



An
Bord
Pleanála

Inspector's Report

ABP-310837-21

Development	Construction of 82 no. apartments, 12 no. duplexes and provision of stand alone creche
Location	Phase 8, Avourwen, Platin/Duleek Road, Lagavooren, Drogheda, Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	LB201937
Applicant(s)	Manley Developments Ltd
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	1) Brenda Alfred Adamson 2) Agnes Molloy
Observer(s)	1) Mags McKenny 2) Kevin Byrne 3) Niall Shevlin
Date of Site Inspection	3 rd of November 2021
Inspector	Angela Brereton

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1.0 Site Location and Description

- 1.1. The site is located along the eastern side of the R152/Plantin Road which extends from the town centre at its junction with the R108/Duleek Street in a south-westerly direction towards its underpass with the M1 motorway. The Drogheda to Navan/Tara Mines freight railway line is to the north in County Louth. Duleek Gate Bridge is to the north-west. The site is to the south of the railway within the northern boundaries of Co. Meath and is c.1km to the south of Drogheda town centre.
- 1.2. It is noted that the area to the north (within the subject landholding and adjacent to the railway line) is on lands in County Louth. The Site Layout Plan provides that it is the subject of a separate planning application (recently permitted by Louth Co. Council - Reg.Ref.201149 refers). At present these lands are undeveloped and all appear to be part of the greater development area.
- 1.3. The subject site is irregularly shaped and has a stated area of 1.69ha. It is to the north of the existing 3 storey blocks in the Avourwen Village residential area. Access is proposed via the distributor road that serves this residential area. The north-western boundary of the site, is defined by a concrete post and wire fence along the embankment above the R152. The site topography is above road level of the R152 Plantin/Duleek Road. It is marginally above the Avourwen estate distributor road and is undulating in part due to the spoil (now grassed over) that had been associated with ongoing construction works. There is an existing low stone wall and dense hedgerow separating the site from McEvoy's Lane to the east. This is currently an unsurfaced and unlit pedestrian track that links the Avourwen Village estate, under the railway bridge to Drogheda. The site is bounded by residential development to the east and further to the south.
- 1.4. There are a number of existing 3 storey blocks in a semi-circular layout within the frontage of the Avourwen Village. These have been completed and are occupied and rear balconies look towards the subject site. The proposed development site is to the north (rear) of these and is to be accessed via a road to connect through Avourwen Village to the new roundabout. The eastern arm of the roundabout is currently blocked off and this part of the roadway link, as yet is undeveloped. Some of the phases of the Avourwen estate, which primarily consists of 2 storey houses have

been completed and occupied. There are ongoing construction works in the southern part of the estate (separate to the subject site).

- 1.5. The Wolfe Tones GAA sportsground and the McCloskey Honey Factory/Irish Breeze building is located on the opposite side of the R152 and there are some detached one-off dwellings opposite the estate access. There is commercial development to the north-west. The town of Drogheda is accessed via a footpath along the Plantin Road (R152) and a pedestrian link under the railway bridge.

2.0 Proposed Development

- 2.1. Manley Developments Ltd., seeks permission for Phase 8, Avourwen, Plantin/Duleek Road, Lagavooren, Drogheda, Co. Meath. This is to consist of the following:

1. 3no. 4 storey apartment blocks totalling 82no. apartments to include 41no. 1 bed apartments and 41no. 2 bed apartments:
2. 3no. 3 storey duplex blocks totalling 12 residential units including 6no. 2 storey 3 bed duplex units and 6no. 1 storey 2 bed units:
3. Provision of a stand alone creche of 678sq.m with an external child play area of 165sq.m:
4. Provision of 138no. car parking spaces and 153 bicycle parking spaces:
5. All associated site development works including: landscaping, site lighting, play areas, bin stores, signage, boundary treatments and services infrastructure.

The Public Notices note that previously, planning permission was granted for similar development on the same site layout - Planning Register Number SA/60309, subsequently extended by Planning Register Number SA/120088.

- 2.2. Documents submitted with the application include the following:

- Architectural Design Statement – Lafferty Architects;
- Report to inform Screening for Appropriate Assessment – Gannon + Associates;
- Landscape Design Rational & Landscape Specifications – ditto

- Tree & Hedgerow Survey, Assessment, Management, Mitigation & Protection Measures – ditto;
- Site Service Report – DR Consulting;
- Flood Risk Assessment – ditto
- Sustainability & Energy Report for Planning – CCE Coffey Consulting Engineering;
- Public Lighting Report – ditto;
- Architectural, Landscaping and Engineering Drawings.

2.3. Key Figures

Site Area	1.69ha
No. of Units	94
Density	56 units/ha (60 u/h if the creche area is not included)
Plot Ratio (g.f.a divided by g.site.a)	0.52 or 0.48 (if the area of the creche is not included)
Height	Between 3 and 4 storeys
Dual Aspect	63% of apartments
Public Open Space	6,890 (40%)
Part V	9no. units (10%)
Vehicular Access	From Plantin Road via Avourwen Village estate.
Car Parking	138
Cycle Parking	153
Creche	678sq.m

2.4. Table showing proposed Unit Mix:

No. of Units	No. of Bedrooms	Unit Typology	%
41	1 - bedroom	Apartment	43.6
41	2 - bedroom	Apartment	43.6
6	2 - bedroom	Duplex House	6.3
6	3 - bedroom	Duplex House	6.3

3.0 Planning Authority Decision

3.1. Decision

On the 16th of June 2021, Meath County Council granted permission for the proposed development subject to 23no. conditions. In summary, these detailed conditions include relative to design and layout, infrastructure (drainage, access, roads, parking, pedestrian and cycle facilities), restriction of occupation of units (Section 47), archaeology, landscaping, telecommunications, construction works including the preparation of a Construction Environmental Monitoring Plan (CEMP) and Waste Management Plan, a cash bond and development contributions.

Condition no.2 – A total of 94 units and 1no. creche shall be built on the site.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner's Report has regard to the locational context of the site, planning history and policy, to the inter-departmental reports and to the submissions made. In summary, their Assessment included the following:

- The proposed development would be consistent with the planning policy in place and having regard to the site history and extant permissions on the landholding, the proposal is acceptable in principle subject to normal planning considerations including design, access and site service issues.

- They considered that the size, scale/density and massing of the proposed development would link in with the overall development of Avourwen.
- That the proposed development would be in keeping with the urban context and would not cause any harmful impact to the visual amenity of the surrounding area.
- They note the open space provision is in excess of 15% and is reasonably well designed and is laid out generally in accordance with PA ref. SA/60309.
- They do not object to the overall design and appearance of the proposed creche.
- They note that the Transportation Department has been consulted requested further information on a number of issues.
- They note that the Council's Water Services Section and Irish Water have recommended that F.I. be sought.
- An AA Screening Report has been submitted. They have regard to this, and they conclude that a Stage 2 AA (NIS) is not required.

Further Information Request

This detailed F.I request in summary included the following:

Transportation issues

- Amendments to the site layout to extend the access road from the roundabout to the eastern boundary of the landholding as per the agreed Master Plan.
- To revise the design statement to demonstrate compliance with DMURS (2019).
- To agree boundary treatment along the eastern boundary of the development.
- To provide visitor bicycle parking at a rate of 1 space per 2 residential units.
- All footpaths to be at least 3m wide. Footpaths to be provided along the pedestrian desire line of Block B to McEvoy's Lane to the east.
- Ramps/raised tables to be at 90 degrees to the flow of traffic.

Drainage

- Calculations for the greenfield runoff of the subject site and discharge details.
- Details on flow control devices.
- Permeable paving shall be used in areas not to be taken in charge only.
Revised calculations for attenuation to reflect the requested revised design.
- Details of surface water drainage relative to permeable paving.
- To provide a breakdown of the green space, impermeable and permeable areas within each catchment of the proposed development to determine the attenuation volume for the subject development.
- The applicant to design an attenuation system suitable for the ground conditions and acceptable to MCC Water Services Engineer. To maximise the opportunity for onsite infiltration where possible.
- To locate a Class1 petrol/oil separator upstream of the proposed attenuation systems.
- To demonstrate that the FFL are at least 500mm above the maximum adjacent river level and top water level in the onsite drainage system.
- Details on interception storage.
- To investigate and prove the existence and capacity of the existing surface water drainage network and to comply with any works necessary to facilitate the discharge from the proposed development.
- To provide the necessary details for Irish Water in order to determine the feasibility of connection to the public/wastewater infrastructure.

Other issues

- Revisions to the proposed public lighting system to take into account comments from the Public Lighting Section and current guidelines.
- Revised Public Notices if required.

Further Information Response

Lafferty Architects have submitted an F.I response on behalf of the Applicants, which they include in tabular form and in summary includes the following:

Access issues

- A revised Site Layout Plan to show the access road from the roundabout to the eastern boundary of the site as per the agreed Master Plan.
- DR Consultants have attached the Quality Audit from RSM as requested. They refer to the Master Plan as per permission SA60309. They note that the current F.I submitted will be further developed as part of the detailed design stage.
- They refer to Gannon & Associates Landscape Masterplan submitted. They note that it is proposed to remove the existing boundary hedge with McEvoy's Lane and improve surveillance.
- The historic wall on the western boundary of McEvoy's Lane and the eastern edge of the proposed development will be restored where required.
- Generally, 3m wide footpaths are proposed.
- 47no. visitor covered bike spaces are now proposed – they refer to updated drawings.
- DR Consultants drawings indicates the revised Ramps/Raised tables at 90 degrees to the flow of traffic.
- A Quality Audit – Road Safety Audit Stage 1 by Road Safety Matters has been submitted.

Drainage issues

- They refer to DR Consultants F.I response in relation to Drainage issues raised in summary includes the following:
- Their calculations indicate the 1 year pre-development greenfield runoff rate.
- They note that all Hydro-brake control devices shall be provided by Hydro International and details are given of these.
- Details are given of the Vortex style restrictor flow device.

- The permeable Duraflow asphalt has now been omitted. All pavement is now a standard Bitumen Macadam finish. The revised calculations now reflect the additional impervious areas.
- There are no private parking spaces proposed. All parking is roadside parking and shall have a Bitumen Macadam finish.
- They refer to their drawings indicating the associated catchment areas for the attenuation tanks. The catch area drawing shows all impervious surfaces are grassed/soft landscaped permeable areas.
- They refer to the Hydrobrake Environmental Ltd Report submitted and provide details of BRE 365 tests and note that the higher water table means a change to the design of their attenuation system and underground tank design.
- They provide details of revisions to the attenuation system and note that they propose to install a Klargest Interceptor down-stream. Revised Attenuation Calculations have been submitted.
- There is no adjacent river close to the site however the top water level within the system is set at +40.40m with the adjacent floor level set at +41.0m.
- The existing surface water outfall has been designed and installed in compliance with the original approved masterplan proposals under Reg.Ref. SA60309 which caters for the full site being development.
- Currently the site is approximately 35% complete with ongoing construction. A detailed assessment was previously carried out in 2006 to establish available capacity in the system.
- An Infiltration Rate Testing Report has been submitted by Hydrocare Environmental Ltd.
- A pre connection enquiry and confirmation of feasibility of connection to the public network from Irish Water is attached.

Other issues

- They have also submitted a Sustainability & Energy Report.
- They refer to details submitted relative to public lighting – Coffey Consulting Engineering.

- Gannon + Associates have responded relative to boundary treatment and width of footpaths.

Planner's Response

The Planner reviewed the F.I submitted and concluded that having regard to the nature and scale of the proposed development, the suitability of the site, the pattern of development in the vicinity, National, Regional and Local policy in relation to housing, they consider that subject to compliance with conditions the proposed development would not seriously injure the visual amenities of the area of the residential amenities of properties in the vicinity, would not be likely to have significant effects on the environment or the ecology of the area. They concluded that the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

3.3. Other Technical Reports

Transportation

They recommended that Further Information be submitted to include the following:

- To amend the site layout and extend the access road from the roundabout to the eastern boundary of the landholding as per the agreed Masterplan.
- That the proposed development be revised in accordance with DMURS 2019. A Quality Audit should be submitted.
- Details regarding boundary treatment, parking, footpaths and ramps/raised tables, including that McEvoy's lane be included within the red line boundary.

They have regard to the F.I response and note details relative to each of the issues raised, including revisions to the site layout plan, to McEvoy's Lane, footpaths, cycleways and parking. Also, that a Quality Audit - Road Safety Audit Stage 1 has been submitted. They have no objection subject to recommended conditions.

Water Services

They provide that the development as proposed does not meet their requirements with respect to the orderly collection, treatment and disposal of surface water. They recommended that F.I be sought on a number of drainage related issues relative to surface water treatment and disposal.

Their response notes they still have concerns and they recommend that a petrol interceptor be incorporated into the surface water drainage system serving the proposed catchment area 1. Also, that all work comply fully with the GDSDS Regional Drainage Policies, Volume 2 for New Developments.

Environment Section

They note that the proposed development will have the most impact during construction stage with various environmental emissions during this period. They provide that they have no objections subject to recommended conditions, which include that a Construction Environmental Monitoring Plan and a Waste Management Plan be submitted.

Housing Department

They refer to details provided on Part V housing allocation.

Public Lighting

They recommend that revised public lighting and layout be submitted in accordance with the relevant Meath County Council standards.

Broadband Officer

- They advise that adequate provision be made for telecommunications infrastructure.

Fire Service Department

- They request that Fire Safety be in accordance with the appropriate regulations.

3.4. Prescribed Bodies

Irish Water

They note that significant network restraints occur downstream of the proposed development. They request F.I in order to assess the feasibility of a connection to public water/wastewater infrastructure. In response to the F.I they have no objection subject to conditions.

Transport Infrastructure Ireland

They provide that in the case of this application, they have no observation to make.

3.5. Third Party Observations

Submissions have been received from local residents. Their concerns have been noted in the Planner's Report and issues raised are considered further in the context of the Third Party Appeals and the Observations made in the Assessment below.

4.0 Planning History

The Planner's Report provides an extensive planning history of the site and surrounding area and this includes the following relevant to the landholding and the greater development of the Avourwen area including the subject site:

Subject Site

- SA/60309 – Rockview Development – Granted 03/04/07
- SA/120088 – Rockview Development – Extension of duration of permission - extended until 02/04/17

Description of development granted by the Council subject to conditions: New residential/commercial development of 501 no. houses: 74 no. apartments in 3 blocks (A,B & E); 2352sq.m leisure centre; 467sq.m shops in 6 units; 2no. creches (one 639sq.m near leisure centre and one 635sq.m in housing estate); landscaping and associated site works, new roads including a section of the Bryanstown Cross route, boundary walls and fencing. The development will read in conjunction with 2no. apartment blocks (C&D) containing 50 apartments and site works including new boundary walls and fencing, also at Plantin/Duleek Road, Lagavooren Drogheda (separate application for permission for these apartments made concurrently to Drogheda Borough Council). An Environmental Impact Statement has been carried out, and EIS was included with those applications.

These decisions were not the subject of an appeal to the Board. Copies of these decisions are included in the History Appendix of this Report.

Concurrent application on adjoining site on the northern part of the landholding:

- 201149 – Permission granted subject to conditions by Louth County Council to Manley Developments Ltd. for (1). 1no. 3/4 storey apartment block over

basement totalling 50 no. apartments including 18 no. 1 bed apartments and 32 no. 2 bed apartments. (2) Provisions of 50 no. carparking spaces and 107 bicycle parking spaces. (3) All associated site development works including; landscaping, site lighting, play areas, bin stores, signage, boundary treatments and service infrastructure. Previously planning permission was granted for similar development on the same site layout by way of planning ref. no. 06/510205 subsequently extended by planning ref. no. 12/510013.

This development for 50 no. units has been recently granted permission subject to conditions by Louth County Council and was not the subject of an appeal to the Board. A copy of the Council's decision is included in the History Appendix to this Report. The following conditions are of note relative to the current application.

Condition no. 2 - No apartments hereby granted permission shall be occupied, leased, or sold until the section of the Bryanstown Cross Route within the applicants ownership and included as part of the permission granted by Meath County Council under planning reference LB201937, is completed to the written satisfaction of the Planning Authority.

Reason: To ensure a satisfactory standard of development and the delivery of the Bryanstown Crossroute.

Condition no. 3 includes: Provision for appropriate pedestrian/cycle from this site along McEvoy's Lane shall be provided prior to the lease or sale of any apartments hereby granted planning permission...

Condition no. 4 – The creche granted planning permission by Meath County Council – planning reference 201937, to the immediate south of this site shall be operational prior to the occupation of any residential units hereby granted planning permission.

Condition no.10 (a) Prior to the commencement of development a comprehensive lighting scheme for the development including McEvoy's Lane shall be submitted...

History of landholding

The following is a summary of the planning history (details provided in the Council's Planning Report) of permissions for residential development on the landholding:

- LB/20043 – Manley Development Limited – Granted 24/11/2020

- LB/190071- Rockview Developments – Granted 16/07/19
- LB/180042 – Rockview Developments - Granted 14/06/18
- LB/180018 – Rockview Developments – Granted 12/04/18
- LB/140682 – Rockview Developments – Granted 04/11/14
- SA/130695 – Rockview Developments – Granted 05/12/13
- SA/900997 – Rockview Developments – Granted 11/01/10
- LB/141166 – Rockview Developments – Extended until 21/01/20
- SA/900113 – Rockview Developments – Granted 23/04/09
- SA/802954 – Rockview Developments – Granted 20/02/09
- SA/70632 – Rockview Developments – Granted 26/03/08
- SA/130180 – Rockview Developments – Extended until 02/04/17

Other applications of note outside of the landholding and in proximity within the South Drogheda Environs:

- 21590 – Permission granted subject to conditions by the Council for the construction of two storey detached community centre, solar panels, running/walking track & mesh fencing around pitch at Plantin Road, Legavoureen, Drogheda, Co. Meath. This Site to the southeast (separate landholding opposite site of the Plantin Road) *and* is the subject of a current appeal Ref. PL17.310535 refers.
- ABP-303799-19 - Strategic Housing Development granted permission for the construction of a mixed residential development of 250 units, including childcare facility, car parking, ESB substations and ancillary works with vehicular, pedestrian and cycle access from the Beamore Road, Bryanstown, Drogheda. This is not on the landholding and is further to the south in the South Drogheda Environs.

5.0 Planning Policy

5.1. National Planning Framework

The National Planning Framework addresses the issue of ‘making stronger urban places’ and sets out a range of objectives which it considers would support the creation of high quality urban places and increased residential densities in appropriate locations while improving quality of life and place. Relevant Policy Objectives include:

National Policy Objective 2b: The regional roles of Athlone in the Midlands, Sligo and Letterkenny in the North-West and the Letterkenny-Derry and Drogheda-Dundalk-Newry cross-border networks will be identified and supported in the relevant Regional Spatial and Economic Strategy.

National Policy Objective 3c: Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints.

Section 3.2 Eastern and Midland Region, Louth/North East: The NPF states that the key driver for this regional area is the Dublin-Belfast cross-border network, focused on Drogheda, Dundalk and Newry. It will be necessary to prepare co-ordinated strategies for Dundalk and Drogheda at both regional and town level to ensure that they have the capacity to grow sustainably and secure investment as key centres on the Drogheda-Dundalk-Newry cross-border network.

National Policy Objective 7: Apply a tailored approach to urban development, that will be linked to the Rural and Urban Regeneration and Development Fund, with a particular focus... to include :

- *Strengthening Ireland’s overall urban structure, particularly in the Northern and Western and Midland Regions, to include the regional centres of Sligo and Letterkenny in the North-West, Athlone in the Midlands and cross-border networks focused on the Letterkenny-Derry North-West Gateway Initiative and Drogheda-Dundalk-Newry on the Dublin-Belfast corridor;*
- *Encouraging population growth in strong employment and service centres of all sizes, supported by employment growth;*

Other Objectives include:

National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

National Policy Objective 13: In urban areas, planning and related standards, including in particular building height and car parking, will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

National Policy Objective 35: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

National Policy Objective 57: Enhance water quality and resource management by ... ensuring flood risk management informs place making by avoiding inappropriate development in areas at risk of flooding in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities.

5.2. **Regional Spatial & Economic Strategy for the Eastern and Midland Region (RSES) 2019 - 2031**

The primary statutory objective of the Strategy is to support implementation of Project Ireland 2040 - which links planning and investment through the National Planning Framework (NPF) and the National Development Plan (NDP) - and the economic and climate policies of the Government by providing a long-term strategic planning and economic framework for the Region.

The optimum growth scenario for the Region is set out. This includes:

- *The Spatial Strategy: To better manage the growth of Dublin and the regional centres of Athlone, Dundalk and Drogheda, supported by a selected number of large self-sustaining settlements with the greatest identified assets and capacity to act as regional drivers for growth.*
- *Target significant growth in the Regional Growth Centres of Athlone, Drogheda and Dundalk to enable them to act as regional drivers, with a focus on improving local economies and quality of life to attract investment and the preparation of urban area plans (UAPs).*
- *Promote compact urban growth to realise targets of at least 50% of all new homes to be built, to be within or contiguous to the existing built up area of Dublin city and suburbs and a target of at least 30% for other urban areas.*

The Spatial Strategy includes relative to Regional Growth Centres:

- *Support significant population and economic growth to drive effective regional development, with a vision for Athlone to act as a lead town for the Midlands growing to around 30,000 by 2031. The vision for Drogheda and Dundalk is for both to reach a target population in the region of 50,000 by 2031.*

Table 4.2 provides the Settlement Hierarchy and includes Drogheda within the Core Region:

- *Regional Growth Centres are large towns with a high level of self-sustaining employment and services that act as regional economic drivers and play a significant role for a wide catchment area.*

Regional Growth Centres such as Drogheda are seen as being Regional Economic Drivers outside the Dublin Metropolitan Area. Drogheda is also on the Dublin – Belfast Economic Corridor.

5.3. **Section 28 Ministerial Guidelines**

The following is a list of relevant Section 28 Ministerial Guidelines:

- ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ including the associated Urban Design Manual, 2009
- ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities’ (DECLG, updated 2020)

- ‘Design Manual for Urban Roads and Streets’ (DMURS) 2019
- ‘The Planning System and Flood Risk Management’ 2009 (including the associated ‘Technical Appendices)
- ‘Childcare Facilities – Guidelines for Planning Authorities’ (2001)
- ‘Framework and Principles for the Protection of Archaeological Heritage’ (Dept. of Arts, Heritage, Gaeltacht and the Islands, 1999)
- ‘Urban Development and Building Heights Guidelines for Planning Authorities’ (2018)
- Regulation of Commercial Institutional Investment in Housing – Guidelines for Planning Authorities – May 2021.

5.4. **Meath County Development Plan 2021-2027**

This application was assessed by the Council under the policies and objectives of the Meath County Development Plan 2013-2019. However, the new Plan has since been adopted and came into force on the 3rd of November 2021. It is of note that the decision of a planning application is made based on the Plan in place on the date of the decision, not the date the application is lodged. Therefore, the proposed development will be assessed under the policies and objectives of the newly adopted plan.

Drogheda - Regional Growth Centre

Section 2.4 has regard to the Regional Spatial and Economic Strategy and notes that Drogheda is within the Core Area.

Section 2.8.1.1 refers to the requirements for a co-ordinated strategy to maximise the growth potential of Drogheda. This includes regard to the removal of the Residential Phase II designation on ‘A2’ New Residential land retained and being available for development:

This will ensure that there is sufficient land available to facilitate population growth and economic development based in its designation as a Regional Growth Centre. As part of the Joint Urban Area Plan process a more detailed examination of the quantum of residential and employment zoned lands, in addition to open space and

community infrastructure, will be carried out. Pending the completion of this process the Council will closely monitor development activity in the area.

Section 2.9.4 refers to Housing growth and the RSES and the objective requiring that 30% of all new homes will be within the existing built-up area of settlements. Section 2.9.6 to Securing Compact Growth and 2.10.2 to Focus of Growth in the Core Area in particular in Drogheda. Map 3.1 provides the Settlement Hierarchy and this includes Drogheda (southern environs in Co. Meath) as being part of the Drogheda Regional Growth Centre.

Section 2.14 notes that a Strategic Environmental Assessment and Appropriate Assessment has been prepared in tandem with the Core Strategy.

Section 2.14.2 includes Objectives of relevance to Drogheda environs:

Objective CS OBJ 8 is of particular note: *The existing Southern Environs of Drogheda Local Area Plan 2009 (The LAP) shall remain the statutory plan for the Southern Environs of Drogheda until such a time as it is replaced with a Joint Urban Plan for Drogheda in conjunction with Louth County Council having regard to the requirements of the Report of the Drogheda Boundary Review Committee (February 2017), the National Planning Framework, and the Eastern and Midland Region Regional Spatial and Economic Strategy. This plan shall be read together with the County Development Plan 2020-2026. The County Development Plan 2020-2026 shall take precedence if a conflict arises between the Plans and the conflicting provision of the LAP shall cease to have effect.*

CS OBJ 10 - *To prepare, as a priority, a Joint Vision and Urban Area Plan for Drogheda in partnership with Louth County Council within the lifetime of this Plan in accordance with the requirements of Regional Policy Objective 4.8 of the RSES for the Eastern and Midland Region and the recommendations set out in the Report of the Drogheda Boundary Review Committee published in February 2017. As part of the preparation of this Plan, a detailed infrastructure assessment, consistent with the methodology for a Tiered Approach to Zoning under Appendix 3 of the NPF will be undertaken.*

Section 3.2 provides the Settlement and Housing Strategy Vision and has regard to Population Growth and Distribution. Section 3.4 to the Settlement Strategy and to compact growth and alignment with the NPF and RSES.

Section 3.4.2 refers to the Settlement hierarchy and notes that the South Drogheda Environs are part of the Regional Growth Centre. This refers to large towns with a high level of self-sustaining employment and services that act as regional economic drivers and play a significant role for a wide catchment area.

Section 3.4.3 notes that primary focus of growth in the Settlement Strategy will include towards the Regional Growth Centre (Southern Environs of Drogheda).

Section 3.4.5 notes the Local Area Plans are a mandatory requirement under section 19 of the Planning and Development Act 2000 (as amended) and settlements include the Southern Environs of Drogheda.

Section 3.4.6 refers to the Regional Growth Centre and provides that in recognition of the importance of preparing a coherent and co-ordinated strategy that will ensure the town can develop to its maximum potential, the RSES requires the preparation of a joint UAP for Drogheda by Meath and Louth County Council.

Land Use Zoning

Section 3.6 refers to Land Use Zoning in each settlement and to the sequential approach to development.

Section 3.8 refers to the delivery of housing in the appropriate location and the creation of attractive neighbourhoods with a range of housing options and a strong sense of place and community as being key objectives of this Plan. Note is had to Legislation changes and Policy Initiatives. Reference is had to the Meath County Housing Strategy and Part V. The Housing Strategy estimates that there will be a requirement for 1,397 social and affordable units between 2020 and 2025.

Reference is had to Housing Strategy Policies and Objectives.

Section 3.8.5 refers to Lands zoned for residential purposes and this includes 'A1' Existing Residential and 'A2' New Residential. Details are given of permissible/non-permissible and uses open to consideration relative to the Zoning Categories.

'A2' New Residential Objective: *To provide for new residential communities and ancillary community facilities, neighbourhood facilities as considered appropriate.*

Policy SH POL 8 - To support the creation of attractive residential developments with a range of housing options and appropriate provision of functional public and private open space that is consistent with the standards and principles set out in the

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the associated Urban Design Manual – A Best Practice Guide, DEHLG (2009) and any subsequent Guidelines.

SH POL 13 - To require that all new residential developments shall be in accordance with the standards set out in the Development Management Standards and Land Use Zoning Objectives set out in Chapter 11 of this Plan, in so far as is practicable.

The Housing Development Objectives include:

SH OBJ 22 - To require that, where relevant, all new residential developments shall be in accordance with SSPR 1 to SPPR 4 of the Urban Development and Building Heights Guidelines for Planning Authorities, December 2018 as well as SPPR 1 to SPPR 9 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, March 2018. All new residential development should comply with the densities outlined in Chapter 11 of this plan.

SH OBJ 24 - To require that all new residential development applications of 50 units or more are accompanied by a Social Infrastructure Assessment (SIA) to determine if social and community facilities in the area are sufficient to provide for the needs of the future residents in accordance with the requirements of policy SOC POL 6 in the 'Community Building Strategy' (Chapter 7).

Development Management Standards

Section 11.4 refers to General Standards applicable to all Development Types.

Section 11.5 - Residential Development Standards. This includes compliance with the following policies and objectives:

DM POL 4: To require that all proposals for residential development demonstrate compliance with the Sustainable Residential Development in Urban Areas - Cities, Towns & Villages (2009) and the Urban Design Manual-A Best Practice Guide, 2009 or any updates thereof.

DM OBJ 12: To encourage and facilitate innovative design solutions for medium to high density residential schemes where substantial compliance with normal development management considerations can be demonstrated.

DM OBJ 13: A detailed Design Statement shall accompany all planning applications for residential development on sites in excess of 0.2 hectares or for more than 10 residential units.

Density /Height and Design

Section 11.5.3 refers to Density and includes reference to those referred to the 'Sustainable Residential Development in Urban Areas' (2009).

DM POL 5: To promote sustainable development, a range of densities appropriate to the scale of settlement, site location, availability of public transport and community facilities including open space will be encouraged.

DM OBJ 14: The following densities shall be encouraged when considering planning applications for residential development:

- Residential Development Beside Rail Stations: 50 uph or above
- Regional Growth Centres/Key Towns: (Navan/Drogheda) - 35-45 uph

It notes that SPPR 1 of the Urban Development and Building height Guidelines for Planning Authorities December 2018 is to be considered in the implementation of these densities.

DM OBJ 15: As a general rule, the indicative maximum plot ratio standard shall be 1.0 for housing at edge of town locations with an indicative maximum plot ratio of 2.0 in town centre/core locations.

DM OBJ 16: Site coverage shall generally not exceed 80%....

Section 11.5.7 – Separation Distances – Objectives DM OBJ 18 -21 relate

DM OBJ 19: A minimum of 22 metres separation distance between opposing windows will apply in the case of apartments/duplex units up to three storeys in height.

DM OBJ 20: Any residential development proposal which exceeds three or more storeys in height shall demonstrate adequate separation distances having regard to layout, size and design between blocks to ensure privacy and protection of residential amenity.

DM POL 6: To require that the unit typologies proposed provide a sufficient unit mix which addresses wider demographic and household formation trends. The design statement required at DM OBJ 13 shall set out how the proposed scheme is compliant with same.

Open Space

Section 11.5.10 refers to Open Space and 11.5.11 to Public Open Space.

DM OBJ 26: Public open space shall be provided for residential development at a minimum rate of 15% of total site area. In all cases lands zoned F1 Open Space, G1 Community Infrastructure and H1 High Amenity cannot be included as part of the 15%. Each residential development proposal shall be accompanied by a statement setting out how the scheme complies with this requirement.

Section 11.5.12 – Private Open Space.

DM POL 7: Residential development shall provide private open space.

Apartment schemes shall in accordance with the requirements set out in Table 11.1. Each residential development proposal shall be accompanied by a statement setting out how the scheme complies with the requirements set out in Table 11.1.

It is noted that Table 11.1 provides the Minimum Private Open Space Standards for Houses.

Section 11.5.13 – Boundary Treatments –

Policies DM POL 8-9 and Objectives DM OBJ 28 -32 refer.

Sunlight/Daylight

Section 11.5.16 – Light and Overshadowing. Regard is had to the recommendations of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (B.R.209, 2011) and any updates thereof.

DM POL 11: New residential development should be designed to maximise the use of natural daylight and sunlight. Innovative building design and layout that demonstrates a high level of energy conservation, energy efficiency and use of renewable energy sources will be encouraged.

Apartments

Policies and Objectives include:

DM POL 14: All planning applications for apartments are required to demonstrate compliance with 'Sustainable Urban Housing; Design Standards for New Apartments', Guidelines for Planning Authorities (2018) and any updates thereof. While these Guidelines set out minimum design standards, the Council strongly encourage the provision of apartments above these standards, in the interest of creating attractive living environments and sustainable communities.

DM OBJ 39: An appropriate mix of units shall be provided to cater for a variety of household types and tenures...

DM OBJ 40: A Design Statement is required to be submitted with any planning application for apartment development.

Section 11.5.27 – Waste Management – this includes regard to bin storage in residential areas.

Childcare

Section 7.7 notes that Community infrastructure is an essential part of all communities. The Sustainable Residential Development in Urban Areas Guidelines (2009) emphasise the need to integrate housing with the provision of supporting community and social infrastructure. The Guidelines acknowledge that community facilities should be located within, or close to, neighbourhood centres and be well served by public transport. Policies SOC Pol 1 – 14 and Objectives SOC OBJ 1 – 3 relate.

Section 7.7.3.3 supports the provision of Childcare Facilities as a key piece of social infrastructure required to enable people to participate in accessing employment, education and social networks.

SOC POL 21: To support the provision of childcare facilities of an appropriate type and scale at the following locations – this includes within new and existing residential development.

SOC POL 22: To permit childcare facilities in existing residential areas provided that they do not have a significant negative impact on the character or amenities of an area, particularly with regard to car parking, traffic generation and noise disturbance.

DM POL 25: To facilitate the provision of childcare facilities in appropriate locations as set out in accordance with the provisions of the DoEHLG 'Childcare Facilities Guidelines for Planning Authorities' (2001).

Car/Cycle Parking

Section 9 – Car Parking Standards.

DM OBJ 89: Car parking shall be provided in accordance with Table 11.2 and associated guidance notes.

The Guidance notes include that the standards set out in Table 11.2 shall apply to all new developments. They include that residential car parking can be reduced at the discretion of the Council, where development is proposed in areas with good access to services and strong public transport links.

DM OBJ 90: The dimension of parking bays shall comply with Table 11.3.

DM OBJ 93: New residential development should take account of the following regarding car parking (includes criteria)...

Section 11.9.2 and Objectives DM OBJ 94 and 95 refer to EV Charging Points.

Section 11.9.3 refers to Cycling Parking. Objectives DM OBJ 96-100 relate and Table 11.4 provides the Cycle Parking Standards.

Development Contributions

Section 5.9.3 refers to Section 48 and 49 Levies. Objectives MOV OBJ 61-62 refer.

Section 11.11 refers to General, Special and Supplementary Development Contributions.

Local Area Plans

Section 1.5.1 has regard to the Existing Suite of Local Area Plans and this includes the Southern Environs of Drogheda. This includes:

A written statement and land use zoning objectives map to establish a framework for inter alia the future LAP's, to support economic development and to provide a basis for continued operation of the development management process pending the completion of the LAP's (in the case of Drogheda the UAP) has been included in Volume 2 for each settlement centre.

Volume 2 includes a written statement for the Southern Environs of Drogheda. This provides a brief description and development strategy for South Drogheda Environs and includes: *As required by Regional Policy Objective 4.11 in the RSES1, a Joint Urban Area Plan (UAP) is to be prepared by Meath County Council and Louth County Council during the life of this Plan.*

Pending the completion of this Urban Area Plan, a written statement and land use zoning objectives map to establish a framework for inter alia the future UAP, to support economic development and to provide a basis for continued operation of the development management process pending the completion of the UAP has been included.

To ensure a coherent strategy a joint UAP is to be prepared for Drogheda by Meath and Louth County Council's, in collaboration with the Eastern and Regional Assembly. This Plan is to support development of the town as a driver for economic growth along the Dublin-Belfast Economic Corridor.

Section 3.0 provides the Development Strategy and includes:

Pending the preparation of the Joint Urban Area Plan, it is not proposed to make any amendments or alterations to the land use zoning map for the Southern Environs. The current zoning map and Development Strategy for the settlement will therefore remain in place until such a time as this Plan has been finalised.

Note is had of residential developments permitted in the South Drogheda area including the SHD for 250 units in Bryanstown. It is submitted that this Plan will support the creation of sustainable communities in South Drogheda, with the development of residential lands being dependent on the provision of any necessary social and physical infrastructure.

Policy STH DRO POL 1 and Objectives STH DRO OBJ 1 to OBJ 3 refer.

5.5. Southern Environs of Drogheda Local Area Plan 2009-2015

This incorporates Amendment No.1 – Adopted March 2015. A significant amendment to the Southern Environs of Drogheda Local Area Plan was made on March 2nd 2015 to ensure consistency with the land use zoning objectives and Order of Priority for the release of lands for each centre contained in the Meath County Development Plan 2013 – 2019, as varied.

Map 5.3 Land Use Zoning Map shows the site is primarily within the A2 'New Residential' zoning. The area to the west is zoned B3 'Neighbourhood Centre'.

As noted in the Southern Environs LAP the greater landholding area includes a Specific Development Objective: DE12: *To examine the feasibility and progress if appropriate, the provision of a link road between the M1 and the R132 concentrating on the section from Junction 8 on the M1 to the extent of the E2 'General Enterprise and Employment' during the lifetime of this LAP.*

Table 2 shows Significant Extant Planning Permissions in Drogheda South Environs. This includes SA120088 – Beamore (475 units) – expiration date 2017. Table 2 showed what were then 3no. large housing permissions – all of which are now expired. It was then noted that the development if constructed would represent a significant increase in the population of Drogheda located within the LAP area and would place considerable pressure on the existing social infrastructure facilities such as education and amenities.

Table 3.4 lists Designated Sites within the LAP area.

Section 3.10 refers to Infrastructure and provides a detailed description of Existing Water Supply, Foul Water Drainage and the Existing Surface Water Regime.

Map 3.3 shows Retail & Community Facilities in the Drogheda Area all of which are to the north of the Southern Environs development area.

Table 4.1 details the Housing Allocation for Drogheda Environs as 857 units and an av.Net density applicable unit/ha of 43.

Development Framework

Chapter 5 provides the Key Development Principles.

DF1 All new development should be set in/ be mindful of the context of the existing built up area of Drogheda town and needs to demonstrate how it integrates with the town proper, both in terms of linkages and integration with the existing built form.

DF2 The sequential approach shall apply to all new residential development in that those areas closest to the existing built up area should be developed first.

DF3 All necessary physical infrastructure is required to be provided in line with all new development.

Section 5.3 refers to the Key Principles of Urban Design and Section 5.4 the Residential Development Standards to provide an attractive living environment for future residents. Policies relative to apartment developments include the following:

RDS1 Given the suburban nature of the Local Area Plan lands, it is considered appropriate that the minimum apartment sizes set out in the 'Sustainable Urban Housing Design Standards for New Apartments' Guidelines should be exceeded in at least 50% of all apartments of any given scheme by at least 20% over and above the minimum requirements to ensure that apartment living can compete in attractiveness with more traditional type housing.

RDS2 In addition to policy RDS1, it is a policy of this Plan that in any apartment development of 30 or more units, 40% of all apartments should be of a size of 80sqm or more.

RDS3 The overall dwelling mix of residential schemes should achieve a good balance of different sized units to provide for a wide variety of dwelling type, size and tenure.

Section 5.5 refers to the provision of Public Open Space and landscaping.

Section 5.7 – Neighbourhood & Community Facilities.

Section 5.11 – refers to Traffic and Transportation and includes reference to future development of link roads. It also refers to interconnectivity and to Pedestrian/Cyclist Facilities and to the provision of public transport.

5.6. **Louth County Development Plan 2021-2027**

This was adopted on the 30th of September 2021 and came into effect on the 11th of November 2021. This Plan provides a framework for the growth and development of the County during its lifetime with an underlying and cross cutting theme promoting the creation of sustainable, healthy communities where people can access jobs, housing, and services, and enjoy a high quality of life.

Included in this Plan are Zoning and Flood Maps and Composite Maps for all settlements in the County in addition to policy objectives and Development Management Guidelines applicable in the design and assessment of planning applications.

As a point of clarity it is provided that the Louth CDP 2021-2027 has superseded a number of Development Plans/Local Area Plans including the following:

- Drogheda Borough Council Development Plan 2011-2017
- North Drogheda and Environs Local Area Plan

Chapter 2 includes Policy Objective CS 8 which is of note:

In order to ensure consistency with the Core Strategy housing allocation as set out in the County Development Plan, as part of the preparation of the Joint Local Area Plan for Drogheda a review of lands zoned A2 New Residential in the Northern Environs area will be carried out and a phasing strategy will be set out. This will take account of the designation of Drogheda as a Regional Growth Centre in national and regional policy, the housing allocation for Drogheda in the Core Strategy, the availability of transport infrastructure and water services, and ensuring the Northern Environs retains its potential to function as a counter balance to the Southern Environs of the town.

It is noted that Table 2.18 provides an *Overview of Key Statistics for Drogheda* which includes the Southern Environs of the town which is in the administrative area of Meath.

5.7. Natural Heritage Designations

The site is not within or directly adjoining any Natura 2000 site. The nearest being 850m away to the north. The following are noted:

- Boyne Estuary SPA (site code: IE0004080)
- Boyne Coast and Estuary SAC (site code: IE0001957)
- River Boyne and River Blackwater SAC (site code: IE0002299)
- River Boyne and River Blackwater SPA (site code: IE0004232)

5.8. Preliminary Examination Screening for Environmental Impact Assessment

An Environmental Impact Assessment (EIA) Screening report was not submitted with the application.

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.

It is proposed to construct 82no. 1 and 2 bed apartments, and 12 no. 2 and 3 bed duplex units i.e 94no.units in total. The number of dwellings proposed is well below the threshold of 500 dwelling units noted above. The site has an overall area of 1.69ha and is located within an existing built-up area but not in a business district. The site area is therefore well below the applicable threshold of 10 ha. The site is currently greenfield but is within the A2 new residential land use zoning area and is to form Phase 8 of the Avourwen estate in the southern environs of Drogheda. 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/ie as per AA screening para's) and there is no hydrological connection present such as would give rise to significant impact on nearby water courses (whether linked to any European site/or other). 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.

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 'A2''New Residential' uses under the provisions of the Meath County 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 the existing built-up urban area, 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.

6.0 The Appeal

6.1. Grounds of Appeal

Two Separate Third Party Appeals have been made by local residents. These are from the following:

- Agnes Molloy
- Brenda Alfred Adamson

Their Grounds of Appeal raise similar issues and for convenience are summarised together as follows:

- There is insufficient provision of open space.

- Lack of amenities.
- Too much traffic through the existing part of the estate leading to congestion particularly when there is only a single way in and out of Avourwen.
- Insufficient parking allocation. Parking has become a serious problem in existing parts of Avourwen.
- The existing part of Avourwen has been built for almost 15 years and the roadways have been unfinished. Provision should be made to finish off this part of the estate (Phase 1/2) before moving onto Phase 8.

6.2. Applicant Response

None noted on file, received within the time period.

6.3. Planning Authority Response

Their response provides that they have noted the content of the third-party appeals. That all matters raised therein have previously been addressed in the Executive Planner's Report dated 14th of June 2021 and they wish to reply on the content of same in response to this third-party appeal. The Planning Authority requests that An Bord Pleanala uphold their decision to grant permission.

6.4. Observations

Three separate Observations have been made from the following local residents:

- 1) Mags McKenny
- 2) Kevin Byrne
- 3) Niall Shevlin

In addition, Cllr Stephen McKee made a Public Representation relative to concerns regarding the impact of the proposed development.

As they raise similar type concerns these are considered together under the headings below:

Impact on the Character and Amenities of the Area

- The proposed development will be out of character with existing development in the area.
- The 4 storey height of the proposed apartment block may cause privacy issues for residents and businesses in the surrounding area.
- There could be privacy/child protection issues with the creche being overlooked.
- There is insufficient provision of green area space allocated in Avourwen Estate. More green space should be included in any future development.
- The putting in of a footpath through the green belt behind the existing apartments would result in the removal of approx. 33% of existing greenway which is currently enjoyed by residents in the apartments.
- This would infringe in the privacy of current occupiers of the apartments where the proposed new walkways go right past the rear of their properties.
- There are currently sufficient pathways to the front elevations of all these apartments.
- There is a clear lack of amenities for all residents.
- Observer Niall Shevlin has included a petition signed by 120 local residents of the Avourwen estate. This is on the basis that they do not agree with the increase in height of the apartment blocks and are concerned about access, loss of car parking spaces and the new development will only have one road entrance through an already busy estate.

Traffic/Parking

- They are concerned about increased traffic flow throughout the Avourwen Estate leading to high levels of congestion particularly as there is only a single entrance in/out of the Estate. Traffic lights needed on the main Plantin Road.
- The proposed roadways into the proposed new development lead right through the existing development where there is barely room for 2 cars to pass, particularly on bends and corners. A drawing is included with Kevin Byrne's Observation to demonstrate these tight corners.

- The proposed development should have its own dedicated entrance and exit through an entryway nearer to the entrance of Avourwen.
- There is insufficient parking allocation, parking for existing residents has become a serious concern.
- The access roads are inadequate, there are access problems for service vehicles, emergency service and bin lorries due to the narrow roads and parking problems.
- Roadways have been left unfinished and unkept for the last 15 years. Priority, provisions should be made to finish off this part/area of the estate before starting new phases.
- They are worried about the removal of carparking spaces and the addition of bicycle spaces to the original plan which is not practical.
- The removal of a second entrance to this part of the development near the entrance to the estate is a huge issue relative to increasing traffic congestion.
- All traffic for the proposed development will be going through an area that is already hugely congested and where children play.

Unfinished Estate

- The unfinished nature of the estate is a serious concern for existing residents.
- Health and Safety issues continue to occur on Avourwen and these include blocked drains, dangerous unfinished building works etc.
- They are living in a building site with heavy machinery, dust and a lack of care for residents displayed on an everyday basis.

6.5. **Further Responses**

None noted on file.

7.0 **Assessment**

- 7.1.1. I have reviewed the proposal in the light of the National Planning Framework: Project Ireland 2040, National Planning Guidelines, Regional Spatial & Economic Strategy for the Eastern and Midland Region (RSES) 2019 – 2031, the relevant Section 28

Ministerial Guidelines, the Meath County Development Plan 2021 – 2027 (CDP), relevant planning history, the submissions of the parties and the observers, and my own site visit. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Principle of Development/Zoning,
- (ii) Planning History and Phasing,
- (iii) Density/Height,
- (iv) Design and Layout,
- (v) Development Standards and Impact on Residential Amenity,
- (vi) Landscaping and Open Space,
- (vii) Traffic, access, and parking,
- (viii) Water/Drainage, and Flood Risk
- (ix) Screening for Appropriate Assessment.

7.2. Principle of Development/Zoning

7.2.1. The appeal site and surrounding area is zoned 'A2', New Residential', under the Southern Environs of Drogheda Local Area Plan 2009-2015 as varied and extended. This zoning is retained in the Meath County Development Plan 2021-2027. The zoning objective seeks: *To provide for new residential communities with ancillary community facilities, neighbourhood facilities as considered appropriate.* The vision for the zoning objective is to accommodate new residential development and to ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity. Residential and childcare facilities are permitted uses in this land use zoning.

7.2.2. It is noted that as shown in the LAP the as yet undeveloped area to the southwest of this site is zoned 'B3' 'Neighbourhood Centre', which seeks: *To protect, provide for and improve local shopping facilities in order to create and maintain a vibrant and sustainable neighbourhood centre to serve primarily local needs*". It is stated that the Neighbourhood Centre will be the subject of a separate application. The landholding relative to the greater Avourwen residential estate, also includes the Objective

'DE12', relative to the provision of a link road. It appears that this is the distributor road to the south of the site.

- 7.2.3. Therefore, while the proposal is acceptable in principle, it needs to be ascertained that it would create a compact and consolidated form of sustainable urban development, that is supported by planning policy, objectives and guidelines. In this respect regard is also had to the relevant policies and objectives of the newly adopted Meath County Development Plan 2021-2027. This Plan includes specific Policies and Objectives to encourage consolidation of development in the Drogheda Environs and development as a Regional Growth Town, as well as more general Objectives to support sustainable infill development and the provision of increased densities where appropriate. They have regard to requirements for a co-ordinated strategy to maximise the growth potential of Drogheda. This includes that the 'Residential Phase II' designation on the A2 'New Residential' lands in the Southern Environs of Drogheda has, been removed with these 'New Residential' lands being retained and made available for development.
- 7.2.4. Volume 2 of the said Plan, includes a written statement for the Southern Environs of Drogheda. As required by Regional Policy Objective 4.11 of the RSES, a joint Urban Area Plan for Drogheda (UAP) is to be prepared by Meath and Louth County Council's during the lifetime of this Plan. Section 3.0 provides the Development Strategy which includes: *Pending the preparation of the Joint Urban Area Plan, it is not proposed to make any amendments or alterations to the land use zoning map for the Southern Environs. The current zoning map and Development Strategy for the settlement will therefore remain in place until such a time as this Plan has been finalised.*
- 7.2.5. Objective CS OBJ 8 which refers to the Core Strategy in Volume 1 of the Meath and Louth CDPs 2021-2027 is also of note relative to the preparation of this joint Urban Plan. Therefore, pending the preparation of this joint plan, the development of this site for residential development complies with the land use zoning of the existing South Drogheda Environs LAP, subject to it not being detrimental to residential amenity or the character of the area and being appropriate to the proper planning and sustainable development of the area.

- 7.2.6. Reference is also had to the *Regional Spatial and Economic Strategy (RSES) 2019-2031*. Drogheda is to the north of and is not within the Dublin Metropolitan area. It is within the Core Region and is described as a Regional Growth Centre. Table 4.2 refers to Regional Growth Centres as being larger towns with a high level of self-sustaining employment and services that act as regional economic drivers and play a significant role for a wide catchment area. In addition, to the criteria relevant to the *Asset Test for the strategic location of new residential development*. These include regard to Scale, Functions, Services, Placemaking, Economic, Connectivity, Environment and Infrastructure. Outside of the Metropolitan Area, future growth will be directed towards key designated settlements including the Regional Growth centre of Drogheda and the Key Town of Navan. The RSES recognises the level and range of services and amenities available in these settlements and their potential to continue their development as important residential, employment, and service centres in the County and wider region.
- 7.2.7. Project Ireland 2040: National Planning Framework (NPF) seeks to deliver on compact urban growth. Of relevance, objectives 33 and 35 of the NPF seek to prioritise the provision of new homes at locations that can support sustainable development and seeks to increase densities in settlements, through a range of measures. In relation to Section 28 Guidelines, the 'Urban Development and Building Height, Guidelines for Planning Authorities' 2018, 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2018) and Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (2009) all support increases in density, at appropriate locations, in order to ensure the efficient use of zoned and serviced land.
- 7.2.8. Overall, having regard to policy and guidelines and to the planning history, I do not consider there to be any objection in principle, to the provision of an apartment/duplex development on the subject site, as part of a wider permitted housing scheme within the Avourwen estate and on residentially zoned lands within the Southern Environs of Drogheda. While the importance of the preparation of a Joint Urban Plan for Drogheda is acknowledged it is my opinion that having regard to the targets set out in the current development plan and limited number of residential developments completed over the lifetime of the previous development plan that the development of the subject site, which is zoned, serviced and would support the

sustainable growth of Drogheda and is, therefore, in accordance with national, regional and local policy and objectives.

7.3. Planning History and Phasing

- 7.3.1. The Architectural Design Statement submitted notes that the proposed development is Phase 8 of a previously approved Masterplan and as such will complete a key part of the overall development, connecting the various phases of Avourwen development into the town of Drogheda and extending the established road and pedestrian networks. It is noted that the overall Avourwen site has an extensive planning history and they include a summary table. They provide that the key applications of note are SA/60309 which represents the overall masterplan for the Meath site and 0651025 which represents the Louth site to the north of the subject site. Permissions for both of these which were extended have subsequently lapsed. As noted in the history section above SA/120088 extended SA/60309 until 2017.
- 7.3.2. The site lies within the Southern Environs of Drogheda LAP 2009-2015. This incorporates Amendment No.1 – Adopted March 2015. Table 2 refers to ‘Significant Extant Planning Permissions in Drogheda South Environs’. This includes as noted in the Planning History Section above, Planning Ref.No. SA120088 –501 no. houses: 74 no. apartments in 3 blocks (A,B & E – extension date 02/04/2017), which referred to the whole of the landholding. The subject site encompasses the northern part of the landholding and is to the south of the Louth County boundary.
- 7.3.3. The Architectural Design Statement includes details regarding the Previous and Proposed Masterplan layout. Of interest, it also shows the phasing for the Avourwen development as a whole. This notes that Phases 1,2 & 3 are complete. Phases 4 & 5 are currently on site, Phase 6 has been granted planning permission. Phase 7 is due for submission with Phase 9 (Neighbourhood Centre adjacent to the site) to follow. The proposed development is described as Phase 8 and sets to complete the established road and pedestrian networks. It is noted that this also shows the public open space distribution within the overall layout.
- 7.3.4. There are some differences relative to the layout of the subject site, in that while the 3no apartment blocks were then also shown (albeit for 74no. apartments rather than 82no. currently proposed), the 3no. 3 storey duplex blocks (12no. units) are a new

addition included in the south-western part of the site, in the area that was originally proposed for extensive surface carparking including for the proposed creche. Therefore, the current scheme is for an additional 20 no. dwelling units on the subject site.

- 7.3.5. Also of note, is that reference is had in the Planning History Section above to the permission recently granted (Reg.Ref. 201149 refers) by Louth County Council for 50no. apartments, in 3 to 4 storey blocks in linear format carparking and ancillary works, on a site of c.0.46ha immediately adjoining, to the north of the subject site. This application is also described as Phase 8 Avourwen, Platin/Duleek Road, Lagavooren, Drogheda. A copy of the Architectural Design Statement for this application and plans for that scheme are included with the documentation submitted. As noted, there are some conditions in the Louth County Council permission in particular condition no. 2 that make its implementation dependant on permission being granted on the subject site i.e to include the section of the Bryanstown Cross Route and that it be completed to the written satisfaction of Meath County Council. On the revised Site Layout Plan the eastern arm of the roundabout to the south is included in the subject site outlined in red and the Louth permission is included in the northern part of the landholding shown blue.

7.4. **Density/ Height**

- 7.4.1. National Policy Objective 35 of the National Planning Framework 2040 seeks to increase densities through a range of measures including '*increased building heights*'. The NPF requires that land use plans target 50% of all new homes within or contiguous to the built area of Dublin City and Suburbs and at least 30% in other settlements. National planning policy supports the provision of new housing as a priority on appropriate sites and recognises the importance of apartment development as part of the efficient delivery of much needed housing in the State.
- 7.4.2. Note is also had to Section 28 - *The Urban Development and Building Heights Guidelines 2018* relative to the provision of increased heights and densities in urban areas. Regard is had to site suitability issues and to current national and local policies and objectives which generally support the promotion of higher densities in a qualitative design and layout that integrates with the proper planning and sustainable

development of the area. In addition, to the Section 28 - *Sustainable Urban Housing Design Standards for New Apartments Guidelines 2020* and to the *Design Manual for Urban Roads and Streets (DMURS) 2019*.

- 7.4.3. Section 5.11 of the Sustainable Residential Development in Urban Area Guidelines states that for outer suburban / 'Greenfield' sites the greatest efficiency in land usage would 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.
- 7.4.4. Table 4.1 of the Southern Environs LAP 2019-2015 (as extended, incorporating Amendment No.1) provided that the Household Allocation for the Drogheda Environs (2013-2019) was 857, and the average net density applicable unit/ha is 43. This notes that the figure represents 30% of the total available mixed use land zoning, reflecting that residential uses would be a subsidiary use in these zoning categories that relate to town and village centre sites and edge of centre sites. It was clear from Table 3 that there was a significant excess of residential zoned land contained in the LAP for the Southern Environs of Drogheda as adopted to satisfy the household allocation of the 2013-2019 County Development Plan. A strong emphasis was placed on the sequential approach to development. As was the efficient use of land by consolidating existing settlements and promoting a compact urban form.
- 7.4.5. The Meath CDP 2021-2027 seeks to maximise the use of serviced residential lands and to promote the creation of compact high-quality developments, with higher densities in appropriate locations. Section 3.8.10 provides that it is an objective of this Plan to require a density of 45 units/ha on more centrally located and strategic lands in Regional Growth Centres and Key Towns. This density is also a requirement on lands adjacent to existing and future and rail stations in the County. This provides that on the remaining, more edge of centre lands in the Regional Growth Centre and Key Towns a density of 35 units/ha will normally be required.
- 7.4.6. It is also noted that Objectives 4, 13, 33 and 35 of the National Planning Framework, Section 4.7 of the Regional and Economic Strategy for the Southern Region and SPPR 4 of the Building Height Guidelines all support higher density developments in appropriate locations, to avoid the trend towards predominantly low-density commuter-driven developments. Therefore, the proposed density at 94 units per

1.69ha equate to 56 units per hectare. This is higher if the area that encompasses the creche and its associated open space (c.1,200 sq.m) is taken out of the total residential site area i.e c.1.57ha at 94 units is c. 60 units per hectare. It is noted that this is the density referred to in Section 3.0 *Urban Design Criteria* of the Architectural Design Statement. While higher, than that recommended it is considered that this is acceptable in view of Drogheda being deemed a Regional Growth Centre and in line with the concept of the greatest efficiency in land usage.

7.4.7. It is noted that the permission recently granted by Louth County Council on the site to the north where there is a higher density. In that case the site area 0.46ha – 50 units, the density is much higher at 108 units per hectare. The separate Architectural Design Statement submitted with that application (which is included with the application relative to the subject site) provides this is optimising the use of the land. That development consists of a linear format of 3 to 4 storey apartment block over basement. It is submitted that it is broadly as per previously lapsed applications with alterations to comply with current standards. This also has regard to the availability of rail and bus links in Drogheda. The Drogheda bus town centre service is available within 200m of the site and a 2m wide footpath that leads directly into the town centre.

7.4.8. Height

7.4.9. The ‘Urban Development and Building Heights Guidelines for Planning Authorities’ (the Building Height Guidelines) describe the need to move away from blanket height restrictions and that within appropriate locations, increased height will be acceptable even where established heights in the area are lower in comparison. I note SPPR 4 in the guidelines in relation to greenfield or edge of city/town locations, which states that a greater mix of building height and typologies should be sought, and avoidance of mono-type building typologies. Paragraph 1.9 states that “these guidelines require that the scope to consider general building heights of at least three to four storeys, coupled with appropriate density, in locations outside what would be defined as city and town centre areas, and which would include suburban areas, must be supported in principle at development plan and development management levels.” I also note national policy in Project Ireland 2040 National Planning Framework, and particularly objective 35 concerning increased residential density in settlements.

7.4.10. Section 11.5.9 of the Meath CDP 2021-2027 refers to the Urban and Building Height Guidelines (2018) and notes that they require Development Plans identify and provide policy support for specific geographical locations where increased building height is a fundamental policy requirement. This includes the Drogheda Environs. In this case it is noted that the proposed development refers to 3 and 4 storey blocks, which is in line with the Guidelines, relative to the locational edge of town context.

7.5. Design Approach

7.5.1. The Site Layout Plan submitted shows the proposed blocks in a semi-circular format, to the rear (north) of the existing development i.e with the 4 storey Block A in a central position, with Block B to the east and Block E to the west on the opposite side of the central access road and the 3 storey Duplex units 1, 2 and 3 to the south of Block E. A range of housing types have been provided within the scheme to include predominantly 1 and 2 bedroom units, with 6no. 3 bed units included in the duplex blocks. The proposed creche is to be sited to the rear in the south-western part of the site. The Landscape Masterplan shows the distribution of public open space within the site. The proposed central access route is to be from Avourwen Village via the roundabout from the distributor road to the south.

7.5.2. The Architectural Design Statement submitted provides that the proposed development consists of 3no. 4 storey apartment blocks, 3no. 3 storey duplex blocks to provide 94 units in total and a separate creche building all broadly as per the previously approved lapsed applications, with minor alterations to comply with more recent Planning and Building Control amendments. It is stated that the principles of height and massing have been carried through from the previously granted lapsed planning applications. That the development has been designed to address the 12 criteria of the Urban Design Manual that accompanies the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' and a discussion is provided within the Design Statement under each of these headings.

Apartments

7.5.3. The Architectural Design Statement refers to the distribution and layout of the 1 and 2 bedrooms apartments per floor within the 4 storey apartment blocks A, B and E.

As per the development description and as shown on the plans 41no. 1 bed and 41no. 2 bed apartments are to be provided in a mix of apartments per floor.

- 7.5.4. It is stated that 63% of the apartments in the development are dual aspect. That the number of south facing apartments has been maximised. Typical apartment floor layouts are included relative to the 1 and 2 bed apartments, in 4 storey Blocks A, B and E. The proposed height of the 4 storey blocks is shown c.15.2m.
- 7.5.5. Regard is had to compliance with Appendix 1 of the Apartment Guidelines 2020 which provides the 'Required Minimum Floor Areas and Standards'. A Schedule of Floor Areas has been given on the drawings submitted and it is noted that the proposed apartments comply with or exceed these minimum standards.
- 7.5.6. The external finishes for the 3no. 4 storey apartment blocks proposed includes buff facing brick to match existing residential units along with self-coloured render and standing seam cladding to roofs of dark grey or similar. Reference is also had to the Building Life Cycle Report which sets out the principal materials and finishes proposed.
- 7.5.7. Private open space is to be provided in the form of balconies or terraces at ground floor level and the area of these also comply with the guidelines. Balconies are to be stacked independently, proud of the apartment blocks to allow for greater daylight penetration. Details show that these balconies are to be railed and on steel frames with steel vertical bar balcony balustrades.

Duplex Units

- 7.5.8. The site layout plan shows that the 3no. 3 storey duplex blocks are to be provided in the south-eastern part of the scheme, to the south of the proposed creche and to rear (west) of the existing similar type 3 storey duplex blocks. In total 6no. 2 bed houses and 6no. 3 bed houses are to be provided i.e. 12no. units in 3 blocks. Typical duplex layouts relative to the 3no. separate blocks are shown on the drawings. This includes 2 bed own door self-contained apartments on ground floor level and external staircase access to the 3 bed duplexes with living accommodation at first floor level and bedrooms on second floor level. A Schedule of floor areas has been given and it is provided that the duplex units exceed the floor areas specified in Quality Housing for Sustainable Communities Guidelines (minimum requirements).

7.5.9. The Architectural Design Statement submits that the duplex blocks have been designed to complement the existing duplex units within Avourwen with similar massing and finishes. External finishes are to include concrete tiles to roof (dark grey or similar). Selected colour render, steel vertical bar balcony balustrade, selected brick buff colour to match existing. The proposed height of the blocks is shown with pitched roofs as c. 12.4m. They are to appear similar to the existing blocks.

Mix

7.5.10. I note third party concern that the predominance of apartments in the proposed development, does not reflect the established housing mix of the area. The Planning Authority have confirmed that the proposed housing mix is in accordance with Development Plan requirements. In my opinion, the proposed mix of unit types and sizes supports a variety of household types and sizes in accordance with County Development Plan and National planning policy requirements. Consideration is also had of the number of 2 storey houses that have recently been constructed in the Avourwen estate as part of earlier phases in the scheme, and it is considered that the proposed units will provide for a variety of smaller units.

Part V and Other issues

7.5.11. The Architectural Design Statement includes details and a drawing has been submitted showing the proposed apartments to be for Part V and the ground floor of two of the Duplex houses shaded in green. It is noted that 10% of the scheme is for the purposes of Part V.

7.5.12. Section 28 Guidelines include the 'Regulation of Commercial Institutional Investment in Housing – Guidelines for Planning Authorities – May 2021'. This includes new planning provision for restriction on use of houses and duplex units. These guidelines set out two alternative planning conditions, further to sections 39(2) and 47 of the Planning and Development Act 2000 (as amended), to which planning authorities and An Bord Pleanála must have regard, in granting planning permission for new residential development. It is noted that the Council's condition no.4 refers to agreement under section 47. In accordance with the Guidelines this condition is not applicable for apartment development, in that they do not fall within the definition of 'structure to be used as a dwelling' to which the Guidelines apply.

7.5.13. 12no. own door duplex units are proposed. Having regard to the Section 28 Guidelines in respect of 'Commercial Institutional Investment in Housing', I consider that the development, comprising/including 5 or more own-door units and falling within the definition of structure to be used as a dwelling to which these guidelines apply, should include a condition to restrict the first occupation of these units as outlined by the Guidelines. If the Board decides to permit, I recommend that this be included relative to the duplex element of the development only.

Creche Unit

7.5.14. The single storey creche building is to be provided in the south-western part of the site. This is to be in compliance with Childcare Facilities – Guidelines for Planning Authorities (2001). I note section 4.7 of the Apartment Guidelines 2020, provides that, notwithstanding the *Planning Guidelines for Childcare Facilities* (2001) which recommend one child-care facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, the provision of childcare places for apartment developments should be established with regard to the scale and unit mix of the development and the existing geographical distribution of childcare facilities in the area. This includes that one bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole to units with two or more bedrooms.

7.5.15. The g.f.a of the proposed creche is to be 678.74sq.m. It is to be primarily two storey in height and to include some single storey elements. External finishes for the proposed single storey creche are to include standing seam cladding to roof (dark grey or similar), coloured render dark grey, selected brick outer lead colour, white or similar, and selected double glazed windows and vertical bar balcony balustrade.

7.5.16. The creche is to have an external play area of 165sq.m, car-park and set down area are also to be provided. It is noted that the provision of a creche in this location was established in the previously approved now lapsed planning applications as referred to above and they provide that the previous design principles have been adhered to. It is submitted that this creche is to serve the proposed development of 94 units and the residential recently permitted by Louth County Council to the north for 50no. units. An additional creche unit is also planned to the south of the site and it is stated that this will be the subject of a separate planning application.

- 7.5.17. The Architectural Design Statement provides that it is anticipated that the purpose built creche will service residents of the development who are within easy walking distance of the creche through the campus pedestrian streets and squares. Details are given of the ages and numbers of children, giving a total of 91 children. This notes that a total of 25no. car parking spaces are required in accordance with standards. In this respect it is noted that having regard to the Site Layout Plan that there is a parking shortfall. Table 11.2 of the Meath CDP 2021-2027 provides the Car Parking Standards. This provides that 1 space per employee and dedicated set down area and 1 per 4 children plus dedicated set down area is required.ie 23spaces. They provide 7no. spaces for employees. However, details have not been provided as to whether the creche is to be full time/sessional etc. I would consider that it is important to demonstrate designated parking is available and that this area of the site will not become congested, particularly at drop off/pick up times. This is particularly in view of the proximity of the proposed residential development.
- 7.5.18. If the Board decides to permit, I would recommend that a condition be included to provide further details relative to the operations of the creche and revised plans to show the provision of parking spaces that are to be dedicated to the creche, and that this be agreed in writing with the Planning Authority prior to the commencement of development.

Conclusion – Design and Layout

- 7.5.19. In conclusion, while the concerns of the Third Parties and Observers regarding the design strategy for the scheme are noted, I would consider that the proposed scheme is generally acceptable. It is my opinion that having regard to the existing pattern of the development in the immediate vicinity of the site, the size of the site and the proximity to the urban area, that subject to recommended conditions, the proposed density, design layout and height of the scheme is appropriate in this context and in general should not negatively impact on the visual amenities of the area.
- 7.5.20. However, I would have some concerns regarding the layout/spacing of the duplex blocks in that it could be considered that these units (which were not part of the original Masterplan) and to the south of the creche, will appear crammed into the south-western corner of the site. If the Board decides to permit, I would recommend

that Duplex block no.1 be omitted, this would allow for additional open space for this area of the development and some additional car parking for the creche. I would also recommend that duplex blocks nos. 2 and 3 be moved c.2m further north to allow for a greater separation from the access road, so that duplex no. 3 does not appear crammed into the south-western corner of the site, proximate to the access road. While this would result in the loss of 4no. units (2no. 2 bed and 2no.3 bed units) i.e 90no. units of site, it would result in a development that would appear more spacious in this area of the site and have less of an impact on the existing duplex units. If the Board decides to permit, I would recommend that this be conditioned.

7.6. Residential Amenity

- 7.6.1. The design criteria for Residential Development includes that applications for new residential developments should strive to create a sense of place by responding positively to local surroundings. The issue as has been raised in the Third Party Appeals and the Observations made, is as to whether it would be considered that the proposed development would lead to an overdevelopment of the site, whether it would impact adversely on the residential amenities of the area, including dwelling units proximate to the site or detract from the pattern of development in the area or the character and layout of the northern part of the Avourwen estate. Regard is had to the planning issues raised including density, design and layout, open space, access and parking, availability of public transport etc. These issues are considered further relative to impact on residential amenity in this Assessment below.

Overlooking / Overbearing Impact

- 7.6.2. Objective DM OBJ 19 of the Meath CDP 2021-2027 refers to a minimum separation distance between opposing windows will apply in the case of apartments/duplex units up to 3 storeys in height. Objective DM OBJ 20 states that: *Any residential development proposal which exceeds three or more storeys in height shall demonstrate adequate separation distances having regard to layout, size and design between blocks to ensure privacy and protection of residential amenity.* In this case regard needs to be had to the impact on the existing 3 storey duplex blocks to the south in Avourwen Village and to the 3/4 apartment development recently permitted (development not yet commenced) by Louth County Council on the site to the north.

- 7.6.3. The separation distances between the blocks varies, the 4 storey blocks A, B and E are shown sited a minimum separation distance of c. 22 m from the rear of the existing duplex blocks in Avourwen Village. It is noted that they have balconies looking towards the rear balconies of the existing duplex units, however in view of the 22m separation distance they are in accordance with development plan objective DM OBJ 19. In this respect as shown on the site layout plan they are also in excess of 22m from the frontage of the 3/4 storey recently granted apartment development to the north in the Louth Co. Council area (Reg. Ref. 201149 refers).
- 7.6.4. To limit overlooking between the proposed balconies on the side elevations of Blocks A and B, which are located (c.12 to 15m apart) and in closer proximity that Block E, I would recommend that privacy screens be erected and fitted with obscure glazing and if the Board decides to permit that this be conditioned.
- 7.6.5. The 3 storey duplex units are shown sited closer (c.15m) to the rear of the existing 3 storey duplexes in the south-western part of the site. I note that these are dual aspect. While the duplex blocks are closer than the 22m distance, it is reflective of the pattern of development of the area, having regard to the duplexes in the existing scheme which are shown sited c.15m in the eastern part of the existing Avourwen Village development.

Daylight, Sunlight and Overshadowing

- 7.6.6. It is noted that while there is some concern about the proposed 4 storey height of the blocks not being consistent with the existing 2/3 storey nature of the Avourwen residential development no particular concerns have been raised by third parties or the planning authority regarding daylight/sunlight or overshadowing. While there is a notational drawing showing overshadowing included in the Architectural Design Statement submitted, the applicant has not submitted a detailed daylight and sunlight assessment. However, it is stated that as the proposed development is principally sited to the north of the existing residential areas of Avourwen Village and is of a height of no more than 4 no. storeys, that it is not anticipated that the proposed development would negatively impact on the sunlight enjoyed by residents in those units. This is further underpinned by the 3/4 -storey height and separation distances between the existing and proposed blocks.

- 7.6.7. The Meath CDP 2021-2027 includes Section 11.5.16 relevant to Light and Overshadowing: *Daylight and sunlight levels should, generally, be in accordance with the recommendations of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (B.R.209, 2011), and any updates thereof.*
- 7.6.8. The BRE Report, Site layout planning for daylight and sunlight: a guide to good practice (BR209), advises on planning developments for good access to daylight and sunlight. It gives advice on site layout planning to achieve good sunlighting and daylighting, both within buildings and in the open spaces between them. The advice is not mandatory and its aim is to help rather than constrain the designer. The appendices contain methods to quantify access to sunlight and daylight within a layout.
- 7.6.9. While as noted above the proposed 4 storey apartment blocks are 22m to the north of the existing 3 storey duplexes and in view of the separation distance and orientation it is not considered that sunlight/daylight will be adversely impacted. The proposed 3 storey duplex units are to be sited c.15m to the west of the existing 3 storey duplex units. I have carried out my own assessment in accordance with the considerations outlined in the BRE guidelines. Figure 20 of these Guidelines is of particular note. It provides a 'Decision Chart' or flow chart for considering diffuse daylight in existing buildings and the impact of proposed developments.
- 7.6.10. The first measure recommended in this regard is if the new development is more than three times its height above the lowest window. If it is not, a check is required if the development subtends more than 25 degrees at lowest window as demonstrated in Figure 14 of BRE 209.
- 7.6.11. Having regard to the plans submitted, including the sections, I note that the rear wall of the 3 storey element of the proposed duplex blocks which faces the existing duplexes is c.8.6m to eaves height and is c. 16.5m away (excluding the single storey element) from the existing duplex blocks. It is clear from these figures, taking into account the height and distance that it would not subtend or intersect the 25 degree plane. Figure 20 of BRE 209 refers. Therefore, it can be concluded from the BRE Guidelines that daylighting is not an issue and would be un-likely to be significantly affected, relative to the design and layout of the proposed development.

7.6.12. In addition, I note that the Planning Authority has not raised concern in relation to this matter, nor have they included it as part of their further information request. It appears that Meath Planning Authority in view of the spacing between the blocks and 3/4 storey nature of the scheme did not require the submission of a specific daylight and sunlight assessment. On this basis, it is reasonable to interpret that the requirement under the Development Plan concerning BRE standards is considered to be achieved, and the proposed accommodation is within best practice limits.

Internal Space Standards

7.6.13. The floor areas for all proposed apartments and duplexes conform with minimum standards described in the County Development Plan and Apartment Guidelines as applicable.

Private Amenity Space

7.6.14. Private external space is provided in the form of terraces / balcony areas to the duplex units proposed. All areas conform with relevant size standards in the County Development Plan and Apartment Guidelines as applicable.

7.7. Landscaping and Open Space

7.7.1. This is an undeveloped site on residentially zoned land on the Meath and Louth County borders, as such the sites on either side were surveyed together. It is noted that there are few trees present on the site, a total of 8 trees were surveyed and it appears that these were planted as part of the completion of the housing development to the south. The remaining vegetation surveyed on site consisted of a hedgerow to the north, which forms the border with the railway line, and the hedgerow to the east, which forms the boundary with McEvoy's Lane.

7.7.2. A Tree & Hedgerow Survey, Assessment, Management, Mitigation & Protection Measures Report has been prepared by Gannon + Associates. This survey identifies the trees and hedgerows on site and provides a detailed assessment, impact assessment and recommendations for their management and protection. Trees have been plotted on the accompanying drawings and have been individually identified and numbers referenced in the survey table. It is stated that 3no. trees will be removed (Ash category C value which are considered to be of low quality) to

facilitate the proposed development and a section of the hedgerows on the eastern boundary will be removed.

- 7.7.3. As originally submitted the complete hedgerow to the north and much of the eastern hedgerow was to be retained and protected. As per Transportation Section's recommendation it was subsequently decided to extend the red line boundary to include the hedgerow along the eastern boundary of the site with McEvoy's Lane to facilitate footpath construction along the Lane. The F.I submission also refers to removal of the hedgerow boundary along the western side of the lane to facilitate maintenance and repair of the historic stone wall.
- 7.7.4. A comprehensive tree and hedgerow protection plan has been submitted, which provides for tree protection fencing to protect trees and hedgerows to be retained. A construction exclusion zone has been proposed to protect the below ground roots of trees to be retained. It is submitted that in general the trees will become part of an overall management program where their amenity will be enhanced. An Arboricultural Method Statement is included. Tree protection/works are to be undertaken in compliance with current standards. Therefore, the proposed development should have a low impact on the trees and hedgerows present on what is currently a relatively open site. The extensive landscape-planting scheme to be adopted as part of the proposed development will have a positive impact on the visual amenity and ecological value of the site. This is to include native tree planting to be incorporated into the landscaping scheme.
- 7.7.5. The overall strategy for building landscape design is set out within the Landscape Architects statement. Landscape Architects Gannon & Associates drawings and reports are referenced in relation to the design of the public open space areas. The development is residential in nature and the public open space provided is configured to provide a variety of passive and active recreational spaces. It is submitted that care has been taken to ensure that all open spaces are overlooked from residential windows, eliminating blank walls facing onto public open space and increasing a sense of security for residents.
- 7.7.6. For the apartments and units within the duplex blocks communal amenity spaces are to be provided at ground level within a series of landscaped character areas including; play areas, rain gardens, seating areas etc. These are to be provided in

line with recommended areas as provided in the Design Guidelines for New Apartments.

- 7.7.7. The Architectural Design Statement considers the overall layout and distribution of open space to be acceptable and in accordance with 12 criteria as per the *Urban Design Manual 2009*. This includes a description of how the proposed development corresponds to each of these criteria. They note that all areas of public open space are overlooked by residents and they consider that these act as a usable integrated element in the development. Attractive routes for pedestrians and cyclists will allow ease of movement through spaces. The concept of the open space is one of integration, rather than creating larger areas of open space.
- 7.7.8. It is stated that an overall area of 6890sqm of public open space is provided which equates to 40% of the overall site area (16,961.9sq.m). However, I note that due to the layout of the scheme there is no significant larger areas of open space, with much of it appearing interspaced on either side of the circulation areas/paths around the buildings. It would appear that this greater open space calculation includes these incidental areas. However, it is noted that the 15% area of open space is exceeded within the site, and there are larger areas of open space both existing and to be developed within the various phases of the Avourwen development.
- 7.7.9. I would consider that the removal of Duplex block no.1 as put forward above will allow for an additional landscaped area of public open space in the south-western part of the site. If the Board decides to permit, I would recommend that this in addition to hard and soft landscaping of the site and boundary treatment be conditioned.

7.8. Access and Traffic

- 7.8.1. The Plantin/Duleek Road, the R152 that bounds the western edge of the site is described as a high quality single carriageway road and one of the principle routes that provides access to the M1 to the south of the site and leads into Drogheda town centre to the north of the site. This is a fast busy road and there is a steep embankment to the west (the site is on a higher level than the road). There is a footpath alongside the western boundary of the site, into the town centre. The new distributor road that runs through Avourwen estate road connects to the R152 to the

west via a priority controlled T-junction. Access to the subject site is via this road and the internal roundabout that serves the estate. It is stated that the site's vehicular access is to be available through the previously consented access (SA60309 – now expired) to the south of the development i.e through Avourwen Village residential area. This currently appears as a gated field access into the greenfield site with proximate residential blocks on either side.

- 7.8.2. As this proposal is part of a previously permitted and phased development, a Traffic and Transport Assessment has not been submitted with this application. The Site Services Report submitted provides that the internal road network of the housing estate is designed in accordance with DMURS, DMRB & Traffic Management Guidelines as issued by the Department of Transport and the National Roads Authority. They submit that the provision of sweeping bends and roadside parking is in compliance with DMURS 2019 and helps to reduce the vehicle speeds and maintain an active road frontage. As part of their traffic calming measures, they have introduced a raised table-top level to the main T- junction and raised pedestrian crossing points at regular intervals. They have included a swept path analysis carried out for a typical refuse vehicle and fire truck. They note that the design speed for the internal housing estate roads is set at 30km/hr, therefore the required vision splay is 23m with setback of 2.4m.
- 7.8.3. As part of their further information request the Planning Authority requested that the applicant amend the site layout and extend the access road from the roundabout to the eastern boundary of the landholding as per the agreed Masterplan. They also requested that the Design Statement be revised so that it demonstrates compliance with DMURS (2019). The F.I response includes a revised Site Layout Plan to show the proposed new arm of the road to the east (on the eastern side of the roundabout, which is now blocked off) as 'Proposed New Road'.
- 7.8.4. In response to the F.I a Report by RSM 'Quality Audit Inclusive of Road Safety Audit Stage 1' has been submitted. This Quality Audit which it is provided has been done in accordance with DMURS, has been restricted to development proposals within the redline site boundaries only, it includes internal access junction and links and associated car parking and footways, along with all associated ancillary works. They advise that further Auditing is to be undertaken at detailed design stage to ascertain the potential safety impact of the proposed development on the surrounding road

network and any remediation which may be required. The QA also includes a Walkability Audit and a Cycling and Accessibility Audits and concluded that there is significant room for improvement in multi-modal site accessibility.

- 7.8.5. Details submitted note that the revisions to the Site Layout Plan are acceptable to the Council's Transportation Section. They also provide that the applicant should adhere to the recommendations of the Quality Audit by R&M at detailed design stage. They consider that the proposed development within the redline boundary has been improved but that there are still design issues and a lack of details with regards cross sections of roads, home zone areas, footpath dimensions and crossing tactile paving information. It is recommended that the Board include conditions to have regard to those recommended by the Transportation Section and in the Council's permission should they decide to permit.

7.9. Permeability and Parking

- 7.9.1. The Architectural Design Statement submitted includes details of walking and cycle routes. Generally, 3m footpaths are proposed to primary circulation routes and additional footpaths are proposed connecting to McEvoy's Lane to the east of the site. While currently unlit and unsurfaced, this is described as a well-used pedestrian route which connects the existing residential estates to the east with the town centre. On the day of my site visit, I noted that it was in use by pedestrians from adjoining estates into Drogheda.
- 7.9.2. The revised Site Layout Plan submitted includes the relevant section within the redline boundary of the site. It is noted that the historic wall on the western boundary of McEvoy's Lane, which forms the eastern boundary to the site will be restored as required. All vegetation including the boundary hedge is to be removed to facilitate the footpath construction, lighting and provide passive surveillance to the Lane. Section 5.11 of the South Drogheda Environs LAP refers to Traffic and Transportation and makes reference to the policies and objectives in the Meath CDP 2013-2019. Regard is had to Pedestrian/Cyclist Facilities and this includes: *It is proposed that McEvoy's lane connecting Rosevale estate to town underneath the railway lane is upgraded to provide for cyclist and pedestrian use.*

- 7.9.3. In addition, a pedestrian link is proposed adjacent to the creche building connecting on to the Platin Road footpath (subject to MCC consent). It is noted that there are some safety concerns, in view of proximity to the creche which need to be taken into account at design stage relative to this link. However, in general it is considered that the additional pedestrian connectivity proposed will help to integrate the development with the previous phases more effectively into the fabric of the surrounding area. That pedestrian movement within the site is to be facilitated by way of an extensive network of landscaped pedestrian footpaths. Pedestrian access is to be provided to each of the proposed buildings from their respective street frontages. New street lighting is proposed.
- 7.9.4. It is submitted that the proposed development provides permeability and not only connects with the previous phases of the Avourwen development but provides key pedestrian connections to existing footpaths to the west and east which in turn connect to the north and into the town of Drogheda. Connections are also shown into the Louth County Council recently permitted residential scheme to the north.

Car Parking

- 7.9.5. It is of note that lack of car parking and potential for congestion both within and outside the scheme into the adjoining estate roads is one of the issues raised in the Third Party Appeals and by the Observations made. Table 11.2 Car Parking in the Meath CDP 2021-2027 has revised the parking standards to 2 per unit and 1 visitor space per 4 apartments. That would mean that that 188no. spaces would be required for the 94 apartments and 24no. visitor spaces. This would seem excessive in particular considering that 41no. 1 bed apartments are to be provided, and proximity to public transport, which includes bus and rail. This Table also refers to the Apartment Guidelines which allows for reductions in car parking provision for apartments in such areas, close to public transport links provided that at the same time quality cycle parking facilities are provided for residents and visitors.
- 7.9.6. The Site Services Report provides that a reduced parking scheme is proposed for the site in order to reduce car dependency and advance resident's consideration of alternative transport modes. Drogheda is well served by public transport which includes a train station is a 15 minute walk, and the bus station a 5 minute walk from the site. They note that the number of carparking spaces per the apartments is

reduced from the 1.25 spaces (total required 147 spaces) required in the 2013-2019 Development Plan to 1.13 spaces (total to be provided 138 spaces).

- 7.9.7. It is noted that this has been further reduced in the new parking layout (126no. spaces) shown in the revised Site Layout Plan. This layout is visually preferable but represents a further reduction of 12no. spaces. Unlike the scheme recently granted on the Co. Louth side, underground parking has not been included. In addition, it is provided that the creche non-staff spaces are proposed to be shared with residential spaces. A number of Go-Car vehicles are also proposed at a prominent position to the south of the site to promote their use to residents as a viable alternative to car ownership.
- 7.9.8. It is of note that if duplex block no.1 were removed as has been recommended in this Report that this would allow for a reduction in the overall parking requirement and further parking availability proximate to the creche. If the Board decides to permit it is recommended that this be conditioned.

Cycle Parking

- 7.9.9. It is also of note that the LAP for the Drogheda Environs includes Map 5.1C showing the existing and proposed segregated cycle path and footpath to the south of the site. Cycle lanes need to be established along the distributor road and within the proposed development site. Details submitted provide that a network of cycle lanes has been provided within the Avourwen road network development to the south. The description of development provides that 153no. bicycle parking spaces are to be provided. Secure bicycle storage is proposed within a centrally located enclosure and visitors bicycle parking is proposed throughout as Sheffield type stands. Cycle parking is also to be provided adjacent to the creche building.
- 7.9.10. The Council's Transportation Section notes that the applicant has proposed 47no. visitor cycle parking spaces, that it is unclear if these are covered as the applicant has not shown details of same. They provide that the bicycle spaces should be accessible and secure in line with the Apartment Guidelines. Table 11.4 of the Meath CDP 2021-2027 refers to Cycle Parking Standards. This provides 1 private cycle space per bedspace, minimum 2 spaces and 1 visitor bicycle space per two units. Therefore, there is a cycle parking shortfall. I note that a drawing was submitted showing the location of proposed cycle parking and of bin storage, but it not clear

whether the former is sufficient. If the Board decides to permit, I would recommend that a condition be included to ensure the provision of high quality secure covered cycle parking storage facilities for residents and visitors.

- 7.9.11. Regard is also had to the conditions recommended by the Council's Transportation Section including that the applicants provide a pedestrian and cycle link on the desire line between the R152 and internal road at the northwest corner of the site to improve accessibility and integration between the site and the town centre. It is noted that this area is within the red line boundary of the site. I would recommend that if the Board decide to permit that regard is had to Transportation Section's recommended conditions including relative to access, footpaths cycle lanes and parking be included as part of general conditions relative to these issues.

7.10. Other issues

Sustainability & Energy Report for Planning

- 7.10.1. This highlights how the overall energy for the proposed residential development will be addressed within the design in order to achieve compliance with Technical Guidance Document (TGD) Part L – Conservation of Fuel and Energy – Dwellings 2019 and Meath Co.Co. Climate Action Strategy 2019-2024. This has regard to the energy performance of the buildings and to renewable energy systems. It is submitted that high efficiency lighting, heating and ventilation systems shall be carefully selected to reduce running costs. It is of note that the details of these issues including relative to the energy strategy are dealt with under separate remit.
- 7.10.2. Reference is had to electric vehicle charging (EVCH) points, on the Lafferty Architect's drawings for proposed locations of carpark spaces with EVCH infrastructure. If the Board decides to permit it is recommended that a condition relative to EVCH points be included.

Lighting

- 7.10.3. The Public Lighting Report notes that part of the development site is located within Co. Louth, which is covered in a separate planning application and that the site lighting and associated ductwork has been designed for the overall site. The report details the preliminary lighting design of the development including:

- Providing adequate illumination for both pedestrians and vehicles.
- Minimising light pollution on the surrounding areas and neighbours.
- Reduce glare on users.
- The use of high efficiency LED lighting technology.

7.10.4. They provide that the lighting will be to the relevant standards. Regard is also had to the provision of cowls etc to be installed where necessary, in consideration of wildlife (e.g. bats) and to prevent unnecessary up lighting or illumination of nearby trees, buildings etc.

7.10.5. It is noted that the revised Site Layout Plan submitted as part of the F.I shows this lane within the redline boundary shown: “McEvoy’s Lane – indicated lands in ownership of Meath County Council for which a Letter of Consent is sought for proposed development.” If the Board decides to permit it is recommended that a condition relative to public lighting, including of McEvoy’s Lane to the east of the site be included.

7.11. Drainage issues

7.11.1. A Site Services Report by DR Consultants has been submitted with the application. Reference is had to the drawings submitted with the application and subsequently in response to the Council’s F.I request showing the proposed drainage layout. It is noted that this also includes regard to the development on the adjoining site to the north which is in Louth County Council. Therefore, the calculations given are based on 94 units (as per the subject application) and 50 units (now permitted) on the Louth County Council side i.e 144 units in total.

7.11.2. The proposed development site is to connect to existing services. Foul waters generated are to be directed to the existing foul water network which runs along McEvoy’s Lane east of the site. Surface waters collected at the proposed development site are to be directed to 3no. proposed attenuation areas, prior to discharge to the existing surface water network which similarly runs along McEvoy’s Lane. This is discussed in more detail in the reports submitted and in the drainage summary below.

Surface Water Drainage

- 7.11.3. It is submitted that the surface water attenuation system has been designed in accordance with GSDS & SuDs and already approved under the previous now expired planning Refs: SA60309, SA12008 & LB180042. Note is had of the planning history and to the phasing of the development. The Drainage Layout Drawing originally submitted includes reference to attenuation ponds outside of and to the south of the site to cater for other phases of the development. These have not as yet been constructed. Reference is had to a temporary piped connection to the existing public surface water network on McEvoy's Lane. Details are given of attenuation calculations for the subject site in the Appendices of the Report. It is stated that they have not assumed any ground infiltration in their calculation to be conservative for the storage volume proposed.
- 7.11.4. Reference is had to the Drainage Layout Plan relative to attenuation. It is proposed to collect and attenuate the 1:100yr return roof water runoff from the proposed Creche, Block E and 6no. Duplex units within Attenuation area #1 which is to be located to the rear of Block E. It is proposed to collect and attenuate the 1:100 year return roof water from the proposed Block A and Block B and the existing 16no. Duplex units within Attenuation area #2 which is located to the rear of Block B.
- 7.11.5. It is proposed to collect and attenuate the 1:100 year return roof water runoff from the proposed Block C-D within Attenuation area #3 which is to be located to the front of Blocks C-D in the Louth Co.Co. to the north of the site. Reference is also had to Attenuation area #4 – it is proposed to collect and attenuate vehicle type runoff that may accumulate within the basement carpark under Blocks C&D. Details are also given of a Kingspan By-pass petrol interceptor to remove any hydrocarbons from the basement carpark. It is of note that Blocks C&D are the subject of a separate application that has been considered by Louth County Council.
- 7.11.6. The Council's F.I request included in response to the Water Services Department and Irish Water concerns, that detailed information be submitted relative to drainage proposals. Lafferty Architects provide a summary of the applicant's response to each of the items raised. DCR Calculations indicate the 1-year greenfield run-off rate, revised attenuation calculations are given relative to catchment areas #1 and 2.

Hydro-Brake details relative to Avourwen Phase 8. Details are also given relative to Infiltration Rate Testing per BRE Digest 365 Test Method.

7.11.7. The F.I response submission notes that the water table was recorded at 1.3m below ground level. This means that on-site infiltration is not practical, they provide details of alternatives. An Infiltration Rate Testing Report has been submitted by Hydrocare Environmental Ltd. They provide that as the revised attenuation system does not rely on soil infiltration a petrol/oil separator is not critical. However, they have proposed to install a Klargest Interceptor down-stream. This separator is to cater for most of the proposed and existing surface water flow. Revised Attenuation Calculations have been submitted.

7.11.8. Note is also had of Objective INF OBJ 25 of the Meath CDP 2021-2027 which seeks: *To require the use of SuDS to minimise and limit the extent of hard surfacing and paving and require the use of sustainable drainage techniques, to reduce the potential impact of existing and predicted flooding risks.*

7.11.9. Having regard to surface water drainage from roads the proposed 6m wide circulation road was to be constructed and topped with Duraflow Permeable Asphalt (Appendix D refers). In addition, any paved footpath areas were to be constructed with permeable paving and allowed to naturally infiltrate to the existing subsoil. In response to the Council's F.I request permeable duraflow asphalt has been omitted and details are given of proposed road/pavement finishes. A Key Plan of Impervious Catchment Areas # 1 and 2 has been submitted. It is submitted that the revised Attenuation calculations now reflect the additional impervious areas.

Water Services Infrastructure/Capacity

7.11.10. Details are given of the Foul Sewer discharge from the site, and it is stated that it will discharge into existing manholes as approved under Reg. Refs. SA60309 and SA12008. The Site Services Report noted that a pre-connection enquiry has been submitted to Irish Water (Appendix E).

7.11.11. As noted in Section 6.9 (Wastewater) of the Meath CDP 2021-2027 wastewater from the Southern Environs of Drogheda is discharged to the Drogheda Wastewater Treatment Plant. Objective INF OBJ 11 seeks: *To ensure that all development connect to the public foul sewer network where available within the County.* Volume

2 provides: *Wastewater in the area is discharged to the Drogheda WWTP. Capacity is available but, there are network constraints.*

7.11.12. Details are given of water demand calculations, based on the proposed development of the subject site and the adjoining site to the north in the Louth County Council area. Volume 2 of the Meath CDP 2021-2027 includes a written statement for the Southern Environs of Drogheda. This notes that: *Water supply in South Drogheda is served by the East Meath Water Supply Scheme. The main water source is abstraction from the River Boyne at Roughgrange where it is pumped to the Staleen Water Treatment Works and distributed to Drogheda and the East Meath Area following treatment. There is capacity available, however, there are network constraints.*

7.11.13. Irish Water provides that significant network restraints occur downstream of the proposed development. In order to assess the feasibility of a connection to the public water/wastewater infrastructure they recommended that further information be submitted. It is noted that in response to the F.I submission they have no objections subject to conditions.

Conclusion

7.11.14. The Planner's Report notes that the Water Services Section have been reconsulted and have regard to their comments. These includes that the petrol interceptor shall be incorporated into the surface water drainage system serving the proposed catchment area 1 and that all works shall fully comply with the GDSDS Regional Drainage Policies Volume 2 for new development. The Planning Authority considered that the proposal had been reviewed and noting that it is part of a permitted larger phased development they recommend conditions. If the Board decides to permit it is recommended that appropriate drainage conditions be included.

7.12. Flood Risk Assessment

7.12.1. Section 9.3 of the National Planning Framework (NPF) includes guidance for water resource management and flooding with emphasis on avoiding inappropriate development in areas at risk of flooding. National Policy Objective 57 requires resource management by "ensuring flood risk management informs place-making by

avoiding inappropriate development in areas at risk of flooding in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities”.

- 7.12.2. A Stage 1 Flood Risk Assessment has been carried out by DR Consultants. This notes that the area is included in the Strategic FRA for County Meath and denoted as zone A2. However, it states “that the flood risk in the A2 lands is overestimated and a review of this should be undertaken when the land use zoning is considered.”

Tidal

- 7.12.3. The Irish Sea is approx. 7.5km east of the subject site. The proposed buildings are to be constructed with a level between 39.50m and 43.2m OD Malin. It is stated that a risk from tidal flooding is, therefore, very low and no flood mitigation measures need to be implemented.

Fluvial

- 7.12.4. Fluvial flooding is caused by rivers, watercourses or ditches overflowing. Reference is had to the Eastern CFRAM flood map shown in Figure 3. They provide that the subject site is not at risk of flooding during the 1 in 100 year or a 1 in 1000 year event as the node point is almost 1.6km away from the subject site. The FRA provides that the risk from fluvial flooding is therefore very low and no flood mitigation measures need to be considered.

Pluvial

- 7.12.5. Pluvial flooding from very heavy rainfall is often referred to as flooding from surface water. Surface water flooding can occur as a result of overland flow or ponding during periods of extreme prolonged rainfall. Table 2 of the FRA refers to general Pathways/Receptors. It is noted that the site is elevated above the R152. It is stated that the existing road level at the bridge (R152) is +35.16m OD Malin and the lowest floor level within the Meath and Louth applications of the subject site is +39.50m OD Malin.
- 7.12.6. The FRA provides that given that the proposed finish floor levels within the site are at least 4.34m above the road level it is evident that the risk of existing surface water surcharging the site is very low and no flood mitigation measures need to be implemented. They also submit that the risk of overland flooding from the subject site

is considered low due to positive drainage measures proposed such as surface water attenuation and the implementation of SuDS. It is noted that the Council's Water Services recommends a number of drainage conditions including that the F.F.Ls are at least 500mm above the maximum adjacent river levels and top water level in the onsite drainage system.

7.12.7. The FRA notes that there is no known history of ground water/springs seeping through the ground in this area. However, that it is possible for ground water to rise and cause potential flooding on the site during prolonged wet periods. The proposed roads and buildings are constructed above the existing ground level with no significant cut proposed on site. As such they provide that the risk of ground water flooding is considered very low.

7.12.8. They note the proposed storm drainage system, and that there is a high possibility of flooding on the subject site if the surface water network was to be blocked. In order to mitigate against the risk of flooding from blockages the surface water network must be regularly maintained and were required cleaned out. The FRA submits that upon adoption of the proposed flood risk management strategies and taking into account that there will be no flow path to habitable spaces from a flooded drainage network there is a low residual risk of overland flooding from human/mechanical error.

7.12.9. It is noted that both residential development and apartments are classified as Highly Vulnerable in 'The Planning System and Flood Risk Management' 2009. Regard is had to the Sequential Approach. Table 3 in the FRA presents a *Summary of the Flood Risks from each flooding type*. This noted the various residual flood risks involved and notes that the flood risk is either low or very low. They refer to appropriate drainage design, over land flood routing and setting of appropriate floor levels and the provision of a maintenance strategy. It is submitted that the development is in Flood Risk Zone A but is at very low risk of flooding from all sources therefore they provide that in line with Figure 6 a Justification Test is not required.

7.12.10. It is acknowledged that the majority of the site is located within a flood zone. However, the subject site is zoned and adequately serviced, is located as part of a phased development sequential to the urban area and contributes to the wider

objective of consolidating the urban environment. It is considered that any flood risks can be appropriately managed through the implementation of sufficient drainage measures. If the Board decides to permit it is recommended that appropriate conditions be included.

7.13. Appropriate Assessment - Screening

7.13.1. A 'Report to Inform Screening for AA' by Gannon + Associates (November 2020) has been submitted with the application. This includes that a field survey of the proposed development site was carried out by a qualified ecologist on the 6th of November 2020. The purpose of the survey was to identify any potential source-pathway-receptor links between the proposed development and any European sites. Habitats within and bounding the proposed development site were classified to level 3 according to Fossitt (2000) and assessed for their potential to support qualifying interests (QIs) and special conservation interest (SCI) species of relevant European sites.

The Development Site and Receiving Environment

7.13.2. The Screening Report notes that the site measures approximately 2.2ha (comprising c.0.5ha within Co. Louth and c.1.7ha within Co. Meath) and is bordered to the north by the railway line to the west by Plantin Road, to the east by McEvoy Lane and an existing residential development (Rosedale) and to the south by the existing Avourwen Phase 1 residential development (Avourwen Village). Therefore, the Report also takes the adjoining site to the north into consideration.

7.13.3. A description is given of the Baseline Environment. This notes that the site is bordered by hedgerows to the north and east. There are numerous mounds and areas of uneven ground throughout the site which are likely remnant soil heaps from the construction of adjacent developments. The habitats within the proposed development site and surrounding area (comprising unmanaged grassland, scrub and disturbed ground) do not conform to habitats listed in Annex II of the Habitats Directive nor are they capable of supporting qualifying interest (Q1) or special conservation interest (SCI) species from any European sites.

7.13.4. There are no surface water bodies present within the proposed development site, nor within the wider surrounding area. Surface waters within the site currently

percolate to ground, and there are some ponding and wet areas underfoot noted during the site visit. The hedgerows which form the northern and eastern boundaries of the site have associated remnant shallow ditches. It has been determined that these ditches are dry and heavily overgrown and have likely been as such since the site was severed from adjoining agricultural land in the past. There are also remnants of a land drain within the site. This begins and ends within the site, and any surface waters collected percolate to ground where the drain ceases. There is no hydrological connectivity between the proposed development site and the wider area and as such no hydrological connectivity to any European site.

Potential for impact on European Sites

- 7.13.5. The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to afford protection to the most vulnerable of them. These two designations are collectively known as the Natura 2000 network.
- 7.13.6. In carrying out the Stage 1 screening, the question to be addressed is 'Is the project likely to have a significant effect, either individually or in combination with other plans and projects, on the European site(s) in view of the site's conservation objectives?' The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European Site(s).
- 7.13.7. The proposed development site is wholly located outside of any European sites and there are no sites within the immediate surrounding area. I have had regard to the potential zone of influence as identified in the submitted Appropriate Assessment Screening Report which identifies the following European Sites/Natura 2000 sites within a 15km radius of the proposed development site. Note is had to Table 1 of the AA Screening Report which provides a detailed Source-Pathway-Receptor Assessment and the conclusions are noted and summarised in the Table below.

Table: Natura 2000 Sites within 'Zone of Influence' of the Project

European site (code)	List of Qualifying Interest/Special conservation Interest	Distance from proposed development site (Km)	Connections (source, pathway receptor)	Considered further in screening Y/N
River Boyne and River Blackwater SAC (002299)	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]	0.8km	There is no source – pathway- receptor connectivity between the proposed development and the SAC There is no potential for impact	No
Boyne Coast and Estuary SAC (004080)	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco- Puccinellietalia maritimae) [1330] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous	3.5km	There is no source – pathway- receptor connectivity between the proposed development and the SAC There is no potential for impact	No

	vegetation (grey dunes) [2130]			
Clogher Head SAC (001459)	Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] European dry heaths [4030]	12.1km	There is no source – pathway-receptor connectivity between the proposed development and the SAC There is no potential for impact	No
Boyne Estuary SPA (004080)	Shelduck (<i>Tadorna tadorna</i>) [A048] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Lapwing (<i>Vanellus vanellus</i>) [A142] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Little Tern (<i>Sterna albifrons</i>) [A195]	2.3km	There is no source – pathway-receptor connectivity between the proposed development and the SPA There is no potential for impact	No

	Wetland and Waterbirds [A999]			
River Boyne and River Blackwater SPA (004232)	Kingfisher (<i>Alcedo atthis</i>) [A229]	3.1km	There is no source – pathway-receptor connectivity between the proposed development and the SAC There is no potential for impact	No
River Nanny Estuary and Shore SPA (004158)	Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Herring Gull (<i>Larus argentatus</i>) [A184] Wetland and Waterbirds [A999]	6.6km	There is no source – pathway-receptor connectivity between the proposed development and the SAC There is no potential for impact	No

AA Screening Conclusion

- 7.13.8. It is concluded that there is no source – pathway – receptor connectivity between the proposed development and any of these European sites. There are no surface water bodies within the proposed development site and no hydrological connectivity to any watercourses. It is stated that during operation both foul sewer and surface waters will be directed to the existing and respective networks. There are no hydrological links to the Natura 2000 sites. That as there is no connectivity between the proposed development and any European site, there is no potential for any in combination effects with any other plans or projects. That there are no likely effects on European sites identified from the proposed development and, as such, there is no potential for significant effects.
- 7.13.9. The AA Screening Report concluded that upon examination, analysis and evaluation of the relevant information including, in particular, the nature of the proposed development and the likelihood of significant effects on any European site, in addition to considering possible in-combination effects, and applying the precautionary principles, that on the basis of objective information, the possibility may be excluded that the proposed development will have a significant effect on any European sites.
- 7.13.10. In conclusion, therefore, having regard to the nature and scale of the proposed development on serviced lands, the nature of the receiving environment which comprises residentially zoned lands in the Southern Environs of Drogheda, the distances to the nearest European sites, and in the absence of either a direct or indirect surface water hydrological connection to the River Boyne or any other watercourse such as would constitute a source-pathway-receptor link, it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European sites, in view of the sites' Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.
- 7.13.11. In reaching this conclusion I took no account of mitigation measures intended to avoid or reduce the potentially harmful effects of the project on any European Sites.

8.0 Recommendation

- 8.1.1. Having regard to the above assessment, I recommend that permission is granted for the reasons and considerations and subject to the conditions set out below.

9.0 Reasons and Considerations

Having regard to

- a. The site's location on lands with a zoning objective for residential development;
- b. The policies and objectives in the Meath County Development Plan 2021- 2027 and the Southern Environs of Drogheda Local Area Plan 2009-2015 (as extended);
- c. Nature, scale and design of the proposed development;
- d. Pattern of existing development in the area;
- e. The Rebuilding Ireland Action Plan for Housing and Homelessness 2016;
- f. Housing for All – A New Housing Plan for Ireland, 2021
- g. The National Planning Framework issued by the Department of Housing, Planning and Local Government in February 2018;
- h. Regional Spatial and Economic Strategy for the Eastern and Midland Region;
- i. The Guidelines for Sustainable Residential Developments in Urban Areas and the accompanying Urban Design Manual – a Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009;
- j. The Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of Housing, Planning and Local Government, Community and Local Government (June 2019);
- k. Sustainable Urban Housing: Design Standards for New Apartments issued by the Department of the Environment, Community and Local Government in December 2020;
- l. The Urban Development and Building Heights Guidelines for Planning Authorities 2018;
- m. The Planning System and Flood Risk Management' (including the associated 'Technical Appendices') 2009; and

- n. The Inspector's Report; and
- o. Submissions and Observations received.

It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 4th day of May 2021, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - a) Duplex Block no. 1 shall be omitted, and the resultant space shall be incorporated into the landscaping plan as public open space and additional parking area to be provided for the creche facility.
 - b) Duplex Blocks nos. 2 and 3 shall be moved northwards by 2m respectively.
 - c) Privacy screens shall be included for the balconies in the side elevations facing each other of the apartments in Blocks A and B. These shall be agreed with the planning authority and these shall be permanently fitted with obscure glazing prior to the first occupation of the units and, thereafter, shall be maintained.

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

Reason: In the interests of visual and residential amenity.

3. A schedule of all materials to be used in the external treatment of the development to include a variety of high quality brick finishes, roofing materials, windows and doors shall be submitted to and agreed in writing with, the planning authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

4. Prior to the commencement of any duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority pursuant to Section 47 of the Planning and Development Act 2000, that restricts any such residential units permitted (the number and location of each housing unit being specified in such agreement), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

5. The operational hours of the proposed creche, including details of sessional care shall be agreed in writing with the planning authority prior to the first occupation of the unit.

Reason: In the interest of protecting the residential amenities of adjoining properties.

6. The site shall be landscaped in accordance with the landscaping details submitted with the application and the Landscape Masterplan Drawing Number 20122 submitted to the planning authority on the 4th day of May, 2021. This scheme shall include the following revisions to be agreed in writing with, the planning authority, prior to commencement of development:-
- a) Details of the incorporation of the additional open space/landscaping to be included as a result of the omission of Duplex Block no.1 and the relocation of Duplex Blocks nos. 2 and 3.
 - b) The areas of open space shown on submitted drawings shall be reserved for such use and shall be landscaped in accordance with the detailed requirements of the planning authority. The open space areas indicated shall be laid out and landscaped prior to the making available by the developer for occupation of any of the units.
 - c) Existing trees and hedgerows shall as far as possible be retained along the site boundaries and measures shall be put in place for their protection.
 - d) Appropriate screening/boundary treatment details to the eastern boundary of the site with McEvoy's Lane to be agreed.
 - e) Details of proposed boundary treatments at the perimeter of the site, including along the western boundary, heights, materials and finishes.
 - f) Details of all proposed hard surface finishes, including proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development.
 - g) The developer shall retain the services of a suitably qualified landscape architect throughout the duration of the site development works. The developer's landscape architect shall certify to the planning authority by letter his/her opinion on compliance of the completed landscape scheme with the approved landscape proposal within six months of substantial completion of the development hereby permitted.
 - h) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be

replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme, prior to the occupation of the development.

Reason: In the interest of residential and visual amenity.

7. Bat and bird boxes shall be installed in the proposed development, prior to the occupation of the residential units. The number, type and location of the boxes shall be submitted to and agreed in writing with the planning authority.

Reason: To promote biodiversity.

8. Prior to the commencement of development on site the applicant shall submit details of the following for written agreement of the planning authority:
 - a) The detailed design of the proposed new road east of the existing roundabout. This shall include, but is not limited to, the footpaths, kerbs, fencing, public lighting and drainage.
 - b) The roads and traffic arrangements serving the site (including circulation routes, road signage and traffic calming), shall be in accordance with the detailed requirements of the planning authority for such works, and shall be carried out at the developer's expense.
 - c) The internal road network serving the proposed development, turning bays, junctions, parking areas, footpaths and kerbs, shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in DMURS. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.
 - d) The works along McEvoy's Lane and proposed pedestrian access and public lighting shall comply with the detailed standards of the planning authority for such works.

Reason: In the interests of pedestrian and traffic safety.

9. The car parking spaces hereby permitted shall be reserved solely to serve the proposed development and shall not be utilised for any other purpose, unless subject of a separate grant of planning permission. Prior to the occupation of

the development, a Parking Management Plan shall be prepared for the site and shall be submitted to and agreed in writing with the planning authority. This plan shall indicate how the car parking spaces will be assigned, including for the creche and how the car park shall be continually managed.

Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units.

10. Prior to the commencement of the development, details of the following shall be submitted for the written agreement of the planning authority:
 - a) Prior to the occupation of the residential units, a Mobility Management Strategy shall be submitted. This shall provide for incentives to encourage the use of public transport, cycling, walking. The mobility strategy shall be prepared and implemented by the management company for all units within the development.
 - b) A pedestrian and cycle link on the desire line between the R152 and internal road at the northwest corner of the site to improve accessibility and integration between the site and the town centre.
 - c) A drawing showing the locations of secure, covered bicycle parking within the site.

Reason: In the interest of encouraging the use of sustainable modes of transport.

11. A minimum of 10% of all car parking spaces shall be provided with functioning electric vehicle charging stations/points, and ducting shall be provided for all remaining car parking spaces, facilitating the installation of electric vehicle charging points/stations at a later date. Where proposals relating to the installation of electric vehicle ducting and charging stations/points have not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the planning authority prior to the occupation of the development.

Reason: To provide for and/or future proof the development such as would facilitate the use of electric vehicles.

12. Public lighting shall be provided in accordance with a final scheme to reflect the indicative details in the submitted Public Lighting Report, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any residential unit and shall be designed to avoid light pollution on neighbouring properties.

Reason: In the interests of amenity and public safety.

13. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management

14. The developer shall enter into water and waste-water connection agreement(s) with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

15. Prior to the commencement of development, a revised Flood Risk Assessment shall be submitted to, and agreed in writing with the planning authority detailing the following amendment:

In the event of a failure of the surface water management proposals, a detailed appraisal of the residual flood risk to surrounding residential properties and details of appropriate mitigation measures to offset same, including details of flow paths.

Reason: To minimise flood risk and in the interest of proper planning and development.

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

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

17. All service cables associated with the proposed development such as electrical, telecommunications and communal television shall be located

underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. Any existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

18. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall –
- a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

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

19. Proposals for a naming and numbering scheme and associated signage for the blocks shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

20. A plan containing details for the management of waste and in, in particular, recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment and duplex units shall be submitted to, and agreed in writing with, the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

21. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development.

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

22. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

23. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance

with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

24. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise and traffic management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

25. Prior to commencement of development, the developer or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

26. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or

maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge

27. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Angela Brereton
Planning Inspector

17th of December 2021