



An
Bord
Pleanála

Inspector's Report ABP 310255-21.

Development	Traffic calming consisting of the construction of traffic management and safety improvement works.
Location	Julianstown. Co Meath
Local Authority	Meath Co Council
Type of Application	Application for approval made under Section 177(AE) of the Planning and Development Act, 2000 (local authority development requiring appropriate assessment)
Prescribed Bodies	Transport Infrastructure Ireland Geological Survey Ireland
Observer(s)	Ann Mc Kenna Brian Hanratty Clare Courtney Lydon Niamh Bn Ui Loinsigh
Date of Site Inspection	July 5th, 2021.
Inspector	Breda Gannon

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1.0 Introduction

- 1.1. Meath County Council is seeking approval from An Bord Pleanála to undertake a traffic calming scheme adjacent to the River Nanny Estuary and Shore SPA which is a designated European site. There are several other designated European sites (SPAs and SACs) in proximity to the proposed works (see further analysis below). 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 effect on a European site.
- 1.2. Section 177AE of the Planning and Development act 2000 (as amended) requires that where an appropriate assessment is required in respect of development by a local authority, the authority shall prepare an NIS and the development shall not be carried out unless the Board has approved the development with or without modifications. Furthermore, Section 177V of the Planning and Development Act 2000 (as amended) requires that the appropriate assessment shall include a determination by the Board as to whether or not the proposed development would adversely affect the integrity of a European site and the appropriate assessment shall be carried out by the Board before consent is given for the proposed development.

2.0 Proposed Development

- 2.1. The proposal is to provide a traffic calming scheme along the R132, the main traffic route through Julianstown village in Co Meath. The works would extend north to south over a distance of 2.1km and includes upgrades of the existing road pavement plus tie-in works at four junctions. The scheme includes the following:
 - Provision of a raised pedestrian crossing on the R132 south of the R132/R150 Laytown road junction,
 - Provision of a raised table at the R132/R150 Duleek road junction,
 - Provision of a raised pedestrian crossing on the R132 south of the R132/R150 Duleek road junction,
 - Provision of a raised table at the junction of the R132 and the L-16161/L-5622 beside Whitecross National School

- Reduce existing carriageway widths by utilising centre islands and road markings and some localised kerbing and footway enhancements,
- Reallocation of road space to introduce a new shared surface (for pedestrians and cyclists) along the east side of the R 132
- Additional footpaths to the west side of the R132,
- Bus stop upgrades
- Additional kerbing, signage, road markings, landscaping and ancillary works
- Provision of a safety railing on the eastern parapet of Julianstown Bridge.

The project is described in the documentation using project chainage (Ch 0000-2100) as reference points.

2.2. Accompanying documents:

- Section 177AE Planning Application Report
- Design Statement
- Preliminary Design General Arrangement Drawings
- Environmental Impact Assessment Report to inform Screening
- Natura Impact Statement
- Landscape and Visual Impact Assessment Report
- Heritage Review and Assessment Report

3.0 Site and Location

- 3.1. The site is located in Julianstown which lies in the east of Co Meath. It is 40km north of Dublin and 7km south of Drogheda. The proposed works will take place on the R132, which prior to the construction of the M1, was the principal route connecting Dublin and Belfast.
- 3.2. The M1 Motorway is accessed via Junction 7 to the south of the village. Large volumes of traffic, including HGV's pass through the village to avoid tolls on the M1 and traffic volume and speed is a continuing issue for the village. A bypass of the

village is an objective of the draft plan together with traffic and other pedestrian safety measures.

- 3.3. The principal land uses are residential supported by a limited range of local and community facilities. Residential development has taken place in two areas north and south of the original village core. The centre of the village is designated as an Architectural Conservation Area which includes a number of protected structures on the east and west side of the R132.
- 3.4. The R132 crosses the River Nanny lies to the south of the village core. It discharges into the sea and the River Nanny Estuary and Shore SPA c 3km to the east.

4.0 **Planning History**

- 4.1. The documentation submitted with the planning application provides details of planning applications/permission on lands in the vicinity of the proposed works.

5.0 **Legislative and Policy Context**

- 5.1. **The EU Habitats Directive (92/43/EEC):** This Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) and 6(4) require 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 (SAC or SPA).
- 5.2. **European Communities (Birds and Natural Habitats) Regulations 2011:** These Regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in CJEU judgements. The Regulations in particular require in Reg 42(21) that where an appropriate assessment has already been carried out by a 'first' public authority for the same project (under a separate code of legislation) then a 'second' public authority considering that project for appropriate assessment under its own code of legislation is required to take account of the appropriate assessment of the first authority.

5.3. **National nature conservation designations:** The Department of Housing, Local Government and Heritage and the National Parks and Wildlife Service are responsible for the designation of conservation sites throughout the country. The three main types of designation are Natural Heritage Areas (NHA), Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and the latter two form part of the European Natura 2000 Network.

5.4. European sites located in proximity to the subject site include:

- River Nanny Estuary and Shore SPA (Site code: 004158)
- Boyne Coast and Estuary SAC (Site code:001957)
- Boyne Estuary SPA (Site code: 004080)
- River Boyne and River Blackwater SAC (Site code: 002299)
- River Boyne and River Blackwater SPA (Site code: 004232).

5.5. **Planning and Development Acts 2000 (as amended):** 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) requires a local authority to prepare, or cause to be prepared, a Natura impact statement in respect of the proposed development.
- Section 177(AE) (2) states that a proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Board has approved it with or without modifications.
- Section 177(AE) (3) states that where a Natura impact assessment 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.

5.6. Local Policy

Meath County Development Plan

The operative development plan is the Meath County Development Plan 2013-2019. It includes a village statement for Julianstown which incorporate zoning provisions and policies/objectives for the area. The village is identified as a popular location for commuters, which has experienced increases in population and residential development.

Traffic volume and speed through the village are identified as a continuing issue. The transport vision is to ensure that where necessary, the use of private vehicles is facilitated in an efficient and equitable manner whilst encouraging the use of more sustainable modes of transport including pedestrian and cycle movement. To achieve this, it will be necessary to provide for the improvement in pedestrian and cycle facilities and traffic movement.

Relevant policies/objectives include

SP 1: To promote the future development of the village as a compact settlement with a pedestrian friendly environment, a legible and coherent physical form and a variety of land uses and amenities.

SP 3: To address traffic problems on the R132 Regional Road through Julianstown.

MA OBJ1: To investigate the effectiveness of, and if appropriate, progress the implementation of traffic management and traffic calming options and environmental measures through Julianstown village, in conjunction with the National Roads Authority, Department of Transport, Sport and Tourism with a view to providing an enhanced and safer environment for the village.

MA OBJ 4: To provide and/or upgrade footpaths within the development boundary.

A substantial amount of the village centre is located within an Architectural Conservation Area (ACA) and this recognises the special significance of the built heritage which characterises Julianstown. The policies of the Plan seek to preserve the character of the village (UD POL1), to create an urban environment of quality in a visual sense with good urban design (UD POL2) to enhance landmark/focal points by supporting the redevelopment of neglected sites/obsolete areas (UD POL3) and improve street finishes, footpaths and the public domain (UD POL 4). More detailed information on the ACA is contained in the Julianstown Architectural Conservation Area Statement of Character, which is part of the Plan.

The Plan refers to the Julianstown Village Design Statement compiled by the local community to establish a vision for their village. The non-statutory development framework refers the unacceptable level of traffic on environmental quality and safety and poor pedestrian and cycle linkages and recommends the implementation of concentrated traffic calming measures. It is the policy of the County Development Plan (ED POL 41) to facilitate and support the implementation of Village Design Plans while ensuring that they are consistent with town/village development objectives contained in the county development plan.

Draft Meath County Development Plan 2021-2027

A Draft Plan has been prepared and Written Statement and Land Use Zoning Maps have been prepared for all settlements including Julianstown (Volume 2 of the Plan).

Relevant policies and objectives include the following:

Policy (JUL POL1)

To consolidate and strengthen the commercial and residential village centre of Julianstown and promote the future development of the village as a compact settlement with a pedestrian friendly environment. Encourage development which will contribute to the character and structure of the village core and to preserve and enhance the quality of the village's attractive built and natural environment, while catering for the need of all sections of the local community to ensure that the village develops in a sustainable manner, as an attractive place to live, work, recreate and visit.

Policy JUL POL 6

To require that all development proposals within or contiguous to the Architectural Conservation Area be sympathetic to the character of the area, that the design is appropriate in terms of height, scale, plot density, layout, materials and finishes and is appropriately sited and designed in accordance with advice given in Julianstown Architectural Conservation Area Character Statement.

Policy JUL POL 9

To seek to introduce traffic management and traffic calming through Julianstown in order to provide an enhanced and safer environment for the village.

JUL POL 10

To provide/upgrade pedestrian crossing facilities such as raised junction treatment at key locations.

JUL POL 12

To examine the feasibility and progress the design and delivery of a preferred option for the Julianstown Bypass in conjunction with relevant stakeholders.

JUL POL 18

To work in partnership with local community and all relevant stakeholders to implement the Julianstown Village Design Statement.

JUL POL 20

To ensure that all new development respects the scale, form and character of the village.

6.0 The Natura Impact Statement

- 6.1. Meath County Council's application for the proposed development is accompanied by a Natura Impact Statement (NIS) which scientifically examines the proposed development and the European sites. The NIS identifies and characterises the possible implications of the proposed development on the European sites, in view of the site's conservation objectives, and provides information to enable the Board to carry out an appropriate assessment of the proposed works.

- 6.2. The NIS describes the elements of the development (alone or in combination with other projects and plans) that are likely to give rise to significant effects on the European sites. Potential significant effects are set out, as well as an assessment of their effect and the mitigation measures that are to be introduced to avoid, reduce or remedy the adverse effects on the integrity of the European sites.
- 6.3. The conclusion reached in the NIS is that subject to best practice and the full implementation of the mitigation measures, the proposed development either on its own, or, in combination with other plans or projects would not result in adverse effects on the integrity of the designated sites and their qualifying interests.

7.0 Consultations

- 7.1. The application was circulated to the following bodies:

- Fáilte Ireland
- An Taisce
- The Heritage Council
- Eastern and Midlands Regional Assembly
- Inland Fisheries Ireland
- National Transport Authority
- Environmental Protection Agency
- Development Applications Unit
- Department of Housing, Local Government and Heritage
- Minister for Transport
- Minister for Climate Action, Communications Networks and Transport
- National Monuments Service
- Irish Water

- Office of Public Works
- Transport Infrastructure Ireland
- Minister for Rural and Community Development.
- Minister for Tourism, Culture, Arts, Gaeltacht, Sports and Media,
- An Chomhairle Ealaíon
- Minister for Justice
- Health Service Executive
- Teagasc
- Iarnrod Éireann
- Coras Iompair Éireann
- Department of Agriculture, Food and the Marine.

Responses were received from Transport Infrastructure Ireland and Geological Survey Ireland, which are summarised below;

Transport Infrastructure Ireland

- Acknowledges that the proposed traffic management/safety improvement works at Julianstown, Co. Meath relate to works to the R132 Regional Road and not to the strategic national road network.
- It is important that implications for potential incident emergency measures for the M1 i.e., diversions potentially via the R132 are carefully considered. The R132 represents a potential alternative diversion route in the event of emergency diversion measures required on the M1.

Geological Survey Ireland

- Recommends use of an reference to GSI datasets that may be useful for environmental assessment and the planning process.

- Records show that the proposed traffic calming scheme is located within a County Geological Site (CGS), an outwash plain. Within the current plan there are no envisaged impacts on the integrity of the CGS by the proposed development.

7.2. Public Submissions:

Anna Mc Kenna

The proposal needs to include a roundabout on the northern approach to Julianstown. This would reduce the risk of cars coming from Laytown and attempting to turn right to travel to Drogheda.

The roundabout would extent the current Bus Eireann D1 and D2 services to Sonairta and Laytown.

Brian Hanratty

Advocates a roundabout at the northern side of Julianstown to address three key needs.

1. A roundabout would force traffic approaching the village from the north to slow down
2. Facilitate a safer exit for traffic turning right from Laytown Road. This is currently a hazardous manoeuvre given the volume and speed of traffic to be negotiated.
3. Facilitate the extension of the D1 and D2 local bus services from Drogheda which travel along coastal east Meath but currently terminate at Laytown. There is currently no space for buses to 'turn and return' to extend theses services to Julianstown and the National Ecology Centre at Sonairte.

With the co-operation of Meath Co Council, Bus Eireann etc this has the potential to give increased priority to public transport and reduce emissions and car journeys. It has the potential to have direct public links from Julianstown and Sonairte linking these with the routes of the frequent bus services and to/from Laytown Railway Station.

The response from Meath Co Council (attached) that a roundabout may be considered in conjunction with a future bypass is not an acceptable response. This

could be decades away. Requests that the Board gives serious consideration to the provision of a roundabout given the significant road safety, traffic calming and climate benefits it would offer now and in the future.

Clare Courtney-Lydon

The observer is the owner of one of the terraced houses on Main Street. It is incorrect to state that residents removed the boundary walls at the front of the terrace to provide car parking. The damage to the walls was due to traffic accidents and incidents over the years. Meath Co. Council did not address or provide remedial repair to any of these walls and residents availed of the space at the front of their properties to park vehicles.

This parking facility has been available for c 50 years. The current proposal does not give any consideration to ongoing parking by residents. There is no public parking facilities in the village and parking in the private car park of the public house is at the goodwill of the proprietors. Currently investigating the purchase of an electric vehicles with the possibility of installing a charger at the property. No contact has been made by Meath Co Council in relation to these matters.

There are concerns regarding the accessing of deliveries and services to houses in the terrace. There will be no space for vehicles to park up outside the properties with the proposed increase in size of the footpath/cycle lane and the reinstatement of the boundary walls. In order to live and maintain the property adequate consideration must be given to practical matters including access.

Julianstown has become a throughway for vehicles and remedial roadworks and disruption to residents is not the solution. A bypass and appropriate re-direction of traffic is required. The lack of proper consultation with Meath Co Council and the residents concerning the impact of the project is disappointing.

The submission is supported by 3 no. appendices.

Niamh Bn Ui Loinsigh

Submission is made on behalf of Julianstown & District Community Association

- Generally supportive of the measures proposed.
- Disappointed that there is no plan for a raised table at the Laytown junction as this is a priority junction for traffic exited the R150 from Laytown on the

R132. There is a proposed raised pedestrian platform on the southside of this junction and this will hinder traffic coming off the R150 as the traffic will be at a standstill during rush hour. A simpler solution would be the installation of a yellow box at the Laytown Junction.

- Concerned about noise pollution in the village.
- Would like ABP to confirm to Meath Co Council that the upcoming works planned for Julianstown will continue with the same style heritage lighting that originated from the Village Design Statement.
- Request that ABP attach a condition requiring that the works be completed within a certain time frame. While there were upgrades made in Julianstown on the R132 in 2003 they were not completed and residents are left with over a mile distance between the two sets of traffic lights to safely cross the road.
- The proposed traffic calming measures will slow down traffic and make it a safer environment for cyclists, pedestrians and schoolchildren, but ultimately a bye-pass is required.

8.0 Assessment

The likely consequences for the proper planning and sustainable development of the area:

The R132 travelling through Julianstown has a wide carriageway and carries high volumes of traffic daily (including HGV's) travelling at high speed. Coupled with inadequate facilities for pedestrians and cyclists, this impacts on how the village functions and does not provide a safe environment for road users. The footpaths are inadequate and there are limited pedestrian crossing points, confined to one at the northern and one on the southern approach to the village. Pedestrians walking through part of the centre of the village are forced to use the hard shoulder and there are no dedicated facilities for cyclists. The village core is particularly sensitive being part of a designated Architectural Area Conservation (ACA) which accommodates a number of protected structures. The speed and volume of traffic has a detrimental effect on the character of the ACA.

The proposed development seeks to address these deficiencies and turn the road into a living street which will enhance the attractiveness and vibrancy of the village and its intrinsic character. This will be achieved by traffic calming measures including reduced carriageway widths and other measures to encourage lower vehicle speeds including the provision of raised tables/ramps at junctions, amendments to corner radii and landscaping.

The scheme will incorporate measures to improve pedestrian/cycle connectivity. A new shared pedestrian and cycle path will be introduced along the eastern side of the R132, which will connect residential development in the north with the village centre and the national school to the south. Footpaths will be increased in width where appropriate and improved crossing facilities for pedestrian and cyclists will be provided at junctions. A new pedestrian crossing is proposed south of the river. There will be upgrades and improved access to existing bus stops.

The proposed traffic calming measures, designed to improve traffic speeds and safety within the village and to secure improvements in pedestrian and cycle facilities are entirely consistent with the provisions of the Plan. The measures together with the landscaping proposals will improve the quality of the urban environment, enhance the character of the village providing a greater sense of place with improved conditions for all road users.

I consider that the development is acceptable in principle and accords with the objectives and policies of both the current County Development Plan and the Draft Development Plan for the area in terms of minimising the adverse effects of traffic speed on the safety of road users and the character of the village, and the provision of improved pedestrian/cyclist facilities and linkages. The proposed development is therefore consistent with the proper planning and sustainable development of the area.

The likely effects on the environment

I accept the conclusion reached by Meath Co. Council that mandatory EIA is not required for the subject development as it does not fall within the criteria outlined in the Roads Act, 1993, as amended or the criteria set out in Schedule 5 of the Planning and Development Regulations, 2001, as amended.

While there is no requirement to carry out an EIA screening exercise for section 177AE cases, Meath Co Council submitted an EIA Screening Report to determine whether the proposed development, is likely to have significant effects on the environment. Regard was had to the criteria set out in Schedule 7 and Schedule 7(a) of the Planning and Development Regulations, 2001 as amended.

I have examined the proposal under the criteria set out in the Regulations which are as follows:

- Characteristics of the proposed development
- Location of proposed development
- Type and characteristics of potential impacts

Characteristics of the proposed development.

Size and design of proposed development

The proposal involves traffic calming measures on the existing R132. The upgrade works are small scale and confined to the footprint of the existing road within an existing village setting. The development will not be at variance with the established pattern of development and will not alter the scale or character of the existing environment. Having regard to the nature and size/scale of the proposed development, I do not consider that the potential for significant environmental effects is likely to arise.

Potential for cumulative impacts with other existing and/or approved projects

A planning search compiled by Meath Council identified a small number of development proposals close to the site. Having regard to the nature of the proposed development, involving small scale traffic calming measures within the footprint of the existing roadway, the potential for in-combination effects with other existing/proposed development is not considered likely.

Should the development occur in tandem with other development, there is potential for cumulative impacts to arise including traffic, noise, dust and visual impacts. These impacts would be short-term and temporary and would not be of a magnitude that would generate the need for EIA.

Nature of any demolition works, use of natural resources, production of waste, pollution and nuisances

There will be minimal *demolition work* associated with removal of existing hard surfaces to reduce the width of the carriageway/create footpaths/cycleways and reinstate the boundary treatment associated with the protected structures.

There will be minimal use of *natural resources*. Aggregates such as asphalt for the road/cycle surface, concrete for foundations and footpaths and paving flags /setts will be imported. Materials will be re-used where possible and imported materials will be sourced locally.

The limited scale and the nature of the project will not result in the significant *production of waste*. The waste produced associated with removal of soil, paved surfaces, asphalt etc will be removed off site and disposed of appropriately.

The potential for the generation of *pollution and nuisance* arising from a project of this scale would be limited. There would be temporary increases in noise and emissions to air (dust, vehicle emissions) associated with construction. These impacts will be short lived and not significant.

Given the nature of the proposals there is no *risk of major accidents and/or disasters*. The road does not lie in a flood risk zone.

There are no *significant risks to human health* associated with the proposal. Dust and vehicle emissions during construction will result in localised impacts of short duration.

Having considered the characteristics of the proposed development, I accept the conclusion reached by the planning authority that no significant environmental effects are likely to arise, which would generate the need for EIA.

Location of the proposed development

The development would involve alterations to the existing road passing through the village and will complement *existing/proposed land uses* in the area through improvements in traffic speed, the provision of pedestrian/cycle facilities and positive effects on the overall character of the village.

The works would take place within the existing road footprint and will not impact on the *relative abundance, quality and regenerative capacity of natural resources in the area*.

Regarding the *absorption capacity of the existing environment*, the site is located within a village setting and no land take or loss of habitats which would impact on wetlands, riparian areas, river mouths, coastal zones or the marine environment is proposed. The wetland habitats associated with the SPA are located c 1.2km from the proposed works. The development is well removed from mountain and forest areas, nature reserves and parks. There is hydrological connectivity between the site and the SPA to the east via the River Nanny. No Annex 1 bird species for which the SPA is selected were recorded during the site surveys within the vicinity of the site. This matter is considered in more detail below under Appropriate Assessment.

No scenic views or protected landscapes will be adversely impacted by the proposed development. While the planning authority concluded that no significant effects are likely, it considered more detailed assessment was required. The Landscape and Visual Impact Assessment submitted with the application is considered in more detail below

The road runs through an ACA which contains a number of protected structures. While no significant adverse effects are predicted, the Heritage Review and Assessment Report submitted in support of the application provides a more detailed assessment which is considered below.

Having considered the location of the proposed development, I accept that no significant environmental effects are likely to arise, which would necessitate the need for EIA.

Types and Characteristics of potential Impacts

Magnitude and spatial extent of the impact

The extent of the impact in terms of *geographical area* and the *size of the population* likely to be affected is limited to the immediate area of Julianstown, where the development would be located. The construction stage will result in impacts on the population and human health arising from dust, noise and vehicle emissions. There will also be inconvenience associated with road works, lane closures and potential diversions. While these impacts may be a source of annoyance, they will be

temporary, short lived and capable of effective mitigation by normal good construction and best practice methodologies.

There would be *visual impacts* associated with both the construction stage and the operational stage. A Landscape and Visual Assessment was carried out to identify areas of potential significant effects, which is considered in more detail below.

In terms of *biodiversity*, the site is dominated by hardstanding (the R 132) and adjacent terrestrial habitats are dominated by grass verges, tree and hedgerows. No protected species of fauna, or birds associated with the SPA were recorded during the site surveys. The existing adjacent habitats would potentially provide foraging and commuting habitat for species including badger and Otter (in the vicinity of the river). The site is hydrologically connected to the SPA via the River Nanny and the Mosney Stream and this matter is considered in more detail below under Appropriate Assessment.

Due to the nature and limited scale of the works within the footprint of the existing road, there would be negligible impacts on *land and soil*. Land take is not expected to be required and the footprint of the existing bridge will remain unchanged. There is potential for contaminated discharges to enter watercourses during construction. Subject to the implementation of best practice mitigation measures to protect water quality during the works, there is no significant risk to *surface or ground water* quality. Following completion surface water discharges will be to the existing piped system via hydrocarbon interception.

There is potential for impacts on *air and climate* during construction arising from dust and vehicle emissions. Having regard to the limited scale and short duration of the works and subject to implementation of appropriate best practice mitigation measures, these impacts will not be significant. The operational phase will result in emissions to air from road traffic but traffic is already traversing the area on the existing road network and significant effects are not considered likely.

There is potential for impacts on *cultural heritage* associated with the placement of railings on the east parapet of the bridge which is a protected structure and the re-instatement of the sill wall and bollards at the front of the terrace housing in the centre of the village. These matters are considered in more detail below.

The proposed development would not have a significant effect on *material assets* as it is not envisaged that diversion of utilities would be required. The overall impact of the development on the roadway is considered positive in terms of reducing speed in a village setting and providing improved facilities for all road users.

Conclusion

Having regard to the examination above which considers the characteristics and location of the proposed development and the types and characteristics of potential impacts, I accept the conclusion reached by the planning authority, that the project is unlikely to give rise to significant environmental impacts. The report identified a requirement for further assessment of Landscape & Visual Impacts and Cultural Heritage and stand alone reports were submitted for these environmental factors, which are considered below.

Landscape and visual effects

The Landscape and Visual Impact Assessment report describes the site context and evaluates the significance of potential effects to the landscape and protected views in the village.

The works run through two Landscape Character Areas (LCA's) as defined by the development plan. The majority of the development to the north and south occurs within LCA 7-Coastal Plain, which is designated 'High' sensitivity and 'Moderate' value. The remainder falls within LCA 8-Nanny Valley, associated with the river to the south of the village core. It is designated 'High' sensitivity and 'Very High' landscape value. There are 6 No. protected views and prospects identified in the Julianstown Village Statement. The views are concentrated within the village core and the village approaches. The objective is to preserve these views from development which would adversely impact upon their setting and appreciation (HER OBJ 2). The centre of the village is located within an ACA which increases its overall sensitivity.

The works include reduced road width, pedestrian crossings, raised junctions, widening of footpaths shared surfaces, signage, lighting, landscaping and the provision of a safety railing on the eastern parapet of the bridge. The greatest potential for impacts would arise during the construction stage, associated with the visibility of construction activity, temporary site infrastructure and the effects on the

landscape and visual amenities of the area. However, the works which will be confined to the existing road corridor, will be temporary, of short duration and of limited scale. The impacts will be highly localised and confined to the areas in the vicinity of the works.

The nature of the proposed works will not significantly alter the character of the existing road. There will be positive effects associated with the enhancement of the approaches to the village, the reinstatement of the historic elements of the streetscape including the sill walls, bollards and chains in front of the terraced houses within the ACA and the provision of an upgraded road corridor with greater legibility for all road users including pedestrians and cyclists. This will integrate with the established character of the village and enhance the visual amenity of the area.

It is proposed to provide a new railing on the eastern stone parapet of the bridge. Views to the east from the bridge are protected in the plan. The railings will raise the overall height of the stone parapet/ metal railing combination to at least 1.5m above surface level on the east side. While the views from the bridge will be impacted, this will be mitigated to a degree by the open lattice design of the railing. The bridge has a span of c 22m and the impact of the new railings will be significant in visual terms, but this must be balanced against the safety considerations associated with the existing low parapet.

Cultural Heritage

The works pass through the Architectural Conservation Area, which is centred on the village core. There are Protected Structures located on both sides of the R132, including a row of terraced houses on the east side and a former RIC station and dispensary on the west side. Further south lies the Mill House, which was converted to a hotel but is now vacant, and Julianstown bridge which crosses the River Nanny. With the exception of the bridge, no works are proposed to any other protected structures in the village. The works on the bridge include the installation of a steel railing on the bridge parapet on the east side of the R 132, raising the height from c 0.6m to 1.5m.

The new railing will impact on the appearance of the bridge which is an important feature of historical and cultural significance within the village. The works proposed are significant in the context of its overall character and setting. The railing will be

placed on the top of the works and will not interfere with features of the bridge including its abutments, cutwaters, voussoirs and string course. Whilst it would be preferably if the works could be avoided, I accept that the new railing is required for safety reasons as the existing low wall does not provide adequate protection against the steep drop to the river on the east side.

The other works proposed would take place to the front of the terraced housing on the east side of the road. Each of the houses in the terrace has a centrally placed front door and opposite to this, along the R 132 kerb, the original layout included a pair of granite bollards set on a low sill wall capped with concrete. Sections of the sill wall remain, set back c 2.75m from the façade of the terrace. The works would involve the removal of the existing bollards and their sill walls. They would be relocated closer to the property facades (c 1.5m) and missing or bollards would be replaced. A 3m wide shared cycleway-pathway will be provided between the newly positioned sill and bollard wall and the R132.

The re-instatement of the bollards and sill wall outside the terraced houses on the east side of the R132 will restore the original historic elements of the streetscape which will contribute to the character of both the protected structures and the overall ACA. While I accept as noted by one of the observers that it will prevent car parking on the roadside, I note that kerb side car parking was not traditionally associated with these dwellings.

In terms of the archaeological resource, while there is significant potential in the wider environs, the works will take place within the footprint of the existing roadway and no significant impacts are likely.

Other matters

The observers contend that a bypass of the village should be provided and that a roundabout should be provided at the Laytown junction. Issues are also raised regarding the lack of car parking. I would point out to the Board that while it is the policy of the planning authority as stated in the current draft plan to consider a bypass for the village, this is not part of the current proposal and is therefore outside the Board's remit.

A roundabout is not proposed as part of the current scheme and while I accept that right hand turning movements from the Laytown junction (R150) onto the R132 are

challenging, the proposed traffic calming measures will slow traffic down and facilitate this manoeuvre.

The primary objective of the proposed development is to provide more immediate local traffic calming measures to encourage lower traffic speeds within the village and to provide a more comfortable environment for pedestrians and cyclists. It is not designed to address more strategic traffic issues associated with the village and the broader transport network.

The likely significant effects on a European site:

8.1. The areas addressed in this section are as follows:

- Compliance with Articles 6(3) of the EU Habitats Directive
- Screening the need for Appropriate Assessment
- The Natura Impact Statement
- Appropriate Assessment

Compliance with Articles 6(3) of the EU Habitats Directive:

8.2. 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 proposed development is not directly connected to or necessary for the management of any European site and is therefore subject to the provisions of Article 6(3). The Board will note that this was established by Meath Co Council in the Screening determination.

Screening the need for Appropriate Assessment

8.3. The first test of Article 6(3) is to establish if the proposed development could result in likely significant effects to a European site. This is considered Stage 1 of the appropriate assessment process i.e., screening. The screening stage is intended to be a preliminary examination. If the possibility of significant effects cannot be excluded on the basis of objective information, without extensive investigation or the

application of mitigation, a plan or project should be considered to have a likely significant effect and Appropriate Assessment carried out.

The applicant carried out an appropriate assessment screening exercise, which is contained in the Natura Impact Statement submitted with the application. The screening report identifies five European sites within the zone of influence of the proposed development,

- Nanny Estuary and Shore SPA (Site code: 004158)
- Boyne Coast and Estuary SAC (Site code:001957)
- Boyne Estuary SPA (Site code: 004080)
- River Boyne and River Blackwater SAC (Site code: 002299)
- River Boyne and River Blackwater SPA (Site code: 004232)

- 8.4. The Stage 1 Screening Assessment concluded that the proposed development would result in significant effects on one European site, the River Nanny Estuary and Shore SPA. The road corridor passes over the River Nanny and the Mosney Stream which are hydrologically connected to the SPA. No other source-pathway -receptor linkages have been established and the other European sites were eliminated for further assessment on the basis of lack of connectivity with the proposed development site.
- 8.5. Based on my examination of the NIS report and supporting information, the NPWS website, aerial and satellite imagery, the scale of the proposed development and likely effects, separation distance and functional relationship between the proposed works and the European sites, their conservation objectives and taken in conjunction with my assessment of the subject site and the surrounding area, I would conclude that a Stage 2 Appropriate Assessment is required for the River Nanny Estuary and Shore SPA (Site code :004158).
- 8.6. The remaining 4 no. sites can be screened out from further assessment because of the nature and scale of the proposed works, which will take place within the existing road corridor, the separation distance and the lack of a substantive linkage between the proposed works and the European sites. It is therefore reasonable to conclude 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 the following European Sites, the River Boyne and River Blackwater SAC (Site code:002299), the River Boyne and River Blackwater SPA (Site code:004232) the Boyne Estuary SPA (Site code: 004080) Boyne Coast and Estuary SAC (Site code 001957) in view of the sites conservation objectives and a Stage 2 Appropriate Assessment is not therefore required for these sites. No measures designed or intended to avoid or reduce any harmful effects on a European site have been relied upon in this screening exercise.

Natura Impact Statement

The AA Screening report concluded that it is not possible to rule out the potential for significant effects on the River Nanny Estuary and Shore SPA (Site code 004158) and that a Stage 2 Appropriate Assessment (NIS) was required.

- 8.7. The NIS was informed by the following studies, surveys and consultations:
- A desk top study which included a review of available data sets (NPWS, EPA, GSI, on line data bases (NBDC, NWPS, Irish Wetland Bird Survey), GSI spatial data sets and published and unpublished literature sources.
 - An examination of NWPS maps.
 - Field surveys of the proposal site and surroundings including wintering bird surveys (March 27th and 28th,2019), Otter and invasive species searches.
 - Consultations with the National Parks and Wildlife Service, DAU, Inland Fisheries Ireland, Birdwatch Ireland and Meath Heritage Officer.
- 8.8. The report concluded that, subject to the implementation of best practice and the recommended mitigation measures, the proposed development would not individually or in combination with other plans or projects adversely affect the integrity of any European site.
- 8.9. Having reviewed the NIS and the supporting documentation, I am satisfied that it provides adequate information in respect of the baseline conditions, clearly identifies the potential impacts, and uses best scientific information and knowledge. Details of mitigation measures are provided and they are summarised below. I am satisfied that the information is sufficient to allow for appropriate assessment of the proposed development (see further analysis below).

Stage 2-Appropriate Assessment

The AA Screening report concluded that it is not possible to rule out the potential for significant effects on the River Nanny Estuary and Shore SPA (Site code 004158).

The qualifying interest of the SPA are listed below.

European Site	Qualifying Interests
River Nanny Estuary and Shore SPA (Site code: 004158)	<ul style="list-style-type: none">• Oystercatcher• Ringed plover• Golden plover• Knot• Sanderling• Herring gull• Wetlands and waterbirds

River Nanny Estuary and Shore SPA (Site code 004158)

The site comprises the estuary of the River Nanny and sections of the shoreline to the north and south. The estuarine channel extends inland for about 2km and is located 1.2km downstream of the development site. The SPA is of ornithological importance as it supports five species of wintering waterbirds and one gull species in numbers of national importance.

Site specific conservation objectives have been published for the site which is to maintain the favourable conservation status of each bird species for which the site is selected and to maintain the favourable conservation condition of the wetland habitat as a resource for regularly-occurring migratory waterbirds that are utilising it.

Appropriate Assessment of the implications of the proposed development on the River Nanny Estuary and Shore SPA (Site code: 004158).

The following is an objective assessment of the implications of the project on the relevant conservation objectives of the River Nanny Estuary and Shore SPA.

The works are confined to the footprint of the existing roadway and no instream works are proposed. The wintering bird survey did not record any of the bird species for which the SPA is selected in the vicinity of the proposed development. The data made available by Birdwatch Ireland was limited to the coastal elements of the SPA and did not include data for the River Nanny. Of the six qualifying species, three would rely exclusively on estuarine and other coastal habitats (sanderling, knot, ringed plover). Due to the absence of suitable habitat for these bird species proximate to the site, they were excluded for further assessment, which is considered reasonable. Based on the foraging preferences for the other three species (golden plover, herring gull and oystercatcher), there is potential to occur within the zone of influence for pollution and disturbance effects during the construction and operational stages of the development.

Having regard to the nature and scale of the development proposed, involving upgrade works with the existing road corridor, it is not considered that the construction phase of the development, which will be temporary and of short duration would result in significant additional disturbance effects over and above those created by traffic on the existing road. The main potential impact on the qualifying interest of the SPA would be pollution associated with surface water run-off carrying suspended silt or contaminants into the River Nanny and the Mosney Stream.

Following completion, no significant operational effects are predicted associated with pollution or disturbance. All discharges from the road would be discharged to the existing closed pipe drainage system. There is no predicted increase in potential disturbance effects associated with the operation stage, which would impacts on the three qualifying species which may use habitats close to the road.

The overall conclusion reached is that in the absence of mitigation there is potential for significant effects on three species for which the River Nanny Estuary and Shore SPA is selected, associated with the potential discharge of sediment and other pollutants during construction to watercourses which are crossed by the R 132.

Mitigation Measures

A range of mitigation measures are proposed during construction to prevent silt and pollution from entering the adjacent watercourses. The silt control measures include avoidance of instream works and the installation of silt fencing where works are proposed that could generate sediment within 10m of the River Nanny or Mosney Stream. Geotextile mats would be used where works are required on soft ground within 10m of a watercourse. Appropriate measures will be taken to ensure that the silt fences are properly maintained and monitored and following decommissioning any accumulations of silt will be removed and disposed of in accordance with relevant waste legislation.

To avoid a pollution event that could potentially impact on the SPA downstream the contractor will avoid direct/indirect discharges of untreated surface/ground water directly to any surface water system. Other measures that will be implemented will include the availability of spill kits on all vehicles, no fuelling of vehicles within 30m of a watercourse, designated and bunded storage areas and daily checks of vehicles for fuel leaks/potential leaks, location of stock piled material will not be located within 15m of any watercourse/drainage system and temporary stockpiles will be covered during rainfall events to minimise run-off.

It is proposed to carry out a pre-construction survey to check for the presence of invasive species as the survey was carried out at a sub-optimal time of the year. The survey will be carried out by a qualified and experienced ecologist. Biosecurity measures will be implemented in accordance with the guidance provided by Inland Fisheries Ireland.

No mitigation measures are considered necessary during the operational stage as surface water run-off will be directed to existing drainage systems.

I am satisfied that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of this European site in light of its conservation objectives (subject to the implementation of mitigation measures outlined above).

In combination effects

The NIS considers other planning permissions granted in the vicinity of the village over the past five years, including residential development, an extension to national

school, extension to an existing compound for the storage of end-of-life vehicles and other small scale domestic/retail developments.

As impacts on the SPA are not predicted as a result of the proposed development, it is reasonable to conclude that the proposed development will not act in combination with other development to create cumulative impacts.

Conclusion on Appropriate Assessment

- 8.10. Having regard to the nature of the proposed development and the mitigation measures proposed, the information presented with the application, including the Natura Impact Statement which I consider is adequate to carry out an assessment of the implications of the proposed development on the integrity of European Sites, I consider that it is reasonable to conclude that the proposed development, individually or in combination with other plans and projects would not adversely affect the integrity of the River Nanny Estuary and Shore SPA (Site code 004158) or any other European site, in view of the site's Conservation Objectives. There is no reasonable doubt to the absence of such effects.

This conclusion is based on:

- The nature of the proposed works involving traffic calming measures within the existing road footprint
- Prevention of possible construction related pollutants from entering the River Nanny or Maosney Stream by effective mitigation measures.

The conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of such effects.

9.0 Recommendation

On the basis of the above assessment, I recommend that the Board approve the proposed development subject to the reasons and considerations below and subject to conditions including requiring compliance with the submitted details and with the mitigation measures as set out in the Natura Impact Statement.

Reasons and Considerations (Draft Order)

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, qualifying interests and special conservation interests for the River Nanny Estuary and Shore SPA (site code:004158)
- (e) the policies and objectives of the Meath County Development Plan 2013-2019, and the Draft Meath County Development Plan 2021-2027,
- (f) the nature and extent of the proposed works as set out in the application for approval,
- (g) the information submitted in relation to the potential impacts on habitats, flora and fauna, including the Natura Impact Statement,
- (h) the submissions and observations received in relation to the proposed development, and
- (i) 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 carried out in the Inspector's report that the River Nanny Estuary and Shore SPA (site code: 004158) is the only European Site 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, and the Inspector's assessment. The Board completed an appropriate assessment of the implications of the proposed development for the affected European Site, namely the River Nanny and Shore SPA (site code: 004158), in view of the site's conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an

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 site's conservation objectives.

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 not pose a risk to water quality, would not be detrimental to the visual or landscape amenities of the area, 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 constitute a significant improvement in the management of traffic and provide enhanced pedestrian and cyclist facilities within the village and 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 mitigation measures outlined in the NIS shall be implemented in full Prior to the commencement of development, details of a time schedule for implementation of mitigation measures and associated monitoring shall be prepared by the local authority and placed on file and retained as part of the public record.

Reason: In the interest of protecting the environment, the protection of European Sites and in the interest of public health.

3. The County Council and any agent acting on its behalf shall engage a suitably qualified and experienced ecologist to carry out a survey of the works area to identify the presence of any invasive species and to prepare an Invasive Species Management Plan if required. Details shall be maintained on the file as part of the public record.

The County Council and any agent acting on its behalf shall ensure that all plant and machinery used during the works should be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

Reason: In the interest of the proper planning and sustainable development of the area and to ensure the protection of the European sites.

- 4 (a) A conservation expert shall be employed to manage, monitor and implement the works on the bridge parapet and the sills and bollard removal and replacement and to ensure adequate protection of the historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the existing fabric.

(b) all repair work shall be carried out in accordance with best conservation practice as detailed in the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.

Reason: To ensure that existing historic fabric is retained and protected and to ensure an appropriate standard of restoration works for the protected structure.

5 The construction of the development shall be managed in accordance with a Construction and Traffic Management Plan, which shall be placed on the file and retained as part of the public record. The plan shall provide details of the intended construction practice for the development, including

- (a) Location of the site and materials compounds(s) including area(s) identified for the storage of construction waste;
- (b) Location of areas for construction site offices and staff facilities;
- (c) Details of security fencing and hoardings;
- (d) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage,
- (e) Traffic management measures,
- (f) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (g) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of the public road or footpath during the course of site development works;
- (h) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

(i) Containment of all construction related fuel and oil within specifically constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;

(j) Details of how it is proposed to manage excavated soil;

A record of daily checks that the works are being undertaken in accordance with the Construction and Traffic Management Plan shall be maintained on file as part of the public record.

Reason: In the interests of amenity, public health and safety.



Breda Gannon
Senior Planning Inspector

4th October 2021