



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

Inspector's Report ABP-308396-20

Strategic Housing Development

415 no. residential units (254 no. houses and 161 no. apartments), childcare facility and associated site works

Location

Townland of Readsland, Roestown and Knocks, Dunshaughlin, Co. Meath

Planning Authority

Meath County Council

Applicant

Castlethorn Construction ULC

Prescribed Bodies

Irish Water
National Transport Authority

Observer(s)

Martin Kelly and Monica Hurston Kelly
Monica Hurston Kelly

Noel Clarke and Colum Peters

Date of Site Inspection

17th December 2020

Inspector

Sarah Moran

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1.0 Introduction

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

2.0 Site Location and Description

- 2.1. The development comprises two separate undeveloped land parcels which are both located on the western edge of the built up area of Dunshaughlin, Co. Meath, c. 1 km from the town centre. The sites are accessed via the Drumree Road (L2208) and Dunshaughlin Outer Relief Road (R125), a distributor road that links the town with a junction on the M3. The combined site has an overall stated area of 14.8 ha. The wider area is generally characterised by suburban residential development with Dunshaughlin GAA Club and Dunshaughlin Community College located nearby to the east, beyond an intervening area zoned as public open space. The site is part of a wider landholding by the applicant including the Dún Ríoga development lands north and south of the Drumree Road and open space zoned lands to the east of the development site.
- 2.2. The northern land parcel has an area of 3.75 ha. It is bound by the L2208 / Drumree Road to the south, the R125 to the east, a residential property to the south east and agricultural lands to the west and north. This area is referred to as 'Character Area 6' in the application documentation. The larger southern land parcel has a stated area of 8.74 ha and is accessed from the Drumree Road via Phase 1 of the Dún Ríoga development. This parcel is bound to the west by the R125 with an existing roundabout on the R125 at the south western corner of the site. The site area includes several field boundaries and is traversed by the River Skane. There is also an existing attenuation pond that serves Dún Ríoga Phase I. This area is referred to as 'Character Areas 3 and 4' in the application documentation.
- 2.3. The majority of the development site is owned by the applicant. Two strips of land (A and B) along the eastern and western side of the southern land parcel are owned by the Newell Family are included in the red line site boundary. A Statement of Consent is submitted. Meath County Council has also submitted written consent for the applicant to carry out works along the R125 and Drumree Road, which are also included within the red line site boundary.

3.0 Proposed Strategic Housing Development

3.1. The overall development involves 415 no. residential units as follows:

UNIT TYPE	NO. OF UNITS	%
Houses		
2 bed	6	1%
3 bed	191	46%
4 bed	57	14%
Apartments		
1 bed	32	8%
2 bed	74	18%
Duplex Units		
2 bed	24	6%
3 bed	31	7%
Total	415	

The development has an overall stated net residential density of c. 42 units / ha.

3.2. Character Area 6 at the northern part of the site is to contain 149 no. residential units comprising 95 no. houses, 34 no. apartments in Block 3 (4-5 storey) and 20 no. duplex units with vehicular access from the Drumree Road/ L2208. Character Areas 3 and 4 at the southern part of the site are to contain 266 no. residential units comprising 156 no. 2-3 storey houses, 72 no. apartments in Blocks 1 and 2 (both 4-5 storeys) and 35 no. duplex units in 3 storey blocks, as well as a childcare facility (c. 409 sq.m.) on the ground floor of Block 1 with associated garden and play area. The layout provides vehicular access to Character Area 3 from a permitted roundabout on the R125 (PL17.241988) and to Character Area 4 from the existing roundabout on the R125. The application also provides for the optional provision of a small retail unit on the ground floor of Block 1 (160 sq.m.), if considered desirable by the Board.

3.3. The application also includes:

- Pedestrian and cycle linkages to Dún Ríoga Phase 1 with indicative linkages onwards to Dunshaughlin Town Centre

- Internal road and pedestrian/cycle network including 1 no. vehicular bridge and 2 no. pedestrian/cycle bridge crossings over the River Skane and dedicated pedestrian/cycle path along the River Skane (River Skane Greenway), as far as the eastern site boundary with indicative proposals to continue eastwards through the Dunshaughlin Community College lands to facilitate connection east to College Park and Dunshaughlin Town park.
- 664 no. car parking spaces and 568 no. long and short term cycle parking spaces
- C. 4.07 ha of public open space overall
- Foul water drainage, surface water drainage and water supply infrastructure including works along Drumree Road/L2208 and connections into Dún Ríoga Phase 1
- Part V proposals comprising transfer of 41 no. units on site to Meath County Council
- 6 no. ESB substations
- Associated and ancillary site development and infrastructural works including hard and soft landscaping and boundary treatments.

3.4. The development involves minor amendments to permitted site development works in Dún Ríoga Phase 1 (PL17.241988).

3.5. A 5 year permission is sought. The proposed phasing is as follows:

- Phase 1. 141 no. units in Character Area 3. Open space on the eastern side of the site and along the southern perimeter. Also, the childcare facility and pedestrian/cycle connections to Dún Ríoga Phase 1.
- Phase 2. 125 no. units in Character Area 4. Open space; pedestrian/cycle connections over the River Skane and the River Skane Greenway.
- Phase 3. 149 no. residential units in Character Area 6 and associated open spaces. Pedestrian/cycle facilities at the Drumree Road/L2208 including a pedestrian crossing at the R125 junction.

3.6. An EIAR is submitted with the application.

4.0 Planning History

4.1. RA200041 ABP-307021-20

- 4.1.1. Permission sought for amendments to the development permitted under PL17.241988, comprising a) house type changes to 21 no. dwellings, and b) the provision of a new cycleway through the site southwards from the Drumree Road and the consequential repositioning of 42no. dwellings required to accommodate that cycleway; together with associated site development and landscape works. The number of permitted dwellings remained unchanged. The Board granted permission on 27th July 2020.

4.2. DA120987 PL17.241988

- 4.2.1. Relating to an overall area of 8.12 ha on lands to the north and south of the Drumree Road and east of the R125, referred to as Character Areas 1 and 2 within the overall Dún Ríoga development by Castlethorn Construction. The site area includes lands to the immediate north of the southern land parcel of the current development site. Permission granted by the Board for 142 no. residential units on 17th November 2013. The duration of this permission was extended until 31st December 2021 under RA190815. The permitted development is under construction and now appears to be almost complete.

4.3. DA803421

- 4.3.1. Permission granted for by Meath County Council on 18th December 2009 for development at a 9.27 ha site on lands north and south of the Drumree Road. The proposed development comprised 342 no. dwellings and associated works including 3 no. new vehicular entrances, parking, landscaping etc. The grant of planning permission was subject to 40 no. conditions, of which Condition No. 2 restricted development to Character Area No. 2 to the south of the Drumree Road due to archaeological considerations, resulting in a permitted 140 no. dwellings in total.

4.4. DA803422

- 4.4.1. Permission granted by Meath County Council on 14th September 2009 for construction of an additional roundabout junction on the Dunshaughlin Link Road (PL.17.MS2004), to provide vehicular access to a single private dwelling/farm

holding to the west and to zoned lands to the east and southeast and all associated works.

4.5. DA20081 PL17.131593

- 4.5.1. Relating to lands including part of the current development site. Permission sought by Castlethorn Construction for 264 no. residential units and related site development works. The Board refused permission on 13th November 2006 for 3 no. reasons relating to (1) deficiency in Dunshaughlin water supply; (2) potential impacts on well supplies at residential properties to the west of the site and (3) issues relating to design and layout.

5.0 Section 5 Pre-Application Consultation ABP-306952-20

5.1. Pre-Application Consultation Opinion Issued by ABP

- 5.1.1. The pre-application consultation related to a proposal to construct 426 no. residential units and a childcare facility, with vehicular access to the southern site from the existing roundabout on the R125, via Dún Ríoga Phase 1 and to the northern site from the Drumree Road/L2208. A section 5 consultation meeting took place on 3rd June 2020 between representatives of the Board, the planning authority, and the prospective applicant. Following consideration of the issues raised during the consultation process and having regard to the opinion of the planning authority, ABP was of the opinion that the documentation submitted required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.

- 5.1.2. The issues raised were as follows:

1. Connections between the proposed housing and the rest of the town. The submitted documentation should demonstrate that pedestrians, cyclists, and those using public transport would have safe and convenient access from the proposed housing to services and facilities, including those in the town centre and the adjacent school. The documentation should specify which links would be provided as part of the proposed development. It should also demonstrate that the proposed streets and any works to existing streets comply with the specific requirements of DMURS and that any cycle facilities comply with the

specifications set out in the National Cycle Manual, in particular those regarding the design of junctions and the provision of street frontage. General assertions of compliance with the principles set out in those guidance documents would not suffice in this regard.

2. The core strategy and the phasing provisions of the development plan. The submitted documentation in this regard should address higher level planning policy, including the adopted RSES for the region. Any references to the circumstances of Dunshaughlin, including those relating to the availability or otherwise in the town of housing, development land, employment, commercial or social services, should be based on verifiable facts. The prospective applicant should satisfy itself that any application complies with section 8(1)(iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, regarding the material contravention of the provisions of the development plan other than zoning.

5.2. Applicant's Response to Pre-Application Opinion

- 5.2.1. The application includes a statement of response to the pre-application consultation, as provided for under section 8(1)(iv) of the Act of 2016, which outlines the information / documentation submitted as specified in the ABP Opinion. The following points of same are noted.

5.2.2. Applicant's Response in Relation to Connectivity and Compliance with DMURS

- Character Area 6 at the northern land parcel will include 2 no. pedestrian connections to the Drumree Road and a shared pedestrian/cycle path on the northern side of the Drumree Road.
- The application includes proposals to upgrade pedestrian facilities at the R125/ Drumree Road roundabout, including a pedestrian/cycle crossing on the northern arm of the roundabout. These will tie in with a pedestrian/cycle path on the northern side of the Drumree Road as permitted under Dún Ríoga Phase 1.
- The layout of Character Areas 3 and 4 in the southern part of the development includes a pedestrian/cycle network with bridges over the River Skane, which will link to completed pedestrian/cycle facilities within Dún Ríoga Phase 1 and on to the Drumree Road.

- The development includes a two way pedestrian cycle path along the River Skane (Skane River Greenway) to the eastern edge of the development site, which adjoins Dunshaughlin Community College. Details of future proposals for the continuation of this link through adjoining lands are provided. A separate planning application for these works is to be submitted. The applicant invites ABP to attach a condition limiting the extent of future occupation of Character Area 4 to a maximum of 50% of units until such time as Meath County Council are satisfied that a pedestrian and cycle link has been delivered and is operational from the development site east along the River Skane to connect with College Park and Dunshaughlin Town Park.
- A toucan crossing is proposed on the eastern arm of the existing R125 roundabout to facilitate the continuation of the pedestrian/cycle infrastructure on the western edge of the proposed development.
- A DMURS Statement of Consistency is submitted.

5.2.3. Applicant's Response in Relation to Core Strategy

- The strategic importance of the development of Dunshaughlin and of the development site is outlined in the context of the National Planning Framework, the National Development Plan and the Eastern and Midlands RSES. It is submitted that the development site can be considered 'Tier 1 Serviced Zoned Land' as per NPF Appendix 3 with regard to the availability of existing drainage, water supply, surface water attenuation and roads infrastructure. In addition, the lands are considered spatially sequential, adjacent to the existing built up area of Dunshaughlin and contiguous to existing developed lands, facilities, and amenities.
- The application includes a socio-economic assessment of Dunshaughlin by Future Analytics Consulting Ltd, which considers the housing allocations in the current and draft Meath County Development Plans with regard to population, work force, travel patterns and residential development output, also national and regional planning policy and includes consideration of the impact of Covid 19. This supports the proposed development in the context of the strategic social and economic development of Dunshaughlin and shows that the town has the

capacity to support further delivery of housing beyond the build out of the extant planning permissions.

- It is submitted that housing delivery has been slow under the current development plan with a large number of consented applications remaining undeveloped at present. Existing housing supply in Dunshaughlin does not meet current demand. Housing delivery will need to accommodate future growth requirements as well as growth that was intended to be accommodated under the current development plan.
- The applicant refers to a recent review of the transitional guidance provided in the RSES, as commissioned by the Irish Home Builders Association and Construction Industry Federation, with regard to the conservative nature of the population projections used in the NPF.

6.0 Relevant Planning Policy

6.1. Section 28 Ministerial Guidelines

6.1.1. Having considered the nature and extent of the proposal, the receiving environment, the documentation on file, including the submission from the planning authority I consider that the directly relevant section 28 Ministerial Guidelines are:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas including the associated Urban Design Manual
- Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities
- Design Manual for Urban Roads and Streets (DMURS)
- The Planning System and Flood Risk Management Guidelines for Planning Authorities including the associated Technical Appendices.
- Childcare Facilities Guidelines for Planning Authorities
- Urban Development and Building Heights Guidelines for Planning Authorities
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment

- Framework and Principles for the Protection of the Archaeological Heritage
Department of Arts, Heritage, Gaeltacht, and the Islands 1999.

6.2. **Regional Spatial & Economic Strategy for Eastern and Midland Region**

- 6.2.1. A Regional Spatial and Economic Strategy was made for the Eastern and Midland Region in 2019. Dunshaughlin is not identified as a growth town. Table 4.3 of the strategy indicates that the policy responses for such towns will be set out in development plans and should seek their consolidation with targeted investment to improve local employment and services.

6.3. **Meath County Development Plan 2013-2019**

- 6.3.1. The Meath County Development Plan 2013-2019 currently applies pending the adoption of the new draft development plan, which is due in 2021. Dunshaughlin is designated as a 'Moderate Sustainable Growth Town' on the third tier of the county settlement hierarchy. This designation is to apply following the granting of permission of a railway order for the Navan-Dublin railway line. The Core Strategy allocates 319 no. residential units to Dunshaughlin (including 50% headroom), with 62.9 ha of residentially zoned lands. Development plan Variation No. 2, adopted in 2014 and incorporated into the Dunshaughlin LAP, sets out an Order of Priority for lands in Dunshaughlin. All of the northern part of the development site and most of the southern site are zoned as 'Phase II (Post 2019)' lands. In addition, areas within the southern land parcel have the open space zoning 'F1'. The southern land parcel adjoins a substantial area to the east that is also zoned for open space and is also part of the applicant's landholding. The plan also shows a flood risk zone traversing the southern site, which is zoned F1.

6.4. **Dunshaughlin Local Area Plan 2009-2015 (as Varied and Extended)**

- 6.4.1. The current LAP incorporates the provisions of development plan Variation No. 2 as outlined above. The following LAP residential objective applies:

Objective Res-2: All planning applications submitted within the area identified off the Drumree Road / Kilcock Road as identified on the land use zoning objectives map shall be consistent with the 'Framework Plan for Zoned Land West of Dunshaughlin' (December 2008) unless alternative proposals to the satisfaction of the Planning

Authority are provided as part of the planning application. Pre planning in this regard would be advisable.

6.4.2. The LAP provides for the following additional objectives in the vicinity of the development site:

- Pedestrian route along the Skane River and eastwards through the adjoining open space, part of a network of such routes extending north, east, and south from the development site.
- Pedestrian/cycle routes along the R125 and the Drumree Road.

6.5. Applicant's Statement of Consistency

6.5.1. The applicant has submitted a Statement of Consistency as per Section 8(1)(iv) of the Act of 2016, which indicates how the proposal is consistent with the policies and objectives of section 28 guidelines, the current and draft Meath County Development Plans, the Dunshaughlin LAP and other regional and national planning policies.

6.5.2. The applicant's rationale for the development notes the strategic importance of Dunshaughlin and the accessible location of the development site adjacent to the M3 motorway and to employment land uses in Dunshaughlin. It is submitted that the development will support regional based objectives for the Eastern and Midlands Area in the NPF in relation to the sustainable growth of compact settlements. The applicant also notes that Dunshaughlin has benefitted from substantial capital investment in the Dunshaughlin Sewerage Scheme completed in 2006 and the Dunshaughlin Water Supply Scheme completed in 2012 and submits that the development site corresponds to the definition of 'Tier 1 zoned serviced land' as provided in Appendix 3 of the NPF, also given that it has access to roads and services provided in Dún Ríoga Phase 1 and is contiguous to existing services and amenities. It is submitted that the NPF population projections for Co. Meath are conservative and are likely to underestimate the likely demand for housing in the county. In addition, the development will support RPO 3.2 of the Eastern and Midlands RSES requiring that all new homes on towns outside of cities are to be located within and close to the existing built up area. The application includes a Socio-Economic Study by Future Analytics which considers population growth and employment in Dunshaughlin. This shows that the town has a strong jobs-residential ratio of 0.5 based on the 2016 Census and that over 40% of work journeys in

Dunshaughlin occur within a 15 minute drivetime catchment with only 7% of work journeys > 45 minutes. These commuting patterns are likely to change further due to the increased extent of home working following Covid 19. The applicant submits on this basis that Dunshaughlin will have additional capacity for future residential developments, which would also increase critical mass to support the delivery of Phase 2 of the Dublin-Navan railway line. The Board is referred to the applicant's response to the Section 5 Opinion, as summarised in section 6.5 above in relation to consistency with the current and draft Meath County Development Plans and Dunshaughlin LAP. The Board is also referred to the Design Statement, Schedule of Accommodation, Housing Quality Assessment and Traffic and Transport Assessment with regard to detailed compliance with development plan and LAP policies and standards for residential development and other relevant policies and objectives.

6.5.3. The following points are noted with regard to consistency with Section 28 guidelines:

- The proposed net residential density of c. 42 units/ha is appropriate for the development site having regard to the guidance for outer suburban/greenfield sites in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas. The application includes a detailed response to the 12 Design Criteria of the Urban Design Manual.
- The proposed apartment unit mix is in accordance with SPPRs 1 and 2 of the Apartment Guidelines. All the proposed apartments will meet the floor area and private/communal amenity space requirements of the Guidelines. The development complies with SPPRs 4, 5 and 6 regarding dual aspect units, floor to ceiling heights and lift and stair core layout, respectively. The proposed car and cycle parking provision are justified with regard to the recommendations for 'peripheral and/or less accessible urban locations.
- The development is in accordance with SPPR 4 of the Building Height Guidelines in respect of appropriate density, mix of units for this type of location and the established surrounding character of the area.
- The application includes a Site Specific Flood Risk Assessment (SSFRA), which confirms that all housing aspects of the development are in Flood Zone C, with only less vulnerable aspects of the development situated outside this area, such

as open spaces, paths, outdoor sports and recreation amenities. There is no need to perform the justification test.

- A DMURS Statement of Consistency is submitted. The development is consistent with both the principles and guidance of DMURS.
- The proposed childcare facility will accommodate up to 80 children. This provision is in accordance with the recommendations of the Childcare Guidelines and Apartment Guidelines. A Childcare Needs Assessment is submitted.

6.6. Applicants Statement of Material Contravention

- 6.6.1. A statement of Material Contravention is submitted with the application in accordance with Section 8(1)(iv)(II) of the Act of 2016. The submitted statement relates to two issues, (i) Core Strategy and Housing Allocation and (ii) Land Use Zoning.
- 6.6.2. The applicant's rationale for the development in relation to Core Strategy and housing allocation repeats points made in the Statement of Consistency, as summarised in section 6.5.2 above.
- 6.6.3. The following points are noted in relation to Land Use Zoning:
- The proposed layout indicates a vehicular link between Character Areas 3 and 4 through lands zoned 'F1 Open Space'. The road is not permissible under the F1 objective. However, it has a very limited effect on the use of the lands zoned for public open space and provides broader vehicular permeability in a controlled manner in line with DMURS guidance. It does not impede access to the F1 zoned lands and provides improved pedestrian connectivity through the site and the wider open space lands.
 - It is submitted that the road represents a nominal incursion into the F1 lands and should be considered a 'de minimus' matter.
 - The applicant proposes an alternative layout omitting the road between character Areas 3 and 4 should the Board consider that it is not permissible in terms of land use zoning consideration, ref. drawing 12-081A - P171 'Road Options Across F1 Zoned Land'. The EIAR also considers the potential impacts of the revised layout and found that no significant impact would arise from the omission of this road link from the development.

7.0 Planning Authority Chief Executive Report

7.1. Meath County Council has made a submission in accordance with the requirements of section 8(5)(a) of the Act of 2016. It summarises observer comments as per section 8(5)(a)(i) and the views of the relevant elected members at the meeting of Ratoath Municipal District (date not supplied). The following points of the planning and technical analysis in accordance with the requirements of section 8(5)(a)(ii) and 8(5)(b)(i) are noted.

7.2. PA Comment on Land Use Zoning and the Principle of Development

- Section 7.1.1 of the CE Report provides an up to date overview of residential lands in Dunshaughlin, as follows:

Total available zoned land for residential use (ha)	62.9 ha
Core Strategy allocation in CDP (2013-2019)	319 units
Total extant units (excluding completed)	c. 1,156*
Total units completed / under construction	c. 470 completed
Balance of Core Strategy	c. 1,307 units have been permitted or constructed above the Core Strategy allocation in CDP (2013-2019)

*The Willows' SHD permission ABP-303433-19 for 913 units is a 10 year permission which will be developed across multiple Development Plans.

- The PA is precluded from the consideration of residential development on Phase II lands within the current development plan period and the proposal is therefore a material contravention insofar as it relates to the provision of housing on these lands.
- The PA is proposing to downzone the northern part of the development site to a "Rural Area" under the draft development plan. The applicant was advised of this during the pre-application consultation.
- Dunshaughlin is considered to constitute a strategic location for additional growth on the basis of its proximity to Dublin, its economic and employment base, and its location on the M3 Navan to Dublin motorway. The population growth of Dunshaughlin is linked with the delivery of the Navan-Dublin rail line which is critical to the sustainable and planned development of the county. In this regard,

the PA recognises the importance of creating critical mass in Dunshaughlin to ensure the delivery of this major piece of sustainable transport infrastructure. ABP is invited to consider these issues, together with similar recent SHD decisions / cases in Dunshaughlin and other locations in Co. Meath.

7.3. PA Comment on Density, Urban Design, Layout and Phasing

- The applicant has largely addressed issues raised by the PA at pre-planning consultations in relation to development management standards set out in the development plan, national planning guidance in relation to urban design for residential development and quality of residential accommodation.
- The PA is satisfied that the proposed net residential density of c. 42 units/ha is acceptable given the surrounding context and having regard to section 5.11 of the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities in relation to outer suburban/greenfield sites.
- The unit mix and typology are adequately spread across the layout and the overall scale of development is appropriate with the most impactful quantum of 3/4/5 storey buildings located either centrally or at landmark locations where impact on residential amenity is negligible.
- The PA has some concerns in relation to the a proposed 3 storey building at the southern boundary of the northern site and the potential overlooking of the existing dwelling to the south.
- Concerns that the layout appears quite linear and could give rise to a number of 'tunnelled' views within the development, a problem exacerbated by the number of cul-de-sacs and 'dead ends'.
- Some Elected Members have raised concerns in relation to the scale and form of the proposed 4-5 storey landmark building in the southern site.
- The PA notes the single storey units in the southern site and accepts the applicant's submission in respect of a relaxation below the 22m back-to-back separation distances.
- The landscaping sections indicate that there is some significant infilling required to achieve the FFLs in the vicinity of the existing attenuation area in the southern site. The Board should satisfy itself that sufficient sections have been provided

together with an indication of the volume of fill and its source in accordance with other statutory codes.

- The Board is invited to consider appropriate planning condition(s) in respect of phasing. The PA recommends that the roads infrastructure, childcare facility, all of the public open space in the southern site and some Part V housing is delivered early in the life of the development in the event of a grant of planning permission and prior to the occupation of certain phases of development.

7.4. PA Comment on Open Space, Landscaping and Boundary Treatment

- The proposed quantum of open space on zoned residential lands exceeds the 15% development plan requirement. The applicant has indicated that the balance of zoned open space lands (c. 2.84ha) to the northeast of the southern site will be transferred to the local authority which will allow for connectivity to the GAA grounds to the northeast and the Community College playing fields to the east. This represents a significant planning gain and is fully supported by the PA.
- There appears to be scope for further hedgerow retention along the western side of the urban park where it extends in a northerly direction in the interests of biodiversity. The hard and soft landscaping proposals are generally acceptable.
- The proposed paladin fence around the existing attenuation pond in the southern part of the site is, on balance, an acceptable design response but this should be the exception as opposed to the norm with planted earth bunding, parkland or estate fencing or similar a more favoured approach.

7.5. PA Comment on Access, Traffic and Parking

- The CE Report incorporates the comments of Meath County Council Transportation Department.
- The proposed pedestrian and cycle infrastructure appears to be appropriate and facilitates safe and comfortable access across the R125 and links with the existing footpath network and should allow for integration with future pedestrian/cycle networks developed in Dunshaughlin.
- The methodology applied in the submitted Traffic and Transportation Assessment is generally acceptable.

- The TTIA indicates that Junction 1 will run over capacity in the future horizon year of 2039. However, increasing the capacity of Junction 1 would not be desirable at any stage as it would encourage traffic wishing to avoid the toll on the M3 Motorway to use the old Dublin Road route through Dunshaughlin village. The projected impact on Junction 1 is considered acceptable given that it would operate within capacity in the short to medium term, and that some level of congestion would be deemed acceptable for an urban location.
- It is noted that the results of each of the junctions for the Layout Option 2 when compared with Layout Option 1 was minimal.
- There is an insufficient level of detail for the proposed access junctions to the external road network. Further details of same are requested. In addition, the applicant should confirm that the visibility of the accesses onto the existing and future R125 roundabouts conform to the requirements set out in TII's DN-GEO-03060 'Geometric Design of Junctions', as this is an 80 kph road with a rural context and speeds reflective of such road conditions.
- Some cul-de-sacs within the development are longer than desirable, > 80m. These should not be longer than 50m, in order to obviate the requirement for a turning head. However, the development incorporates mitigating elements, including the fact that these streets are designed as home zone streets; there is filtered permeability for pedestrians and cyclists at the end of the streets and the proposed turning heads are not overly designed in terms of the space they occupy. The cul-de-sacs are acceptable on this basis.
- The Report sets out detailed requirements in relation to pedestrian/cycle infrastructure, which may be required by condition if permission is granted.
- The development requires a total of 806 no. car parking spaces to comply with Development Plan standards, or 741 no. spaces with regard to the car parking guidance in the Apartment Guidelines, resulting in a shortfall of 77 no. spaces. The residential parking provision is considered acceptable, but the PA states concern that the crèche set-down and parking facilities as they are substantially below development plan standards, particularly given the potential for the crèche to attract significant external staff and patrons.

- The proposed cycle parking provision exceeds development plan standards and those of the Apartment Guidelines and is considered appropriate.

7.6. PA Comment on Surface Water and Flood Risk

- The development generally meets the requirements of Meath County Council Water Services Section with respect to the orderly collection, treatment, and disposal of surface water. Conditions are recommended.
- The CE Report refers to comments of Meath County Council Environment Section in response to the Section 5 pre-application consultation.

7.7. PA Comment on Other Issues

- Meath County Council Housing Department notes that there has been no further discussion with the applicant regarding Part V since 7th February 2020. The proposed 39 no. duplex units remains high at 60% of all Part V units and would not be acceptable. The Housing Dept. also raises specific concerns in relation to the design and layout of the proposed duplex units and house types.
- Meath County Council Architectural Conservation Officer states no objections subject to conditions.
- Meath County Council Heritage Officer recommends conditions.

7.8. PA Conclusion

- 7.8.1. It should be noted that the Chief Executive's report does not include an explicit statement in accordance with Section 8(5)(b)(ii) as to whether the authority recommends to ABP that permission should be granted or refused, together with the reasons for its recommendation. The conclusion and recommendation set out in section 8.0 of the report requests that the Chief Executive report be considered by the Board.

8.0 Observer Submissions

8.1. Noel Clarke and Colum Peters

- 8.1.1. The observers own c. 4.5 ha of zoned residential land that adjoins to the southeast of the development site as Character Area 5 of the Framework Plan for zoned lands at the western edge of Dunshaughlin. The observers support the proposed

development on the basis that it would facilitate the substantial delivery of much needed new residential units on lands that have been zoned for residential development for over 20 years. There has been considerable capital investment in infrastructure in Dunshaughlin in recent years both generally in foul drainage and water infrastructure and at this location in relation to the laying of a trunk foul sewer and connecting watermains. A new access road off the southern roundabout on the R125 would open up the observers' lands for development in due course and facilitate the delivery of a further 150-200 new residential units at this location. This would essentially complete development at this western edge of Dunshaughlin, further consolidating the town and addressing the spatial imbalance of development, which has been concentrated to the east of the town in recent years. The observers also note that the proposed development provides a planning gain as it involves the transfer of an undeveloped 2.4 ha of F1 zoned land without charge to Meath County Council. The Board is urged to grant permission for the development.

8.2. Martin Kelly and Monica Hurston Kelly

- 8.2.1. The observers own the residential property at the north western side of the R125/Drumree Road roundabout, adjoining the northern part of the development site. They have developed their property for over 40 years such that it now has a large house and mature garden. The property is currently zoned for residential development A2 but is dezoned and outside the settlement boundary of Dunshaughlin under the current draft County Development Plan, with adequate lands for residential development inside the town boundary to meet the development needs of Dunshaughlin in line with the county settlement strategy. It is submitted on this basis that the proposed development would be contrary to the proper planning and development of the area. In addition, the development would be premature pending adoption of the new development plan.
- 8.2.2. The observers also state concerns in relation to potential impacts on the residential amenities of their property due to overlooking and impacts on visual amenities, as well as surface water drainage issues. It is submitted that the development would have a detrimental impact on the value of their property, also that both sites should be developed in a comprehensive, co-ordinated fashion.

- 8.2.3. There is an additional separate submission by Monica Hurston Kelly. This notes the 6 no. single storey houses proposed in the southern part of the development. The observer welcomes this aspect of the development but submits that they are located in the part of the development furthest from the town centre and should be more accessible to Dunshaughlin Main Street.
- 8.3. I have considered all of the documentation included with the above third party submissions.

9.0 Prescribed Bodies

9.1. Irish Water

- 9.1.1. Significant upgrades are required to connect this development on lands at Readsland, Roestown and Knocks to Irish Water's water and wastewater networks (details supplied). The applicant will be required to fund a significant portion of these works should they wish to progress with these upgrades. The applicant has engaged with Irish Water in respect of design proposal for which they have been issued a Statement of Design Acceptance for the development. Conditions are requested.

9.2. National Transport Authority

- 9.2.1. The NTA notes that there are a number of bus stops in Dunshaughlin town centre on Main Street/R147. Drumree Road and the R125 are not currently served by bus. The applicant submits that the proposed future pedestrian/cycle connection at the eastern site boundary would facilitate a planned pedestrian/cycle connection along the River Skane Greenway toward Dunshaughlin town centre. However, this greenway is not part of the current application and its delivery is not within the control of the applicant. The submitted TTA states that the adjoining landowner, the Louth and Meath Education and Training Board (LMETB) is 'positively disposed to this proposal in principle' and that the proposal remains to be discussed by the Board of Management. Should this connection across the LMETB lands be available, the town centre bus stops would be less than 1 km from the site by walking and cycling. The proposed greenway would also provide access, via residential estate roads, to a range of destinations including Dunshaughlin Community College, St. Seachnall National School, Dunshaughlin Health Centre, and local retail and other services. Without this connection, the site would be over 1.5 km from the town centre, via

Drumree Road, which is a single carriageway road with footpaths but no cycle facilities. The NTA is concerned that the development, in the absence of the eastern pedestrian/cycle connection, would give rise to a high level of car usage for local trip making and, as such, would not accord with the Transport Strategy for the Greater Dublin Area 2016-2035. The NTA recommends that the subject site should be developed on the basis of good walking and cycling access to the town centre and the range of local destinations including bus stops as set out above. Such access should be direct and should provide a competitive advantage to these modes over the private car.

- 9.2.2. The TTA is based on an assessment of the traffic impacts on 7 junctions in the vicinity of the site but does not assess impacts on Junction 6 on the M3 (M3/R125 junction). Given the proximity of the development to this junction, and the potential for increased traffic in the event that the River Skane Greenway is not delivered, the NTA submits that this junction should be included in the junction assessment undertaken as part of any application for the subject lands.
- 9.2.3. The development is c. 12 km from the M3 Parkway train station. Section 4.2.2 of the Transport Strategy states that 'The extension of the commuter rail line to Navan has been previously proposed [under Transport 21] and has been assessed in the examination of this corridor [Corridor B]. Based on current population and employment forecasts, the level of travel demand between Navan, Dunshaughlin and various stations to the city centre is insufficient to justify the development of a high-capacity rail link at this time.' The Transport 21 proposals for the Navan Rail Line included a station c.1 km west of the subject site. The NTA has commenced a review of the Transport Strategy and intends to issue a draft report for consultation by mid-2021, with a view to publishing a final draft by early 2022, in accordance with its statutory obligations. The extension of the Navan Rail Line, including potential station locations, will be assessed as part of this review.

10.0 Planning Assessment

10.1. The following are the principal issues to be considered in this case:

- Material Contravention, Site Zoning and Principle of Development
- Density, Design and Layout of Residential Development
- Traffic and Transportation
- Drainage, Flood Risk and Site Services
- Other Issues

These matters may be considered separately as follows.

10.2. Material Contravention, Site Zoning and Principle of Development

10.2.1. Both land parcels within the development site are zoned for residential development under the current Meath County Development Plan 2013-2019. All of the northern site and most of the southern site have the zoning objective A2:

To provide for new residential communities with ancillary community facilities and employment uses as considered appropriate for the status of the centre in the Settlement Hierarchy.

A small portion of lands along the northern boundary of the southern site has the zoning objective A1:

To protect and enhance the amenity of developed residential communities.

A flood zone traversing the southern site and a strip of land along the eastern side of the southern site have the zoning objective F1:

To provide for and improve open spaces for active and passive recreational amenities.

10.2.2. The development plan Core Strategy designates Dunshaughlin as a 'Moderate Sustainable Growth Town' on the third tier of the county settlement hierarchy. This designation is to apply following the granting of permission of a railway order for the Navan Rail Line Phase II, including a station at Dunshaughlin. The proposed extension of the Navan Rail Line is under review as per the NTA submission

summarised in section 9.2 above. The submitted Meath County Council Chief Executive Report states:

Until such time as the railway order for Phase II is approved, Meath County Council considers that the town must develop in a manner consistent with that of a Moderate Sustainable Growth Town, i.e., focusing on self-sustaining, integrated and compact development.

Development plan objective SS OBJ 11 applies:

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

The development plan Core Strategy allocates 319 no. residential units to Dunshaughlin (including 50% headroom), with 62.9 ha of residentially zoned lands. Development plan Variation No. 2, adopted in 2014 and incorporated into the Dunshaughlin LAP, sets out an Order of Priority for lands in Dunshaughlin, based on a sequential approach and a Residential Land Evaluation. LAP Table 5.3 sets out the Order of Priority such that most parts of the development site are ranked 6th of 11 no. development sites in Dunshaughlin and are accordingly designated as 'Phase II (Post 2019)' lands. Development plan policy SP1 applies:

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

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

10.2.3. The current County Development Plan was due to expire in January 2019, however its review was paused pending the completion of the Eastern and Midlands RSES, which came into effect on June 28th, 2019, and was further delayed due to

Covid 19 issues. The new development plan is now due to be adopted in 2021. The existing development plan remains operational in the interim. The draft development plan designates Dunshaughlin as a Self-Sustaining Growth Town on the 3rd tier of the county settlement hierarchy, in line with its designation as a Self-Sustaining Growth Town on the 4th tier of the RSES regional settlement hierarchy. The draft Core Strategy indicates an allocation of 1,003 new residential units and 32.8 ha of zoned land for Dunshaughlin for the plan period 2019-2026. The Written Statement for Dunshaughlin set out in Volume 2 of the draft plan states that the Core Strategy allocation of 1,003 no. residential units includes 600 no. units within 'The Willows' SHD (ABP-303433-19), a 10 year permission to the south of the town centre that is likely to be built out across multiple development plans. The draft development plan objective DNS OBJ 4 states:

To operate an Order of Priority for the release and development of residential lands with any lands identified as being 'Post 2026' not available for development until after 2026.

There is an objective to focus future development in Dunshaughlin on the build out of existing developments, the most significant of which is 'The Willows' SHD, and on small parcels of residential lands close to the town centre and adjacent to existing developments that would consolidate development within the urban core of the town. The remaining Core Strategy allocation of 403 no. residential units is to be included in subsequent plans. The draft plan also provides a reserve of land in Dunshaughlin for the following stated reason (draft development plan Table 2.4):

To demonstrate the town has the capacity to accommodate a critical mass of population associated with a rail link delivered as part of Phase II of the Navan Rail Project.

According to the draft Order of Priority, the northern part of the development site is not zoned for development and is outside the settlement boundary of Dunshaughlin. The southern site retains its current zoning objectives, i.e., mostly residential A2 and open space F1 zonings, with the period for Phase II development now stated to be after 2026.

10.2.4. The CE Report of Meath County Council submits an overview of residential development in Dunshaughlin, noting that there is a total of c. 1,156 no. extant

permitted units including 600 no. of the 913 no. units permitted under 'The Willows' SHD, along with a further c. 470 no. completed/under construction units. I note in this regard that the Board also permitted 212 no. units at Grangend on the north eastern side of Dunshaughlin under SHD ABP-307244-20. The PA therefore submits that c. 1,307 units have been permitted or constructed above the current development plan Core Strategy allocation of 319 units for Dunshaughlin. It also notes the unzoned and Phase II status of the subject lands under the draft County Development Plan. The planning authority states that it is precluded from the consideration of residential development on Phase II lands.

10.2.5. The applicant has submitted a Material Contravention Statement in relation to the development plan Core Strategy and housing allocation, as summarised in sections 6.5 and 6.6 above. Section 9(6) of the 2016 Act provides:

- (a) Subject to paragraph (b), the Board may decide to grant a permission for a proposed strategic housing development in respect of an application under section 4 even where the proposed development, or a part of it, contravenes materially the development plan or local area plan relating to the area concerned.*
- (b) The Board shall not grant permission under paragraph (a) where the proposed development, or a part of it, contravenes materially the development plan or local area plan relating to the area concerned, in relation to the zoning of the land.*
- (c) Where the proposed strategic housing development would materially contravene the development plan or local area plan, as the case may be, other than in relation to the zoning of the land, then the Board may only grant permission in accordance with paragraph (a) where it considers that, if section 37(2)(b) of the Act of 2000 were to apply, it would grant permission for the proposed development.*

I note the High Court judgement of Justice Denis McDonald delivered on 2nd December 2020, between Highlands Residents Association and Protect East Meath Ltd. (applicants) and An Bord Pleanála, Minister for Culture Heritage and the Gaeltacht and the Attorney General (respondents) and Trailford Limited and Meath County Council (Notice Parties) [2020 No:238 J.R.], which relates to a site with Phase II (Post 2019) zoning within the Drogheda Environs in County Meath. The judgement determined that the Board was precluded by section 9(6)(b) of the 2016

Act from granting permission for the development. I consider that the Board are similarly precluded from granting permission in this case within the current Development Plan context. I also note in this regard the recent Board decision to refuse permission for development on Phase II (Post 2019) zoned lands in Enfield, Co. Meath, ref. ABP-308155-20, on grounds relating to the Highland judgement.

10.2.6. The applicant has also submitted a Material Contravention Statement in relation to the provision of a vehicular connection between Character Areas 3 and 4, which is partially located on F1 zoned lands. The Statement seeks to justify this aspect of the development on the grounds that it has a very limited effect on the use of the lands zoned as public open space and provides broader vehicular permeability in line with DMURS guidance. An alternative layout, which omits the vehicular connection, is also submitted for the Board's consideration. However, this issue cannot be given further consideration given that section 9(6)(b) applies.

10.2.7. Notwithstanding the above conclusion, I now propose to consider the remaining issues in order to provide as complete an assessment as possible.

10.3. **Density, Design and Layout of Development**

10.3.1. The development has a stated net density of 42 units/ha, based on a 'net developable area' which excludes the flood zone F1 zoned lands, wetland attenuation area and F1 open space zoned lands. This density is in accordance with the densities of 30-50 units/ha recommended for outer-suburban/greenfield areas in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas. Having regard to the location of the site on the edge of the built up area of Dunshaughlin, I consider that it corresponds with the definition of a 'peripheral and/or less accessible urban location' as per the Apartment Guidelines. The Guidelines indicate that developments at low-medium densities (<45 units/ha) are generally suitable for such locations. The proposed residential density is considered acceptable on this basis. The proposed housing mix comprises 254 no. houses (61%), 55 no. duplex units (13%) and 106 no. apartments (26%). The mix of unit sizes and types is well distributed through the scheme, with a variety of houses, duplex units, and apartment blocks in each of the character areas. This housing mix is regarded as appropriate and provides for household choice and the creation of a diverse community. The density and housing mix are also considered to be

consistent with SPPR 4 of the Building Height Guidelines. I note the applicant's proposal to provide an optional retail unit on the ground floor of Block 1 within the southern site. However, this provision is considered unnecessary given that there is a substantial block of 'NC' neighbourhood centre zoned lands to the immediate north of the southern site.

10.3.2. The southern site is a continuation of Dún Ríoga Phase I. The permitted Phase I development (PL17.241988) includes a new roundabout on the R125 at the north western corner of the development site, which connects to an access road along the northern site boundary that serves Dún Ríoga Phase I as well as the development site. The development is laid out around a spine route that connects the northern access road to the existing roundabout on the R125 at the south western corner of the site. A short stretch of the spine road crosses the F1 zoned lands at the flood zone that traverses the centre of the site, the legality of this is discussed in section 10.2.6 above. The remainder of the F1 zoned lands are laid out as public open spaces including pedestrian/cycle routes, play areas and parklands around the flood zone and attenuation wetland and the F1 lands along the eastern site boundary. There is a pedestrian/cycle link (River Skane Greenway) along the riverbank, with bridges over the River Skane, which connects the pedestrian/cycle network within the proposed development to the F1 zoned lands further to the east of the site. There is also an indicative connection eastwards beyond the development site, connecting to Dunshaughlin Community College, Dunshaughlin GAA grounds and onwards towards the town centre (see section 10.4.2 below). The Greenway is connected to Dún Ríoga Phase I to the north and onwards to the Drumree Road via a pedestrian/cycle spine route through the F1 zoned lands along the eastern site boundary, part of a looped pedestrian/cycle route that also connects to the R125 and Dún Ríoga Phase I. The houses and duplex units within the southern site (Character Areas 3 and 4) are laid out around shared spaces with communal on-street parking, cycle parking, pedestrian facilities, street planting and bin storage areas. The 4-5 storey apartment Block 1, at the north western corner of the site, overlooks the permitted roundabout on the R125. The crèche is located on the ground floor of Block 1. The other apartment block within the southern site, Block 2 (also 4-5 storeys) is located at the south eastern corner of the development, overlooking open space and undeveloped A2 zoned lands.

- 10.3.3. The development at the northern site (Character Area 6) has a more formal layout than the southern site. There is one vehicular access from the Drumree Road, with an interconnected vehicular layout that is focused on a central multi-functional square. Block 3 (4-5 storeys) at the north eastern corner of this part of the site also overlooks an open space along the eastern site boundary, which is laid out as a 'semi-private pocket park' The houses and duplex units are laid out around shared spaces similar to those at the southern site. The hedgerows along the eastern side of this part of the site will largely be retained.
- 10.3.4. I consider that the development generally interacts well with its surroundings and will make a successful contribution to the wider urban realm on this side of Dunshaughlin. The spine road provides an attractive and legible route linking the development with Dún Ríoga Phase I, the Drumree Road and the R125. The internal layout achieves a high degree of vehicular, pedestrian and cycle connectivity both within the immediate vicinity and, potentially, with the wider area to the east of the site. The local streets generally have active frontages and open spaces are well overlooked. The use of higher elements improves legibility. I note the submitted photomontages and Landscape and Visual Impact, as per EIAR Chapter 13. I am satisfied overall that the development will read as an extension to the existing built up area of Dunshaughlin and will not result in any significant adverse visual or landscape impacts. It will have a strong presence to the R125 and Drumree roads and, given the high quality of design and finish and the integrated landscaping scheme, will provide a satisfactory gateway to Dunshaughlin at this edge of the town. I note in this regard that the higher elements of the scheme, Blocks 1, 2 and 3, are situated at locations where they will increase the visual presence of the scheme at adjoining roundabouts and will have minimal impacts on residential amenities. The proposed quantum of public open space within the residentially zoned lands amounts to a total of 1.89 ha, or 15% of the residentially zoned area. This quantum is in accordance with development plan standards for residential development and will be supplemented by the 2.84 ha of F1 zoned lands to the immediate east of the development site, owned by the applicant, that are to be transferred to Meath County Council. This represents a substantial planning gain, which is welcomed and supported by the planning authority. The application includes a Landscape Strategy, which is based on retaining as much of the existing treelines and hedgerows within

the site as possible, as well as integrating the existing attenuation area. The scheme seeks to integrate SuDS measures and includes ecological compensatory measures such as planting of native woodland. The landscaping scheme will result in open spaces with a high amenity value with a variety of functions that will serve residents of the development and the wider area, as well as protecting and enhancing biodiversity. It also successfully integrates hard and soft landscaping, pedestrian and cycle infrastructure and SuDS measures. I note the comments of the PA regarding ground levels around the attenuation area and hedgerow retention at the western section of the urban park where it extends in a northerly direction. These matters could be clarified to the satisfaction of the PA by condition if permission is granted.

10.3.5. The application includes a Housing Quality Assessment. The apartments are designed to meet or exceed the requirements of the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities, including the minimum floor areas for apartment units and the quantitative floor area requirements set out in Appendix 1 of the Guidelines. The vast majority of the apartment units will be at least 10% greater than the minimum size required, exceeding the requirements of SPPR 3 and section 3.8 of the Apartment Guidelines. Approximately 56% of the apartments and duplex units are dual aspect, well in excess of the 50% requirement for suburban or intermediate locations as per SPPR 4, an all single aspect units are east or west facing. The floor to ceiling heights and floor plans meet the requirements of SPPRs 5 and 6, respectively. All apartments have private open spaces in the form of balconies and terraces, which exceed the minimum dimensions set out in Appendix 1 of the Apartment Guidelines. All three apartment blocks have satisfactory communal open spaces and secure bin storage and cycle parking. The submitted Taking in Charge layout excludes communal areas serving individual apartment/duplex blocks. The application includes a Building Lifecycle Report, as required by the Apartment Guidelines, which states that a property management company will be established in accordance with the Multi-Unit Developments Act 2011. I note that part of Blocks 2 and 3 have render finishes to some facades, which may not weather well. A more durable external finish may be required by condition, subject to the agreement of the planning authority, if permission is granted.

- 10.3.6. The applicant's Statement of Consistency details with the minimum floor area requirements for individual houses set out in the document Quality Housing for Sustainable Communities. I am satisfied that the individual house types and associated private open spaces provide a high quality of residential accommodation in a variety of typologies that meet the needs of a wide range of households. I note the comments of the planning authority regarding the layout of the single storey units, which does not meet the 22m standard for rear façades. This element of the development has been designed to meet the housing needs of older people as part of the Part V units to be transferred to Meath County Council. I consider that the proposed design is acceptable in this instance given the type of housing proposed and the satisfactory layout and orientation of private open spaces to serve individual dwellings.
- 10.3.7. Having regard to the detailed design and layout of the residential units, I consider that the development will provide a high standard of residential accommodation. I also consider that the development strategy for the site provides for a high quality urban environment with a good mix of unit types, the creation of a strong urban edge and public open spaces that are provided with natural surveillance and connections to contiguous infrastructure. The development is therefore generally satisfactory with regard to national and development plan guidance for residential development.
- 10.3.8. I note the submissions from the owner of the residential property at the Drumree Road / R125 junction. Given that the existing trees and hedgerow along the shared boundary will be retained as per the submitted Arboricultural Report and having regard to the intervening distances, I consider that the development will not have any significant adverse impacts on the residential amenities of this property. The submitted Daylight and Sunlight Analysis is also noted in this regard.

10.4. **Traffic and Transportation**

10.4.1. Existing and Proposed Roads Infrastructure

The site is located c. 1 km to the west of the centre of Dunshaughlin, on the western edge of the built up area of the town. It is accessed from the M3 via the R125 Dunshaughlin Link Road, which has an 80 kph speed limit at this location. The Drumree Road/L2208 runs along the southern boundary of the northern site and traverses Dún Ríoga Phase I, which is accessed via a new 4 arm signal controlled

junction to the east of the Drumree Road/ R125 roundabout. The permission granted for Phase I under PL17.247988 also included a new roundabout on the R125 south of the Drumree Road roundabout and an access road along the northern site boundary, serving the southern end of Phase I as well as the current development site. There is also another existing roundabout on the R125 at the south western end of the development site. The northern site is to have one vehicular access from the Drumree Road/L2208 via a priority T junction. The proposed roads layout indicates two vehicular accesses to the southern site, (i) from the permitted road at the southern end of Dún Ríoga Phase I, which connects to the new roundabout on the R125 and (ii) a new arm on the eastern side of the existing roundabout on the R125 at the south western corner of the site. I note the comments of Meath County Council Transportation Dept., which require further details of the proposed access junctions. This issue could be dealt with by condition if permission is granted.

The internal roads layout of the development has been designed to meet DMURS standards with tight corner radii and a reduction of vehicular speed by design measures such as good legibility, a strong sense of enclosure, passive surveillance and raised tables at road junctions providing informal pedestrian crossings, to create a 'self-regulating' environment. The shared spaces include grouped car parking. External cycle parking is provided adjacent to apartment blocks with long term cycle parking provided in secure, covered areas. These arrangements are satisfactory. I note the comment of Meath County Council that several of the shared surfaces are laid out as cul-de-sacs which are longer than desirable. However, the proposed layout includes pedestrian/cycle permeability at the end of these spaces and the turning heads are not overly designed in terms of the space they occupy. The planning authority considers the layout acceptable on this basis and this conclusion is accepted.

The proposed layout includes two options for the internal roads layout at the southern site:

Option 1: A spine route that connects the permitted road along the northern site boundary with the R125 access at the south western corner of the site, with a vehicular bridge over the River Skane. This layout includes a short vehicular connection across F1 zoned lands in a flood zone that traverses the southern site. This is the applicant's preferred option.

Option 2: The vehicular connection across F1 lands is omitted, such that there is no vehicular connection through the site, only pedestrian and cycle connections through the F1 zoned lands.

It is clear that Option 1 would be preferable in terms of improved permeability within the development and in the wider area. The legality of this aspect of the development is discussed in section 10.2.6 above.

10.4.2. Pedestrian and Cycle Connectivity

There is no public transport infrastructure in the immediate vicinity of the site. The closest bus stops are in the centre of Dunshaughlin, c. 1 km east of the development site. The site is currently connected to Dunshaughlin Main Street by the Drumree Road, which has pedestrian infrastructure. There are no cycle facilities along this route at present, however the permission granted for Dún Ríoga Phase I under PL17.247988 includes widening the Drumree Road to provide for new pedestrian and cycle infrastructure at this location. This route is also indicated as a potential cycle connection to the future Dunshaughlin railway station in the Greater Dublin Area Cycle Network Plan published by the NTA in 2013. The R125 currently has no footpaths along the site frontage.

The proposed layout for the northern site includes new pedestrian/cycle facilities as follows:

- New pedestrian/cycle route along the northern side of the Drumree Road/L2208 as far as the 4 arm signalised junction at the entrance to Dún Ríoga Phase I
- New pedestrian crossing on the northern arm of the R125/L2208/Drumree Road junction.

These proposals will enhance existing pedestrian infrastructure in the area and are satisfactory. The southern site is to connect to the permitted pedestrian/cycle infrastructure within Dún Ríoga Phase I and onwards to the Drumree Road. The internal layout of the site includes a looped pedestrian/cycle route with two pedestrian/cycle bridges over the River Skane, as well as a pedestrian/cycle route (River Skane Greenway) along the riverbank. The looped route includes a stretch that runs along the western site boundary at the R125 road frontage. I am generally

satisfied that the development has been laid out with a high degree of pedestrian and cycle permeability, in accordance with the principles of DMURS.

The southern site layout indicates proposals for pedestrian/cycle connections further to the east of the development site in line with related objectives in the Dunshaughlin LAP. The proposed route continues the River Skane Greenway along the river through F1 open space zoned lands owned by the applicant and through the southern end of the grounds of Dunshaughlin Community College, to connect with College Park to the east via a short strip of lands owned by Meath County Council. This connection would significantly enhance pedestrian permeability between the western side of Dunshaughlin and the town centre, as noted in the submission of the NTA. The applicant has engaged with the adjoining landowner the Louth and Meath Education and Training Board and submits correspondence from same, dated 8th October 2020, which is generally supportive of the proposal and states that it will be discussed at the next Board of Management meeting scheduled for November 2020. No further information is provided in relation to this matter. The applicant suggests that the Board impose a condition limiting the future occupation of Character Area 4 at the southern end of the site to a maximum of 50% of units until such time as the pedestrian/cycle link along the Skane River between the development site and College Park is delivered and operational. I consider that such a condition should be imposed if permission is granted.

10.4.3. Parking Provision

The development provides a total of 664 no. car parking spaces as follows:

- 442 no. spaces for the houses, c. 1.7 spaces/unit
- 161 no. spaces for the apartments, c. 1 space/unit
- 47 no. visitor parking spaces
- 6 no. accessible parking spaces
- 8 no. spaces for crèche staff

This may be considered with regard to development plan standards and to the Apartment Guidelines as follows. I note and agree with the applicant's assessment of the development site as a 'Peripheral and/or Less Accessible Urban Location' per section 4.22 of the Apartment Guidelines.

Unit Type	No. of Units	Meath CDP Standard	Apt Guidelines
Houses	254	2 per dwelling = 508 spaces	N.A.
Apt/ Duplex	161	1.5 x 1 or 2 bed unit = 163 2 spaces x 3 bed unit = 62 1 visitor space x 4 apts = 41 Total = 266 spaces	1 per unit = 161 spaces 1 visitor space x 3-4 apts = 41-54 visitor spaces Total = 202-215 spaces
Crèche	60 staff 80 children	1 space per employee = 16 1 set down area / 5 children = 16 Total = 32 spaces	N.A.

The proposed car parking provision for the houses and apartments is considered generally acceptable with regard to the above figures. The proposed off street parking layout is acceptable. I note the concern stated by Meath County Council in relation to the limited parking provision for the crèche, however, the car parking layout in this part of the site indicates communal car parking for the crèche and the units within Block 1. There is scope for complementary usage of these spaces given that the crèche will generate parking demand during the day when there is less demand for residential spaces. The crèche parking provision is considered acceptable on this basis.

The development provides a total of 568 cycle parking spaces including:

- 188 no. spaces for the apartments, which equates to 1 space per bedroom. Also 58 no. short term external spaces in Sheffield Stands adjacent to the apartment blocks, a ratio of 1 space per 2 apartment units.
- 63 no. cycle parking spaces adjacent to the duplex blocks, also 78 no. spaces in communal rear garden/patio areas. This provides a total of 141 no. long term spaces for the duplex units, or 1 space per bedroom. Also 28 no. short term spaces, ratio of 1 space per 2 duplex units.

- 101 no. cycle parking spaces for the terraced houses, which also have rear gardens that can accommodate cycle parking.
- 52 no. short term cycle parking spaces for houses, 1 space per 5 units.

Section 13 of the TTA analyses this provision such that it exceeds the requirements of development plan standards and section 4.17 of the Apartment Guidelines.

The proposed car and cycle parking provision is considered satisfactory on this basis. The submitted Mobility Management Plan is also noted in this regard.

10.4.4. Traffic Impacts

The Traffic and Transport Assessment and EIAR Chapter 14 address traffic impacts. The assessment includes traffic surveys carried out during AM and PM peak hours at the following junctions in the area:

- Junction 1 R147 Navan Road/R125/Drumree Road in Dunshaughlin town centre
- Junction 2 R147 Navan Road/Lagore Road, also within the town centre
- Junction 3 R125/L2208/Drumree Road immediately adjacent to the development site.

The assessment also provides analysis for both accesses to Dún Ríoga Phase I and the two new accesses included in the proposed development. Trip rates were generated for an opening year of 2024 and future year 2039, using the TRICS database and census data. Dún Ríoga Phase I was considered in trip generation rates, as well as a potential Neighbourhood Centre on adjacent zoned lands. The results of the junction assessment indicate that all junctions except Junction 1 will operate within capacity for the opening and design years for both AM and PM peaks. As noted in the comment of Meath County Council Transportation Dept., the analysis presents DOS values > 85% for Junction 1 both with and without the development in the future year 2039. The PA comments that increasing the capacity of this junction would not be desirable given that it would probably encourage traffic to travel through the centre of Dunshaughlin to avoid tolls on the M3. The proposed impacts on Junction 1 are also considered acceptable given that it would operate above capacity both with and without the development and that, as noted by MCC Transportation Dept., some level of congestion would be deemed acceptable for an urban location such as this.

10.4.5. Construction Traffic

The development is to be constructed over a 24-36 month period. The volume of construction traffic expected to be generated during construction is significantly lower than that generated by the completed development. The proposed Construction Management Plan includes traffic mitigation measures including signage and the provision of on-site parking for construction workers and other vehicles. This is acceptable and I am satisfied that the development will not have any significant adverse construction traffic impacts.

10.5. **Drainage, Flood Risk and Site Services**

10.5.1. Surface Water Drainage and Flood Risk

The River Skane traverses the southern site and there is an existing attenuation pond and surface water infrastructure in the southern site that was constructed as part of Dún Ríoga Phase I. The River Skane runs in a culvert under the R125 west of the development site. The north site is served by an existing surface water sewer along the Drumree Road. The proposed surface water drainage design may be summarised as follows:

- North site is subdivided into three catchment areas, each with an attenuation tank located under public open spaces.
- South site north of the River Skane is to drain to the existing drainage network constructed in this area as part of Dún Ríoga Phase I, including the existing drainage and attenuation pond, along with a proposed detention basin north of the attenuation pond. The detention basin is to cater for a peak rainfall event and will a dry, grassed area most of the time. The area south of the River Skane is subdivided into two catchments, which will drain to the river via two attenuation tanks.

All discharge is to be attenuated to greenfield runoff rates. Detailed calculations are submitted including a 20% climate change allowance. The surface water drainage design integrates SuDS measures including permeable pavements in car parking areas, swales, flow control devices and petrol interceptors. The proposed surface water drainage design is generally acceptable, and I note that Meath County Council

Water Services Section indicate that the proposals are broadly in line with their requirements subject to conditions.

A Site Specific Flood Risk Assessment (SSFRA) is submitted. The northern site is entirely within Flood Zone C. The River Skane traverses the southern site. There are no OPW fluvial flood maps for the River Skane and the site is not identified as a flood zone in the CFRAM study. A Flood Risk Assessment and Management Plan (FRA&MP) report for the Meath County Development Plan 2020-2026 Strategic Flood Risk Assessment was published in December 2019. Section 5.16 of same summarises Dunshaughlin flood risk assessment results. The River Skane within the development site is identified as a minor watercourse which exerts only a small risk of flooding to surrounding lands. The SSFRA notes that the FRA&MP flood map has incorrectly identified a flood zone across the southern site north of the River Skane channel, possibly due to the presence of old field drainage ditches that may have been blocked during the construction of the R125. This zone consequently has the F1 open space zoning objective. It is laid out as public open space and pedestrian/cycle infrastructure within the proposed development, aside from a short stretch of vehicular connection, as discussed above. The issue of blocked drainage ditches has since been addressed by the construction of new drainage ditch infrastructure installed as part of Dún Ríoga Phase I works. Photographs of same are included in the SSFRA.

The SSFRA models an estimated flood extent for a 0.1% AEP (1 in 1,000 year flood event), based on the historical flow rate obtained from a downstream River Skane metering station at Drumree village. The modelled flood extent, as per SSFRA Figure 3-1, is within the public open spaces on both sides of the river. The SSFRA states that all of the proposed residential units are located within Flood Zone C and are at least 20m outside the 1 in 1,000 River Skane flood zone with FFLs set at minimum of 500mm above the estimated River Skane flood levels. The banks of the river are laid out as public open space, recreation facilities and pedestrian/cycle infrastructure, which are compatible with flood risk zones as per the Flood Risk Guidelines. I also note that all vehicular roads within the development, except for the bridge over the River Skane are located well outside the 1 in 1,000 year flood risk zone. I am therefore satisfied that these aspects of the development are located

within Flood Zone C as per the Flood Risk Guidelines and that a Justification Test is not necessary as per Table 3.2 of the Guidelines.

The SSFRA also considers pluvial flood risk, which could arise from surcharging of the on-site drainage system. This possibility is to be mitigated by the SuDS measures and by overland flow routes. SSFRA section 4.1.3 addresses the issue of potential surface water discharge from the site causing downstream flooding, however the associated risk is low due to the proposed surface water attenuation measures.

I note that the SSFRA does not consider possible flood risks associated with the construction of the road across the F1 zoned lands and the vehicular and pedestrian/cycle bridges across the River Skane. Based on the SSFRA, I am satisfied that the flood zone across the centre of the site has been addressed by drainage infrastructure constructed as part of Dún Ríoga Phase I. A condition requiring the detailed design of bridges to accommodate flood zones could be imposed if permission is granted. I also note that the SSFRA does not consider potential downstream flood impacts. However, subject to maintenance of the riparian zone and to the attenuation of surface water discharge to the river to greenfield runoff rates, I am satisfied that the development would not have any downstream flood impacts.

10.5.2. Site Services

The development is to connect to the existing foul drainage infrastructure in the vicinity, which ultimately discharges to the Wastewater Treatment Works at Castletown, Tara, Co. Meath. The foul sewer system within Dún Ríoga Phase I has been designed to accommodate additional flows from the development site. The development will connect to existing watermains at Drumree Road and those permitted under Dún Ríoga Phase I. I note the correspondence on file from Irish Water which states that, subject to upgrades of the foul network and watermains in the vicinity, the proposed connections can be facilitated subject to a valid connection agreement.

10.6. Other Matters

10.6.1. Schools and Childcare Provision

The submitted Educational Needs Assessment is noted. It estimates that the development will generate a theoretical demand for c. 139 no. primary school places and c. 99 no. post primary school places. The Dept. of Education and Skills is currently providing capital investment in the area to increase the capacity of existing schools and to construct new schools. Overall, it is anticipated that the demand for school places arising from the development will be catered for by the existing and planned primary and post primary educational facilities in the catchment area.

The Childcare Facilities Guidelines for Planning Authorities recommend a minimum provision of 20 childcare places per 75 no. dwellings. Section 4.7 of the Apartment Guidelines states that the threshold for the provision of childcare facilities in apartment schemes should be established having regard to the scale and unit mix of the scheme, the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. One bed or studio units should generally not be considered to contribute to a requirement for any childcare provision and, subject to location, this may also apply in part or whole to units with two or more bedrooms. The exclusion of the proposed 32 no. one bed units within the development results in an estimated demand for c. 102 no. childcare places. The proposed childcare facility is designed to cater for c. 80 no. children. I note the submitted Childcare Needs Assessment, which provides details of existing childcare facilities in the area, as well as the childcare facility permitted within Dún Ríoga Phase I. The proposed childcare provision is considered acceptable on this basis.

10.6.2. Part V

The applicant proposes to transfer 41 no. units at the site to Meath County Council in order to comply with the requirements of Part V of the Planning and Development Act 2000 (as amended) comprising 13 no. 2 bed duplex units, 16 no. 3 bed duplex units, 6 no. 2 bed houses and 6 no. 3 bed houses. Two of the duplex blocks to be transferred, containing 6 no. units in total, are located in the northern site, with the remaining units located on either side of the River Skane within the southern site. A site layout plan indicating the units to be transferred is submitted, along with costings. I note that Meath County Council Housing Dept. states that there has been

no discussion between the applicant and the Housing Dept. in relation to Part V since February 2020. The Housing Dept. notes that the Part V units include a high proportion of duplex units. There are specific concerns in relation to the design and layout of the proposed house types and duplex units, which are detailed in the CE report. I consider that these issues could be addressed by the applicant to the satisfaction of the Housing Dept. if permission is granted for the development. I recommend that a condition requiring a Part V agreement is imposed in the event of permission being granted.

10.7. Planning Assessment Conclusion

- 10.7.1. The proposed development will result in a satisfactory standard of residential development and will not have any significant adverse impact on residential amenities. The housing density and mix are acceptable with regard to the location of the site at the western edge of the built up area of Dunshaughlin. The proposed residential design and layout are in accordance with relevant national and local policies on residential development and will provide a satisfactory standard of residential accommodation, while achieving a residential density reflecting the strategic nature of the site and the importance of the sustainable development of zoned and serviced lands. I am satisfied that the development would not have any significant adverse impacts on visual or residential amenities. It is considered that the development will not result in undue adverse traffic impacts and would have a moderate traffic impact on the local road network overall. I am also satisfied that the development does not result in a significant flood risk at the development site or upstream or downstream.
- 10.7.2. However, notwithstanding the above, the development is located on lands zoned for residential development under the Meath County Development Plan 2013 – 2019 and identified in the order of priority as Phase II lands. A recent High Court judgement in respect of a development on similarly zoned lands within the same administrative area has found that the Board are precluded from granting permission under section 9(6)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016 at the present time. In this regard it is recommended that permission is refused.

11.0 Environmental Impact Assessment

11.1. Introduction

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

Construction of more than 500 dwelling units

Urban development which would involve an area greater than 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere.

The development involves 415 no. residential units on an overall site with a total stated area of c.14.8 ha. The EIAR states that the proposed development, when combined with the 142 no. residential units permitted under Dún Ríoga Phase I, will result in a cumulative total of 557 no. units at this location. It therefore exceeds the above threshold and requires mandatory EIA.

- 11.1.2. The EIAR contains two volumes. Volume 1 comprises the Written Statement including a Non-Technical Summary and Volume 2 comprises Appendices. Chapters 1 - 4 inclusive set out an introduction to the development, background to the development, description of the development, alternatives considered, and methodology used. The likely significant direct and indirect effects of the development are considered in the remaining chapters. Chapter 20 provides a summary of mitigation measures, Chapter 21 a summary of residual impacts and Chapter 22 a summary of cumulative impacts and interactions.

- 11.1.3. Chapter 1 sets out the relevant experts involved in the preparation of each chapter of the EIAR. No specific difficulties are stated to have been encountered in compiling the required information or in carrying out the assessment. I am satisfied that the information contained in the EIAR has been prepared by competent experts and complies with article 94 of the Planning and Development Regulations 2000, as amended, and the provisions of Article 5 of the EIA Directive 2014. I have carried out an examination of the information presented by the applicant, including the EIAR, and the submissions made during the course of the application. A summary of the submissions made by the Planning Authority and prescribed bodies, has been set

out at Sections 7.0 and 9.0 of this report. This EIA has had regard to the application documentation, including the EIAR, the observations received, and the planning assessment completed in section 10 above. I am satisfied that the participation of the public has been effective, and the application has been made accessible to the public by electronic and hard copy means with adequate timelines afforded for submissions.

11.2. Consideration of Risks Associated with Major Accidents and/or Disasters.

11.2.1. Article 3(2) of the 2014 EIA Directive includes a requirement that the expected effects derived from the vulnerability of the project to major accidents and/or disasters that are relevant to the project concerned are considered. EIAR Chapter 19 addresses Risk Management (Major Accidents & Disasters). This assessment describes the development in respect of its potential vulnerability to major accidents/disasters. It also considers the potential for the development to give rise to major accidents/disasters. A risk analysis-based methodology that covers the identification, likelihood, and consequence of major accidents and/or disasters has been used for this assessment. There are no Seveso sites in the vicinity of the site. No potential scenarios during the construction phase were identified as requiring further assessment. The EIAR concludes that the development is not considered particularly vulnerable to major accidents and/or disasters with expected effects considered negligible. I consider that this is a reasonable conclusion.

11.3. Alternatives

11.3.1. Article 5(1)(d) of the 2014 EIA Directive requires a description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment. EIAR Chapter 4 deals with alternatives and sets out a rationale for the development. Having regard to the fact that the zoning of the development site expressly provides for residential development, it was not considered necessary to consider alternative locations in detail. A number of site layouts and alternative designs were considered during the iterative design process in consultation with Meath County Council and ABP. EIAR section 4.3.5.3 considers the proposed alternative layout with the omission of the proposed link road between Character Areas 3 & 4. No significant environmental

impacts are likely to arise. The development as now proposed is considered to have arrived at an optimal solution in respect of making efficient use of zoned, serviceable lands whilst also addressing the potential impacts on the environment relating to residential, visual, natural, and environmental amenities and infrastructure. The description of the consideration of alternatives in the EIAR is reasonable and coherent, and the requirements of the directive in this regard have been satisfactorily addressed.

11.4. Assessment of the Likely Significant Direct and Indirect Effects

11.4.1. The likely significant effects of the development are considered under the headings below which follow the order of the factors set out in Article 3 of the EIA Directive 2014/52/EU.

11.4.2. Population and Human Health

The study area, comprising Dunshaughlin Electoral Division (ED), has a population of 5,840 as per the 2016 census. Census data shows that the population of Co. Meath grew by 5.9% between 2011-2016 compared with 3.8% nationally.

Dunshaughlin ED saw a lower rate of growth with an increase of 2.9%. There is potential for negative impacts to health during construction relating to increases in noise levels, air quality emissions and vehicle movements. These are considered in each respective EIAR Chapter. I note that the completed development will provide accommodation for c. 1,120 no. persons. During the operational phase of the development, existing and new residents will have access to a high-quality environment with an increase in services available in the immediate area and consequent benefits to physical and mental health. Links to more sustainable forms of transport can also lead to a decrease in the levels of air pollution therefore further aiding the effects on physical health and increased access to open space and services. Mitigation measures relating to health impacts are outlined in other EIAR chapters. In relation to Population, the residual impacts of a large population increase are long term and positive. For Human Health, the potential for improvements in health relate to the improved access to open space and services.

I have considered all the submissions and having regard to the above, I am satisfied that impacts predicted to arise in relation to population and human health would be avoided, managed, and mitigated by the measures which form part of the proposed

scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of population and human health.

11.4.3. Biodiversity

EIAR Chapter 6 evaluates impacts on habitats, flora, and fauna. Baseline ecology surveys were undertaken at the development site between June and August 2020 and included habitat and flora surveys, breeding bird surveys, mammal surveys and bat surveys. Key ecological receptors identified within or occurring within the zone of influence of the development site include depositing/lowland rivers, treelines and immature woodland, foraging/commuting bats, breeding birds and otter.

The development site does not overlap with any European or nationally designated sites; however a hydrological pathway exists between the River Skane and European and national sites downstream. Relevant European sites are considered in section 12.0 below. The River Skane also flows through Boyne Woods pNHA, Crewbane Marsh pNHA, Dowth Wetland pNHA and the Boyne River Islands pNHA, eventually flowing into the Boyne Coast and Estuary pNHA, where waters ultimately discharge into the Irish Sea. During construction, contaminated surface waters could potentially be transferred to downstream European and national sites via this connection. Despite this viable connection, as concluded in the AA Screening, there will be no likely significant effects on any European or national sites arising from this linkage during the construction or operation of the development.

Potential impacts arising from the construction phase of the development are considered to be accidental pollution incident affecting surface water or groundwater quality, surface water run-off of sediments and/or pollutants affecting surface water or groundwater quality, air quality impacts, habitat loss, fragmentation and degradation, disturbance and displacement of fauna species, loss of potential nesting/roosting sites, and artificial lighting impacts. Potential operational impacts are considered to be surface water run-off of sediment and/or pollutants, disturbance and displacement of fauna species, and artificial lighting impacts.

The landscape plan retains as much of the existing landscape as possible and provides for extensive compensatory planting of native hedgerows and treelines, diverse meadow mix planting and management of existing meadows. These

measures will benefit the overall biodiversity of the development site. The existing attenuation pond and proposed SuDS measures will greatly reduce the impact of the development on the River Skane and local receiving environment. Having regard to these design and mitigation measures, no likely long-term significant residual effects on biodiversity are predicted. The submitted Arboricultural Assessment, including proposed tree protection measures, is also noted in this regard.

I have considered all the submissions and having regard to the above, I am satisfied that impacts predicted to arise in relation to biodiversity would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of biodiversity.

11.4.4. Land, Soil & Geology

A geotechnical site investigation was carried out at the development site in March 2020. The site is set in the area with subsoil of low permeability and the Locally Important Aquifer (Li) designation with bedrock which is moderately productive. The Dunshaughlin groundwater source protection zone is within the vicinity of the development site. The southern part of the site encroaches partly on the Outer Protection area with one small portion reaching the Inner Protection area. The subject sites have low permeability of subsoil and hence a low vulnerability rating for both ground water protection zones within the southern part of the site. The development works may result in a risk of erosion of soil and contamination of subsoils and groundwater. Proposed mitigation measures include reducing the quantity of soil to be removed, provision of silt traps, stock piling guidance, pollutant control measures, replacing topsoil and implementing a planting programme to prevent soil erosion. No significant residual or cumulative impacts on the surrounding land, soil and geology are predicted.

I have considered all the submissions and having regard to the above, I am satisfied that impacts predicted to arise in relation to land, soil and geology would be avoided managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore

satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of land, soil and geology.

11.4.5. Water

Potential construction impacts of the development on the existing water environment include accidental spillages of contaminants discharging to local waterways and contamination to the existing water supply during connection of the watermains to the public water supply. Potential operational impacts include decrease in infiltration area due to hardstanding, increase in flood risk due to increased peak flow and an increase in water pollution risk due to accidental spillage of contaminants. There is a possibility of surface water ingress into the foul water drainage system, which would increase the load on the existing sewers. Mitigation measures proposed for the construction, commissioning and operational phases of the development include implementation of construction standards and best practices, supervision of construction works, plan for pollution emergencies, SuDS, and detailed drainage design with attenuation of flood runoff to minimise flood risk within the proposed development as well as in the region. No significant residual or cumulative impacts on the water environment are predicted.

I have considered all the submissions and having regard to the above, I am satisfied that impacts predicted to arise in relation to water would be avoided managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of water.

11.4.6. Climate (Air Quality & Climate Change)

The occupation of the development would not be likely to have a significant effect on air quality or the environment. The construction could affect air quality at nearby sensitive receptors through the emission of dust. However, any such effects can be properly limited through the proposed dust mitigation measures outlined in Appendix 9.3 of the EIAR and the submitted Construction Management Plan.

I have considered all the submissions and having regard to the above, I am satisfied that impacts predicted to arise in relation to air quality and climate would be avoided managed and mitigated by the measures which form part of the proposed scheme,

the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of air quality and climate.

11.4.7. Climate (Sunlight and Daylight)

EIAR Chapter 10 Climate (Sunlight) outlines analysis of potential impacts on sunlight access in the surrounding area and EIAR Chapter 11 (Daylight) outlines analysis of impacts on daylight access. Both chapters indicate a sensitive receptor at the existing dwelling adjoining the northern part of the development site at the R125/Drumree Road junction. The analysis determines there to be no significant daylight or sunlight impacts on this dwelling due to the intervening distance and to the relatively low nature of the proposed housing units. All other neighbouring buildings and future developments are located a distance apart such that there is anticipated to be no impacts on sunlight access or daylight availability by the development. The submitted Daylight and Sunlight Analysis is also noted in this regard.

I have considered all the submissions and having regard to the above, I am satisfied that impacts predicted to arise in relation to sunlight and daylight access would be avoided managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of sunlight and daylight access.

11.4.8. Air (Noise & Vibration)

The noise impact assessment considers both the potential outward impacts of the construction and operational phases of the development and the inward impact of the traffic noise on the development itself. Construction noise emissions are potentially significant, negative, and short-term effect at the closest sensitive receptor, dwelling that is located approximately 15m from the development site. At all other receptors, the predicted impact will be negative, moderate and short term. Proposed noise mitigation measures are outlined. Construction vibration levels are expected to be below those that would cause cosmetic building damage. The inward noise impact assessment determined that some facades of the development will require enhanced acoustic glazing and ventilation specifications to meet the

proposed internal noise criteria. Specifications for glazing and ventilation systems have been provided in order to mitigate noise intrusion from external sources. With these measures in place the inward noise impact is predicted to be neutral, not significant, and permanent.

I have considered all the submissions and having regard to the above, I am satisfied that impacts predicted to arise in relation to noise and vibration would be avoided managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of noise and vibration.

11.4.9. Landscape and Visual Impact

Potential visual impacts from the development are most likely along the R125 and the Drumree Road. The subject lands are currently in agricultural use. The development involves the removal of some sections of existing hedgerows; however others are to be retained in the landscape design. The proposed landscape design also includes extensive tree planting and landscaped open space throughout the development with native species planting along the River Skane and pocket parks and play areas throughout the development. This will integrate into the existing landscape of Dunshaughlin as an expanding town close to Dublin.

I have considered all the submissions and having regard to the above, I am satisfied that impacts predicted to arise in relation to landscape and visual impact would be avoided managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of landscape and visual impact.

11.4.10. Material Assets (Transportation)

EIAR Chapter 14 considers impacts related to traffic and transportation. The Board is referred to section 10.4 above in respect of traffic and transportation. The above assessment concludes that the development would not have such a significant adverse impact on traffic and transport in the area as would warrant a refusal of permission. The submitted mobility management proposals are also noted in this regard.

I have considered all the submissions and having regard to the above, I am satisfied that impacts predicted to arise in relation to transportation would be avoided managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of transportation.

11.4.11. Material Assets (Waste)

EIAR Chapter 15 outlines potential waste generation and proposed waste management measures for the construction and operational stages of the development. No significant residual impacts are predicted.

I have considered all the submissions and having regard to the above, I am satisfied that impacts predicted to arise in relation to material assets (waste) would be avoided managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of material assets (waste).

11.4.12. Material Assets (Utilities)

EIAR Chapter 16 considers impacts on existing utility services in the vicinity including foul and stormwater drainage, watermains, electric, natural gas and communication networks. No significant impacts are predicted.

I have considered all the submissions and having regard to the above, I am satisfied that impacts predicted to arise in relation to material assets (utilities) would be avoided managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of material assets (utilities).

11.4.13. Cultural Heritage (Archaeological and Architectural)

EIAR Chapter 17 deals with archaeological heritage and Chapter 18 deals with architectural heritage.

There are several Recorded Monuments and Places (RMPs) within 1km of the development site. Several of these are associated with the medieval origins of St

Seachnall's church in Dunshaughlin. None of the RMPs will be impacted by the development. A geophysical survey, archaeological testing and archaeological excavation revealed substantial archaeological remains in the northern part of Dún Ríoga Phase 1. The area contained a significant multi-phase Early Medieval settlement site with associated metal working, cereal production and burials. There are no known RMPs within the development site.

A 20m wide trench was opened across the development site as part of the Dún Ríoga Phase I development. It contained evidence for prehistoric fulachtaí fiadh (cooking pits), a cremation pit, a possible pyre and pits. These archaeological features were fully resolved as part of the Dún Ríoga development works.

Subsequent archaeological testing has identified more features of potential within the development site. A geophysical survey of the northern part of the site yielded no clear archaeological patterns. Several pits and curvilinear features of archaeological potential were identified in the western side of the northern site. The early medieval settlement located in the Dún Ríoga residential development does not continue westwards into the northern part of the development site. A geophysical survey, archaeological testing and archaeological excavation identified archaeological features within the southern part of the development site to the immediate south of Dún Ríoga Phase 1. Additional burnt spreads likely associated with two fulachtaí fia, curving slot and pits were identified in this area. A geophysical survey at the southern end of the southern site identified a concentration of positive responses that were typical of plough-damaged fulachtaí fiadh activity and were thought to indicate the presence of burnt spreads, possible pits and ditches. Other positive responses in the area may have related to pits or spreads or archaeological material. Subsequent archaeological testing of this area did not identify any features of archaeological potential.

The EIAR states that the development, without correct mitigation measures, will have an adverse, profound and permanent effect on both known and potential archaeological features and/or deposits. The western half of the northern part of the development site is an area of archaeological potential. Should significant archaeological features and/or deposits be discovered there, the potential for preservation in situ exists within the proposed large green area. In addition, it is highly likely that further features of archaeological potential will be discovered in the

southern part of the site. These features will be profoundly and permanently impacted by the proposed development.

The EIAR recommends ameliorative measures subject to the approval of the National Monuments Service at the Dept. of Culture, Heritage and the Gaeltacht, comprising archaeological monitoring during the removal of topsoil. The features already identified during archaeological testing and any other previously unidentified features of archaeological potential should be excavated and preserved by record. Considering the extensive programme of archaeological work already carried out within the Dún Ríoga development, further archaeological investigation at the development site will help to put those findings in context and significantly increase the value of the archaeological remains already excavated so far, thus considerably improving the overall archaeological interpretation of the cumulative development site. No significant adverse residual impacts are identified.

There are no buildings of architectural significance at the development site or in the immediate vicinity. There are no protected structures or structures which are included in the National Inventory of Architectural Heritage (NIAH) for Meath at the site, or within 0.5km of its boundaries. The historic village centre of Dunshaughlin is approximately 0.9km from the site boundary and screened from it by existing housing estates. The historic landscape character to west of the development site was disrupted by the construction of the M3 motorway (completed c. 2002) with the associated Dunshaughlin Link Road. No significant impacts on architectural heritage are predicted.

I have considered all the submissions and having regard to the above, I am satisfied that impacts predicted to arise in relation to cultural heritage (archaeology and architecture) would be avoided managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of cultural heritage (archaeology and architecture). The comments of Meath County Council Heritage Officer are also noted in this regard.

11.4.14. Interactions and Cumulative Impacts

EIAR Chapter 21 examines cumulative impacts and interactions between the above factors. I have considered the interrelationships between factors and whether these might as a whole affect the environment, even though the effects may be acceptable on an individual basis. In conclusion, I am generally satisfied that effects arising can be avoided, managed, and mitigated by the measures which form part of the proposed development, mitigation measures, and suitable conditions. I am also satisfied that no significant cumulative impacts will arise in association with other permitted or proposed developments.

11.5. **Reasoned Conclusion on the Significant Effects**

11.5.1. Having regard to the examination of environmental information contained above, and in particular to the EIAR and the submissions from the planning authority and prescribed bodies in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- Positive impacts on population and human health due to the increase in the housing stock within the Dunshaughlin area.
- Biodiversity impacts, which will be mitigated by tree and root protection during construction; protection of vegetation from dust during construction; measures to protect surface water quality during construction and operation; bat mitigation measures; landscaping or replacement of trees and hedgerows; measures to avoid disturbance to animals during construction; lighting control measures and post construction monitoring.
- Traffic and transportation impacts, which will be mitigated by construction traffic management, a Mobility Management Plan and by the provision of pedestrian and cycle facilities.
- Landscape and visual impacts, which will be mitigated by construction management measures and by the retention and enhancement of existing trees and hedgerows and new landscaping and by the overall quality of the design and finish of the proposed development.

- Archaeology and cultural heritage impacts due to site clearance and excavation works on unrecorded features, which will be mitigated by monitoring of works and site investigation works.

11.5.2. Having regard to the above, it is my view that the likely significant environmental effects arising as a consequence of the proposed development have been satisfactorily identified, described and assessed. I consider that the EIAR is compliant with Article 94 of the Planning and Development Regulations, 2001, as amended.

12.0 Appropriate Assessment

12.1. Introduction

12.1.1. This assessment is based on the submitted AA Screening Report prepared by Scott Cawley Ltd., dated 14th August 2020. The applicant carried out a habitat survey of the development site on 22nd June 2020; a terrestrial fauna survey (excluding bats) on 22nd June 2020 and breeding bird surveys on the 16th and 22nd June 2020. I am satisfied that adequate information is provided in respect of the baseline conditions, potential impacts are clearly identified, and sound scientific information and knowledge was used. The information contained is considered sufficient to allow me to undertake AA screening of the proposed development.

12.2. The Project and Its Characteristics

12.2.1. See the detailed description of the proposed development in section 3.0 above.

12.3. The Development Site and Receiving Environment

12.3.1. See site description in section 2.0 above. There are no designated sites within or immediately adjacent to the development. No Annex I habitats for which European Sites within 15 km have been designated were recorded within the development site or in the immediate vicinity. The desktop study carried out by the applicant found no records of any species or habitats within the subject lands, their immediate environs, or 2km from the subject lands, for which European sites within 15 km are designated. No species or habitats for which European sites within 15 km are designated for were recorded during the field surveys.

12.3.2. The River Skane runs through the southern portion of the development site. However, based on field survey carried out to inform the AA Screening Report, the River Skane is located south of the EPA Maps location of the watercourse, along a field boundary bordered by hedgerows. The location of the River Skane on the EPA Website¹⁵ is in reality a dry drainage ditch. The River Skane flows downstream and channels off at various points, before joining the River Boyne and Blackwater SAC and SPA c.17.9km downstream of the development site. The River Boyne and Blackwater SAC and SPA drains to the Boyne Estuary SPA and the Boyne Coast and Estuary SAC.

12.4. Stage I Appropriate Assessment

12.4.1. In determining the zone of influence I have had regard to the nature and scale of the project, the distance from the development site to the European Sites, and any potential pathways which may exist from the development site to a European Site.

12.4.2. The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s). There are no designated sites within or immediately adjacent to the development. The NIS Stage I screening assessment identifies the following designated sites within 15 km of the development:

Designated Site (Site Code)	Distance to Development	Qualifying Interests/ Conservation Objectives
River Boyne And River Blackwater SAC (002299)	c. 11.5 km	The conservation objectives for the SAC relate to the maintenance of a favourable conservation condition of condition of the following Annex I habitats and Annex II species: Alkaline fens [7230] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Lampetra fluviatilis (River Lamprey) [1099] Salmo salar (Salmon) [1106]

		Lutra lutra (Otter) [1355]
River Boyne and River Blackwater SPA (004232)	c. 11.5 km	The conservation objectives for the SPA relate to the maintenance of the bird species listed as the Special Conservation Interest for the SPA:A229 Kingfisher Alcedo atthis
Rye Water Valley/Carton SAC (001398)	c. 13.5 km	The conservation objectives for the SAC relate to the maintenance of a favourable conservation condition of condition of the following Annex I habitats and Annex II species: Petrifying springs with tufa formation (Cratoneurion) [7220] Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]

12.4.14. The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site in view of the conservation objectives of those sites. I have examined the above sites and the potential pathways and potential effects in order to determine if the site can be screened out or if it is necessary to carry it forward for Stage 2 AA.

12.4.15. Habitat Loss and Fragmentation

The development does not overlap with the boundary of any European site. Therefore, there are no European sites at risk of direct habitat loss impacts. As the development does not traverse any European sites there is no potential for habitat fragmentation to occur. The development site does not support populations of any fauna species linked with the QI/SCI populations of any European site(s).

As the proposed development will not result in habitat loss or habitat fragmentation within any European site, there is no potential for any in combination effects to occur in that regard.

12.4.16. Habitat Degradation as a Result of Hydrological Effects

Surface water run-off and discharges from the development will drain to the existing local surface water drainage network. The foul waters from the development will connect to the existing public foul water sewer network, which travels alongside the River Skane and discharges to the Dunshaughlin WWTP at Castletown, Tara for treatment, prior to discharge into the River Boyne. The treated effluent from Dunshaughlin WWTP drains to the River Boyne and Blackwater SAC and SPA which ultimately discharges to the Boyne Estuary Plume Zone coastal waterbody via the Boyne Estuary SPA and the Boyne Coast and Estuary SAC. Therefore, the Zone of Influence (Zoi) of potential effects on water quality from the development could extend to River Boyne which drains to the Boyne Estuary Plume Zone coastal waterbody and the Irish Sea.

The AA Screening Report concludes that the development will not have any measurable effects on water quality in the River Boyne, Boyne Estuary Plume Zone, and Irish Sea with regard to the following matters:

- The scale and location of the development relative to the receiving surface water network;
- The significant distance between the development site and the River Boyne (c. 17.9km);
- The relatively low volume of any surface water run-off or discharge events relative to the receiving surface water and marine environments; and
- The level of mixing, dilution and dispersion of any surface water runoff/discharges in the receiving watercourses, River Boyne and the Irish Sea.

Therefore, there is no possibility of the development undermining the conservation objectives of any of the qualifying interests or SCIs of the European sites in, or associated with, Irish Sea as a result of surface water run-off or discharges.

The AA Screening Report concludes that there are no significant effects from the foul water discharge arising from the development for the following reasons:

- Dunshaughlin WWTP has a Population Equivalent (P.E) of 12,000 and is operating below capacity with a remaining P.E of 5,402 in 2017 (Irish Water,

2018). The development has a P.E. of 630 and therefore the additional loading from the development will not result in the WWTP operating above capacity; and,

- The ambient monitoring data for Dunshaughlin WWTP in 2016 has identified a slight deterioration in the water quality of the River Boyne at the WWTP upstream and downstream monitoring points, it is not known if it is or is not caused by the WWTP and, furthermore, the discharge from the WWTP does not have an observable negative impact on the water quality or the WFD status of the River Boyne at these monitoring points (Irish Water, 2016).

Therefore, there is no possibility of the development undermining the conservation objectives of any of the qualifying interests or SCIs of the European sites in, or associated with, Irish Sea as a result of foul water discharges.

12.4.17. Habitat Degradation as a Result of Hydrological Impacts

An accidental pollution event during construction has the potential to affect groundwater quality locally. This would be very localised and is considered not likely to result in the degradation of existing groundwater conditions. The nearest European site, which supports groundwater dependent terrestrial habitats and species is River Boyne and River Blackwater SAC, located c. 11.2km northwest of the development. It is located in the same GWB as the development site (Trim) but is considered to be too distant (c. 17.9km downstream) for its groundwater level or flow to be affected by proposed construction works. It is also buffered from the development by woodland, agricultural land and urban and residential development, which separate the development site and the European site. The Rye Water Valley/Cartron SAC, c. 13.5km south of the development, is designated for groundwater dependent habitats and species. All of the qualifying interests of the Rye Water Valley/Cartron SAC, including the priority Annex I habitat Petrifying springs and two species of whorl snail, are dependent upon the existing condition and functioning of the groundwater regime. As the European site is located in a different GWB than the development site, there are no potential impacts due to a lack of impact pathway. Therefore, there is no possibility of the development undermining the conservation objectives of any of the qualifying interests or SCIs of any European sites, either alone or in combination with any other plans or projects, as a result of hydrogeological effects:

12.4.18. Habitat Degradation as a Result of Introducing/Spreading Non-native Invasive Species

There are no species listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations, 2011 at the development site. The development site is not in close proximity to any European site, therefore, there is no risk of non-native invasive species spreading from the development site to any European site.

12.4.19. Disturbance and Displacement Effects

Construction-related disturbance and displacement of fauna species could potentially occur within the vicinity of the development. For mammal species such as otter, disturbance effects would not be expected to extend beyond 150m. For birds, disturbance effects would not be expected to extend beyond c.300m, as noise levels associated with general construction activities would attenuate to close to background levels at that distance. There are no European sites within the disturbance Zol and the next nearest European site is c.11.5km away. There are also no habitat areas within the disturbance Zol that support populations of qualifying/SCI species of any European site. As the development will not result in the disturbance/displacement of the qualifying/SCI species of any European site, there is no potential for any in combination effects to occur in that regard

12.4.20. In Combination Effects

Section 3.3 of the submitted AA Screening Report deals with potential “in-combination” effects on water quality in Dublin Bay from any other projects carried out within the functional areas of the Meath County Development Plan 2013–2019 or any other county level land use plans which can influence conditions in the River Boyne and Irish Sea, via rivers and other surface water features. The development will not result in any measurable effect on water quality in the River Boyne, Boyne Estuary Plume Zone or in the Irish Sea. Therefore, there is no possibility of any other plans or projects acting in combination with the proposed development to undermine the conservation objectives of any of the qualifying interests or special conservation interests of the European sites in, or associated with, the River Boyne as a result of water quality effects.

12.5. Conclusion on Stage 1 Screening – Screening Determination

12.5.1. Having regard to submitted AA Screening Report, I note that the development site is not immediately connected to any habitats within the remaining European sites listed above and that there are no known indirect connections to these European Sites. I also note the intervening distances and the nature and scale of the proposed development, as summarised in the submitted AA Screening Report and in section 3.0 above and as discussed above in relation to potential effects on designated sites. With regard to these matters, I consider it reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European Sites, in view of the nature and scale of the proposed works, the nature of the Conservation Objectives, Qualifying and Special Conservation Interests of the sites within the ZOI and the separation distances and a Stage 2 Appropriate Assessment is not therefore required.

13.0 Conclusion and Recommendation

13.1. I recommend that the Board refuse permission with regard to the planning assessment conclusion set out in section 10.7 above.

14.0 Recommended Order

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 12th Day of October 2020 by Castlethorn Construction Unlimited Company, Usher House, Main Street, Dundrum, Dublin 14.

Proposed Development

The proposed development consists of a residential development comprising 415 no. residential units (254 no. houses, 161 no. apartments), childcare facility and associated site works.

Within the townlands of Readsland, Roestown and Knocks, Dunshaughlin, Co. Meath.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included all submissions and observations received by it in accordance with statutory provision.

Decision

Refuse permission for the above proposed development based on the reasons and considerations set out below.

Reasons and Considerations

The subject lands are zoned 'A2' in the Meath County Development Plan 2013-2019 as varied, the objective of which is "to provide for new residential communities with ancillary community facilities, neighbourhood facilities and employment uses as considered appropriate for the status of the centre in the Settlement Hierarchy". The lands are identified as Phase II lands in Variation No. 2 of the County Development

Plan where Strategic Policy SP1 seeks to operate an Order of Priority for the release of residential lands with Phase II lands stated as not available for residential development within the life of the Development Plan. Having regard to s.9 (6) (b) of the Planning and Development (Housing) and Residential Tenancies Act 2016 the Board is precluded from granting permission for the development and therefore permission is refused.

Sarah Moran

Senior Planning Inspector

15th January 2021