



An
Bord
Pleanála

Inspector's Report 312767-22

Development	4-storey Digital Innovation Hub Office Building
Location	Limekilnhill, Trim Road, Navan, Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	211374
Applicant(s)	Meath Enterprise Centre Company CLG
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party v. Decision
Appellant(s)	Residents of St. Columban's Crescent
Observer(s)	None
Date of Site Inspection	16 th October 2023
Inspector	Louise Treacy

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 2.11 ha and is located approx. 1 km south of the town centre at Limekilnhill, Trim Road, Navan, Co. Meath. The site is accessed via regional road R161. The lands in the vicinity are generally characterised by a mix of uses including commercial, educational and residential.
- 1.2. The site accommodates Navan Enterprise Centre, a large 2-storey industrial style building which is occupied by a mix of uses and surrounded by surface car parking on all sides. A recessed vehicular entrance provides access into the site from the public road. The site is adjoined by a fuel depot and a national school to the north-west, by St. Columban's Crescent, a small development of single-storey Traveller accommodation dwellings to the south and by 2-storey dwellings to the east and north-east at Woodview Court and Woodlands respectively.

2.0 Proposed Development

- 2.1. The proposed development will consist of the construction of a 4-storey Meath Digital Innovation Hub Office Building. The development also includes the provision of additional car parking spaces and to connect to access road leading to public road with carparking granted under previous planning ref. no. NA190736, to provide electrical substation and switch room, covered bicycle spaces, bin storage enclosure, site lighting and to connect to existing Council mains, sewage and storm sewers with associated site works.
- 2.2. The proposed development has a stated floor area of 2,512 m² and is proposed at the western end of the site adjacent to the public road and the site entrance. This part of the site was covered in hard core at the time of the inspection. The proposed development will accommodate a kitchen, canteen, toilets, meeting rooms, an event and training space and a co-working seating area at the ground floor level, offices and toilet facilities at the 1st and 2nd floor levels, and offices and an event/training space at the 3rd floor level. Plant and photovoltaic panels are proposed at roof level.
- 2.3. The southern elevation of the proposed building (facing into the site) and the side elevations (east and west facing) are largely comprised of glazing panels. A band of stone cladding demarcates each floor level with an aluminium clad fascia above. The

northern elevation facing towards the adjoining fuel depot is characterised by stone cladding and a band of aluminium cladding panels which extends vertically down the centre of the building.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Notification of the Decision to Grant Permission for the proposed development subject to 20 no. conditions issued on 20th January 2022.
- 3.1.2. Condition no. 3 requires that the use of this facility shall be as offices only and any change of use shall obtain a prior grant of planning permission.
- 3.1.3. Condition no. 4 requires the submission of a revised site layout plan for agreement with the Planning Authority showing the width of the pedestrian crossing at the entrance along the L74185 reduced to comply with DMURS.
- 3.1.4. Condition no. 12 (a) requires the submission of a revised surface water design ensuring adequate separation distances from the proposed attenuation tanks to the existing wastewater infrastructure.
- 3.1.5. Condition no. 18 requires that dust emissions during the construction phase shall not exceed 350 mg/m²/day at the site boundaries.
- 3.1.6. All other conditions are generally standard in nature.

3.2. Planning Authority Reports

- 3.2.1. **Planning Reports (9th September 2021)**
- 3.2.2. Following an initial assessment of the proposed development, Meath County Council's Planning Officer recommended that **Further Information** be requested in relation to the following:
 - (1) A Habitats Directive Screening Statement.
 - (2) (a) – (d) Revised site layout plan and other documentation requested by the Transportation Section – refer to Section 3.2.16 of this report for details.

(3) A site layout drawing for the proposed lighting design and clarification that any new lighting shall be on its own circuit with its own independent connection.

- 3.2.3. The applicant submitted a Response to the Request for Further Information on 26th November 2021 which was deemed to contain significant additional information by the Planning Authority. The response can be summarised as follows:
- 3.2.4. **Item No. 1:** A Habitats Directive Screening Statement has been provided as prepared by Whitehill Environmental.
- 3.2.5. **Item No. 2 (a):** Showers, changing rooms and lockers are proposed on the 1st floor as shown on Drawing No. 21-02-P-05 Rev A.
- 3.2.6. **Item No. 2 (b):** The access road serving parking spaces 1 – 21 has been increased to 6 m in width as shown on Drawing No. 21-02-P-03 Rev. A.
- 3.2.7. **Item No. 2 (c):** Disabled car parking spaces are clear of the driving aisle in compliance with Part M of the Building Regulations.
- 3.2.8. **Item No. 2 (d):** The disabled car parking spaces (2 no.) have been relocated closer to the main entrance.
- 3.2.9. **Item No. 3:** A site layout drawing of the proposed lighting design has been provided. Any new lighting will be on its own circuit, with its own independent connection.
- 3.2.10. Following an assessment of the applicant's response, the Planning Officer considered that the proposed development would not seriously injure the visual amenities of the area or the residential amenities of the properties in the vicinity and would not be likely to have significant effects on the environment or the ecology of the area. As such, it was recommended that planning permission be granted for the proposed development subject to conditions.
- 3.2.11. **Other Technical Reports**
- 3.2.12. **Water Services (13th August 2021):** No objection to the proposed development subject to conditions.
- 3.2.13. **Fire Service Department (20th August 2021):** Notes that a Fire Safety Certificate is required for the proposed development.

- 3.2.14. **Architectural Conservation Officer (23rd August 2021):** No conservation objections. Notes that the proposal could have reused a redundant building, which is considered a lost opportunity.
- 3.2.15. **Public Lighting (23rd August 2021):** Notes that new lighting should be on its own circuit, with an independent connection and that a layout drawing of the lighting design has not been provided. Clarification required in relation to these matters.
- 3.2.16. **Transportation (7th September 2021 and 14th January 2022):** Further information requested in relation to: (1) the provision of showers, changing areas and locker storage, (2) increased width of access road serving car parking spaces 1 to 21, (3) disabled parking which complies with Part M of the Building Regulations.
- 3.2.17. Following the applicant's Further Information submission, no objections arose to the proposed development subject to conditions.
- 3.2.18. **Heritage Officer (19th January 2022):** No objection to the proposed development subject to condition.

3.3. **Prescribed Bodies**

- 3.3.1. **Irish Water (16th July 2021):** No objection to the proposed development subject to conditions.
- 3.3.2. **An Taisce:** None received.
- 3.3.3. **The Heritage Council:** None received.
- 3.3.4. **Dept. of Housing, Local Government & Heritage:** None received.

3.4. **Third Party Observations**

- 3.4.1. One third-party observation was made on the application by: (1) Maria Joyce, No. 5 St. Columban's Crescent, Trim Road, Navan, Co. Meath on behalf of the Residents of St. Columban's Crescent.
- 3.4.2. The issues which are raised can be summarised as follows: (1) visual impacts, (2) excessive building height, (3) overlooking and loss of privacy, (4) inadequate landscaping, (5) no screening for environmental impact, (6) increased light pollution, (7) no community consultation, (8) increased traffic, (9) long-term health impacts of 5G infrastructure.

- 3.4.3. The same party made an observation on the applicant's Further Information response. No new issues were raised.

4.0 Relevant Planning History

- 4.1. **Planning Authority Reg. Ref. NA190736:** Planning permission granted on 18th December 2019 for the part change of use of the existing enterprise building from use as offices and light industrial units to use as Food Processing Incubator Units. Permission is also sought for revised entrance arrangements from the public road, to construct new entrance piers and walls with railings and to provide additional car parking with associated site works.

5.0 Policy and Context

5.1. Meath County Development Plan 2021-2027

- 5.1.1. While the proposed development was assessed against the provisions of the Meath County Development Plan 2013-2019 (as varied) and the Navan Development Plan 2015-2019 (as varied), the Meath County Development Plan 2021-2027 has been adopted in the interim and is the relevant local planning policy document for the purposes of adjudicating this appeal case.

5.2. Land Use Zoning

- 5.2.1. The majority of the site is subject to land use zoning "C1 – Mixed Use" which has the objective "to provide for and facilitate mixed residential and employment generating uses". The stated objective for these lands is to provide opportunities for high-density, mixed-use employment generating activities that also accommodate appropriate levels of residential development (generally not more than 50%) thereby facilitating the creation of functional 'live work' communities. The permitted uses on C1 zoned lands includes "offices > 1,000 m²". The footprint of the proposed development is contained within this land use zoning.
- 5.2.2. A small section of the site adjacent to the public road and the site entrance is subject to land use zoning "R1 – Rail Corridor" which has the objective "to provide for a strategic rail corridor and associated physical infrastructure". The purpose of this

zoning is to protect the designed route of the extension of the Clonsilla to Parkway rail line to Navan from development which would compromise its future delivery.

- 5.2.3. The R1 zoned portion of the site is also located within a Masterplan boundary (MP 8) which relates to a triangle of lands formed by the Trim Road, the former Navan-Dublin Rail Alignment and lands adjoining the Swan River. This area has been identified for mixed uses, new residential and an open space/amenity area.

5.3. **Economy and Employment Strategy**

- 5.3.1. **ED POL 3:** To encourage the provision of 'live work' communities, in which employment, residency and sustainable transport facilities are located in close proximity to each other, to reduce long-distance commuter trends and congestion.
- 5.3.2. **ED POL 4:** To identify and promote a range of locations within the County for different types of enterprise activity including international business and technology parks, small and medium enterprises (SME) and micro enterprise centres.
- 5.3.3. **ED POL 7:** To support start-up businesses and small-scale industrial enterprises throughout the County.
- 5.3.4. **ED OBJ 4:** To identify suitable locations and support the provision of co-working facilities, digital hubs/eHubs and eWorking centres throughout the County that function as outreach hubs for city-based employers and promote flexible working arrangements.
- 5.3.5. **ED OBJ 24:** To promote the Key Town of Navan as a primary centre of employment in the County so that its significant residential population will have employment opportunities within easy distance of their homes, thereby reducing outbound commuting.
- 5.3.6. **ED OBJ 28:** To promote Navan as an employment base and encourage the location of start-up businesses in the area.

5.4. **Navan: Development Policies and Objectives**

- 5.4.1. **NAV OBJ 7:** To promote Navan as the primary centre for enterprise and employment in the County.
- 5.4.2. **NAV OBJ 13:** To support the delivery of the Boyne Valley Food Innovation District at a suitable location.

5.4.3. **NAV OBJ 27:** To safeguard lands zoned R1 'Rail Corridor' from inappropriate development and reserve the lands for the delivery of the Navan strategic rail corridor linking Navan to Dunboyne.

5.5. **Development Management**

5.5.1. **DM OBJ 61:** Any planning application for industrial, office, warehousing and business park development shall address, inter alia, the following development assessment criteria:

- Innovative contemporary design.
- Suitable external finishes.
- Full details of proposed uses and hours of operation to be provided.
- Details of suitable access arrangements and internal road layouts to be provided.
- High quality boundaries where visible from the public road.
- Proposals for and location of waste storage to be provided. All external storage to be screened from public areas.
- Suitable landscaping scheme to enhance the development.
- Applications on sites greater than 0.5 ha to be accompanied by a CEMP.
- To require all new developments with more than 100 employees to have a Mobility Management Plan.

5.5.2. The car parking standard for office developments of more than 1,500 m² is 1 no. space per 50 m² gross floor area. All car parks shall include the provision of necessary wiring and ducting to be capable of accommodating future Electric Vehicle charging points, at a rate of 20% of total space numbers (DM OBJ 94 refers).

5.5.3. Bicycle parking for offices is required at a rate of 10% of employee numbers subject to a minimum of 10 bicycle spaces or one bike space for every car space, whichever is the greater.

5.6. **Natural Heritage Designations**

5.6.1. None.

5.7. EIA Screening

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

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

5.7.2. The stated site area is 2.11 ha, which is well below the applicable threshold in this case of 10 ha. The introduction of this infill office development would have no adverse impact in environmental terms on surrounding land uses. The site has already been developed for enterprise purposes and is located within a developed area within approx. 1 km of Navan town centre. The site is not designated for the protection of the landscape or of natural or cultural heritage and the proposed development is not like to have a significant effect on any European site. The proposed development would not give rise to waste, pollution or nuisances that differ from that arising from other developments 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 Uisce Éireann and Meath County Council, upon which its effects would be marginal.

5.7.3. 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

6.1.1. A third-party appeal against the Planning Authority’s Notification of the Decision to Grant Permission for the proposed development has been lodged by the Residents of St. Columban’s Crescent c/o Maria Joyce, No. 5 St. Columban’s Crescent, Trim

Road, Navan, Co. Meath. St. Columban's Crescent adjoins the appeal site to the south.

6.1.2. The grounds of appeal can be summarised as follows:

- No community consultation with the residents of St. Columban's Crescent, which is the principal residential estate in the vicinity of the proposed development.
- These residents are members of the Traveller community, and the principle of social inclusion has not been engaged, with the proposed development contributing to social inequality.
- St. Columban's is a small development that is being surrounded by industrial, commercial and retail developments and is being segregated from other residential developments. The area has been considered as part of any future rail link between Navan and Dublin, which if developed, would run right alongside St. Columban's Crescent.
- The creation of a 4-storey glass-fronted digital hub, will tower over the existing one-storey houses and have a profoundly negative impact on the privacy of residents.
- Negative visual impact of the proposed development, with the applicant's visual impact assessment confirming the largest impact to St. Columban's Crescent.
- The proposed development will provide a direct line of sight from its upper storeys into the houses, gardens, public and communal areas of St. Columban's Crescent. No mitigation measures are proposed.
- Plans to remove mature trees to the rear of Nos. 8, 9 and 10 St. Columban's Crescent would have a negative visual impact and a negative impact on privacy.
- No landscaping is proposed to operate as a barrier between St. Columban's Crescent and the proposed development.
- The estate already suffers significant light pollution from the subject site, which will increase on foot of the proposed development.

- The proposed development will significantly increase traffic in the area.
- Not evident that appropriate screening was undertaken for the environmental impact of the proposed development.
- The repurposing of existing buildings is advised in the development of digital hubs.

6.2. First Party Response

6.2.1. A first party response to the appeal was lodged by Ger Fahy Planning on behalf of the applicant on 15th March 2022. The response includes a lengthy justification for the proposed development based on its compliance with a range of national, regional and local policy documents, the contents of which have been reviewed in the assessment of this case. The applicant's rebuttal to the grounds of appeal can be summarised as follows:

- The appeal may be considered invalid on the basis of an incorrect address.
- The appellants had the opportunity to make submissions during the development plan preparation process regarding the principle of the development of this site. Their submission has been taken into account by the Planning Authority and will be considered again by the Board in their determination of this appeal.
- The travelling community at St. Columbus Crescent is located at the heart of this part of the town. The proposed development will support the integration of members of the travelling community both physically and socially by providing community space which is accessible to all.
- The proposed development is not industrial in form and comprises a high-quality office development.
- The suggestion that the proposed development is segregating the appellants' houses from other residential developments does not make sense as the appellants' houses are located on the main access road into Limekiln Wood and Woodlands, two large residential schemes to the east and north.

- A separation distance of more than 34 m and the orientation of the proposed development relative to the appellants' properties will not result in any impact on the privacy of residents or any negative visual impact.
- Office developments adjacent to residential developments are compatible in land use terms. The appellants' concerns regarding the appropriateness of the proposed development in its current form are unsubstantiated.
- The proposed development achieves the most appropriate use of zoned urban land and will visually enhance the area.
- The town has developed around the travellers' accommodation, and they are now located within the heart of the urban area with appropriate schools, retail and the community enterprise uses within walking distance of their homes. All these uses, together with the proposed development, are compatible with all types of residential accommodation and would therefore positively reinforce social inclusion.
- The appellants' houses have an existing high wall to the rear of their properties to ensure the protection of their privacy. The proposed development is located 136 m from the playground and would not have any impact on same.
- The mature trees referred to by the appellants were removed to facilitate a development previously permitted on the site. The proposed landscaping will assist in the assimilation of the proposed development into this urban area.
- The applicant's lighting consultants confirm that the proposed development would not have an impact on the appellants' residential amenity due to the separation distances arising.
- The site is not greenfield in nature and is an established property with existing lighting in place. In recent years the applicant has improved the lighting to remove the traditional floodlighting, which has improved the quality of the nighttime public realm. A certain level of lighting is required on an urban business site.
- The applicant is happy to accept any condition the Board considers necessary in relation to site lighting.

- It is normal to expect additional traffic in an urban area from an urban development. The proposed development is located in close proximity to a significant residential population so it is anticipated that a certain amount of the occupants of the building can walk or cycle to same.
- The proposed development is located where there is an appropriate access and where it would not give rise to a traffic hazard.
- The proposed development would not have any significant environmental impact and therefore an EIA is not required. Sufficient screening has been carried out by the Planning Authority.
- The proposed development is supported by national, regional and local policy.

6.2.2. The appeal response includes a number of appendices as follows: (1) Bernard Smith Consulting Engineers - addresses the appellants' concerns in relation to light pollution; (2) ACS – addresses the appellants' concerns in relation to visual impacts; (3) Feasibility Study Report on the Boyne Valley Food Hub; (4) Feasibility Study Report on Digital Innovation and Smart Agri Hub; (5) Regional Enterprise Plan to 2024 Mid-East; and, (5) Drawing No. P-09 – Elevational View from Enterprise Centre Road Entrance and Drawing No. P- 03 – Proposed Site Plan Layout. The content of these appendices has been noted in the adjudication of this appeal case.

6.3. **Planning Authority Response**

6.3.1. The Planning Authority submitted a response to the appeal and the applicant's first party response on 14th March 2022 and 14th April 2022. The Planning Authority considers that all issues raised in the appeal have already been addressed. An Bord Pleanála is requested to uphold the Planning Authority's decision on this case.

6.4. **Observations**

6.4.1. None.

6.5. **Further Responses**

6.5.1. The appellant submitted a response to the applicant's appeal response on 19th April 2022 which can be summarised as follows:

- The applicant's response does not engage with the issues raised in the grounds of appeal.
- The estate has always been known to residents as St. Columban's Crescent. No issues were raised by Meath County Council in relation to this matter, with both submissions on the planning application deemed to be valid.
- Being in close proximity to places of employment does not create meaningful opportunities for Travellers. Meath Enterprise Centre has made no effort to date to create any employment opportunities for Traveller families living in St. Columban's Crescent.
- There was no direct engagement with the residents of St. Columban's Crescent during the development plan preparation process or during the preparation of this planning application.
- The proposed development will have a profound visual impact on St. Columban's Crescent. The proposed separation distance is not sufficient to give due regard to the height of the existing 1-storey houses.
- The proposed development will have a visual line of sight into the homes of St. Columban's Crescent.
- There are many empty industrial and business units in Navan which could incorporate the digital hub in a more appropriate way.
- The proposed landscaping is totally insufficient given the height and scale of the proposed development.
- The residents of St. Columban's Crescent live with significant and unacceptable light pollution.
- Consideration should be given to the future development of a Navan to Dublin rail line in this area.

6.5.2. The response includes photographs to demonstrate the existing nighttime lighting on the appeal site and daytime views of the existing development within the appeal site from the rear of properties in St. Columban's Crescent; a copy of a newspaper article regarding the inclusion of the Navan rail line in the National Development Plan; and a copy of the Navan Rail Line Assessment Report (Sept. 2021).

7.0 **Assessment**

7.1. While the applicant's agent has queried the validity of the appeal based on the address provided by the third party, I am satisfied that the appeal is valid and can be considered by the Board. Having considered the contents of the planning file, the grounds of appeal and the first party response, and having undertaken an inspection of the appeal site and surrounding area, I am satisfied that the main issues arising for consideration in this case are as follows:

- Community Consultation
- Overlooking Impacts
- Visual Impacts
- Light Pollution
- Traffic Impacts
- Appropriate Assessment

7.2. Each of these issues is addressed in turn below.

7.3. **Community Consultation**

7.3.1. The appellants reside at St. Columban's Crescent, a small scheme of single-storey dwellings for the Traveller community, which adjoins the appeal site to the south. The appellants contend that no community consultation has been undertaken with them regarding the proposed development, which they consider is contributing to social inequalities experienced by the Traveller community. The appellants further contend that the proposed development would isolate the residents of St. Columban's Crescent from other residential estates in the area.

7.3.2. In response, the applicant's agent notes that the appellants have had the opportunity to engage in the planning application process and that St. Columban's Crescent is located at the heart of the town, close to other residential developments. It is further submitted that the proposed development will support the integration of members of the Traveller community both physically and socially by providing community space which is accessible to all.

- 7.3.3. The issues which have been highlighted by the appellants regarding the difficulties experienced by the Traveller community are acknowledged. While the undertaking of consultation by the applicant with the appellants in relation to the proposed development may have been preferable in the interests of maintaining good neighbour relations, I note that such consultation is not mandatory under the Planning and Development Act, 2000 (as amended) and the associated Regulations. The applicant has complied with the mandatory requirements in this regard, including the publishing of a statutory public notice on the appeal site and in an approved newspaper. I note the appellants have had the opportunity to exercise their third-party rights through the submission of observations on the planning application and through the lodging of this third-party appeal. As such, I am satisfied that the appellants have had the same opportunity to engage in the planning application process as any other member of the public and I am satisfied that the applicant's obligations in this regard have been discharged.
- 7.3.4. In considering the appellants' assertion that the proposed development would isolate their development from other residential estates in the area, I note that St. Columban's Crescent is adjoined to the east/north-east by the Woodview residential estate. The access road to St. Columban's Crescent also provides access to a further residential estate to the south-east at Limekiln Wood. Educational land uses, including Beaufort College and Gaelscoil Eanna, are located directly opposite St. Columban's Crescent.
- 7.3.5. As such, it is evident that the appellants' dwellings are situated in an established mixed-use area. The development of the proposed office building at a minimum separation distance of approx. 47 m from the rear elevation of No. 9 St. Columban's Crescent (closest to the proposed development), would not serve to segregate the appellants' properties from the neighbouring residential and educational land uses to the south and south-east. While the appellants refer to the future rail link between Navan and Dublin as evidence of other commercial developments surrounding their dwellings, I note that this matter is not open for adjudication under this appeal case. As such, I am satisfied that the grounds of appeal in relation to community consultation and segregation are unfounded.

7.4. Overlooking Impacts

- 7.4.1. The proposed office building is located on the western-most portion of the appeal site, between the internal site access road to the south and the adjoining fuel depot to the north. An area of surface car parking is located on the opposite side of the internal access road opposite the proposed development. The southern site boundary adjoining this area of parking comprises a 2 m high rendered, blockwork wall, beyond which is a pocket of mature trees. The front elevation of the proposed office building is set back from the southern site boundary by 37.2 m and directly overlooks the mature trees beyond.
- 7.4.2. The dwellings within St. Columban's Crescent are off-set to the south-east of the proposed development, and as such, no directly opposing relationship between the existing and proposed development occurs. As previously identified, a minimum separation distance of approx. 47 m arises between the south-eastern corner of the front elevation of the proposed office building and the rear/north-western corner of the rear elevation of No. 9 St. Columban's Crescent, which is the closest dwelling in terms of the set-backs arising. I note that the existing boundary wall of approx. 2 m in height located along the shared boundary and to the rear of Nos. 3 - 9 St. Columban's Crescent largely screens the rear, ground floor elevations of these properties.
- 7.4.3. The appellants also contend that the proposed development will have a direct line of sight into the public and communal areas of St. Columban's Crescent. In considering the foregoing, I note that the communal open space and playground within the estate are adjacent to the local access road, and as such, are already visible in public views of the site. In my opinion, no undue overlooking of these spaces would arise from the proposed development having regard to the separation distances arising and the location of the office building within the appeal site.
- 7.4.4. Having regard to the foregoing, I am satisfied that no undue overlooking of St. Columban's Crescent would occur on foot of the proposed development and as such, no mitigation measures are required.

7.5. Visual Impacts

- 7.5.1. The appellants consider that the proposed development will have a profound visual impact on St. Columban's Crescent and that the proposed separation distance is not sufficient having regard to the scale of the existing houses. The applicant's agent refutes these claims and submits that the proposed development will serve to visually enhance the area.
- 7.5.2. The site is located in an urban area, approx. 1 km from Navan town centre and is primarily zoned for mixed-use purposes. Having regard to the existing pattern of development, I consider that the site is suitable of accommodating an increased density of development. It is a policy of Meath County Council to encourage, inter alia, the development of communities where employment, residential and sustainable transport facilities are close to each other to reduce long-distance commuter trends and congestion (ED POL 3 refers). In my opinion, the proposed development would be consistent with this policy.
- 7.5.3. The planning application documentation includes a Visual Impact Assessment which considers the impact of the proposed development on the surrounding landscape from 5 no. selected viewpoints. Viewpoint no. 5 is a view looking northwest from the entrance to St. Columban's Crescent towards the site of the proposed development. The assessment notes that the proposed building will be visible over the existing single-storey dwellings, with at least the top 2 floors visible. It is also noted that the outline of the building will be partially broken up by the proposal to plant small-scale trees along the inner boundary. The impact of the proposed development from this viewpoint is categorised as moderate / medium. Photomontages of the proposed development from each of the selected viewpoints are provided.
- 7.5.4. I acknowledge that the proposed development will have a visual impact on St. Columban's Crescent. However, I consider that the extent of this impact will be reduced through the separation distances arising and the position of the building within the appeal site, which is off-set to the north-west of St. Columban's Crescent. I also consider that the visual impact of the proposed development will be reduced through the inclusion of a large amount of glazing to the front and side elevations of the building. In my opinion, the visual impact arising in this instance would not be sufficient to justify a refusal of planning permission.

7.6. Light Pollution

- 7.6.1. The appellants submit that St. Columban's Crescent already suffers significant light pollution from within the appeal site and that the proposed development will increase this impact. The appellants have provided photographs taken from their rear gardens to illustrate the existing nighttime lighting within the appeal site.
- 7.6.2. The applicant's appeal response includes correspondence from Bernard Smith Consulting Engineers which addresses the appellants' concerns in relation to light pollution. It states that: (1) the external public lighting has been designed in accordance with EN 12464-2 Lighting for Outdoor Workplaces using Lighting Reality Pro software which is used by Meath County Council; (2) the lighting has been designed to achieve an average lux level of 10 lux; (3) the car park lighting will be provided by LED fittings mounted on 6 m high columns; (4) no floodlighting will be used in the development, thereby avoiding issues with glare and light pollution; (5) the proposed light fitting has light distribution optics designed to distribute the light evenly in the area required and to avoid unwanted overspill; (6) the nearest light fitting to St. Columban's Crescent is 43 m and will not cause any issues with light pollution. The applicant's agent states that the applicant will accept any condition in relation to lighting as may be considered appropriate by the Board.
- 7.6.3. The applicant provided a Public Lighting Services Layout Site Plan (Drawing No. CO-01) as part of the response to the Request for Further Information. It is proposed to provide 4 no. 6 m columns at either end of the surface car parking adjoining the eastern façade of the building and 6 no. 4 m columns along its southern (front) and western elevations. Having regard to the nature of the light fittings proposed, I do not consider that any significant light pollution impacts would arise on foot of the proposed development which would have a detrimental impact on the residential amenity of St. Columban's Crescent. In reaching this conclusion, and in reviewing the photographs provided by the appellants, I note that the lighting concerns relate to the existing enterprise centre building on the appeal site and that any issues which may be arising in this regard are not open for consideration under this appeal case.

7.7. Traffic Impacts

- 7.7.1. The appellants submit that the proposed development will significantly increase traffic in the area. In response, the applicant's agent states that it is normal to expect additional traffic on foot of this urban development, which is located where there is an appropriate access and where it would not give rise to a traffic hazard. It is anticipated that a certain amount of the building occupants will walk or cycle to the development given its proximity to a significant residential population.
- 7.7.2. In reviewing the internal reports of Meath County Council, I note that the Transport Department had no objection to the proposed development on traffic or road safety grounds, subject to the width of the pedestrian crossing at the entrance being reduced to comply with DMURS (condition no. 4 of the Planning Authority's decision refers). Having regard to the scale of the proposed development and the site context, I am also satisfied that no significant increase in traffic would arise on foot of the proposed development.
- 7.7.3. Objective DM OBJ 61 of the Meath County Development Plan 2021-2027 requires new office developments with more than 100 employees to have a Mobility Management Plan (MMP). While the number of employees/occupants does not appear to have been confirmed in this instance, I consider that the submission of a MMP would be appropriate in the interests of promoting sustainable travel patterns to the site. This matter can be addressed by condition should the Board decide to grant permission for the proposed development.

7.8. Appropriate Assessment (AA)

- **Screening**

- 7.8.1. I have reviewed the Planning Authority's and the applicant's AA screening assessments, both of which conclude that an AA of the proposed development is not required. The subject site is not located within or directly adjacent to any European site, and as such, there is no potential for **direct impacts** to occur. The closest European sites include River Boyne and River Blackwater SAC (site code: 002299) and River Boyne and River Blackwater SPA (site code: 004232) which extend to the east and north of the appeal site at a minimum separation distance of approx. 700 m.

- 7.8.2. In considering the potential for **indirect impacts** to occur, I note that there is no hydrological connection between the subject site and the identified European sites, or any other such site, and that it does not support any of the habitats or species which are qualifying interests for these European sites (see Appendix 1 of this report for details). Thus, there is no potential for indirect impacts to occur, and as such, any potential **in-combination** impacts can be excluded.
- 7.8.3. In applying the source-pathway-receptor concept, and having regard to the nature and scale of the development, comprising an infill office scheme on a developed urban site, the availability of public water and wastewater services to facilitate the development, and the separation distances arising to the nearest Natura 2000 sites, no appropriate assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually or in combination with other plans or projects, on a European site.

8.0 Recommendation

- 8.1. I recommend that planning permission be granted for the proposed development.

9.0 Reasons and Considerations

- 9.1. Having regard to the size and configuration of the subject site, and the nature and scale of the proposed and existing developments, 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. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>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 16th day of December 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>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.</p> <p>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.</p>
3.	<p>Prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority, a revised site layout plan showing the width of the pedestrian crossing at the entrance along local road L74185 reduced to comply with DMURS.</p>

	Reason: In the interest of traffic and road safety.
4.	<p>The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan (CEMP), 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 the hours of working, traffic management arrangements, noise management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
5.	<p>Prior to the opening of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car-pooling by occupants / staff employed in the development and to reduce and regulate the extent of on-site parking.</p> <p>Reason: In the interest of encouraging the use of sustainable modes of transport.</p>
6.	<p>Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.</p> <p>Reason: In the interest of public health.</p>
7.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
8.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, 0800 to 1400 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Louise Treacy
Senior Planning Inspector

9th November 2023

Appendix 1: Natura 2000 Sites – Conservation Objectives & Qualifying Interests

River Boyne and River Blackwater SAC (site code: 002299)	
Qualifying Interests	<p>Alkaline fens [7230]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0]</p> <p><i>Lampetra fluviatilis</i> (River Lamprey) [1099]</p> <p><i>Salmo salar</i> (Salmon) [1106]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p>
Conservation Objective(s)	<p>To maintain the favourable conservation condition of Alkaline fens in River Boyne and River Blackwater SAC [7230]</p> <p>To restore the favourable conservation condition of Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i>, <i>Salicion albae</i>) in River Boyne and River Blackwater SAC [91E0]</p> <p>To restore the favourable conservation condition of River Lamprey (<i>Lampetra fluviatilis</i>) in River Boyne and River Blackwater SAC [1099]</p> <p>To restore the favourable conservation condition of Atlantic Salmon (<i>Salmo salar</i>) in River Boyne and River Blackwater SAC [1106]</p> <p>To maintain the favourable conservation condition of Otter (<i>Lutra lutra</i>) in River Boyne and River Blackwater SAC [1355]</p>

River Boyne and River Blackwater SPA (site code: 004232)	
Qualifying Interests	Kingfisher (<i>Alcedo atthis</i>) [A229]
Conservation Objective(s)	To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.