



An  
Bord  
Pleanála

## Inspector's Report ABP-309932-21.

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<b>Development</b>	84-unit housing development.
<b>Location</b>	Farganstown, Navan, Co. Meath.
<b>Planning Authority</b>	Meath Co. Council.
<b>Type of Application</b>	Application for approval under Section 177AE of the Planning and Development Act, 2001 as amended.
<b>Observers</b>	<ol style="list-style-type: none"><li>1. Charles Traynor</li><li>2. John and Mary Taylor.</li></ol>
<b>Date of Site Inspection</b>	22 June 2021.

## **1.0 Overview**

- 1.1. Meath Co. Council is seeking approval from An Bord Pleanála for an 84-unit housing scheme and ancillary infrastructure at a site to the east of Navan.
- 1.2. A Natura Impact Statement (NIS) and application under Section 177AE was lodged by the Local Authority on the basis of the proposed development's likely significant effects on a European site.

## **2.0 Site Location and Description**

- 2.1. It is located within the emerging Farganstown area, close to Athlumney and Johnstown in east Navan. The subject lands are part of a planned mixed-use area at this location. The overall development of the area will comprise a mix of public and private residential development and educational and employment areas.
- 2.2. To date there has been very limited development in this area. The LDR6 distributor road which was subject of LIHAF funding is virtually complete and likely to provide a significant impetus for the redevelopment of the area. This road will open up development lands of 135 hectares between the R153 Metges Road to the Navan-Drogheda Rail Line. The road as completed to date comes within about 150 m of the railway line and the finalised road would pass over the railway line and connect the site and the overall Farganstown lands to Boyne Road.

The site of the proposed development lies adjacent to the LDR6. It is bounded by agricultural land and small water courses to the south and west. The site is of stated area of 1.7 ha. It is roughly triangular in form with two sides being bounded by streams and hedgerows and the third (east) side by the distributor road. The site slopes from the south-east corner and drops significantly to the north western corner. An entrance to the site has been opened at the eastern boundary.

- 2.3. Photographs taken by me at the time of my inspection are attached.

## **3.0 Proposed Development**

- 3.1. The proposed development is as summarised below:

- 2 no. 4-storey apartment blocks, 8 no. 3-storey duplex units and 10 no. 2-storey semi-detached units.
- The mix of residential units is 34 no. 1 bed units. 38 no. 2 bed units. 6 no. 3 bed units, 2 no. 3 bed accessible units, 4 no. 4 bed units.
- Provision of 131 car parking spaces.
- A new entrance onto the consented but not yet complete LDR 6, R153 to Boyne Road. This is a temporary measure which will be replaced by a permanent entrance at the north of the site in the long term.
- 0.34 ha open space, landscaping.
- A watercourse exclusion wall – sheet piling 1m from the watercourse bank.
- Lighting.
- Surface water management system using SuDS techniques. This includes piping and gullies within the hardstanding, Class I bypass oil interceptors, use of permeable paving including roof drainage to private driveways, green roofs on the flat roof apartments, underground surface water attenuation tanks, installation of flow control device (hydrobrake) at discharge points, to greenfield rates and precast outfall to unnamed stream at the north west of the proposed development site. There is stated to be no need for instream works or pouring of concrete within 5 m of the watercourse.
- Foul water management incorporates temporary and permanent measures. The temporary measures set out include a holding tank and pumping of foul effluent to existing sewers at Kentstown Road pending completion of the distributor road at which time the permanent connection will be made to the Navan treatment plant to the north.
- All associated development works.

3.2. The scheme design is stated to be in accordance with the masterplan prepared by John Spain Associates. A copy of this masterplan is on file as well as the documentation indicating the approval of Meath County Council of its provisions.

3.3. The application cover letter references that typology and density of the proposed development which is stated to have been specifically designed to include a number

of one bed units and is a reflection of the Meath County Council Framework Plan for the area. The residential density has been maximised at 50 units per hectare with the final layout meeting all requirements of the Framework Plan and a Local Athlumney Area Masterplan recently produced in conjunction with other landowners in the area.

3.4. The application is accompanied by the following reports:

- Athlumney Masterplan MP12 – Meath County Council
- Appendix V of Navan Development Plan 2009 – Framework Plans – Meath County Council
- Design Statement – O’ Mahony Pike
- Natura Impact Statement – RPS Group Ltd
- Report to Inform Screening for Appropriate Assessment - RPS Group Ltd
- Ecological Appraisal – RPS Group Ltd
- Outline Construction Environmental Management Plan (OCEMP) - RPS Group Ltd
- Site Specific Flood Risk Assessment - RPS Group Ltd
- Engineering Services Report – Planning Submission - RPS Group Ltd
- Desk Based Review and Assessment (Archaeological) – Niall Roycroft
- Life Cycle Report – O Mahony Pike
- Compliance Report on Part L, HC 12 Building Energy Rating Assignment incorporating Energy Efficiency and Climate Change Adaptation Design Statement – Semple McKillop Consulting Engineers.

## **4.0 Prescribed Bodies**

4.1. The application was referred to:

- Department of Culture, Heritage and the Gaeltacht (DAU)
- An Taisce
- Heritage Council

- Inland Fisheries Ireland
- Iarnrod Eireann
- Office of Public Works
- Irish Water.

4.2. The heritage related observation / recommendation of DAU includes the following comments:

- An Archaeological Impact Assessment including the results of an archaeological geophysical survey and test trenching should be carried out and the report submitted to the planning authority and to the National Monuments Service in advance of the commencement of construction works.

4.3. No other observation was received from a prescribed body.

## **5.0 Third Party Observations**

### **5.1. John and Mary Taylor**

- 5.1.1. The Johnstown development provides homes for 11,000 people. Local facilities, recreational facilities, medical centre, parks and a rail link were envisaged and none of these have come to fruition since the conception 20 years ago.
- 5.1.2. Two further recently completed developments (Dunville and Cois Glaisin) have a proportion of Part V incorporated and other applications have been made.
- 5.1.3. The recently completed LDR06 described as a distributor road is nothing more than an access road to the proposed site and is a road to nowhere. Huge volumes of traffic have to negotiate a railway bridge and use the Metges Road junction. The envisaged uses in the area will increase the volume of HGV vehicles. The road will merely take traffic onto Boyne Road and then back to the Kentstown Road. It is not a solution to the traffic problem.
- 5.1.4. In the context of existing significant traffic congestion, the addition of 1600 units is of concern.
- 5.1.5. Crime, antisocial behaviour and littering has increased dramatically in recent years and the area is poorly funded.

- 5.1.6. The development will not be possible unless the LDR6 is linked with the Boyne Road.
- 5.1.7. We have no objection to the building and provision of homes for people but object to the lack of local facilities and road infrastructure and the impact that more people and traffic will have.

## 5.2. **Charles Traynor**

- 5.2.1. This objection relates to the planned installation of attenuation tanks to collect surface water from the site. In the event of a major storm at any time of the year these tanks could fail to control the flood and could result in serious flooding of my farmyard. The stream passes through my farmyard and on occasion I have had to block the doors of grain store to keep water out. This could occur at any time of the year with a severe thunderstorm and would cause much greater damage due to the more rapid run-off of water from the development. The surface water could be connected to the surface water pipe that is installed on the LDR6. Attached map shows the location of the stream through my farmyard.

## 6.0 **Planning History**

- 6.1. An application was lodged on 28 May 2021 with Meath County Council at the adjacent lands further along the LDR from the current site. A decision is due by 22 July 2021.
- 6.2. The development is described as :
- The development (Phase 1A) will consist of the demolition of existing agricultural structures (c. 530sqm) and the construction of 98 no. residential units comprising 41 no. houses (40 no. 3 bedroom and 1 no. 4 bedroom house - House Types A1,A2,B1,B2,C1,C2,D - 2 storeys; House Types F1, F2, F3, 3 storeys), facades of houses to have brick/render options in finish; 23 no. apartments (12 no. 1 bedroom apartments & 11 no. 2 bedroom apartments) in a 4 storey apartment building, along with adjoining 3 storey duplex element (block 1) comprising 10 no. duplex apartments (5 no. 2 bed apartments and 5 no. 3 bed duplex apartments) and 3 storey duplex building (block 2) fronting onto the recently constructed 'LDR6' Road comprising 24 no. duplex

apartments (12 no. 2 bed apartments and 12 no. 3 bed duplex apartments), 151 no. car parking spaces & 46 no. bicycle spaces, open space and all associated infrastructure, foul and water supply (including a temporary pumping station) site development, attenuation and landscape works as well as roads to facilitate the development with vehicular and pedestrian access to be provided from the recently constructed LDR6 Road which connects to the R153 (Kentstown Road) to the south. A Natura Impact Statement will be submitted to the Planning Authority with the application.

- 6.3. Under reg. ref. NT130029 permission was granted for a Foul Pumping Station, an underground detention tank and associated pipework as part of the initial infrastructure scheme for lands at Athlumney, Navan. This is to the north-west of the proposed development site. A temporary entrance from the Old Athlumney Road and a temporary access road to the works are also proposed. The permission has expired and may have been implemented.

## **7.0 Legislative Context**

### **7.1. The EU Habitats Directive (92/43/EEC):**

- 7.1.1. Article 6(3) and 6(4) of this requires an appropriate assessment of the likely significant effects of a proposed development on its own and in combination with other plans and projects which may have an effect on a European Site.

### **7.2. European Communities (Birds and Natural Habitats) Regulations 2011:**

- 7.2.1. These Regulations are relevant in terms of the transposition of the Directive in Ireland.

### **7.3. Planning and Development Acts 2000 (as amended):**

- 7.3.1. Part XAB of the Planning and Development Acts 2000-2017 sets out the requirements for the appropriate assessment of developments which could have an effect on a European site or its conservation objectives.
- 177(AE) sets out the requirements for the appropriate assessment of developments carried out by or on behalf of local authorities.
  - Section 177(AE) (1) refers to preparation of a Natura Impact Statement in respect of proposed local authority developments.

- Section 177(AE) (3) states that where a Natura Impact Statement has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.
- Section 177(V) (3) states that a competent authority shall give consent for a proposed development only after having determined that the proposed development shall not adversely affect the integrity of a European site.
- Section 177AE (6) (a) states that before making a decision in respect of a proposed development the Board shall consider the NIS, any submissions or observations received and any other information relating to:
  - The likely effects on the environment.
  - The likely consequences for the proper planning and sustainable development of the area.
  - The likely significant effects on a European site.

## **8.0 Policy Context**

### **8.1. National policy**

### **8.2. National Planning Framework – Project Ireland 2040 (February 2018)**

#### **8.2.1. Amongst the objectives set out in section 6.6 of Chapter 6 are:**

- High level priorities include use of existing housing stocks as a means to meet future demand.
- Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location (Objective 33).
- Increase residential density in settlements through a range of measures including reductions in vacancy, re-use of buildings, infill development schemes, area or site-based regeneration and increased building heights (Objective 35).

### **8.3. Rebuilding Ireland – Action Plan for Housing and Homelessness (July 2016)**



- 8.3.1. Key objectives to be delivered under this Action Plan include increase the level and speed of delivery of social housing and other state-supported housing including through ensuring that existing housing stock is used to the maximum degree possible. This includes programme measures to return vacant properties to productive use and the undertaking of village and rural renewal initiatives. The objective is to increase the social housing stock owned by local authorities and approved housing bodies by at least an annual average of 10,000 per annum through a programme of acquisition, refurbishment and new build.

**8.4. Social Housing Strategy 2020 (November 2014)**

- 8.4.1. This set the objective of providing 35,000 new social housing units over a six-year period. Key actions include the setting of targets for local authorities and the undertaking of a multi-annual planned program of local authority housing stock refurbishment.

**8.5. The Planning System and Flood Risk Management Guidelines**

- 8.5.1. In considering proposals for development which may be vulnerable to flooding and that would generally be inappropriate a number of criteria may be considered under a Justification Test. These include that the subject lands are designated for the form of development and that the proposal has been subject to a flood risk assessment that demonstrates that measures to ensure that residual risks can be managed to an acceptable level.

**8.6. Flood Risk Management Climate Change Adaptation Plan 2015**

- 8.6.1. This includes recommended allowances for likely and extreme future scenarios, which are to be considered in the preparation of flood risk assessments.

**8.7. Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009**

- 8.7.1. These guidelines encourage sustainable urban development through the avoidance of excessive suburbanisation and the promotion of higher densities in appropriate locations. The greatest efficiency will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare and such densities (involving a variety of housing types where possible) should be encouraged

generally. Development at net densities less than 30 dwellings per hectare should generally be discouraged, particularly on sites in excess of 0.5 hectares.

#### **8.8. Navan Development Plan .**

- 8.8.1. A Local Area Plan was formally prepared and adopted for Athlumney / Bailis / Alexander Reid / Farganstown and Ballymacon under the 2003-2009 Navan Development Plan.
- 8.8.2. The Navan Development Plan 2009-2015 was adopted in November 2009 and remains in force pending the adoption of the next Meath County Development Plan, at which time the Navan Development Plan will be superseded.
- 8.8.3. Under Variation 1 Framework Plan 2 for Athlumney / Bailis / Alexander Reid / Farganstown and Ballymacon was adopted.
- 8.8.4. Under the Navan Development Plan 2009-2015 incorporating variation 2 the lands at Farganstown are identified as MP12 and zoned A2 (New Residential) the objective of which is to provide for new residential communities with ancillary facilities, neighbourhood facilities and employment uses is considered appropriate for the status of Navan.
- 8.8.5. Objective SS OBJ 16 requires the preparation of a master plan for this area.
- 8.8.6. There are no specific references to sunlight and daylight requirements in the development plan other than in A1 zones where the primary concern is the protection of the amenities of established residents consideration would have to be given to protecting amenities such as privacy, daylight / sunlight and aspect in new proposals.
- 8.8.7. By way of a letter dated 17 January 2020 from Meath County Council to John Spain Associates in respect of the Masterplan for MP12 for Farganstown the Council validated and approved the masterplan.

#### **9.0 Preliminary Examination Screening for Environmental Impact Assessment (EIA)**

- 9.1. An Environmental Impact Assessment Screening report was not submitted with the application.

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

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

9.2.1. It is proposed to construct 84 residential units. The number of dwellings proposed is well below the threshold of 500 dwelling units noted above. The site has an overall area of c1.7 a and is located on zoned lands within an emerging area to be developed under a masterplan, which has been approved by Meath County Council. The site is not in a business district. The site area is well below the applicable threshold of 20 ha. The site adjoins a recently constructed distributor road and is in agricultural use. The introduction of a residential development will not have an adverse impact in environmental terms on surrounding land uses. It is noted that the site is not designated for the protection of the landscape or of natural or cultural heritage and the proposed development is not likely to have a significant effect on any European Site as discussed below. The proposed development would not give rise to waste, pollution or nuisances that differ from that arising from other housing in the neighbourhood. It would not give rise to a risk of major accidents or risks to human health. The proposed development would use the public water and drainage services of Irish Water and Meath County Council, upon which its effects would be marginal.

9.2.2. Having regard to: -

- The nature and scale of the proposed development, which is under the mandatory threshold in respect of Class 10 - Infrastructure Projects of the Planning and Development Regulations 2001 (as amended),
- The location of the site on lands that are zoned for ‘Residential’ uses under the provisions of the Navan Development Plan, and the results of the strategic environmental assessment of the Meath County Development Plan, undertaken in accordance with the SEA Directive (2001/42/EC),

- The location of the site within an emerging mixed-use area governed by an approved masterplan, which is served by public infrastructure, and the existing pattern of residential development in the vicinity,
- The location of the site outside of any sensitive location specified in article 109 of the Planning and Development Regulations 2001 (as amended) and the mitigation measures proposed to ensure no connectivity to any sensitive location,
- The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003), and
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended),

I have concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment and that on preliminary examination an environmental impact assessment report for the proposed development was not necessary in this case.

## 10.0 Planning Assessment

The issues arising are considered under the following headings:

- Principle and Phasing
- Layout and design
- Mix and typology
- Archaeology
- Foul, Surface Water Management and Flood Risk.

### 10.1. Principle and phasing

10.1.1. The development of the site for residential purposes is in keeping with the overarching and established strategy for this area. The Navan Development Plan 2009-2015 (as varied) is in force and under this the general form of the development lands including the distribution road layout was established and the site is within the ‘phase 1’ lands for residential development. The A2 zoning objective is to provide for

new residential communities with ancillary community facilities. The proposed development is entirely residential. The A2 lands cover a large proportion of the overall area and there is a designated neighbourhood centre within the A2 lands. The proposed development of the site for entirely residential use is therefore considered acceptable. The proposed development thus complies with the zoning and phasing set down therein.

10.1.2. The development plan requirements incorporate an objective that the lands be in accordance with a masterplan plan. The application documentation submitted includes a framework plan which has been approved by Meath County Council. I consider that the plan is of sufficient detail for the purposes of the current application and that the proposed scheme conforms with the plan.

10.1.3. The recent works on the distributor road known as LDR6 is a noteworthy achievement in the progression of the development of the overall lands for mixed uses. The Board is advised that the road LDR6 is fully completed between the Kentstown road and the roundabout to the south-east of the subject site. At the site frontage and as far north-west as the railway line, the road is complete apart from the wearing course. There is no information relating to the full completion of a crossing of the railway line to provide a connection with the Boyne Road and this fact is of significant concern to an observer. I consider that the lack of clarity relating to completion of the road is acceptable having regard to the limited scale of the proposed development in the context of the overall lands. The residential nature of the lands is also a material factor. I am satisfied that the type and level of traffic which will be generated can be readily accommodated and that there is no question that the proposed development is premature pending completion of the road.

10.1.4. I conclude that the development is proposed in accordance with the development plan for the area and the associated approved masterplan plan and that it is acceptable in principle and in terms of the phasing of development in the area.

## **10.2. Layout and design**

10.2.1. In order to achieve sufficient density throughout the masterplan proposes development heights of between two and six storeys. In the context of the edge of town location and the existing greenfield use surrounding the site the proposed three

/ four-storey blocks will constitute a new and highly visible form of development until the area is built out. I consider that the four-storey (maximum) height fronting onto the distributor road is appropriate to ensure good use of this zoned urban land and in the context of the zoning at the opposite side for Strategic Employment and Enterprise Uses. The LDR6 is wide and the subject blocks are set back 28 m from the road edge and the height is suitable in this context. It is relevant to note that the southernmost block is of three-storey height and that the level of the lower floor is below that of the distributor road. The other two blocks have a fourth-floor setback and the finished floor level of the ground floor units is more or less in keeping with the distributor road.

- 10.2.2. A significant consideration in this case is the topography as the site slopes away from the distributor road. The separation distance of over 40 m between the apartment blocks and the front of the two-storey houses is generous and will ensure that there is no overlooking. The location of two-storey houses at the rear of the 3 no. roadside blocks site allows for further development to be incorporated and at the same time makes provision for an overlooked linear area of open space. The scheme layout also incorporates retention of the western and southern site boundaries, drainage stream and hedgerows.
- 10.2.3. There are no specific requirements under the development plan in relation to access to daylight and sunlight in A2 zones. Having regard to the design and orientation of the residential blocks and houses and the separation provided am satisfied that the development is adequate in relation to daylight and sunlight.
- 10.2.4. The detailed design drawing submitted show landscape features and detailed planting proposals which will assist in the establishment of a local character and a high-quality residential environment.
- 10.2.5. In terms of the size of the residential units and the provision of private open space there is virtually 100% compliance with the development plan requirements. Only one unit, a three-bedroom house is marginally below the required 60 m<sup>2</sup> garden area. As the majority of residential units are one or two-bedroom units I consider that the emphasis in the landscape plan on soft landscaping and seating areas including native buffer planting and wildflower beds and lawns is appropriate. In all there are 12 units which would have three-bedrooms or more which are likely to be suitable for

larger family units including children. There is no formal play area proposed in the design but there is ample space within the scheme for children to play. Biodiversity is enhanced by the wildflower strips which contain plants selected for pollinators.

10.2.6. Having regard to the development context there are no concerns in this case in relation to impacts on residential amenity.

10.2.7. I conclude that the development will comprise a high-quality residential environment and I consider that the layout and design are carefully considered and in accordance with the proper planning and sustainable development of the area.

### **10.3. Mix and typology**

10.3.1. The design presented is described as mirroring the current social housing waiting list for the Navan area. The proposed development therefore comprises 40% one bed units, 45% two bed units, 10% three bed units, 5% for bed units. It is the applicant's submission that the majority of private development in Navan is concentrated on delivery of three bed units and the local authority avails of these through the Part V process.

10.3.2. Having regard to this submission, which I accept I consider that the mix of units proposed is acceptable. I also note that in the context of the scale of the overall lands, a social housing scheme of 84 units is proportionate to the area. I conclude that the development is acceptable in terms of its scale and the mix of units provided.

### **10.4. Archaeology**

10.4.1. The recommendation of Department of Culture, Heritage and the Gaeltacht (DAU) in relation to archaeology sets out a requirement to be undertaken prior to development. The recommendation is that an Archaeological Impact Assessment including the results of an archaeological geophysical survey and test trenching be carried out and the report submitted to the planning authority and to the National Monuments Service.

10.4.2. There are no architectural or other cultural heritage resources which would be impacted by the proposed development.

10.4.3. I consider that the potential archaeological impact can be addressed by a standard planning condition and I have addressed this in my recommendation below.

#### **10.5. Wastewater Treatment, Surface Water Management and Flood Risk**

10.5.1. These topics are addressed in a separate report entitled Engineering Services Report and in a Site Specific Flood Risk Assessment.

The engineering services to serve residential developments in the Farganstown area will be delivered with the new road and as such the permanent foul and surface water sewers and the watermain are in place. In the long term the foul sewer will drain north-west towards the treatment plant on the Boyne road at the far side of the railway line. Pending completion of the road the proposed development incorporates temporary and permanent measures for foul water management. This includes a rising main and gravity main, a temporary foul water holding tank (with duty and standby pumps) and effluent from the site will be diverted in the direction of the existing network at Kentstown road. I note the recommendation in the Engineering Services Report that alarms and telemetry are electronically linked to Irish Water/Meath County Council telemetry to ensure that a coordinated maintenance regime is established, and the prompt action is taken in the unlikely event of any issues occurring. I consider that this recommendation is appropriate but that there is no need for a specific standalone condition.

10.5.2. The surface water drainage incorporates SuDS techniques and includes a natural swale which runs through the linear open space within the site. An objector whose lands are hydrologically connected to the subject site has raised concerns relating to the surface water system on the basis that it is unsafe and poses a risk of flooding to his downstream property. The proposed development includes 2 no. large attenuation tanks positioned in the northern half of the site. These are fitted with a hydrobrake manhole and a hydrocarbon interceptor. The outfall is to be by way of a reinforced concrete headwall outfall at the northern end of the site.

The attenuation storage is designed to contain a 1 in 100-year storm event with 20% allowance for climate change. I consider that the selected design storm event is suitable, and I accept the applicant's submission that the calculated volume of attenuation which is proposed to be installed is appropriate. It would appear to me



that the concern of the objector relates purely to the highly unlikely event of failure of this design system and the resulting flooding of his lands. The objector has not provided any technical information which would support the case made. I find that there is no basis to support the concern relating to downstream flooding as a result of system failure. I note the preparation of the application documentation by competent experienced firms. I recommend that the application submission be accepted.

10.5.3. To support my conclusions above I also refer the Board to the Site-Specific Flood Risk Assessment which was undertaken. In addition to the undertaking of conventional flood risk report, section 4 of the FRA also presents a review of the surface water management proposals for the drainage of the site with a view to ensuring that the development design ensures that greenfield run-off rates are maintained and that there are no downstream flooding impacts. The conclusion of this report which notes the details of the proposed drainage strategy design is that there would be no increase in risk of flooding elsewhere.

10.5.4. The site is within Flood Zone C. The development site remains outside the zone of fluvial influence in the event of future flooding. Regarding pluvial flooding it is noted that there is potential for overland flow parts but that the catchment for the site is relatively small and this presents a low risk to the proposed development. I am satisfied that the proposed development is not itself at risk of flooding and that will not contribute to flooding elsewhere including of lands adjacent the connecting streams.

10.5.5. Details have been provided in relation to the ring main incorporating fire hydrants which will connect to a new watermain to be installed within the new distributor road. The proposals in this respect are sufficiently detailed for the purposes of this planning application.

10.5.6. I consider that the proposals for foul and surface water drainage and for water supply are acceptable and that there is no significant risk of flooding or pollution.

## 10.6. **Conclusion**

10.6.1. I conclude that the development is acceptable in principle and in terms of the existing and future residential amenities of the area. Furthermore, I am of the opinion that the

development can be accommodated by the emerging road network and that it will not give rise to traffic congestion or safety concerns. I consider that the proposals for foul and surface water drainage are acceptable and that it will not give rise to flood risk. The proposed development complies with relevant planning policy and guidance.

10.6.2. It may be concluded that the proposal is in accordance with the proper planning and sustainable development of the area.

## **11.0 Appropriate Assessment**

### **11.1. Introduction**

11.1.1. The requirements of Article 6(3) as related to appropriate assessment of a project under the Planning and Development Act 2000 (as amended) are considered fully in this section. The areas addressed in this section are as follows:

- Compliance with Article 6(3) of the EU Habitats Directive
- Screening the need for appropriate assessment
- The Natura Impact Statement and associated documents
- Appropriate assessment of implications of the proposed development on the integrity of each European site.

### **11.2. Compliance with Article 6(3) of the EU Habitats Directive**

11.2.1. The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

11.2.2. The proposed development is not directly connected to or necessary to the management of any European site and therefore is subject to the provisions of Article 6(3).

### **11.3. Screening**

11.3.1. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U of the Planning and Development Act 2000 (as amended) are considered fully in this section.

### **11.4. Background on the Application**

11.4.1. The report entitled Farganstown Social Housing – Report to Inform Screening for Appropriate Assessment includes a description of the proposed development, the methodology, the receiving environment and a screening assessment and screening conclusions. I rely on the information contained therein in undertaking this Stage 1 Screening. The applicant has also submitted a Natura Impact Statement (NIS) prepared for Meath County Council by RPS Group Screening for Appropriate Assessment.

### **11.5. Screening for Appropriate Assessment**

11.5.1. In section 5 of the NIS a summary is presented of Stage 1 Screening.

11.5.2. I consider that the Report to Inform Screening for Appropriate Assessment was prepared in line with current best practice and has regard to the project description and the significant potential effects and pathways. The baseline information provided includes an Ecological Appraisal Report and a Flood Risk Assessment. The information relied upon includes desk study and field study completed over four days within the same year.

11.5.3. The proposed development is as described in section 2 of the Screening Report and Section 3 above.

11.5.4. The relevant European sites were selected initially by examining a 15 km zone of influence followed by an evaluation of the proposed development with regard to potential impact pathways to ecological features. The relevant sites are those within

the potential zone of influence of activities associated with the construction and operation of the proposed development where likely significant effect (LSE) pathways to European sites were identified using a source pathway receptor model.

11.5.5. The applicant's Screening Report conclusions are set out in section 6 and the main findings reported are:

- In the absence of mitigation measures to control surface water pollution during construction of the proposed development, the potential for Likely Significant Effects to the River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA cannot be ruled out; and
- Due to the unknown impacts of consented developments adjacent to the proposed development site, there is potential for in-combination pollution to surface waters to occur. The potential for Likely Significant Effects to the River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA cannot be ruled out.

11.5.6. The Natura 2000 sites considered in the Screening Report are:

- River Boyne and River Blackwater SAC (see 2299)
- River Boyne and River Blackwater SPA (4232)

11.5.7. Having reviewed the documents and submissions I am satisfied that the information allows for a complete examination and identification of any potential significant effects of the development, alone, or in combination with other plans and projects on European sites.

#### **11.6. Screening for Appropriate Assessment- Test of likely significant effects**

11.6.1. 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.

11.6.2. 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.

## **11.7. Brief description of the development and receiving environment**

11.7.1. The applicant provides a description of the project in section 2 of the Screening Report.

11.7.2. . In summary, the development comprises:

- 84 residential units
- 131 car park spaces
- internal roads and hardstanding
- vehicular entrance onto LDR6
- landscaping including planting
- 0.34 ha open space
- watercourse exclusion wall (sheet piling circa 1 m from watercourse bank)
- lighting; and
- all associated development works.

11.7.3. The surface water management system proposed will incorporate SuDS techniques and is described. The proposed foul water management incorporates temporary and permanent measures which are described. The development does not involve alteration of seminatural habitats, and no culverting of water courses or removal of hedgerows will take place. Sheet piling c1 m from watercourse bank will cause temporary effects.

11.7.4. The existing environment and the development site are described on pages 12-16 of the Screening Report. The greenfield site is within an edge of town location where the agricultural uses are being replaced by residential and other development.

11.7.5. With respect to the terrestrial ecology it is noted that no terrestrial habitats within the footprint or the zone of influence of the proposed development have affinity to qualifying interests habitats or offer supporting value to qualifying interests or special conservation interests of European sites. A number of species which are qualifying interests are within the zone of influence of the proposed development were recorded or are within the favourable reference range.

- 11.7.6. There are two unnamed water courses, one flows along the southern boundary of the site and the other flows east to west. The river Boyne is 980 m north-west of the proposed development. The Ferganstown and Ballymacon stream is 175 m to the south-west of the proposed development and is hydrologically connected to the proposed development by way of overland run-off and drainage ditches. The nearest EPA monitoring station is 1.25km downstream of the proposed development and the water quality status in 2003, which is the most recent data is 'moderate'.
- 11.7.7. The proposed development is within the Trim groundwater body which is of 'good' status.
- 11.7.8. The flood risk management plan for the Boyne is noted. The proposed development site is not within any historically recorded flood event and does not intersect any area associated with low, medium or high flood probability.
- 11.7.9. The field survey (and desk study search) recorded no evidence or potential for qualifying interest flora including Killarney fern, marsh saxifrage, slender naid, slender green feather moss or petalwort.
- 11.7.10. Himalayan balsam has been recorded 1.4 km west and upstream of the proposed development on the river Boyne. It is known to be well established along the banks of the river between Slane and Navan. There are no invasive aliens plant species within the footprint of the proposed development.

## **11.8. Submissions and Observations**

- 11.8.1. The application was referred to relevant prescribed bodies namely
- Heritage Council
  - An Taisce
  - Department of Culture, Heritage and the Gaeltacht.
  - Inland Fisheries Ireland.
  - Irish Water.
  - Office of Public Works.
  - Iarnrod Eireann.

- 11.8.2. No responses relevant to Appropriate Assessment were received from prescribed bodies.
- 11.8.3. 2 no. observations were received and are summarised above. One of the observers has raised a concern in relation to the surface water management system proposed which he states could give rise to significant rushes of water into a stream which flows through his farmyard.

#### **11.9. European Sites**

- 11.9.1. The development site is not located in or immediately adjacent to a European site. The closest European sites are River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA and there is a hydrological connection between the proposed development site and the designated areas.
- 11.9.2. I consider that River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA are the only Natura 2000 sites which can reasonably be described as being within the possible zone of influence of the proposed development. A possible connection between the development and these sites has been described above.
- 11.9.3. I note the approach taken with respect to the identification of sites for the purposes of screening. The process commenced with consideration of all sites within a 15km radius and then the process was refined to take into account pathways to qualifying interests/special conservation interests.
- 11.9.4. I consider that the conclusions in the Screening Report are reasonable and do not require further discussion or assessment in view of the nature and scale of the proposed development and having regard to the separation distance and lack of ecological connectivity to European sites apart from River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA.

#### **11.10. Identification of likely effects**

- 11.10.1. I consider that the elements of the project which may give rise to impacts on the River Boyne and River Blackwater SAC and River Boyne and River Blackwater

SPA in the construction and operation phase are related to the potential for surface water effects.

11.10.2. In the event of discharge of large volumes of liquids to the watercourse during construction including as a result of excavation, stockpiling or related to the sheet piling or as a result of a chemical, oil or fuel spill, polluted material could be transported to the River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA.

11.10.3. With reference to the submissions received I consider that there is no likelihood of flooding/malfunction of the surface water treatment system and that the potential for likely significant effects to the River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA can be ruled out.

#### **11.11. Mitigation measures**

11.11.1. No measures designed or intended to avoid or reduce any harmful effects of the project on a European Site have been relied upon in this screening exercise.

#### **11.12. Screening Determination**

11.12.1. The proposed development was considered in light of the requirements of 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually (or in combination with other plans or projects) could have a significant effect on European Sites No. 2299 and 4232, in view of the sites' Conservation Objectives, and Appropriate Assessment is therefore required.

#### **11.13. Appropriate Assessment – Stage 2**

11.13.1. Following the screening process, it has been determined that Appropriate Assessment is required as it cannot be excluded on the basis of objective information that the proposed residential development at Farganstown individually or in-combination with other plans or projects will have a significant effect on the River Boyne and River Blackwater SAC or the River Boyne and River Blackwater SPA.



- 11.13.2. Measures intended to reduce or avoid significant effects have not been considered in the screening process.

#### **11.14. The Natura Impact Statement**

- 11.14.1. The application includes a NIS which examines and assess potential adverse effects of the proposed development on the River Boyne and River Blackwater SAC or the River Boyne and River Blackwater SPA.
- 11.14.2. The applicant's NIS concluded that in view of the best scientific knowledge and applying the precautionary principle, and in light of the conservation objectives of the relevant European sites, the proposed development, either individually or in combination with other plans or projects, will not have an adverse effect on the integrity of any European site, given the implementation of mitigation measures outlined.
- 11.14.3. I refer below in section 10.16.1 to an error in the NIS which I consider is not material and does not preclude the Board completing its Appropriate Assessment.
- 11.14.4. Having reviewed the documents, I am satisfied that the information allows for a complete assessment of any adverse effects of the development, on the conservation objectives of the River Boyne and River Blackwater SAC and the River Boyne and River Blackwater SPA alone, or in combination with other plans and projects.

#### **11.15. Appropriate Assessment of implications of the proposed development**

- 11.15.1. The following is a summary of the objective scientific assessment of the implications of the project on the qualifying interest features of the European sites using the best scientific knowledge in the field. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed.
- 11.15.2. In the foregoing I have regard to relevant guidance including the publication of DoEHLG (2009), Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, National Parks and Wildlife Service. Dublin and the document of EC

(2002), Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC

#### **11.16. European Sites**

##### **River Boyne and River Blackwater SAC**

11.16.1. The conservation objectives of the River Boyne and River Blackwater SAC are:

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

11.16.2. The qualifying interests of the River Boyne and River Blackwater SAC are:

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

##### **River Boyne and River Blackwater SPA**

11.16.3. The conservation objectives of the River Boyne and River Blackwater SPA are:

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

11.16.4. The special conservation interests of the River Boyne and River Blackwater SPA are:

- Kingfisher (*Alcedo atthis*) [A229].

#### **11.17. Aspects of the proposed development.**

11.17.1. I note that in the identification of pathways the information presented in the NIS is flawed. Table 6.1 sets out the source pathway receptor model for the

proposed development and draws conclusions in respect of the potential effects of relevance. In doing so there is reference to 2 no. European sites which are located some distance from the proposed development site. Nevertheless, following examination of the proposed development and consideration of the potential pathways, I consider that the conclusions drawn in Table 6-1 are relevant and appropriate and may be applied in this case and I consider that the basis for the Appropriate Assessment is robust. In relation to this issue in addition I consider that it is relevant to note that the Appropriate Assessment is undertaken by the Board and informed by the NIS.

11.17.2. The main aspects of the proposed development that could adversely affect the Conservation Objectives of European sites are:

- Run-off of large volumes of silt-laden water during construction.
- Run-off of water contaminated by cement, concrete or other liquids or spillages of these materials.
- Run-off of water contaminated by fuel, oil and hydrocarbons or spillages of these materials.
- Impacts related to silt, fuel and chemicals from the site entering the aquatic environment.
- Introduction or spread of invasive species.

11.17.3. In relation to the potential for construction phase pollutant I note the scale of the development involving development over the entirety of the site and its proximity to drainage channels along the site boundary. The nature of the development and its characteristics are such that the construction works would be not be described as specialised or complex.

11.17.4. In relation to the potential for in-combination effects on surface water or groundwater, this may be relevant to a number of permitted developments in the area. I have considered the projects identified in section 6.3.2.2 of the NIS in this respect and the potential for in combination effects. I have also reviewed the recent planning history from Meath County Council's website.

11.17.5. I note the permitted development for a mining operation 4 km north-west and upstream of the proposed development. This has been subject to Appropriate

Assessment and it has been concluded that the development will not give rise to any adverse impacts to Natura 2000 sites assuming implementation of the outlined mitigation measures. I consider that this can be excluded for the purposes of potential in-combination effects.

11.17.6. The NIS references a consented project comprising construction of eight houses commenced in 2016, which it is considered has potential for in combination pollution to surface water or groundwater. I did not inspect this site at the time of inspection, but it is reasonable to assume that this small scheme located 400 m west of the proposed development is likely to be completed at this stage or will be concluded by the time of commencement of the proposed development. This project can be excluded for the purposes of potential in-combination effects.

11.17.7. The NIS references LDR6, which is substantially complete. This project can be excluded for the purposes of potential in-combination effects.

11.17.8. Based my review of the website of Meath County Council there are no other projects relevant for consideration in terms of potential in combination effects. In this regard I note the lodgement at a nearby site for development of similar scale to the current proposal, but permission has not been granted for that project to date. Any in-combination effects would fall for consideration under that planning application and are not relevant to the current application to the Board.

11.17.9. It is concluded therefore that there is no potential for in-combination effects.

#### **11.18. Further comment on qualifying interests/special conservation interests.**

11.18.1. The site drains by way of the Ferganstown and Ballymacon stream to the river Boyne, 980 m north-west of the proposed development. The information provided below refers to whether or not the qualifying interests/special conservation interests are present within the zone of influence of the proposed development is drawn from section 4 and section 6 of the NIS.

11.18.2. **Alkaline fens** are not located within the footprint or within the zone of influence of the proposed development.

11.18.3. **Alluvial forests** are not located within the footprint or within the zone of influence of the proposed development.

- 11.18.4. Regarding **River lamprey** it is assumed that there is suitable spawning habitats present for adults and suitable mod present for River lamprey larvae in the Boyne upstream and downstream of the proposed development site. River lamprey is known to be present in the river Boyne within the zone of influence of the proposed development.
- 11.18.5. IFI has advised that **Atlantic salmon** successfully migrate barriers in the river Boyne and reach spawning and nursery habitat upstream. The species is therefore considered to be present in the river Boyne within the zone of influence of the proposed development.
- 11.18.6. **Otter** is known to be widespread along much of the river Boyne and has been recorded as close as 1 km west of the proposed development. However, there was no evidence of otter activity along the proximal water courses.
- 11.18.7. As set out in the NIS the drainage channel/streams which bound the site are not suitable habitat for **Kingfisher**. Furthermore, the dedicated surveys for breeding birds did not record the presence of any SCI birds within the zone of influence of the proposed development including Kingfisher.
- 11.18.8. The potential predicted effects from the proposed development on the conservation objectives of European sites relate only to the River Boyne and River Blackwater SAC and specifically to:
- the potential that surface water pollution could result in impacts by covering spawning gravels and nursery areas habitats of River lamprey and Atlantic Salmon.

## 11.19. Mitigation

- 11.19.1. The proposed mitigation measures which are related to the construction phase are outlined in section 7 of the NIS. This notes the preparation of a CEMP which includes surface water protection measures for pollution prevention and control, including silt control measures such as the establishment of silt fencing and maintenance of silt fences and measures to ensure appropriate storage of material on site. The silt fences are specified in terms of the standard to be achieved and they are to be positioned along the entire stretch of the adjacent water courses adjoining the southern and western boundaries of the proposed development and to be

installed following the manufacturers specifications. This description sets out criteria relevant to the topography and other matters. Regarding the maintenance of silt fences this includes measures to correct deficiencies and a decommissioning procedure for removal on completion of works. A range of specific measures are set out in relation to the prevention of pollution from hydrocarbons including measures related to the location of refuelling and dealing with spillages. The materials management provisions include reference to the location of any temporary construction compounds, stockpiling of construction materials and use of concrete on site. In addition to the above it is proposed that an Environmental Clerk of Works be appointed and that this person can avail of the services of an ecologist as necessary.

11.19.2. Regarding the potential for spread of invasive species section 4.5 of the OCEMP submitted refers to this in detail including with respect to preconstruction surveys, preparation of an Invasive Species Management Plan, ensuring during construction that machinery is free from contamination and that wheel wash stations are in place. In the event that a scheduled invasive species is introduced an exclusion zones will be erected, and the required management protocol set down in the ISMP shall be implemented.

11.19.3. Subject to the mitigation measures above I support the conclusion in the NIS that there would be no significant residual impacts.

#### **11.20. Integrity test**

11.20.1. Following the Appropriate Assessment and the consideration of mitigation measures, I am able to ascertain with confidence that the project would not adversely affect the River Boyne and River Blackwater SAC or the River Boyne and River Blackwater SPA in view of the Conservation Objectives of these sites.

11.20.2. This conclusion has been based on a complete assessment of all implications of the project alone and in combination with plans and projects.

### **11.21. Appropriate Assessment Conclusion**

- 11.21.1. The Farganstown Social Housing development has been considered in light of the assessment requirements of Section 177AE of the Planning and Development Act 2000 as amended.
- 11.21.2. Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on European site No 2299 River Boyne and River Blackwater SAC and European site No 4232 River Boyne and River Blackwater SPA. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of that site in light of its Conservation Objectives.
- 11.21.3. Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European sites River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA, or any other European site, in view of the sites' Conservation Objectives.'
- 11.21.4. This conclusion is based on:
- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures in relation to the Conservation Objectives of the River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA.
  - No reasonable scientific doubt as to the absence of adverse effects on the integrity of the River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA.

## **12.0 Recommendation**

On the basis of the above assessment, I recommend that the Board approve the proposed development subject to the reasons and consideration set out below and subject to the conditions requiring compliance with the submitted details and the mitigation measures set out in the NIS.

## **Reasons and Considerations**

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

- (a) the EU Habitats Directive (92/43/EEC),
- (b) the European Union (Birds and Natural Habitats) Regulations 2011-2015,
- (c) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on a European site,
- (d) the conservation objectives for the European site No. 2299 River Boyne and River Blackwater SAC and European site No 4232 River Boyne and River Blackwater SPA,
- (e) the policies and objectives of the Navan Development Plan 2009-2015,
- (f) the nature and extent of the proposed works set out in the application for approval,
- (g) the submissions received,
- (h) the report and recommendation of the person appointed by the Board to make a report and recommendation on the matter.

## **Appropriate Assessment**

The Board agreed with and adopted the screening assessment and conclusion reached in the Inspector report that the European site No. 2299 River Boyne and River Blackwater SAC and European site No 4232 River Boyne and River Blackwater SPA are the only European sites in respect of which the proposed development has the potential to have a significant effect.

The Board considered the Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file. The Board completed an Appropriate Assessment of the implications of the proposed development for the European site No. 2299 River Boyne and River Blackwater SAC and European site No 4232 River Boyne and River Blackwater SPA, in view of the sites' Conservation Objectives. The Board considered that the information before it was adequate to



allow for a complete assessment of all aspects of the proposed development and enable them reach complete, precise and definitive conclusions for appropriate assessment.

In completing the Appropriate Assessment, the Board considered, in particular, the following:

- i. the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii. the mitigation measures which are included as part of the current proposal, and
- iii. the conservation objectives for the European Sites.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the integrity of the aforementioned European Sites, having regard to the site's Conservation Objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the sites' Conservation Objectives and there is no reasonable scientific doubt remaining as to the absence of such effects.

**Proper Planning and Sustainable Development/Likely effects on the environment:**

It is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of residential amenity for future occupants, would not give rise to adverse environmental effects or downstream flooding, would not seriously injure the amenities of property in the vicinity, would not adversely impact on the cultural, archaeological and built heritage of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

**Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and the information contained in

the Natura Impact Statement, except as may otherwise be required in order to comply with the following conditions. Where any mitigation measures or any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.

**Reason:** In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The external finishes of the development shall be as shown on the plans and particulars submitted.

**Reason:** In the interests of visual amenity.

3. Prior to commencement of development, the local authority or any agent acting on its behalf shall prepare a final Construction Environmental Management Plan (CEMP) incorporating all measures set out in the Outline CEMP, the mitigation measures indicated in the Natura Impact Statement and demonstration of proposals to best practice and protocols.

The plan shall be placed on the file and retained as part of the public record.

**Reason:** In the interests of protecting the environment and European Sites.

4. The local authority and any agent acting on its behalf shall facilitate the preservation, recording, protection or removal of archaeological materials or features that may exist within the site. In this regard, the County Council shall:
  - a) employ a suitably qualified archaeologist prior to commencement of the development who shall assess the site and monitor all site investigations and other excavation works, and
  - b) provide suitable arrangements acceptable to the Department of Culture, Heritage and the Gaeltacht for the recording and removal of any archaeological materials which is considered appropriate to remove.

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

5. A comprehensive boundary treatment and landscaping scheme shall be prepared and placed on file as part of the public record. The scheme shall include the following:

- (a) details of all proposed hard surface finishes, including samples of proposed paving flags/materials for footpaths, kerbing and road surfaces within the development;
- (b) proposed locations of landscape planting in the development;
- (c) details of proposed street furniture, including bollards and lighting fixtures.

The boundary treatment and landscaping shall be completed within three months of occupation of the scheme.

**Reason:** In the interests of visual amenity.

6. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interest of orderly development and the visual amenities of the area.

7. The internal road network serving the proposed development, including turning bays, junctions, sightlines, pedestrian routes, footpaths and kerbs shall comply in all respects with the provisions of the Design Manual for Roads and Streets.

**Reason:** In the interests of pedestrian and traffic safety and in order to comply with national policy in this regard.

8. The proposed development shall make provision for the charging of electrical vehicles. All car parking spaces serving the proposed development shall be provided with electrical connections, to allow for the future provision of future charging points. Details of how it is proposed to comply with these requirements, including details of the design of, and signage for, the electrical charging points (where they are not in the areas to be taken in charge) shall be placed on the file and retained as part of the public record.

**Reason:** In the interest of sustainable transportation.



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Mairead Kenny  
Senior Planning Inspector

24 June 2021