission of an application for permission.

7.2.20. In this regard, the appellant makes a case that a condition could be attached to any permission stating that the permission shall not be implemented until such time as the new County Development Plan is in force. It is stated that regardless of the proposed phasing the underlying zoning is A2 residential, and the proposed development cannot be deemed to contravene materially the Development Plan for that reason.

7.2.21. In terms of the alleged ambiguity in the interpretation of Strategic Policy 5, I consider that the wording of this policy is clear and unambiguous in stating that the lands *“are not available for residential development within the life of this Development Plan”*.

7.2.22. Having regard to the above reasons and considerations I do not consider that the proposal should be approved in accordance with Section 37 2 (b) (ii) of the Planning and Development Act.

7.2.23. I note the reference in the appeal to the potential imposition of a condition restricting the timeframe for delivery of the development to the next development plan period

however this would be subject to demonstration that a satisfactory resolve of topography, design, visual impact and infrastructure issues. As detailed in further sections of this assessment I do not consider that these have been resolved in the context of the proposal.

(iii) permission for the proposed develop improvement should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area and any relevant policy of the Government, the Minister or any Minister of the Government.

7.2.24. In this regard the applicant has made a case that planning permission should be granted on the basis that the proposal is consistent with the national planning policy to significantly increase the delivery of housing and compact growth.

7.2.25. Rebuilding Ireland has been published and come into effect since the publication of the Meath County Development Plan 2013-2019. This notes that there is an immediate and pressing need for residential development to significantly increase the delivery of housing and compact growth.

7.2.26. Department Circular PL8/2016 which addresses the Action Plan for Housing and Homelessness 'Rebuilding Ireland', notes that there is an immediate and pressing need for all suitable potential sources of supply to be activated as speedily as possible and that development plans should be flexible to take account of changing circumstances or issues unforeseen at the time of the original making of the plan.

7.2.27. As earlier detailed, I do not consider that an adequate justification for the development of the lands has been presented within the appeal in terms of satisfactory resolution of site development constraints including topography and visual impact.

(iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan

7.2.28. The appeal cites the following precedent cases where residential development has of been permitted on Phase II zoned residential lands in compliance with Section 37 (2) (b) (iv) of the Planning and Development Act:

- ABP 300560-18 Tuam, Co. Galway.
- ABP 303253-18 Dundalk, Co. Louth.
- ABP 303799-18 Drogheda, Co. Meath.
- ABP 306021-19 -Navan, Co. Meath.

7.2.29. In considering the case made by the applicant under Section 37 (2) (b) (iv) above I note in the first instance that the cases cited do not relate to the existing pattern of development or permissions granted in the Slane area and secondly the permissions relate to centres at higher levels of the settlement hierarchy. In this regard I do not consider a persuasive case has been made for the proposal in compliance with Section 37 2 (b) (iv).

Conclusion

7.2.30. Having regard to the above reasons and considerations, I do not consider that the provisions of 37 (2) (b) should be invoked in the instance of the proposal. I recommend that planning permission be refused for the proposal on this basis in accordance with the decision of the planning authority.

7.3. Density, Design and Layout

7.3.1. The Sustainable Residential Development in Urban Areas (2009) Ministerial Guidelines outline that residential developments in villages such as Slane, the primary consideration is that new development should relate successfully to the structure of the village. Layout and design considerations include how a development makes effective use of a site, makes a positive contribution to its surroundings, have a sense of identity and place, provides for effective connectivity, and includes a design approach to streets, plazas and open spaces.

Density

7.3.2. The proposed 43 no. residential units on a site of 2.84 ha equates to a density of 15 units per hectare. Section 6.11 of the Sustainable of the Sustainable Residential Development in Urban Areas Guidelines (2009) provides for densities within the range of 20-35 dwellings per hectare in such locations. The guidelines provide for densities of less than 15-20 dwellings per hectare along or inside the edge of small town/village locations in instances where such lower density does not represent

“more than about 20% of the total new planned housing stock of the small town or village in question”.

- 7.3.3. The proposed density of 15 units per hectare falls within the lower density range of 15-20 units per hectare. The clause relating to the restriction of the quantum of units within a development proportionate to the housing allocation does not apply in this instance as the density proposed is not less than 15 units per hectare. The proposed density falls within the lower density range indicated in the guidelines and is in accordance with the guidance set out within the Slane Written Statement. I have no objection to the principle of the proposed density in this regard.
- 7.3.4. 43 no. residential units are proposed, and the quantum of residential units would not increase the existing housing stock (including permitted units) of the village by more than 15% within the lifetime of the Development Plan in accordance with the requirements of SS OBJ 17 of the Meath County Development Plan.

Unit Mix

- 7.3.5. The Specific Design Guidelines as set out within Appendix B of the Slane Written Statement supports a mix of units within residential schemes. The proposed development comprises a mix of unit types and bedroom provision including 5 no. three-storey five-bedroom detached houses; 3 no. two storey four bedroom detached houses, 5 no. single-storey three bedroom detached houses, 26 no. two storey three bedroom semi-detached houses and 1 no. two storey block comprised of four two bedroom apartments.
- 7.3.6. While in general terms, the proposed mix of units is in accordance with the requirements of the design guidance set out within the Development Plan I have concern in relation to the principle of the proposed apartment block and its siting within the development. Section 11.2.2.3 of Meath County Development Plan 2013-2019 as varied states that apartments will not generally be permitted on sites surrounded by or gaining access through family occupied suburban housing estate development. The guidance set out within Appendix B of the Slane Written Statement furthermore outlines that apartments are not an appropriate form of development within Slane.
- 7.3.7. I have concern in relation to the principle of the proposed apartment block in this regard together with the siting of the block in an elevated location. In the instance

that the Board is minded to grant permission for the development, I recommend the omission of the apartment block and the provision of additional residential units in its place.

Layout

- 7.3.8. The Specific Design Guidelines for the appeal site set out within Appendix B of the Slane Written Statement outlines that a character appraisal of the development site shall be prepared outlining how the natural features of the site, views into and out of site, access to site and topography of the site have influenced the final development proposal.
- 7.3.9. The scheme is arranged into rows of houses and an apartment block which front onto the internal access road which runs in an east-west alignment. The northern part of the access road extends west and south from the proposed vehicular entrance from Crann Daire Brae residential development and a pedestrian link is provided to the Churchlands residential estate to the south.
- 7.3.10. A rationale for the proposed layout is set out within the design statement submitted in conjunction with the application. A case is made that the proposal has been designed to work with existing site contours to ensure that roads are at as gentle a gradient as possible and terracing between dwellings is not overly severe. I do not consider that this has been adequately demonstrated within the application.
- 7.3.11. Floor areas of the proposed residential units and apartment units are in accordance with the relevant guidelines. Minimum separation distances of 22m between opposing windows are observed and the minimum recommended distance of 3.2m is provided between properties in accordance with Development Plan requirements.

Height

- 7.3.12. A variety of building heights are proposed within the scheme from single storey to 3 storey units. Building heights range from 10.6m high in House Types 1 and 1(h) to 6.6m in House Type 4.
- 7.3.13. The proposed apartment block has a height of 9.7m and is sited in the northern and elevated portion of the site. A FFL of 80.5 is detailed within Drawing no. 219083-01 "Site Utilities and Details". Having regard to the visually sensitive nature of the site, I

consider that the proposed apartment block would impact on the visual amenities of the area.

- 7.3.14. The observation on the appeal raises concern in relation to the scale of the proposed residential units and interface with adjoining residential properties. A case is made that the proposal is not in keeping with existing properties at Crann Daire Brae which comprise single storey 2 bedroom bungalows and the proposed estate comprises of large homes and 3 storey apartment buildings would “dwarf and overpower” the Crann Daire Brae estate and erode its identity.
- 7.3.15. In considering the points raised in this regard I note that the proposed units nos. 35 to 39 to the north of the site adjacent to Crann Daire Brae are single storey (c 6.6m) in height and in this regard do not present an abrupt transition in scale with existing single storey residential units at Crann Daire Brae. Furthermore, adequate separation distance is provided between the existing and proposed dwellings.

Materials

- 7.3.16. Proposed materials include a render finish and stone cladding features to walls, timber windows, timber doors and slate roof. The proposed roof types are pitched in order to reflect the existing roof form found within Slane village. I have no objection in principle to the materials.

Public Open Space

- 7.3.17. Public open space is provided at the north western end of the estate and to the south of the site in the form of a grass pitch and a large semi wild area. 9,171 sq.m. of public open space is provided which equates to 38% of the overall site area.
- 7.3.18. In most instances, the proposed public open space areas are overlooked allowing passive surveillance. In the instance of a grant of permission, I recommend that corner units no. 27 and 9 should be encouraged to be present an elevation to the public open space to allow for surveillance of the open space. Further details of boundary treatments of open space should be provided to ensure safety at the road boundary.

Works to Stream

7.3.19. An existing watercourse traverses the site, and the development includes a proposal to divert the stream. Limited information is provided within the application in relation to the existing alignment of the watercourse or the nature of the proposed diversion works. In the instance that the Board is minded to grant permission I recommend that this is addressed by means of condition.

Private Open Space

7.3.20. Private open space for the proposed houses is provided in the format of back gardens and is in excess of standards required in Table 11.1 of the Meath County Development Plan 2013-2019.

7.3.21. I have concerns in relation to the usability of the private open space serving the dwellings to the north of the site, Units nos. 35-38 and the proposed apartment block due to site topography. The proposed site section/contiguous elevation (Drawing no. WS 05-00) illustrates a level increase of 2m between the proposed dwellings and private open space. No information is provided within the application in relation to the landscaping treatment of the private open space. A landscaping plan should be submitted for these areas in the instance that the Board is minded to grant permission for the development.

Conclusion

7.3.22. On an overall basis I have concerns in relation to elements of the proposed layout including the principle and siting of the proposed apartment block within the scheme and consider that there are information deficiencies within the application in relation to the approach to site levels, usability of the private and public open space and the proposed works to the realignment of the stream.

7.3.23. I note the rationale for the designation of the appeal site as Phase II (Post 2019) development within the Meath County Development Plan 2013-2019 which relates to the topography and visual prominence of the site. Based on the information submitted in conjunction with the application I am not satisfied that an appropriate solution has been achieved between the site topography and the proposed layout.

7.4. Visual Impact

- 7.4.1. Meath County Council's second reason for refusal outlines that having regard to the elevation, location and topography of the site, it is considered that the proposed development would be visually obtrusive and would seriously injure the visual amenities of the area and of property in the vicinity.
- 7.4.2. The appeal site is located within a visually prominent and sensitive location within Slane. The site is located within the Boyne Valley Character Area which is identified as being of "exceptional value" and of "high sensitivity" within the Development Plan. The site is also located within the path of protected views nos. 29 (Car Park Hill of Slane) and 30 (Hill of Slane).
- 7.4.3. In terms of built heritage, the site is located adjacent to the Slane Castle Demesne Architectural Conservation Area the Slane Architectural Conservation Area. The site is located in proximity to a number of protected structures (MH019-227 Mount Charles Lodge, MH019-208 Slane Glebe and MH019-202 Main Street Lower detached house).
- 7.4.4. A case is made within the first party appeal that the proposal has been designed to negate against visual impact of the area or of property in the vicinity. A Visual Impact Assessment is submitted in conjunction with the application which illustrates the proposal from 9 no. viewpoints at the following locations:
- View 1: Dublin Road on approach to Slane from the south.
 - View 2: Protected View no. 29 from Car Park at Hill of Slane.
 - View 3: Protected View no. 30 – Hill of Slane.
 - View 4: View from Mount Charles Lodge – Protected Structure.
 - View 5: View from Slane Glebe – Protected Structure.
 - View 6: Main Street Lower Detached House – Protected Structure.
 - View 7: View from N51 Navan Road.
 - View 8: View from adjacent to 49 Churchlands.
 - View 9: View from Crann Daire Brae.
- 7.4.5. The Visual Impact Assessment outlines that the proposed buildings would not appear from the surrounding skyline when viewed from the protected viewpoints and

that the extent of development is partially screened from view by existing buildings and by natural vegetation. With reference to the planning history on the southern portion of the site, it is stated that no development is proposed on the southern portion of the landholding which forms a prominent ridge.

7.4.6. The submitted views illustrate that the proposal is not visible from existing protected structures in the vicinity of the site including Views 4, 5 and 6. The views furthermore illustrate that the proposal is not visible from the car park at the Hill of Slane (View 2) and View 3 protected view no.30 Hill of Slane.

7.4.7. I note the submission on file from the Department of Culture, Heritage and Gaeltacht which sets out a recommendation for further information in relation to the impact of the proposal from the Hill of Slane, a designated RMP. I do not consider that the impact of the proposal from the Hill of Slane is sufficiently addressed within the Visual Impact Assessment.

7.4.8. The proposed development is visible from View 1 the Slane Mill ACA and View 7 N51 Navan Road. The report on file from the Architectural Conservation Officer recommends a refusal of planning permission on foot of concerns in relation to the visual impact of the proposal on these views:

"I recommend that the application be refused and an alternative site be found by the applicant, the site proposed is too high on the hillside and it has been proven by the applicant that the development will be seen from submitted View No. 1 and 7. The proposed visual built form will have a negative effect on the setting and character of the village, an Architectural Conservation Area and will compromise Protected View, Slane Mill ACA".

7.4.9. A case is made within the first party appeal that the site is not located within a prominent location in the village and views available from the southern approach on the N2 must be considered in the context of it being a national road, that the lands in front are developed and lands to the north mainly comprise of a backdrop of a hill and trees. Reference is furthermore made to the fact that the appeal site has been zoned for residential development in 3 previous development plans and in this regard the principle of the development of the site has been established.

7.4.10. Notwithstanding the case made by the applicant I have concern in relation to the limited scope of the submitted Visual Impact Assessment and do not consider that it

presents a full representation of the visual impact of the proposal. The submission on the application from the Department of Culture, Heritage and Gaeltacht recommends additional information in relation to the visual impact of the proposal from the Hill of Slane a designated RMP. The impact of the proposal from the Hill of Slane is also cited under the specific design guidance set out within the Development Plan.

- 7.4.11. The appeal site is located within a visually prominent and sensitive location. The rationale for the designation of the appeal site as Phase II (Post 2019) development within the Meath County Development Plan 2013-2019 relates to the topography and visual prominence of the site. I do not consider that the application documentation as submitted demonstrates an appropriate resolution of these issues.
- 7.4.12. On an overall basis, I do not consider that the layout as currently proposed provides an appropriate resolve with the site topography and consider the proposal to form a prominent feature on the landscape. While I note the baseline scenario wherein there is already a significant degree of residential development visible within the surrounding site context on the basis of the information submitted, I consider that the proposal would be visually obtrusive and injurious to the visual amenity of Slane, a designated Heritage Village. I recommend that planning permission is refused for the development on this basis.

7.5. Impact on Residential Amenity

- 7.5.1. Concerns in relation to the impact of the proposal on the residential amenity of existing properties in Crann Daire Brae are raised within the observation on the appeal. Reference is made to privacy issues on foot of proposals to remove the existing hedge which forms the boundary with existing properties in the estate.
- 7.5.2. On review of the existing Site Layout Plan Drawing no. WS02-00 I note that part of the existing hedge which runs along the eastern site boundary and adjacent to no. 7 Crann Daire Brae is proposed for removal to accommodate the proposed vehicular entrance to the site. The proposed Landscaping Plan Drawing no. S0320 illustrates the provision of planting in place of the existing hedging at this location. Final details of replacement planting at this location could be agreed via condition in the instance of a grant of permission.
- 7.5.3. The observation furthermore refers to the planning history pertaining to the appeal site wherein concerns were raised in relation to overlooking on adjacent properties at

Churchlands. However, I note that such concerns were raised under PA Ref: LB191331 on foot of an alternative site layout which included residential development on lands to the south of the site. Having regard to the distance between the proposed residential units from existing properties at Churchlands I consider that no issues relating to overlooking arise in the context of the proposed layout.

7.6. Access and Transportation Issues

- 7.6.1. Vehicular access to the site is proposed via connection to the existing road network from the Crann Daire Brae residential estate to the east of the site. Crann Daire Brae is currently accessed from the N2. The existing speed limit within the estate is 30kmph. A further pedestrian access to the site is proposed via the Churchlands estate via a boardwalk pedestrian walkway.
- 7.6.2. The proposed internal road network is 5.5m in width in accordance with the requirements of DMURS. The site layout plan illustrates an outline of a potential road to future development connecting from the Churchlands estate and serving the existing open space area to the east.
- 7.6.3. Concerns in relation to the location of the proposed vehicular entrance to the development from Crann Daire Brae are raised within the observation on the appeal. Such concerns are raised in light of traffic impact and increased traffic movements through the existing cul de sac and the interface of the proposed entrance with the children's play area.
- 7.6.4. At the outset, in considering the location of the proposed vehicular access I note that the design guidance for the site as set within Appendix B of the Slane Written Statement outlines that vehicular access to the site should be provided via the Crann Daire Brae residential estate. No objection to the principle of the proposed access is raised within the report on file from the Transportation Department and I similarly have no objection to the proposed access arrangements. While alternative options for access may be available, I note that the location proposed is in accordance with the Development Plan guidance.
- 7.6.5. I note the safety concerns raised within the observation on the appeal in relation to the impact on the proposed entrance on the existing open space area. In this regard I note that the proposed entrance runs in a straight alignment in the vicinity of the open space area and there are no restrictions on visibility at the proposed entrance.

Having regard to the scale of the development, I consider that traffic movements associated with the proposal would be limited and, in this regard, envisage no significant traffic impact on the adjoining road network.

- 7.6.6. Meath County Council's third reason for refusal outlines that the plans and particulars lodged with the application do not provide the planning authority with sufficient information to make a determination with respect to traffic safety and in this regard endanger public safety by reason of traffic hazard or obstruction to road users or otherwise.
- 7.6.7. The report on file from the Transportation Department in Meath County Council sets out a recommendation for a request for further information on the basis of the following:
- A DMURS Compliant Layout which will keep speeds low
 - Spot levels on roads and footpaths along with gradients
 - Width of car parking spaces to be increased to 2.75m
 - The proposed boardwalk should be replaced with a concrete footpath
 - The footpath shall extend to the western boundary to facilitate development to the western lands if they are ever developed
- 7.6.8. In responding to the reason for refusal, a case is made within the first party appeal that the points raised within the report on file by the Transportation Department are minor in nature, would not require a significant alteration to the layout and could be addressed by means of condition in the instance of a grant of permission. A case is made that none of the matters raised would warrant a refusal on grounds of traffic hazard or obstruction. No revised layouts are provided to illustrate the incorporation of such revisions.
- 7.6.9. On review of the points raised within the report on file from the Transportation Department I note that these relate to design of the internal road layout and no specific concerns are raised in my view to warrant the reference to traffic hazard set out within the planning authority's reason for refusal.
- 7.6.10. Notwithstanding this, I do consider that there are information deficiencies within the application in relation to site levels and share the concerns raised by the planning

authority in relation to the nature of the proposed pedestrian connection to the existing Churchlands estate. These points would need to be clarified via a revised layout. The proposed site layout plan indicates a driveway width of 5m for the proposed in-curtilage car parking spaces and an increase in the width of the proposed in curtilage car parking spaces from 2.5m to 2.75m would require revisions to the layout.

- 7.6.11. However, on an overall basis I consider that the specific points raised by the planning authority could be addressed by means of condition in the instance of a grant of permission.

7.7. Site Services - Water, Wastewater and Surface Water

- 7.7.1. Concerns relating to insufficient information relating to site services are raised within Meath County Council's third reason for refusal. Such concerns relate to wastewater treatment and disposal and orderly collection, treatment and disposal of surface water.

- 7.7.2. The first party appeal outlines that the public watermain, stormwater sewer and foul water sewer within the existing Churchlands development to the south of the site were sized to accommodate the future development of the appeal site.

Water

- 7.7.3. Water supply is proposed via a new connection to the existing public mains. The submission on file from Irish Water sets out a recommendation for further information on grounds of a pre connection enquiry and provision of a diversion of water mains on the northern and western boundaries into public space to ensure future access to the road network.

- 7.7.4. The first party appeal outlines that the pre-connection enquiry has been submitted and other items listed could easily be addressed through condition or request for further information as requested by Irish Water. In this regard I note that the submission on file from Irish Water does not question the principle of the proposed water connection to the site or raise specific concerns relating to overall water capacity. I consider that the requirements of Irish Water could be addressed via condition in the instance of a grant of permission.

Waste-Water Treatment and Disposal

- 7.7.5. Wastewater disposal is proposed via a connection to the public mains. The submission on file from Irish Water requests a CCTV survey of the existing drainage in Churchlands. No objection in principle to the proposed connection is raised.
- 7.7.6. In responding to the concerns in relation to capacity raised within Meath County Council's decision to refuse permission a case is made within the first party appeal that the site was purchased with the benefit of retained capacity in the Slane WWTS which was purchased with the previous owner and transferred with the site.
- 7.7.7. It is stated that the acceptability of the proposal is confirmed by the fact that Irish Water requested a CCTV survey of the receiving sewer and reference to any remediation being carried out by the developer. The principle of the capacity of the WWTS is not questioned within the submission on the application by Irish Water. I consider that the points raised could be addressed via condition in the instance of a grant of permission.

Surface Water Treatment and Disposal

- 7.7.8. Surface water is proposed via a connection to the surface water sewer/drain. The report on the application by the Water Services Department recommends a request for further information on the basis of the following:
1. Submit detailed Qbar calculations for the greenfield run off of the site. Stated Q bar of 18.5l/sec is considered to be overstated.
 2. Applicant to provide details for the flow control devise and associated chamber upstream of the proposed attenuation system.
 3. Applicant shall provide detail of the proposed attenuation system.
 4. Applicant shall locate Class 1 petrol/oil separator.
 5. Applicant shall revise layout to provide a MH between MHS4 and MHS9.
 6. Applicant shall ensure adequate cover is achieved for all surface water network within the proposed development.
 7. The proposal seeks to discharge surface water to the existing surface water drain. Prior to commencement the applicant shall investigate and prove the existence and capacity of existing surface water drainage capacity.

- 7.7.9. In responding to the points raised by the Water Services Department a case is made within the first party appeal that the revision of the allowable site run off to 7.4 l/s rather than the adopted 18 l/s can be facilitated through an increase in the size of the attenuation tank by 40% which can easily be accommodated within the open space area within the site if deemed appropriate by An Bord Pleanála. Drawing no 219083-03 illustrates the location of the proposed attenuation tank within the open space area to the south of the site.
- 7.7.10. A case is furthermore made that the petrol interceptor can easily be accommodated. On review of the items raised within the report on file from the Water Services Division I consider that additional details would be required in relation to proposals for surface water treatment and disposal. The points raised could be addressed via condition in the instance of a grant of permission.

7.8. Appropriate Assessment

- 7.8.1. An Appropriate Assessment Screening is submitted in conjunction with the application. At the outset, I note procedural concerns in relation to the study. The report is described as a Screening for Appropriate Assessment Report but also includes a Natura Impact Study. The public notices do not include reference to the Natura Impact Statement in accordance with the requirements of the Planning and Development Regulations.
- 7.8.2. The report identifies that the proposed development is not located within or directly adjacent to any SAC or SPA. The following Natura 2000 sites are located within 15km of the site.
- River Boyne and River Blackwater SAC - 85m - Site Code 002299.
 - River Boyne and River Blackwater SPA - 195m - Site Code 004232.
 - Boyne Estuary SPA - 14.6km - Site Code 004080.
 - Boyne Coast and Estuary SAC - 15.8km - Site Code 001957.
- 7.8.3. Table 1 of the report presents an overview of Natura 2000 sites located within 15km of the site and their qualifying interests as detailed below.

River Boyne and River Blackwater SAC (002299)

7.8.4. The River Boyne and River Blackwater SAC (002299) is of conservation interest for the following habitats and species:

- Alkaline fens [7230]
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno-Padion, Alnion incanae, Salicion albae) [91E0]
- *Lampetra fluviatilis* (River Lamprey) [1099]
- *Salmo salar* (Salmon) [1106]
- *Lutra lutra* (Otter) [1355]

7.8.5. Site specific Conservation Objectives have yet to be published for the site. A general conservation objective has been published, which seeks:

‘To maintain or restore the favourable conservation condition of the Annex I habitat(s) and or Annex II species for which the site is selected’.

River Boyne and River Blackwater SPA (004232)

7.8.6. The River Boyne and River Blackwater SPA (004232) is of conservation interest for the following species:

- Kingfisher (*Alcedo atthis*) [A229]

7.8.7. Site specific Conservation Objectives have yet to be published for the site. A general conservation objective has been published, which seeks:

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

Boyne Coast and Estuary SAC (Site Code 001957).

7.8.8. The conservation objectives for the Boyne Coast and Estuary SAC are to maintain the favourable conservation condition of the following habitats –

- 1130 Estuaries
- 1140 Mudflats and sandflats not covered by seawater at low tide
- 1310 *Salicornia* and other annuals colonizing mud and sand,
- 1330 Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)

and to restore the favourable conservation condition of the following habitats-

- 2110 Embryonic shifting dunes
- 2120 Shifting dunes along the shoreline with *Ammophila arenaria* ('white dunes')
- 2130 *Fixed coastal dunes with herbaceous vegetation ('grey dunes')
- The status of 1410 Mediterranean salt meadows (*Juncetalia maritimi*) as a qualifying habitat is under review.

Boyne Estuary SPA (Site Code 004080).

7.8.9. The SPA for the Boyne Estuary site code 004080. Its conservation objectives are to maintain the favourable conservation condition of the following species

- A048 Shelduck *Tadorna tadorna*
- A130 Oystercatcher *Haematopus ostralegus*
- A140 Golden Plover *Pluvialis apricaria*
- A141 Grey Plover *Pluvialis squatarola*
- A142 Lapwing *Vanellus vanellus*
- A143 Knot *Calidris canutus*
- A144 Sanderling *Calidris alba*
- A156 Black-tailed Godwit *Limosa limosa*
- A162 Redshank *Tringa totanus*
- A169 Turnstone *Arenaria interpres*
- A195 Little Tern *Sterna albifrons*, and the following habitat –
- A999 Wetlands.

7.8.10. The proposed development is described as a residential development, comprising 43 residential units on a site to the north of the existing Churchlands residential development.

7.8.11. Section 1.4.2 of the report outlines that no direct impacts affecting the Natura 2000 sites are expected. There will be no loss or fragmentation of Annex I habitats or loss of Annex II species. No potential direct adverse effects are expected.

- 7.8.12. The proposed development is identified as being within the surface water catchment of the River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC and Boyne Estuary SPA.
- 7.8.13. The report identifies a hydrological connection between the proposed development site and designated sites via a stream running through the site. No reference is made to the proposal to realign the existing stream on site within the report. The Biodiversity, Ecology and Bat Survey prepared by Wildlife Surveys details that there are three lengths of drainage ditches within the proposed development site with one of them containing water at the time of the survey.
- 7.8.14. The AA Screening concludes that: *“there are no likely potential impacts, whether direct, indirect or cumulative, which could give rise to significant adverse effects on the qualifying interests or the conservation objectives of any designated Natura 2000 site. It can be concluded that it is unlikely that the proposed development will result in significant effects to any European site, in view of their conservation objectives of the habitats or species for which it was designated, either alone or in combination with other plans or projects. Consequently, the proposed development does not require an Appropriate Assessment; there is therefore, no requirement to progress to Stage 2 NIS”*.
- 7.8.15. On the basis of the information submitted I do not agree with the conclusion of the AA Screening statement. I note that notwithstanding the conclusions of the AA Screening, Section 1.5 of the report proceeds to carry out an NIS for the designated sites on the basis of a hydrological connection to the sites.
- 7.8.16. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually or in-combination with other plans or projects could have a significant effect on European Site No. 002299, 004232, 001957 and 004080 in view of the site’s Conservation Objectives, and Appropriate Assessment and submission of a NIS is, therefore, required.

Natura Impact Statement

Identification of likely effects.

- 7.8.17. Section 1.5 of the report sets out a Natura Impact Statement. At the outset I note procedural issues with the report on the grounds that there is no reference to a Natura Impact Statement within the public notices.
- 7.8.18. The applicants NIS considered that the potential indirect impacts from the proposed development to the designated sites. It is stated that during the construction phase of the proposed works there is potential for direct water quality impacts affecting the Annex 1 listed habitats. This is due to the hydrological connection between the proposed development site and the SAC via a stream running through the site. Water quality has been identified as a key indicator of conservation value for the conservation status of these Annex I habitats.
- 7.8.19. Section 1.5.4.1 of the report outlines potential impacts associated with the proposal may include construction related impacts and operational phase impacts on Annex I habitats including the following:
- Suspended sediment due to runoff of soil from the construction area, or due to disturbance of fine subsurface sediments in the course instream construction and excavation may potentially have a significant impact on these aquatic habitats.
 - Potential also exists for a range of pollutants to enter watercourses during construction which may have a significant impact on aquatic habitats further downstream.
 - Operational phase impacts includes potential for adverse effects arising from releases of untreated sewerage and run off from hard surfaces.
 - Potential spread of invasive, non-native species has been identified as a pathway for the transmission of impacts affecting the Annex I habitats listed.
 - Requirement for fill material or machinery within the site during the construction phase may potentially result in the importation of non-native species such as Japanese knotweed, Himalayan balsam, Himalayan knotweed or giant hogweed all of which are recognised as having significant impacts on the ecological diversity and naturalness within riparian corridors.

- Stringent and robust mitigation measures are proposed for the avoidance of impacts affecting water quality during the proposed projects in order to protect Annex I habitats.

7.8.20. Section 1.5.4.2 of the report addresses impacts potentially affecting Annex II species.

- Water quality impacts arising during the construction phase of the proposed development would have the potential to affect fish and invertebrates which form the food base for the qualifying interests.
- Suspended sediment due to runoff of soil from the construction area, or due to the disturbance of fine subsurface sediments in the course of in stream construction and excavation, can have severe negative impacts on qualifying interests.
- Potential for a range of pollutants to enter the watercourse during the works that may have a significant impact on the Annex II species further downstream.
- Potential spread of invasive, non-native species which can change the habitat or displace Annex II species.

7.8.21. The following Mitigation Measures are identified within Section 1.6 of the report:

- Design stage mitigation – all design elements interacting with the aquatic environment; including watercourse crossings; management of surface water; and management of hydrological regimes within the study area take account of the ecological requirements and mitigations prescribed or the protection of the following Natura 2000 sites 001957, 002299, 004080 and 004232.
- Construction phase mitigations - measures shall be implemented to prevent any risk to water courses passing through the site. A silt fence shall be incorporated along the stream to prevent entry of silt into the stream during earth movements and construction.
- Operational phase mitigations – Continued compliance with wastewater management will be monitored by Meath County Council.

7.8.22. The following conclusion is set out within the Natura Impact Statement:

“The most significant potential impacts arising from the proposed project have been identified in relation to construction and operational phase impacts which may arise via indirect water quality impacts and spread of invasive, non-native species into the designated sites.

Effective measures to mitigate potential impacts have been provided by design and avoidance. The scope of these mitigations with reference to the potential for adverse effects on the qualifying interests of the Natura 2000 sites within the study area have been discussed in the mitigation section of this report.

The incorporation of these measures into the proposed development design and their subsequent implementation on site will ensure that there will be no significant effects, either individually or in combination with other plans or projects affecting the conservation interests or conservation objectives of i.e. the integrity of these Natura 2000 sites. It is therefore concluded that the proposed development will not, beyond reasonable scientific doubt, adversely affect the integrity of any European sites (Natura 2000 site) whether directly, indirectly or cumulatively”.

Assessment

- 7.8.23. Notwithstanding the above conclusions of the NIS, I have concerns in relation to the scope and content of the study. The onus is on the applicant to ensure that adequate and relevant information is submitted to enable an Appropriate Assessment to be carried out. Such an assessment should be based on the best scientific knowledge in the field, of all aspects of the development project which can, by itself or in combination with other plans and projects, adversely affect the European site in light of its Conservation Objectives.
- 7.8.24. At the outset, I note procedural concerns in relation to the study. The report is described as a Screening for Appropriate Assessment Report but also includes a Natura Impact Study. Specific mitigation measures are proposed which seek to negate against impacts on the integrity of Natura 2000 sites. The public notices do not include reference to the Natura Impact Statement in accordance with the requirements of the Planning and Development Regulations.
- 7.8.25. In addition to the above, I consider there are information deficiencies within the application in particular in relation to works associated with the proposal to reroute the existing stream on site and potential impact of operational phase lighting on the

stream which are not identified or addressed within the submitted NIS. Water quality within the River Boyne is a fundamental component of the areas conservation importance. Having regard to the outstanding issues I have concerns about potential associated downstream effects that have not been considered in the NIS.

Conclusion

- 7.8.26. On the basis of the information provided with the application and appeal, including the Natura Impact Statement, and in light of the assessment carried out above, I am not satisfied that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of European site(s) including the River Boyne and River Blackwater SAC (002299), the River Boyne and River Blackwater SPA (004232), the Boyne Estuary SPA (Site Code 004080) and the Boyne Coast and Estuary SAC (Site Code 001957) in view of the site's Conservation Objectives. In such circumstances the Board is precluded from granting approval/permission.'
- 7.8.27. This is a new issue and the Board may wish to seek the views of the parties. However, having regard to the other substantive reasons for refusal set out above, it may not be considered necessary to pursue the matter'.

7.9. Other Issues

Archaeology

- 7.9.1. I note the contents of the submission on file from the Department of Culture, Heritage and Gaeltacht furthermore refers to the location of the site is located within an area of high archaeological potential and the site is located in close proximity to the Hill of Slane and which includes monuments on the RMP. Further information is recommended in relation to an Archaeological impact Assessment which includes an assessment of visual impacts in relation to monuments in the area and specifically impacts in relation to the National Monument on the Hill of Slane.
- 7.9.2. The issues raised within the submission are not addressed within the first party appeal. While no Archaeological Impact Assessment has been provided in conjunction with the appeal response, I note that under the previous application pertaining to the site under PA Ref: LB19/1331 archaeological monitoring was recommended as a condition within the submission from the Department of Culture,

Heritage and Gaeltacht. I therefore consider that this point could be addressed by means of condition in the instance of a grant of permission.

Biodiversity/Ecology/Bat Survey

- 7.9.3. A biodiversity, ecology and bat study prepared by Wildlife Surveys is submitted in conjunction with the application. This provides an assessment of the existing site characteristics and the potential impact of the proposal on habitats, flora and fauna.
- 7.9.4. Section 4 of the study sets out mitigation measures for floral and faunal impacts. I recommend that the Mitigation Measures set out will be implemented in the instance that the Board is minded to grant permission for the development.

8.0 Recommendation

- 8.1. I recommend that planning permission is refused in accordance with the following reasons and considerations.

9.0 Reasons and Considerations

1. It is the strategic policy of the Meath County Development Plan 2013-2019 (as varied), Slane Written Statement (SP5); "To operate an Order of Priority for the release of residential lands in compliance with the requirements of CS OBJ 6 of the County Development Plan 2013-2019". The proposed development is predominately located on lands zoned for A2 "New Residential" purposes and qualified as "Residential Phase II (Post 2019)" which are not available for residential development within the life of the Development Plan. The Board considers that the proposed development would therefore materially contravene the residential phasing requirements of the County Development Plan. The rationale for the designation of the lands for Residential Phase II purposes within the Meath County Development Plan 2013-2019 relates to the sequential location of the site, topography and visual impact. Specific design guidance for the site is furthermore set out within Appendix B of the Slane written statement. The Board does not consider that the development as proposed demonstrates a

satisfactory resolution of site development constraints in terms of topography and visual impact or compliance with the design guidance set out within the Slane Written Statement. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the elevated location and topography of the site, it is considered that the proposed development would be visually obtrusive and would seriously injure the visual amenity of Slane, a designated Heritage Village. The proposed development, would therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposed development includes re-routing of an existing stream within the site which leads to the River Boyne. Insufficient information is provided as part of the application in relation to the proposed works to the stream and such works are not identified or assessed within the submitted Screening for Appropriate Assessment Report /Natura Impact Statement. The Board is therefore not satisfied, on the basis of the information provided with the application, including the Screening for Appropriate Assessment Report /Natura Impact Statement, that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of European site(s) including the River Boyne and River Blackwater SAC (002299), the River Boyne and River Blackwater SPA (004232), the Boyne Estuary SPA (Site Code 004080) and the Boyne Coast and Estuary SAC (Site Code 001957) in view of the site's Conservation Objectives. In such circumstances the Board is precluded from granting approval/permission.

Note: 'This is a new issue in the appeal and the Board may wish to seek the views of the parties.

Stephanie Farrington
Senior Planning Inspector
17th of June 2021