



An
Bord
Pleanála

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

Inspector's Report ABP-313272-22

Strategic Housing Development

141 no. residential units (131 no. houses and 10 no. apartments), crèche and associated site works.

Location

In the townland of Commons, Longford Road/The Steeples Road, Duleek, Co. Meath.

Planning Authority

Meath County Council

Applicant

DPSL Ltd

Prescribed Bodies

- (1) Minister for Culture, Heritage and the Gaeltacht
- (2) Irish Water

Observer(s)

Patrick & Margaret McGuinness

Date of Site Inspection

22nd April 2023

Inspector

Colin McBride

Contents

1.0 Introduction	4
2.0 Site Location and Description	4
3.0 Proposed Strategic Housing Development	4
4.0 Planning History.....	7
5.0 Section 5 Pre Application Consultation	7
6.0 Relevant Planning Policy	10
7.0 Third Party Submissions	14
8.0 Planning Authority Submission	14
9.0 Prescribed Bodies.....	19
10.0 Assessment.....	21
11.0 Environmental Impact Assessment	48
12.0 Appropriate Assessment	54
13.0 Recommendation	63
14.0 Reasons and Considerations	64
15.0 Recommended Draft Order	65
16.0 Conditions	69

1.0 Introduction

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

2.0 Site Location and Description

2.1 The subject site, which has a stated area of 4.8 hectares, is a greenfield site which fronts onto the Steeples/Longford Road, a local road radiating north from the centre of Duleek, Co Meath. The site is located within the settlement boundary of Duleek, has mature hedging around the entire perimeter of the site and is accessed via an agricultural access directly off the Steeples/Longford Road to the front of the site. A residential estate to the north of the site consists of traditional two storey semi-detached detached dwellings and a row of the dwellings front onto and are accessed directly from the public road. A number of detached bungalows set on large sites are positioned along the east of the site, towards the town centre and are accessed from a private road which is rural in nature.

3.0 Proposed Strategic Housing Development

3.1 The proposed development comprises permission for strategic housing development at Commons, Longford Road/Steeple Road, Duleek, Co. Meath. The proposed development consist of 141 no. residential units comprising, 131 no. houses and 10 no. apartments.

Table 1: Key Figures

Gross Site Area	4.8 hectares
Net Site Area	
Site Coverage	19.23%
Plot Ratio	0.31:1

No. of Houses	131
No. of Apartments	10
Total	141
Commercial/childcare	Crèche 415sqm
Density – Total Site Area	32.5 units per hectare (net density)
Public Open Space Provision	0.743 hectares (15%)
Communal Open Space	770sqm
Car Parking – Apartments/ Residents Crèche	299 (17 visitor spaces) 18
Total	317
Bicycle Parking	25 for apartments 20 for the crèche

Table 2: Unit Mix

	Bedrooms				Total
	1 Bed	2 Bed	3 Bed	4 Bed	
Apartments	10 (7%)				10
Dwellings		7 (5%)	102 (72%)	22 (16%)	131

Total	10 – 7%	7 – 5%	102 – 72%	22 – 16%	141
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3.2 The application was accompanied by various technical reports and drawings, including the following:

- Planning Statement – Armstrong Fenton Associates.
- Statement of Consistency – Armstrong Fenton Associates.
- Statement of Response to An Bord Pleanála Opinion – Armstrong Fenton Associates.
- Social & Community Infrastructure Assessment – Armstrong Fenton Associates.
- Environmental Impact Assessment Screening Report – Armstrong Fenton Associates.
- Building Life Cycle Report – Armstrong Fenton Associates.
- Universal Design Statement – Armstrong Fenton Associates.
- Architectural Design Rationale – BKD Architects.
- Housing Quality Assessment – BKD Architects
- Engineering Planning Report – Punch Consulting Engineers.
- Site Specific Flood Risk Assessment – Punch Consulting Engineers.
- Traffic and Transport Assessment – Punch Consulting Engineers.
- Outline Construction Traffic Management Plan – Punch Consulting Engineers.
- DMURS Compliance Statement – Punch Consulting Engineers.
- Response to MCC Opinion – Armstrong Fenton Associates.
- Quality Audit – Bruton Consulting Engineers.
- Arboricultural Impact Assessment – Arbor Care.
- Appropriate Assessment Screening Report – Enviroguide Consulting.
- Ecological Impact Assessment Report – Enviroguide Consulting.
- Archaeological Impact Assessment – AMS.
- Construction & Demolition Waste Management Plan – Ayrton Group.
- Construction & Environmental Management Plan (CEMP) – Ayrton Group.

4.0 Planning History

- 4.1 There are no current live permissions on the site a previous SHD application ABP 307240-21 was annulled and a grant of permission (Reg Ref 140396 / EOD SA/802333) for 70 no residential units expired in 2018.

Lands Adjoining to the north east on the opposite side of the laneway ABP-305011-19 (PA ref. LB/190578) Permission refused (Damien Byrne, 03/07/19) for 21 no. dwellings and all associated development works, including upgraded site access/entrance, public open space, landscaping, roads, piped and wired services on existing site.

5.0 Section 5 Pre Application Consultation

- 5.1 A Section 5 Pre-Application Consultation took place at An Bord Pleanála's Offices on the 01st of December 2021; Reference ABP-311683-21 refers. Representatives of the prospective applicant, the Planning Authority and An Bord Pleanála attended the meeting. The development as described was for the construction of...

- 118 no. residential units comprising of:
 - 6 no. 1 bed apartment units, in 2 no. two-storey blocks.
 - 6 no. 2 bed dwellings two-storey terraced
 - 84 no. 2, 3 & 4 bedroom two-storey semi-detached dwellings,
 - 22 no. 3 & 4 bedroom two-storey detached dwellings.

- The provision of a childcare facility with a floor area of 415sqm;

- 5.2 An Bord Pleanála was of the opinion having regard to the consultation meeting and the submission of the Planning Authority that the documents submitted with the request to enter into consultation would constitute a reasonable basis for an

application for strategic housing development to An Bord Pleanála. Pursuant to article 285(5)(b)(i) and (ii) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that the following specific information should be submitted with any application for permission arising from this notification.

1. Notwithstanding that the proposal constitutes a reasonable basis for an application the prospective applicant is advised to address the following in the documents submitted:

a) Further consideration and/or justification of the documents as they relate to the proposed density for the site. The proposed development shall have regard to the requirement for the efficient use of lands as prescribed in the Sustainable Residential Developments in Urban Areas-Guidelines for Planning Authorities and Objective DM OBJ 14 of the Meath County Development Plan 2021-2027, where densities of 25uph - 35uph are required in Duleek.

b) Further consideration and/or justification of documents for the provision of high-quality design strategy to ensure sufficient permeability into adjoining lands and ensure the level differences and boundary treatment along the east of the site will not impact the amenity of the existing residents of properties along the east. The documents submitted shall include cross sections of all existing and proposed levels/ gradient, in particular along the boundary with adjoining sites to the east and other documentation necessary to clearly demonstrate appropriate permeability to adjoining lands, having regard to the requirements of Design Manual for Urban Roads and Streets and the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities.

2. A Taking in Charge Map.

3. A report prepared by a suitably qualified and competent person demonstrating specific compliance with the requirements set out in the Design Manual for Urban Roads and Streets, in particular the provision of a road hierarchy and compliance

with section 4.4.3, and the National Cycle Manual, as well as a map illustrating pedestrian, cycle and vehicular links through and off the site.

4. A detailed landscaping plan clearly illustrating the quantum and functionality of all areas designated for communal and public open space. The landscaping details shall include, inter alia, designated communal open space, the inclusion of useable space for play provision necessary to comply with Section 4.13 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities and the design, a detailed tree survey and proposed tree planting scheme and shall clearly indicate the quantum and designated areas of useable public open space.

5.3 Finally, a list of authorities that should be notified in the event of the making of an application were advised to the prospective applicant and which included the following:

1. Minister for Culture, Heritage and the Gaeltacht (archaeology)
2. Irish Water
3. Meath County Childcare Committee

5.4 Applicants Statement

A report prepared by Armstrong Fenton Associates, entitled 'Response to An Bord Pleanála Pre-Application Consultation Opinion' and was submitted in accordance with Section 8(1)(iv) of the Act of 2016. The proposed development is amended and features 141 units instead of 118 and amended site layout.

The following information was provided in response to the opinion:

Issue 1(a)- Objective DM OBJ 14/Density: The application provides for 141 no. units instead of 118 proposed at pre-application stage giving a density of 30 units per

hectare and a level of development compliant with the CDP Core Strategy and Duleek's status as a Self-Sustaining Town and DM OBJ 14.

Issue 1(b)- Permeability/adjoining amenity: Vehicular access is provided off the Longford/Steeple Road with a new roadside footpath and cycle path along Longford/Steeple Road. Pedestrian and cycle path connections are proposed to the adjoining lanes to the north and east.

Site sections are providing illustrating the proposed development in the context of dwellings adjoining the site boundaries to the east and south, these section illustrate relative levels and separation distances and illustrate that due regard is had to the amenities of existing properties.

Issue 2- Taking in Charge: A taking in charge map has been submitted with the application.

Issue 3: DMURS/National Cycle Manual: A report entitle 'Movement & Connectivity' has been submitted and set out how the development complies with DMURs, the National Cycle Manual and the CDP.

Issue 4-Landscape Plan: A landscaping plan and rationale has been submitted. A tree and hedgerow survey has also been prepared. The level of public open space and communal open space is consistent with target levels set out under CDP policy and the Apartment guidelines.

6.0 Relevant Planning Policy

6.1 National Policy

6.1.1 Project Ireland 2040 - National Planning Framework

Chapter 4 of the Framework addresses the issue of 'making stronger urban places' and sets out a range of objectives which it is considered will assist in achieving

same. National Policy Objective 4 sets out to 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.

The directly relevant National Policy Objectives as contained within the NPF include:

National Policy Objective 3a: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.

National Policy Objective 11: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

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 sets out to enhance water quality and resource management, this includes the requirement to ensure that 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.

6.1.2 Relevant Section 28 Ministerial Guidelines:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')
- Design Manual for Urban Roads and Streets (Interim Advice Note Covid -19, May 2020)
- Guidelines for Planning Authorities on Urban Development and Building Heights, 2018
- Sustainable Urban Housing: Design Standards for New Apartments (2021),
- The Planning System and Flood Risk Management (including associated Technical Appendices).
- Appropriate Assessment of Plans and Projects in Ireland – Guidelines for Planning Authorities (2009).
- The Architectural Heritage Protection Guidelines for Planning Authorities (2011).

6.1.3 Other Relevant Policy Documents include

- Housing for All (2021).
- Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020.
- Permeability Best Practice Guide – National Transport Authority.

6.2 Regional Policy

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

6.2.1 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 ten year 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

6.3 Local Policy

6.3.1 Meath County Development Plan 2021-2027 (adopted 03rd of November 2021)

The site is located on lands zoned as A2 New Residential Objective, where it is an objective to: “provide for new residential communities with ancillary community facilities, neighbourhood facilities as considered appropriate.”

Duleek

- Duleek is classified as a self-sustaining town.
- **Housing DUL OBJ 1** To secure the implementation of the Core Strategy of the County Development Plan, in so far as is practicable, by ensuring the household allocation for Duleek as set out in Table 2.12 of the Core Strategy is not exceeded.

Core Strategy

Table 2.12 Core Strategy Table, Population and Household distribution to 2027

Duleek:

- Projected population increase to 2027: 500
- Household allocation between 2020-2027: 336

Density

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

- Self-Sustaining Towns: 25uph - 35uph

Design

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

7.0 **Third Party Submissions**

7.1 A third party submission has been received from Patrick & Margaret McGuinness. The submission can be summarised as follows.

- The submission is from the owners and residents of a dwelling located to the south east of the site.
- The submission notes that the rear of proposed two-storey houses are less than 23m from the rear of their house and that the proposed houses have excessive ridge heights. Concern is expressed regarding significant intrusion on residential amenity and privacy.
- The submission questions the applicants' assertion that the neighbours were consulted noting that the observers were not consulted and that consultation with a neighbouring property has resulted in provision of a 3m high stone wall with separation distances between proposed and existing lesser in the case of the observers site.
- The submission notes that in the interests of fairness a similar 3m high stone wall to the rear of the site (rear of no.s 130-137) should be implemented and could be accommodated by way of condition.

8.0 **Planning Authority Submission**

8.1. The Chief Executive's report, in accordance with the requirements of section 8(5)(a) of the Act of 2016, was received by An Bord Pleanála. The report details the site location/site zoning, provides a description of the proposed development, details pre-submission meetings, planning history, lists the issues in the received submissions,

the internal reports of Meath County Council are summarised, details the relevant Development Plan policies and objectives, and provides a planning assessment of the development. The CE report refers to policies under the Meath County Development Plan 2021-2027.

8.2. The CE report, in Appendix 4, also includes a summary of the views of the elected members for the area, Laytown-Bettystown MD (no date specified), and these are outlined as follows:

- Reduced no. of units and storeys welcomed. Site is suitable for development
- Need for traffic calming measures on Steeples Road.
- Questions regarding capacity in Duleek for increased population in context of school and infrastructural demands.
- Questions regarding provision of affordable housing outside social housing demand.

8.3 A summary of the submissions made by third parties is provided. Submissions can be summarised as follows:

- Concerns regarding Boundary Treatment 4 along proposed unit nos 130-138 with Boundary Treatment 13 being the preferred solution.

8.4 A submission has been received from Irish Water.

8.5 Planning Assessment

This is summarised as follows under the headings of the Chief Executive Report.

The CE report did not give an explicit recommendation, however appears to raise no significant objection to the proposal with a number of suggested conditions that should be applied to a grant of permission.

Principle of Development and Planning Policy:

- The CE report highlights the zoning of the site for residential development and encourages the bringing forward of multi-use residential development on appropriately zoned Tier 1 lands with the Board invited to view land use zoning policy under the CDP.

Density:

- The CE report refers to DM OBJ 14 and refer to the Sustainable Residential development in Urban Area Guidelines. The report notes that the calculation of net site area is not explained and acknowledges that the applicants' documents suggest the density proposed is consistent with CDP and national policy.

Design, Layout & Unit Mix:

- The CE report notes that the layout is satisfactory in terms of scale and form, however notes a lack of three-storey buildings that could have been absorbed in the centre of the site resulting in an over-reliance on three-bed terraced units (in particular along Longford Road). Exclusion of the laneway along the northern boundary is a missed opportunity to increase connection/permeability.
- Proposed pedestrian access point will lead to an unlit areas beyond the redline boundary and do not fully address connectivity and permeability issues. In regards to level changes between the site and adjoining properties, the Board may consider a stepped or terraced private amenity space in conjunction with proposed fall regarding units no.s 122-129 to lessen impact of the 3.4m high wall.
- The Board should consider a condition in respect of bin storage, enhanced permeability along the northern boundary and stepped or terraced gardens for units no. 122-129.

Phasing:

- The applicants phasing proposal is noted with suggestion of a condition ensuring that roads infrastructure, childcare facility, open space and some Part V housing is delivered early in the development of the site.

Open Space, Landscaping & Boundary Treatment:

- The CE report notes the level of open space provided and reference to provision of c. 0.7.4 ha and c. 0.70 ha open space provision in the various documents submitted. A condition is suggested in respect of provision and maintenance of public open space.
- The Planning Authority raises concerns regarding Boundary Treatment 2 in the context of DM OBJ 29 and note that Boundary Treatments 4, 6 and 14 along the southern boundary require further consideration.

Traffic, Transport & Public-Lighting:

- The CE report raises no objection to the proposal in terms traffic, transport and public lighting noting the information submitted by the applicant in relation to traffic impact, compliance with DMURs, parking and cycling provision. It is acknowledged that the level of parking proposed is consistent with CDP policy.
- The CE report includes a number of suggested condition in relation traffic including a design of upgrade of R150/Steeple Road for approval of the Council, agreement of boundary treatment along the public road, provision of a shared surface along the northern boundary of the site to link Road 1 and 2 together, provision of appropriate boundary treatment to the private laneway on the eastern side, provision for Road 5 to facilitate a future access link across the private laneway adjacent the site to the east, provision of 2 no. EV charging points in the communal parking area, application of a special level of €40,000 as a contribution to upgrading of R150/Steeple Road junction to DMURs Standards.
- The Boards is advised to consider an appropriate planning condition regarding public lighting subject to NPWS comments.

Water Services and Flood Risk Management:

- The Water Services Section indicates that the proposal broadly meets the requirements of Meath County Council and is acceptable subject to conditions requiring compliance with Greater Dublin Strategic Drainage Study.
- No objection is raised in regards to Flood Risk.
- The correspondence from Irish Water indication confirmation of feasibility is noted.

Waste Management, Environmental Protection & Public Health:

- The Environment Section raises no objections subject to conditions including provision of a Construction Environmental Monitoring Plan.

Part V, Development Contributions & Taking-in-Charge:

- The Board should apply an appropriate Part V condition.
- In addition to a special development contribution the Board should attached a Development Contribution based on the Council's Section 48 scheme and a bond surety and estate monitoring.
- Taking-in-charge shall be carried out in accordance with Meath County Councils policy document with an appropriate condition to be applied.

Social Infrastructure:

- The childcare facility exceeds the minimum requirements of the 2001 Childcare Guidelines. The Boards is requested to consider policies DM POL 25 and SOC POL 20 of the CDP.
- It is noted that the school demand for the proposal will be low in relation to current levels of provision.

Other, Art Work, Estate Name, Broadband and Fire Safety:

- The CE report recommends that works of public art are incorporated and that an appropriate condition or development contribution be applied in this regard.
- A condition regarding estate name should be applied.
- An appropriate condition facilitating broadband provision is required and restriction of telecoms infrastructure on the roofs of apartment blocks or crèches.
- The requirements of the Fire Department are noted.

Heritage Impacts:

- The submitted Archaeological Impact Assessment is noted and appropriate archaeological conditions should be applied.
- No issue are raised in regards to Architectural Heritage by the Council's Conservation Officer.

- The Ecological Impact Assessment and the comments of the NPWS are noted. Conditions are required in regards to clearance of vegetation, installation of swift bricks and bat boxes and a lighting scheme designed to minimise impact on bat species.

Environmental Assessment:

- The CE report notes the submitted Appropriate Assessment Screening report and indicates that as a Competent Authority the Board is invited to consider the necessity for an NIS having regard to the NPWS comments.
- As a Competent Authority the Board is invited to consider the efficacy of the EIA Screening Report.

Conclusion:

The Planning Authority requests that the Board consider the contents of the CE Report.

9.0 Prescribed Bodies

9.1. The applicant was required to notify the following prescribed bodies prior to making the application:

1. Minister for Culture, Heritage and the Gaeltacht (archaeology)
2. Irish Water
3. Meath County Childcare Committee

9.2. The following is a brief summary of the issues raised.

9.2.1 Department of Housing, Local Government and Heritage (Development Applications Unit):

Archaeology: A planning condition is recommended requiring archaeological monitoring of ground disturbance at construction stage.

Nature Conservation: A number of conditions are recommended in relation to nature conservation including clearance of vegetation to be restricted to outside the main bird breeding season, installation of swift brick and bat boxes and finalised external and lighting design to be signed off by a bat specialist and agreed with the planning authority prior to commencement of development.

9.2.2 Irish Water: Irish Water has issued a Confirmation of Feasibility for the proposed development to connect to the public water and wastewater networks. The applicant has engaged with Irish Water and has submitted design proposals. The following points are made:

In respect of Water: Feasible without upgrades by Irish Water.

In respect of Wastewater: Feasible with upgrades by Irish Water.

A statement of Design Acceptance was issue by Irish Water.

Irish Water requests the Board apply a number of condition in the event of a grant of permission.

- 'The applicant must sign a connection agreement with Irish Water prior to any works commencing and to connecting to our network'.
- 'Where any proposals by the applicant to build over or divert existing water or wastewater services the applicant is required to submit details to Irish Water for assessment of feasibility and have written confirmation of feasibility of diversion(s) from Irish Water prior to any commencement of works'.
- 'All development is to be carried out in compliance with Irish Water Standards codes and practices'.

10.0 Assessment

10.1 The Board has received a planning application for a housing scheme under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. Having examined the application details and all other documentation on file, including the Chief Executive's Report from the Planning Authority and all of the submissions received in relation to the application, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the main issues in this application are as follows:

10.2 In addition, the assessment considers, and addresses issues raised by any observations on file, under relevant headings. I have visited the site and its environs.

The assessment of the submitted development is therefore arranged as follows:

- Principle of Development
- Core Strategy
- Density
- Unit Mix/Type
- Design and Layout
- Visual Impact
- Residential Amenity – Future Occupants
- Residential Amenity – Existing/ Adjacent Residents
- Transportation, Traffic and Parking
- Drainage infrastructure and Flood Risk
- Ecological Impact
- Trees and Vegetation
- Archaeology
- Childcare/Social/Community Infrastructure

10.3 Principle of the proposed development:

10.3.1 The application site is located on lands zoned as A2 New Residential Objective under the Meath County Development Plan 2021-2027, where it is an objective to: “provide for new residential communities with ancillary community facilities, neighbourhood facilities as considered appropriate.” Provision of housing development and childcare facilities are both identified as development that are ‘permitted uses’ under section 11.14.6 Land Use Zoning categories of the CDP.

10.3.2 CE Report Comment: The CE report outlines the zoning of the site and the fact that the principle of the proposed development is acceptable in this context.

10.3.3 Conclusions on principle of development: The proposed use, which is residential in nature with an ancillary childcare facility is a use that is acceptable in the context of the zoning of the site as A2 New Residential Objective under the Meath County Council Development Plan 2021-2027. The principle of the proposed development is acceptable.

10.4 Core Strategy:

10.4.1 The application site is within the development envelope of Duleek as defined by the Meath County Development Plan 2021-2027. Chapter 2 of Development Plan relates to Core Strategy and Settlement Hierarchy. Duleek is classified as a self-sustaining town under the settlement hierarchy. **Housing DUL OBJ 1** is “to secure the implementation of the Core Strategy of the County Development Plan, in so far as is practicable, by ensuring the household allocation for Duleek as set out in Table 2.12 of the Core Strategy is not exceeded”. The projected population increase to 2027 is 500 with a household allocation between 2020-2027 of 336. Objective DM OBJ 14 identifies the density range of residential development that shall be encouraged in each of the tiers of the settlement hierarchy. In the case of Self-sustaining towns the density range is 25uph-35uph.

10.4.2 CE Comment: The CE report makes no significant comment on core strategy apart from identifying that number of residential units provided for over the plan period in Duleek is 336. No objection is raised to the proposal in the context of core strategy.

10.4.3 Conclusion on section Core Strategy: The proposed development entails the provision of 141 units on a lands zoned for residential development under the Meath County Development Plan 2021-2027. The development of the site in a comprehensive manner as proposed is also consistent with the national objectives set down under the National Planning Framework (NPO Objectives 3a, 3c, 33 and 35). I am of the view that the planning policy both national and local, advocates the provision of additional residential development on appropriate lands identified for such. In this case the lands are clearly identified for development of this type and level of development is within the capacity identified for Duleek under the core strategy of the development plan.

10.5 Density:

10.5.1 The application site has a total site area of 4.8 hectares. The proposal is for 141 at a net density specified as 32.5 units per hectare. DM OBJ 14 seeks to encourage densities of between 25-35dph for Self-Sustaining Towns including Duleek. Under the Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities (May 2009) appropriate locations for increased densities are identified. The application site is located within Duleek, which would constitute a small town or village (population 400-5000) and would constitute an 'Edge of Centre Site' (section 6.11 of the guidelines) site. The guidelines indicates that "the emphasis will be on achieving successful transition from central areas to areas at the edge of the smaller town or village concerned. Development of such sites tend to be predominantly residential in character and given the transitional nature of such sites, densities to a range of 20-35 dwellings per hectare will be appropriate including a wide variety of housing types from detached dwellings to terraced and apartment style accommodation." Circular NRUP 02/2021 states that "the guidance cautions against large scale, rapid development that may overwhelm and detract from the quintessential character of towns and villages that have developed slowly and organically over time (refer to Section 6.3). There is already clear scope for greater

variation in density in smaller towns, but this should not lead to provision for disproportionate development in such places through excessive zoning”.

10.5.2 CE Report Comment: The CE report highlights DM OBJ 14 of the CDP, which provides a density range of 25-35dph in self-sustaining towns. The report queries the fact that the calculation of net site area has not been explained but raises no significant objection given the gross size of the site. No explicit objection is raised to the density of the proposal.

10.5.3 Conclusion on density: The proposal provides for a net density specified as 32.5 units per hectare (net density) and is within the recommended density thresholds set out under the development policy (DM OBJ 14) national guidelines (Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities (May 2009)) for a ‘Edge of Centre Site’ with a small town or village. In relation to the applicants’ density calculations the documents submitted indicate the site is 4.8 hectares in area which would yeild a gross density of 30 units (29.3) per hectares. The documents included described the net developable area as 4.7 hectares with no detail of what this excludes and would still give a density of 30. Excluding the open spaces areas (0.743ha of public open space and 770sqm of communal space) I calculate net density is 35 unit per hectare and excluding the roads would reduce this further. I am satisfied that the net density is likely to be in the range specified (between 30 and 35 uph). The density level is in keeping with national policy guidance and local policy and there is no reason to recommend refusal in regards to the density proposed.

10.6 Unit Mix/Type:

10.6.1 The unit mix can broken down as follows...

141 no. residential units comprising...

7 no. 2 bed two-storey terraced dwellings.

102 no. three-bed terraced and semi-detached dwellings.

22 no. four bed semi-detached and detached dwellings.

10 no. 1 bed (two person) apartment in 5 no. two-storey blocks.

10.6.2 The proposed development will provide 10 one-bed apartments comprising 7% of the overall scheme. It is relevant to state that SPPR 1 of the 2020 Apartment Guidelines looks for a greater mix of units particularly studio, one and two bed units; and that specified mixes in statutory plans should only follow a Housing Need and Demand Assessment (HNDA). An HNDA has not been prepared by the planning authority and so the proposed development provides a combination of units it thinks appropriate and in accordance with the 2020 guidelines. In terms of the percentage of one bed units as a total of the 141 dwelling units, such equates to 7% and is compliant with SPPR1, which states that housing developments may include up to 50% one-bedroom and studio type units.

10.6.3 CE Report Comment: In the CE report the Planning Authority have stated that there is a lack of three-storey buildings that could have been absorbed in the centre of the site resulting in an over-reliance on three-bed terraced units (in particular along Longford Road). No other issues are raised in relation to unit mix.

10.6.4 Conclusion Unit Mix. The proposed unit mix does provides for a variety of units with the proposal including a small percentage (7%) of 1 bed apartment units, and 2, 3 and 4 bedroom dwelling units. This level of variation is in keeping with national policy objectives under the NPF, Housing for All and the Apartment Guidelines (SPPR 1). I would consider that unit mix exhibits reasonable variation and I consider that such is an appropriate unit mix in the context of this location.

10.7 Design and Layout:

10.7.1 The overall layout is defined by the provision of a vehicular entrance off the Steeples/Longford Road with provision a network of distributor roads linking into a roundabout in the centre of the site. There is a centrally located area of public space

that incorporates a play area and a number of pedestrian pathways. A pedestrian entrance onto the Steeples/Longford Road is provided at the south western corner of the site. It is also proposed to provide two pedestrian entrances on the northern boundary onto the adjoining laneway at the end of Roads 1 and 2, as well as the provision of a pedestrian entrance at the eastern boundary onto the existing laneway at the end of Road 5 (these entrances features steps and disabled access ramps). The crèche is provided to the south of the site and in close proximity to the pedestrian entrance at the south western corner. The road frontage of the site is characterised by dwellings fronting directly onto the public road with individual vehicular entrances with provision for both a footpath and cycle path along the road frontage of the site. The provision of individual vehicular entrances is a continuation of the existing pattern of development with existing dwellings along the opposite side of the road (The Steeples) and to the north on the same side of the road (Stoneyford Green) featuring the individual entrances serving dwellings onto the public road.

10.7.2 The application is accompanied by an Architecture Design Rationale report prepared by BKD Architects. This report provides a significant level of detail regarding the overall design and layout under Section 2.5 with an evaluation of the scheme in context of the 12 criteria under the DoEHLG Urban Design Manual, details of different housing and building typologies, the mix of materials to be used in the proposed structures and landscaping.

10.7.3 CE Report Comment: The CE Report raised a number of issues regarding overall design and layout. These included views regarding the lack of three-storey buildings that could have been absorbed in the centre of the site resulting in an over-reliance on three-bed terraced units (in particular along Longford Road), exclusion of the laneway along the northern boundary (recommendation that shared surface be provided linking road 1 and 2) is a missed opportunity to increase connection/permeability, proposed pedestrian access point will lead to an unlit areas beyond the redline boundary and do not fully address connectivity and permeability

issues. In regards to levels changes between the site and adjoining properties, the Board may consider a stepped or terraced private amenity space in conjunction with proposed fall regarding units no.s 122-129 to lessen impact of the 3.4m high wall. Boundary treatment (1.8m timber panel fence) between rear gardens of dwellings is noted as being inconsistent with DM OBJ 29 (provision of 1.8m high concrete capped walls) and Road 5 should be extended to the eastern boundary to allow future access to the laneway.

10.7.4 Conclusion of Design and Layout: The proposal provides for a satisfactory variety in the design of proposed structures with variation in the form of structures and external finishes. The lack of three-storey structures and prevalence of terraced units along the public road would not merit precluding the development. The development includes a high degree of permeability in terms of pedestrian access points with access on to the public road at the south western corner, two in the northern boundary to the adjoining laneway. It does not appear that the laneways to north (ownership indicated as extending to centreline of laneway) and east are within the applicants' full control so the provision of upgrades including lighting appears to be outside of the applicants' control. I would consider that the provision of the pedestrian access onto these laneways to be a positive factor in terms of layout quality. In relation to the provision of terraced gardens to no. 120-129, this appears to be an address change in levels between the site and adjoining laneway to east and to eliminate the need for an over 3m high wall (2m high wall on-top of 1m high retaining wall) when viewed from the laneway. I would consider that the proposed design as submitted is satisfactory and do not consider that a change in this regard is merited with the change proposed compromising the quality of private amenity spaces. The boundary treatment along external and internal boundaries has been clearly specified and is sufficiently varied and robust in nature. I am satisfied that boundaries between rear gardens provides a reasonable standard and is consistent with a development of this type (boundary treatment in accordance with DM OBJ 29 can be conditioned if considered necessary). Extending Road 5 to the boundary is not necessary given

the fact the laneway does not appear to be within the applicants control with pedestrian access being facilitated.

10.7.5 I am satisfied that the overall design and scale of the proposed development has adequate regard to the 12 criteria set out under the DoEHLG Urban Design Manual and provides for a development of acceptable quality in terms of overall design and layout.

10.8 Visual Impact:

10.8.1 The site is within the development envelope of Duleek and a short distance from the town centre. The site is a greenfield site in agricultural use but is within the built up area of the town with existing suburban housing development located to the west of the site and north of the site. Levels on site are flat and low lying. The proposal is for two-storey dwelling units, which is in keeping with the existing pattern and scale of development evident on adjoining lands in the vicinity.

10.8.2 CE Report Comments: The CE Report raises no issues of concern in regards overall visual impact in the surrounding area.

10.8.3 Conclusion on Visual Impact: The application site is located within the development envelope of Duleek and is zoned for residential use. The site has road frontage along the Steeples/Longford Road with it proposed to provide two-storey dwellings fronting onto the public road. This pattern of development is consistent with the established pattern and scale of development along the public road at this location and is unlikely to have a significant or adverse visual impact. The application site is not located in close proximity to any features or structures of architectural heritage significance and by virtue of its design, scale and topography of the site is unlikely to impact on any scenic routes, protected views or sensitive landscapes. I am of the view that the overall visual impact in the immediate vicinity would be acceptable and is a continuation of an existing pattern and scale of development that is appropriate at this location. The visual impact of the development in the wider area is unlikely to

be significant or adverse with intervening topography, structures and vegetation screening the development from the wider area.

10.9 Residential Amenity-Future Occupants:

10.9.1 Quality of Units – Floor Area/Layout: A ‘Housing Quality Assessment’ prepared by BKD Architects has been submitted with the application and this provides a detailed breakdown of each of the proposed houses and apartment units. For assessment purposes the house are assessed against the standards set out under the Quality Housing Sustainable Communities (Department of the Environment, Heritage and Local Government) with the apartments assessed against the standards set out under Sustainable Urban Design Standards for New Apartments (Department of the Environment, Heritage and Local Government). In the case of all dwelling units such meet the recommended standards in relation to gross floor area, room dimensions and storage provision.

10.9.2 In the case of apartment units, all units exceed the minimum required floor areas, with all units providing for over 110% of the required minimum floor area. The proposed apartments are considered to be acceptable and demonstrate compliance with SPPR 3 of the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’.

10.9.3 In the case of the apartment units 100%of the units are dual aspect units and in compliance with SPPR 4 of the apartment guidelines for development in suburban or intermediate location (50% requirement). The proposed floor to ceiling heights are in accordance with SPPR 5 of the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’.

10.9.4 The proposed dwellings are all in compliance with the guidance set out under the under the Quality Housing Sustainable Communities in relation to minimum floor areas, room dimensions, storage provision and open space provision.

- 10.9.5 CE Report Comment Section: The CE Report raises no concerns regarding residential amenity for future occupants in relation to configuration or dimensions of units.
- 10.9.6 Conclusion on Sections 10.9.1 - 10.9.4: The internal layout of these units is acceptable and complies with recommended requirements. There is no reason to recommend a refusal of permission to the Board in terms of the quality or units, floor area and aspect.
- 10.9.7 Quality of Units – Amenity Space: All apartment units are provided with adequate private amenity space in the form of balconies for the upper floor units/ terraced areas for the ground floor units. Access is from the living room/shared kitchen-living room area for all units. All balconies have at least 1.5 m depth. In the case of houses all units provide for the above the recommended standard of private amenity under Quality Housing Sustainable Communities (QHSC) (307).
- 10.9.8 The proposal also entails the provision of communal amenity space to serve the apartment units in addition to private amenity space. The development for two areas of communal open space, the larger of the two is 570sqm and is located to rear of Block H58-61 and Block 96-96, and area of 200sqm to rear of Block H97-98 and 99-100. This total of 770sqm is well in excess of the recommend level set out under the Apartment Guidelines, which would be 50sqm based on 5sqm per one bed unit (10 units).
- 10.9.9 The applicant has proposed a total of 0.743 hectares of open space, which is 15.8% of site area. CDP policy is under DM OBJ 26 with a minimum rate of 15% of total site area (excluding areas zoned (F1 Open Space, G1 Community Infrastructure and H1 High Amenity).
- 10.9.10 CE Report Comment: The CE Report does not raise any issues regarding the quality of units or level of public open space.

10.9.11 Conclusion on Sections 10.9.7 – 10.9.9: The provision of private and communal amenity space is consistent with the target level of the relevant national guidelines, the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities' and the Quality Housing Sustainable Communities (QHSC). The level of public open space provided is compliant with the required levels set out under development standards. I would refer to my assessment in relation to Design and Layout under Section 8.4 and the conclusion regarding the design and layout of public open space on site.

10.9.12 Daylight and Sunlight: The applicant has not submitted a report relating to sunlight and daylight assessment or shading. The proposed development is a low density housing development with a net density of 32.5 units per hectare and features two-storey apartment blocks, terraced, semi-detached and detached dwellings as well as a two-storey childcare facility. The pattern of development and level of separation is not atypical of existing housing developments permitted on adjoining sites and in most major settlements, towns and villages nationwide.

10.9.13 CE report Comments: The CE report raises no concerns regarding daylight and sunlight standards in relation to the proposed residential units.

10.9.14 Conclusion on Daylight and Sunlight: I would consider that the overall design and layout is not atypical in terms of suburban development in terms of scale, orientation and relationship with adjoining structures and is not dissimilar to the established pattern of development exhibited in existing developments on adjoining sites (north and west). Overall, I am satisfied that the need for an assessment of sunlight and daylight values in the interior and external spaces associated with the proposed housing units is unnecessary in this case. Based on the low density nature of the development, its low profile scale (not exceeding two-storeys) and the level of separation between proposed structures I am satisfied that the levels of daylight and sunlight available within proposed residential units and their associated amenity spaces will be of a sufficient level in terms of future residential amenity.

10.10 Residential Amenity – Existing/ Adjacent Residents

10.10.1 Adjoining Amenities (Separation and physical scale adjoining existing

development): The site is adjoined by an existing residential development in form of 3 no. single-storey dwellings to the south/south east of the site. All three dwellings adjoin the southern boundary of the site. Two of the dwellings are accessed from an existing laneway off the Steeples/Longford Road whereas one (third party submission) is access off a laneway emanating from Larrix Street. There are three single-store dwellings adjoining the northern boundary of the site along Larrix Street. The drawings submitted include drawing no 6024-P-012 showing cross sections between the proposed developments and adjoining sites including the existing dwellings immediately adjoining the site. The boundary masterplan drawing shows proposed boundary treatment along both external and internal boundaries.

10.10.2 The relationship between the proposed development and adjoining dwellings to the south/south east and north/north east is such that two-storey dwellings back onto the boundaries of existing dwellings. All of the existing dwellings are single-storey dwellings. The level of separation between the proposed dwellings varies from between 12.1m to 32.985m for existing dwellings along the northern/north eastern boundary and between 22.955m and 23.425m in the case of the dwellings to south/south east. Boundary treatment along the northern boundary between proposed and existing dwellings entails the provision of a 2m high concrete post and timber infill panel fence in addition to boundary hedgerow and treeline retained on site. Boundary treatment in the case of the dwellings to the south include 3m high stone wall to the rear of the crèche and no.s 138-141 and a 2m high concrete block wall with concrete capping to the rear of no. 130-137. The finished floor levels of the proposed dwellings on the application are higher than the finished floor level of the dwellings on adjoining sites.

10.10.3 The third party submission from the owners/residents of an existing dwelling to south raises concerns regarding the scale and proximity of proposed dwellings (130-137) with concerns about the ridge height of dwelling and an intrusive impact/loss of privacy. The submission highlights concerns that the level of boundary treatment

applied to existing adjoining properties to the west is not matched between the application site and observers property and that the same level of boundary treatment should apply.

10.10.4 CE report: the CE Report raises no concerns regarding impact on the amenities of adjoining properties in relation physical overbearance, overlooking or separation distances.

10.10.5: Conclusion on Adjoining Amenity: In the case of where the proposed development immediately adjoins existing residential development along both the northern/north eastern and southern/south eastern boundaries, all structures are two-storeys. The level of separation between back to back proposed and existing dwellings is of sufficient standard and in keeping with reasonable expectations in an edge of town centre locations. In relation to the provision of two-storey dwellings/residential units backing onto single-storey units, I would note that the site is within the development envelope of Duleek and is zoned for residential use. I am satisfied that the overall pattern and scale of development relative to existing dwellings is an acceptable development approach and not atypical of the type development for which the site is zoned for. I am satisfied that the physical impact and outlook of properties is such that the level of impact is of reasonable standard in relation to adjoining properties with a pattern and scale of development appropriate for a zoned and serviced site within a settlement of this size and scale. The overall scale of the proposed dwellings in relation adjoining dwellings is acceptable and provides for an adequate degree of separation ruling out a conclusion of being overbearing or excessive in height and the level of overlooking being a reasonable standard in the context of the type development for which this site is designated for. I would consider that this conclusion applies equally to the existing dwelling subject to the third party submission as well other existing dwellings adjoining the site.

10.10.6 The third party submission highlights that the boundary treatment along the shared boundary with the site is not equal in type and scale to that for a dwelling with a similar relationship to the site located to the west of theirs. Boundary treatment along the observers dwelling is a 2m high concrete wall capped whereas

for the dwelling to the west it is a 3m high stone wall with the observation suggesting such has been negotiated with the applicant/developer, which was an opportunity not afforded to the observers. In my view the standard and level of boundary treatment provided in relation to the observers property to the rear of dwelling nos. 130-137, namely a 2m high concrete capped wall is acceptable in context of providing sufficient separation and privacy between the proposed and existing dwelling. This level of boundary treatment is typical of housing development of this nature. In relation to difference between boundary treatment to the rear of no.s 134-137 and no. 138-141/crèche, the rear gardens associated with no. 134-137 are not as deep as no. 138-141 meriting a wall of lesser height and the location of the crèche and its external area may merit the more robust boundary treatment. I am satisfied that the boundary treatment as proposed adjoining the observers property is of an acceptable standard and if Board disagree with my assessment in this case, such could be amended by way of condition.

10.10.7 In relation to sunlight and daylight impact on adjoining properties, I am satisfied that having regard to the low density nature of the development, its low profile scale (not exceeding two-storeys) and the level of separation between proposed structures and existing properties adjoining the site, the levels of daylight and sunlight available at adjoining residential units and their associated amenity spaces will be of a sufficient level in terms of future residential amenity.

10.11 Transportation, Traffic and Parking

10.11.1 The application is supported with a number of documents in relation to traffic and parking as follows:

- Traffic and Transport Assessment – Punch Consulting Engineers.
- Outline Construction Traffic Management Plan – Punch Consulting Engineers.
- DMURS Compliance Statement – Punch Consulting Engineers.

10.11.2 Traffic: The site is currently in agricultural use (split into a number of fields) and is accessed through an existing agricultural entrance off The Steeples/Longford Road.

The site is to be accessed by a main vehicular access point located off the Steeples Road/Longford Road that will provide access to an internal network of distributor road serving the majority of the dwelling units. It is proposed to have a number dwellings front directly onto The Steeples/Longford Road with individual vehicular access points off the public road. It is proposed to provide for a footpath along the road frontage of the site and such links into existing footpaths to the south and north, with provision for continuous footpath linkage to the town centre from the site. A pedestrian entrance onto the footpath is provided at the south west corner of the site.

10.11.3 The submitted reports indicates that the proposed development will not adversely impact on traffic flows in the area with the capacity of the existing and proposed junctions shown to operate within capacity for an opening year of 2024 (opening year) and design years 2029 (+5), 2035 (+15). The junctions assessed include...

Junction 1-Proposed main vehicular access and The Steeples/Longford Road.

Junction 2-Steeples Road/Longford Road and R150.

10.11.4 The proposal entails provision of a new vehicular access off the Steeples/Longford Road that serves the majority of the dwelling units proposed. 25 of the 141 dwellings units (two-storey terraced and detached dwellings) have individual direct vehicular access points off the Steeples/Longford Road. Visibility of 49m setback 2.4m from the road edge is available at the main vehicular access point (Sightlines and Vehicle Tracking Analysis drawing) and is consistent with the requirements of the Design Manual for Urban Roads and Streets. The drawings submitted include vehicle tracking movements (autotrack) for fire tender/bin lorry and for cars in the case of the individual access points.

10.11.5 CE Report Comment: The CE report raises no objection to the proposal on the grounds of transportation, traffic and parking. The CE report does suggest a number of condition including a design for upgrade of R150/Steeples Road to be approved by the Council, agreement of boundary treatment along the public road, provision of

a shared surface along the northern boundary of the site to link Road 1 and 2 together, provision of appropriate boundary treatment to the private laneway on the eastern side, provision for Road 5 to facilitate a future access link across the private laneway adjacent the site to the east, provision of 2 no. EV charging points in the communal parking area, application of a special level of €40,000 as a contribution to upgrading of R150/Steeple Road junction to DMURs Standards.

10.11.6 Conclusion on Traffic, Transportation and Traffic: The application has demonstrated that the proposal would be satisfactory in the context of traffic impact with the existing road networks and proposed traffic layout operating within capacity including the proposed vehicular entrance. The proposal entails adequate provision of footpaths to link into existing footpath infrastructure along the public road and would provide a continuous pedestrian link to the town centre as well as addressing existing gaps in footpath infrastructure for residents of the dwellings to the north of the site (Stoneyford Green). Visibility available at the proposed vehicular entrance meets the required standards (DMURS). The provision of individual access points off the public road would also be satisfactory in the context of the fact it is a continuation of the established pattern of development and would aid maintenance of a lower speed environment at this location. I am satisfied that the alignment and visibility available at this location is sufficient to facilitate this pattern of development within the 50kph urban speed limit zone.

10.11.7 As noted above the Planning Authority have suggested a number of conditions. One of the main issues is the provision of a design for the upgrade of the junction of the Steeples/Longford Road the R150 as well as special development contribution towards the cost of such upgrade. On this issue I am satisfied that the existing junction is sufficient in terms of design and layout to cater for the additional traffic associated with the proposed development and such is demonstrated in the applicants TTA. In relation to any upgrades of such, I do not consider that such is necessary to facilitate the proposed development and there would no justification for a condition requiring the applicant to submit an upgraded layout or a justification for a Section 48(c) special development contribution. The development if granted will be subject to a Section 48 Development Contribution in accordance with the Councils'

Scheme as would any other housing developments in the area and such contributions are in relation to roads/infrastructure required to facilitate development.

10.11.8 Car Parking/Bicycle parking: The requirement under the County Development Plan (Table 11.1) is 262 spaces for the 131 no. houses (2 spaces per houses) and 20 for the 10 no. apartment it is (2 spaces per unit and 1 visitor space per 4 units). For the crèche (9 employees and 45 children) the requirement is 21 spaces (1 per employee and dedicated set down area and 1 space per 4 children and dedicated set down area). The provision for the houses is 262 spaces (all in curtilage) and 14 visitor parking spaces. For the apartment units the provision is 20 spaces with 3 visitor spaces. In the case of the crèche the provision is 18 spaces.

10.11.9 Bicycle parking is provided within the curtilage of most of the houses. In the case of the apartments the requirement is 25 bicycle spaces (1 bicycle space per bed space with a minimum of 2). In the case of childcare facilities the requirement is 12 spaces (25% of pupil registration numbers/minimum of 10 spaces and consider separate teacher/employee parking). Bicycle parking provision for the apartment is 25 and for the crèche is 20.

10.11.10 CE Report Comment: The CE Report confirms that the level of both vehicular and bicycle parking is in accordance with development standards.

10.11.11 Conclusion on Parking: The level of car parking and bicycle parking proposed is in excess of the Development plan standards.

10.12 Drainage infrastructure and Flood Risk

10.12.1 Drainage Infrastructure: The application is accompanied by Engineering Planning Report– prepared by Punch Consulting Engineers. Foul water drainage will be discharged by gravity to the 225 mm diameter public foul sewer on The Steeples Road.

10.12.2 In the case of surface water drainage, all surface water run-off from roof areas and hardstanding areas shall be collected in the site's drainage network. It is proposed to connect the drainage system to the existing public 400mm diameter surface water sewer located on The Steeples Road. The drainage system has been designed with the aim of providing a sustainable drainage solution ensuring, in so far as feasible, that the development has a minimal impact on the existing public surface water sewer system. This is achieved with the incorporation of Sustainable Urban Drainage Systems (SuDS) such as permeable paving systems, attenuation tanks, bio-retention zones, and tree root systems. The outflow from the site shall be restricted to the greenfield run-off rate. Two Class 1 oil interceptors are to be provided, upstream of the attenuation tank. The attenuation tank has been sized to attenuate the 1:100 year return period storm event, plus 20% climate change. Site infiltration tests indicate the water Table is approximately 2.4m-3.4m below ground level.

10.12.3 The development is proposed to connect to the 150mm diameter main located on Main Street. The watermain will have to be extended approximately 90m up The Steeples Road to facilitate this connection. These works will be completed by Irish Water's approved contractors as it is within the public realm. It is proposed to serve the development with a 180mm OD PE100 SDR17 (150mm internal diameter) connection in order to provide potable and firefighting water to this proposed development. A bulk water meter is to be provided at the site boundary, i.e. on The Steeples Road. The watermain layout has been designed in accordance with "Irish Water Code of Practice for Water Infrastructure". All watermains are to be constructed in accordance with Irish Water's requirements.

10.12.4 CE report Comments: In relation to drainage infrastructure including foul water drainage, surface water drainage and water supply it is acknowledged that the proposal are broadly compliant with the requirements of Meath County Council's Water Services Section as well as noting that the confirmation of feasibility by Irish Water.

10.12.5 Conclusion on Drainage Infrastructure: In regards to wastewater sufficient capacity is confirmed to be available for the WWTP and proposals for surface water drainage are designed to retain discharges at greenfield rates with provision to prevent contamination during the operational phase of the development. I am satisfied that subject to appropriate conditions regarding drainage the proposed development would be satisfactory in the context of surface water, foul drainage and water supply.

10.12.6 Flood Risk: A 'Site Specific Flood Risk Assessment'– prepared by Punch Consulting Engineers has been included with the application. The assessment has full regard to 'The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009'. The report examines historical flood records (OPW Flood Hazard mapping) with no historical flood events effecting the site. It is noted that there are existing flood defences within Duleek installed in 1997/98, however the site not a defended area. Preliminary Flood Risk Assessment Mapping shows the site outside the fluvial flood extents with small area in the north-east corner of the site subject to pluvial flooding. CFRAMS mapping demonstrates that the site is not susceptible to coastal or fluvial flooding. The site does not fall within the 1 in 10, 1 in 100 or 1 in 1000-year extreme fluvial flood events.

The report has regard to the following forms of potential flooding:

- Fluvial Flooding: A review of the CFRAM Mapping was carried out and indicates that the closest source of fluvial flooding is the "Paramadden Stream" to the south of the site, which discharges to the Nanny River, approximately 600m south east of the site.
- Pluvial Flooding: The potential for pluvial flooding is based on future drainage proposal for the site. The proposal includes surface water drainage measures that include for storm-water drainage including surface water attenuation and sustainable urban drainage systems proposals (SuDs).

- Coastal/Tidal: the site is located in land and due to levels on site and surrounding area no considered to be at risk from coastal/tidal flooding.
- Groundwater: There is no evidence of groundwater flooding on site and no risk of such anticipated.

10.12.7 Climate Change: Full regard has been had to climate change in the consideration of flood risk on site. An allowance of 20% additional flow should be taken for designing for flood events. The system is designed for storms up to and including the 1 in 100-year storm and 20% extra for climate change. Hence the development can be considered to be climate change resilient.

10.12.8 The initial flood risk assessment found that the risk of coastal flooding ground water was low and the site is located in Flood Zone C in the case of fluvial flooding. The risk of pluvial flooding was found to be low due to the surface water drainage measures on site and SuDs strategy as part of the proposed development. In relation to fluvial flooding all residential development is proposed within lands that are Flood Zone C. The Flood Risk Assessment refers to Table 1 of the Flood Risk Management Guidelines and the definition of land use and type of development in terms of vulnerability to flooding. Any of the development proposals (residential units) that is classified as highly vulnerable under table 3.1 of the guidelines located within Flood Zone C (dwellings, retail, crèche and office). Based on Table 3.2 of the guidelines, which outlines when a justification test is required based on vulnerability of development, there is no requirement for a justification test on the basis that highly vulnerable development is located within Flood Zone C.

10.12.9 Flood migration measures are proposed and outlined in Section 4.4 of the 'Site Specific Flood Risk Assessment'. These include...

- FFLs for the site have been set so there is a freeboard of greater than 2m above the CFRAMS Q1000 flood level of 25.64 mAOD.

- All surface water drains will be sized such that they will prevent flooding in the proposed development and convey surface water flows from the site without causing pluvial flooding;
- A surface water attenuation tank will be provided within the site and has been sized to ensure that runoff from the site does not exceed the level of the greenfield (pre-development) runoff rate. This will ensure that the runoff rate from the site will not increase as a result of the proposed development;
- No development will take place in a floodplain, and as such there will be no changes to the flooding extent as a result of the proposed development.
- A non-return valve will be located at the downstream point of the drainage network to prevent any surcharging from the adjacent drainage network.

10.12.10 CE Report Comments: The CE report notes the comments of the Councils' Environment section and the fact that no objection is raised in relation to the issue of flood risk.

10.12.11 Conclusion on Flood Risk: The submitted flood risk assessment is thorough and no issues of concern have been raised. I am satisfied that the development can proceed without giving rise to flooding issues in the area. I have no reason to recommend a refusal of permission to the Board due to infrastructure and flood risk.

10.13 Ecological Impact:

10.13.1 The application is accompanied by a number of reports including...

Ecological Impact Assessment- prepared by Enviroguide.

Aboriginal Impact Assessment-prepared by Arbor-Care.

The application is also accompanied by an Appropriate Assessment Screening report with AA issue dealt with in a later section of this report.

10.13.2 The Ecological Impact Assessment set out details of surveys carried out including a desktop survey and field surveys including a bat survey (suitability of trees and

vegetation for roosts), a bird survey and a mammal survey. The site habitat classification of the site is mainly Improved Agricultural Grassland (GA1) and Dry Meadows (GS2) (both classified as local importance (lower value), a section of Dry Meadows and Grassy verges to the north west of the site (local importance (low value), a dry Drainage Ditch (FW4) is located in the centre of the site (local importance (lower value). The boundaries of the site are made up of Hedgerows (WL1) (local importance (higher value) with a mature Treeline (WL2) located along the northern site boundary which is of local importance (higher value).

10.13.3 In relation to mammals no evidence of Eurasian Badger was recorded on site (setts, latrine, hair or foraging signs). The site has the potential to be utilised by the western European hedgehog and pygmy shrew in their current condition and are species that are widespread. Red fox may utilise the site but are not a protected species. In regards to otter no evidence of activity was detected on site (prints, discharge, spraint, holts, lay-ups) and the site and immediate vicinity is lacking in suitable habitat for such with the nearest waterbody 53m from the site.

10.13.4 Seven species of bats have been recorded within the 10km grid square (National Biodiversity Data Centre/NBDC) which includes the site (Brown Long-eared bat, Daubenton's bat, Lesser Noctule/Leisler's bat, Natterer's bat, Common Pipistrelle, Soprano Pipistrelle and Nathusius's Pipistrelle). A survey of the suitability of the site for bats identified the hedgerow/treeline along the northern boundary as having potential for bat roosts.

10.13.5 The results of the bird survey identified a total of 13 bird species within the vicinity of the site. One species on the red list and four on the amber list were identified. Of these species all were recorded in flight over the lands with only one of these species (starling) may utilise the treeline to the north of the site with the remainder not breeding on site due to lack of suitable habitat.

10.13.6 No fish species were recorded within the 2km grid square (National Biodiversity Data Centre/NBDC). In regards to amphibians frogs have been recorded within the

2km grid square with no smooth newt recorded within or near the site. In relation to invertebrates white-clawed crayfish were not recorded within 2km grid square and the absence of waterbodies mean no potential for this species to be affected. No records of common lizard with the 2km grid square.

10.13.7 The Report provides a Table (Table 3) evaluating potential ecological receptors within the vicinity of the site. The notable receptors identified include...

Hedgerows (WL1) and Treelines (WL2): Existing hedgerow and trees on site- Local Importance (higher value).

Hedgehog-Local Importance (higher value): Some suitable habitat on site.

Pygmy shrew-Local Importance (higher value): Some suitable habitat on site.

Otter-Local Importance (higher value): No habitat on site but hydrological link to Kellystown Stream and River Nanny.

Bat assemblage-Local Importance (higher value): Mature treeline along northern boundary provides potential roosting habitat and hedgerows may provide foraging/commuting habitat.

Bird assemblage-Local importance (higher value): Several common species recorded and possibly breeding on site, starling (amber list) may utilise site for breeding.

Fish species-Local importance (higher value): No habitat on site but hydrological link to Kellystown Stream and River Nanny.

10.13.8 The report outlines a description of the development and the nature of activity part of the construction and operational phases of the proposed development. The report refers to the Appropriate Assessment Screening in relation to designated European sites and notes that there are no NHA or pNHA's with a source pathway linkages to the site. The potential impact of the proposed development on habitats and flora, fauna, bats and birds is outlined.

For habitats and flora the development will result in loss of hedgerows and grassland (negative, permanent, moderate impact at a local scale). Loss of the treeline along the northern boundary will be minimal with the majority of such

retained (negative, permanent, slight impact at a local scale). The landscape plan entails planting of native trees and hedgerow to enhance biodiversity (positive, permanent, moderate impact at a local scale).

In relation to fauna the construction phase has potential for surface water run-off generated on site to enter the drainage networks and Kellystown stream leading to reduction in water quality (negative, short-term and significant impacts on otter).

Construction waste material generated and noise disturbance could have potential negative impacts on small mammals (negative, short-term, moderate impact).

In relation to bats impact on the treeline to the north is limited with provision of pedestrian access to the existing laneway. Light spill from the proposed development could impact community and foraging activity (negative, permanent, moderate impact at a local level).

Impacts on birds (injury/mortality) due to clearance of vegetation during construction (negative, short-term, significant impact at a local level), noise disturbance at construction stage (negative, short-term, slight impact at a local level). Habitat enhancement through landscaping will have a positive impact (positive, permanent, moderate).

The report outlines the planning history of the site and the surrounding area and concludes that no significant cumulative impact is likely with other proposed permitted development in terms of ecology.

10.13.9 The report includes details of mitigation measures and enhancement under Section 7 and include for the construction phase, the carrying out of pre-clearance bat activity survey, construction surface water management measures, controlled vegetation removal (outside bird nesting season), noise control measures during construction phase, dust control measures, construction waste amendment and disposal, invasive species management measures. For the operational phase measures include bat habitat enhancement (bat boxes), bat friendly night-time lighting, bird habitat enhancement (swift boxes and bricks). Residual impacts for the various ecological receptors after implementation of mitigation measures range from not-significant (hedgerows and treelines, bat assemblages, bird assemblages) to imperceptible (otter, small mammal (hedgehog and pygmy shrew)) with positive residual impacts in relation enhanced habitat for bird species.

10.13.10 CE Report Comment: The CE Report includes no comment specifically on ecological impact and does not appear to raise any objection to proposal in this regard.

10.13.11 Conclusion on Ecological Impact: The application is accompanied by an Ecological Impact Assessment report, which outlines the characteristics of the site including habitats and species present on the site and the immediate vicinity with the conclusion that subject to application of mitigation measures that the proposal would have no significant ecological effects. In relation to bat species the report identifies that the hedgerow/treeline has the potential to provide roosting habitat for bat species in the area and that as part of the proposal that this hedgerow is being substantially retained including all existing trees. A number of measures are proposed including a pre-construction bat survey, provision of bat boxes and a lighting scheme designed to minimise light impact on bat species. I am satisfied that the report identifies the potential of the site as roosting habitat for bat species and provides for appropriate measures to ensure no significant effects on such species. I consider that the report submitted is sufficiently robust and thorough in its assessment of the site and immediate vicinity. The site is not a site that is especially sensitive in terms of ecological value with habitats and species identified widespread in nature. I would consider that the mitigation measures applied are sufficient to protect any species of conservation value.

10.14 Trees and Vegetation:

10.14.1 The application was accompanied by an Arboricultural Impact Assessment report prepared by ArborCare. The report includes an assessment of existing trees and hedgerow on site. The assessment indicates that most hedgerows on site are of low value and do not contain any trees, mainly consisting of earthen mounds and bramble with the exception being the northern boundary, which has some mature ash trees and scrub hawthorn. It is proposed to retain the northern hedgerow boundary and associated trees as well as enhance a portion of the northern boundary with additional planting. Tree and hedgerow protection measures are proposed during construction.

10.14.2 CE Report Comments: The CE Report raises no objection to the proposal in this regard.

10.14.3 Conclusion on Trees and Vegetation: The application is accompanied by a sufficiently robust Arboricultural Impact Assessment, which identifies and evaluates existing trees and hedgerows on site. The proposal entails the retention of the northern hedgerow boundary, which is the only boundary with trees in addition to the provision of a comprehensive landscaping scheme including planting of trees and vegetation on site. I am satisfied that the level of hedgerow removal is justified in the context of the comprehensive development of the site while at the same time endeavouring to retain existing trees on site.

10.15 Archaeology:

10.15.1 The application is accompanied by an Archaeological Impact Assessment. The report outlines the archaeological and historical background of the site and the surrounding area. The site has been subject to a geophysical survey and test trenching. Prior to the geophysical survey and archaeological test-trenching, there were no known monuments within the bounds of the proposed development site. However, the outline of the ecclesiastical enclosure (ME027-038019) runs along the south-eastern extent of the site. The previous test-trenching on site yielded archaeological material to south/south-east of the site. It is considered that “these remains constitute a significant archaeological resource that should either be preserved in situ or be the subject of full archaeological excavation in advance of the proposed project’s construction stage”. The report recommends that “should the development progress in its current form, the two areas (Figure 8) should be fully archaeologically excavated under licence prior to the groundworks following consultation with the National Monuments Service (NMS) of the Department of Culture, Heritage and the Gaeltacht, and the National Museum of Ireland. The remainder of the development should be subject to a licensed monitoring/watching brief during all topsoil stripping or invasive groundworks outside of those areas”.

10.15.2 CE Report Comment: The Planning Authority refer to the requirements of the Department of Housing, Local Government and Heritage (NMS) and the provision of condition requiring archaeological excavation and monitoring.

10.15.3 Conclusion on Archaeology: I am satisfied that an appropriate condition as per the recommendation of the Department of Housing, Local Government and Heritage (Development Applications Unit) requiring archaeological excavation and monitoring is sufficient to ensure the continued preservation of any features of archaeological significance on site.

10.16 Social and Community Infrastructure/Childcare provision:

10.16.1 The application was accompanied by a Social & Community Infrastructure Assessment report. The report outlines the demographics for the area and the future demographics (population generated by the proposal) with it estimated that at 694 additional population. The report identifies all medical facilities (doctor, vet, dentist and pharmacy) with 6 no. within a 1km distance of the site. In relation to childcare 8 no. facilities are identified within 5km with 3 within 1km of the site. It is noted that there is capacity for additional children within existing facilities in the area. The proposal provides for a 415sqm childcare facility with the facility cater for 45 childcare spaces (estimated demand for childcare spaces form the proposed development is c.26). In relation to schools there are 3 no. primary schools within 4km of the site and the nearest secondary school is 7km from the site. The report estimates demand for both primary and secondary school places as c.43 both and concludes based on enrolment figures that sufficient capacity existing within the existing school infrastructure for the proposal. The application was referred to the County Childcare committee with no comment forthcoming.

10.16.2 CE Report Comment: The Planning Authority raised no concerns or objection to the proposal in the context of demand on social/community infrastructure.

10.16.3 I am satisfied that the proposal entails development of a zoned and serviced site to an appropriate extent at a location that can adequately absorb the additional

population without strain on existing social and community infrastructure. I am satisfied that the level of childcare provision on site is adequate to cater for the demand likely to be generated and will be beneficial to existing residents and housing development in the vicinity of the site.

10.17 CE Report Conclusion/County Development Plan:

10.17.1 The CE Report does not give an explicit recommendation on whether the development should be granted or refused, but based on the contents of the CE Report and the fact that conditions are suggested, the report appears to be supportive of a grant of permission. In regards to compliance with the Meath County Council Development Plan 2021-2027 the CE Report identifies no material contravention issues confirms that the development is in substantial compliance with Development Plan policy. I am satisfied that no material contravention issues arise and my conclusions are consistent with the Chief Executives Report.

11.0 Environmental Impact Assessment Screening

11.1. This application was submitted to the Board after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

11.2. The applicant has addressed the issue of Environmental Impact Assessment (EIA) within the submitted EIA Screening Report (prepared by Armstrong Fenton Associates – Dated April 2022) and I have had regard to same. The report considers that the development is below the thresholds for mandatory EIAR having regard to Schedule 5 of the Planning and Development Regulations 2001, due to the site size, number of residential units (141) and the fact that the proposal is unlikely to give rise to significant environment effects, a formal EIAR is not required. In addition, detailed and comprehensive assessments have been undertaken to assess/address all potential planning and environmental issues relating to the development.

11.3 Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended, and section 172(1)(a) of the Planning and Development Act 2000 as amended provides that an EIA is required for infrastructure developments comprising of urban development which would exceed:

- 500 dwellings.
- Construction of a carpark providing more than 400 spaces, other than a carpark provided as part of, and incidental to the primary purpose of, of a development.
- Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. A business district is defined as 'a district within a city or town in which the predominant land use is retail or commercial use'.
- Holiday villages, which would consist of more than 100 holiday homes outside built-up areas.

11.4 Item (15)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 as amended provides that an EIA is required for: "Any project listed in this part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7."

11.5 The proposed development is for a residential development of 141 dwelling units including 131 no. dwelling houses and 10 no. apartment with a 415sqm childcare facility. The site is not within an area that could be classified as business district based on existing uses on site and is less than 10 hectares in size (4.8 hectares). It is sub-threshold in terms of EIA having regard to Schedule 5, Part 2, 10(b) (i) and (iv) of the Planning and Development Regulations 2001 as amended, in that it is less than 500 units and is below the 10 hectares (that would be the applicable threshold for this site, being a site less than 10 hectares in a other parts of a built-up area). In relation to Schedule 5, Part 2, 10(b) (ii), 317 parking spaces are provided and such

are ancillary to the primary purpose of the development, which is residential and in relation 12(c) the development is not to be used as holiday homes and is not outside a built-up area being within the designated development/settlement boundary of Duleek.

- 11.6 Environmental Impact Assessment is required for development proposals of a class specified in Part 1 or 2 of Schedule 5 that are sub-threshold where the Board determines that the proposed development is likely to have a significant effect on the environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment.
- 11.7 The applicant submitted an EIA Screening Statement with the application, and this document provides the information deemed necessary for the purposes of screening sub-threshold development for an Environmental Impact Assessment.
- 11.8 The various reports submitted with the application address a variety of environmental issues and assess the impact of the proposed development, in addition to cumulative impacts with regard to other permitted developments in proximity to the site, and demonstrate that, subject to the various construction and design related mitigation measures recommended, the proposed development will not have a significant impact on the environment. I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other submissions, and I have considered all information which accompanied the application including inter alia:

Planning Statement – Armstrong Fenton Associates.

Statement of Consistency – Armstrong Fenton Associates.

Engineering Planning Report – Punch Consulting Engineers.
 Site Specific Flood Risk Assessment – Punch Consulting Engineers.
 Appropriate Assessment Screening Report – Enviroguide Consulting.
 Ecological Impact Assessment Report – Enviroguide Consulting.
 Archaeological Impact Assessment – AMS.
 Construction & Demolition Waste Management Plan – Ayrton Group.
 Construction & Environmental Management Plan (CEMP) – Ayrton Group.

11.9 In addition, noting the requirements of Section 299B (1)(b)(ii)(II)(C), whereby the applicant is required to provide to the Board a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account and are listed in Appendix A of the EIAR. The documents are summarised as follows:

Document:	Comment:	Relevant Directives:
Ecological Impact Assessment prepared by Enviroguide. Appropriate Assessment Screening prepared by Enviroguide.		Directive 92/43/EEC, The Habitats Directive
Engineering Planning Report prepared by Punch Consulting Engineers. Construction & Environmental Management Plan (CEMP) prepared by Ayrton Group		Directive 2000/60/EC, EU Water Framework Directive

<p>Planning Statement prepared by Armstrong Fenton Associates.</p> <p>Statement of Consistency prepared by Armstrong Fenton Associates</p>		<p>Directive 2001/42/EC, SEA Directive</p>
<p>Construction & Environmental Management Plan (CEMP) prepared by Ayrton Group</p>		<p>Directive 2002/49/EC, Environmental Noise Directive</p>
<p>Construction & Demolition Waste Management Plan prepared by Ayrton Group</p> <p>Construction & Environmental Management Plan (CEMP) prepared by Ayrton Group</p>		<p>Directive 2008/50/EC on ambient air quality and cleaner air for Europe</p>
<p>Site Specific Flood Risk Assessment prepared by Punch Consulting Engineers</p>		<p>Directive 2007/60/EC on the assessment and management of flood risks</p>
<p>N/A</p>	<p>No Seveso sites within the vicinity of the application site.</p>	<p>SEVESO DIRECTIVE 82/501/EEC, SEVESO II DIRECTIVE 96/82/EC,</p>

		SEVESO III DIRECTIVE 2012/18/EU
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11.10 The EIA screening report prepared by the applicant has under the relevant themed headings considered the implications and interactions between these assessments and the proposed development, and as outlined in the report states that the development would not be likely to have significant effects on the environment. I am satisfied that all other relevant assessments have been identified for the purposes of screening out EIAR.

11.11 I have completed an EIA screening assessment as set out in Appendix A of this report. I consider that having regard to the nature and scale of development proposed in conjunction with the habitats/species on site and in the vicinity that the proposal would not have significant effects on the environment. The proposed development does not have the potential to have effects the impact of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency or reversibility. In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the EIA Screening Statement submitted with the application.

11.12 I am overall satisfied that the information required under Section 299B(1)(b)(ii)(II) of the Planning and Development Regulations 2001 (as amended) have been submitted.

11.13 A Screening Determination should be issued confirming that there is no requirement for an EIAR based on the above considerations.

12.0 Appropriate Assessment

12.1 Applicant's Stage 1 – Appropriate Assessment Screening

12.1.1 The applicant has engaged the services of Enviroguide Consulting, to carry out an appropriate assessment screening. I have had regard to the contents of same.

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

The areas addressed are as follows:

- Compliance with Article 6(3) of the EU Habitats Directive
- Screening the need for appropriate assessment
- Appropriate assessment of implications of the proposed development on the integrity of each European site

12.2 Compliance with Article 6(3) of the EU Habitats Directive

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

12.2.2 The subject lands comprise approximately 4.8 ha, located to the west of Duleek town centre. The site is a greenfield site (agricultural fields) which fronts onto the Steeples/Longford Road, a local road radiating north from the centre of Duleek, Co Meath. The site is located within the settlement boundary of Duleek, has mature hedging around the entire perimeter of the site and is accessed via an agricultural access directly off The Steeples/Longford Road to the front of the site.

12.2.3 The site is not directly connected with, or necessary to the management of a Natura 2000 sites. The zone of influence of the proposed project would be limited to the outline of the site during the construction phase. The proposed development is therefore subject to the provisions of Article 6(3).

12.2.4 The screening report identifies 5 European Sites within the potential zone of influence and these are as follows:

Name	Site Code	Distance from Site
<p>River Boyne and River Blackwater SAC</p> <p>Conservation Objectives:</p> <p>To maintain and restore the favourable conservation condition of the qualifying interests.</p> <p>Qualifying Interests</p> <p>Alkaline fens [7230]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p>	(002299)	4.1km
<p>Boyne Coast & Estuary SAC</p> <p>Conservation Objectives:</p> <p>To maintain the favourable conservation condition of the qualifying interests.</p> <p>Qualifying Interests</p> <p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p>	(001957)	4.2km

<p>Annual vegetation of drift lines [1210]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p>		
<p>River Boyne and River Blackwater SPA</p> <p>Conservation Objectives:</p> <p>To maintain the favourable conservation condition of the qualifying interests.</p> <p>Qualifying Interests</p> <p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Turnstone (<i>Arenaria interpres</i>) [A169]</p> <p>Little Tern (<i>Sterna albifrons</i>) [A195]</p> <p>Wetland and Waterbirds [A999]</p>	(004080)	9.3km
<p>River Nanny Estuary and Shore SPA</p> <p>Conservation Objectives:</p>	(004158)	10.4km

<p>To maintain the favourable conservation condition of the qualifying interests.</p> <p>Qualifying Interests</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Herring Gull (<i>Larus argentatus</i>) [A184]</p> <p>Wetland and Waterbirds [A999]</p>		
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12.2.5 Connectivity-Source-Pathway-Receptor: The submitted AA Screening Report makes full consideration of the Connectivity-Source-Pathway-Receptor model for each of the identified Natura 2000 sites. The following is found in summary:

Site	Connection	Comment
River Boyne and River Blackwater SAC	No	No pathway link the development and the SAC with sufficient distance between the two to exclude significant effects.
Boyne Coast & Estuary SAC	No	Insignificant hydrological pathway via the Irish Sea, open marine buffer (dilution factor) with sufficient distance between the two to exclude significant effects. Site not an ex-situ habit for qualifying interest.
River Boyne and River Blackwater SPA	No	No pathway link the development and the SAC with sufficient distance

		between the two to exclude significant effects.
Boyne Estuary SPA	No	Insignificant hydrological pathway via the Irish Sea, open marine buffer (dilution factor) with sufficient distance between the two to exclude significant effects. Site not an ex-situ habitat for qualifying interests.
River Nanny Estuary and Shore SPA	Yes	Weak hydrological pathway existing via surface water and foul water discharges from the site.

12.3 Applicant's Screening Report Assessment of Likely Significant Effects:

12.3.1 The submitted AA Screening Report considers the assessment of likely significant effects. The only site potentially at risk from likely significant effects based on source-pathway-receptor links is River Nanny Estuary and Shore SPA.

The indicators used to determine significant effect from the proposed development are...

Habitat loss or alteration.

Habitat/species fragmentation.

Disturbance and/or displacement of species.

Changes in population density.

Changes in water quality and resource.

12.3.2 Likely significant effects of the construction phase include uncontrolled release of sediments and/or pollutants, sediment laden or polluted surface water run-off, generation of waste, increased noise, dust and vibration, increased dust and

emission from construction traffic and increased lighting. Likely significant effects during the operational phase include surface water drainage, increased lighting, increased human presence and generation of increased foul water.

12.3.3 There will be no habitat loss and alteration as the application site is not located within the designated site. There will be no habitat/species fragmentation. There is a weak hydrological connection with the Kellystown Stream 53m south of the site and flowing into the River Nanny 0.9km from the site and flowing into the River Nanny Estuary and Shore SPA 11km downstream. Surface water drainage from the proposed development will be attenuated and treated onsite prior to discharge to the public surface water drainage network along the Steeples Road and such discharges to Kellystown Stream. The potential for surface water and foul water generated at the site to reach the River Nanny and Shore SPA and cause significant effects during the construction and operational phase is deemed to be negligible due to distance and potential dilution and dispersal in surface water network, the existing land buffer between the proposed development boundary and the Kellystown stream and the effluent loading in terms of foul water drainage being within the capacity of the existing WWTP. The provision of SUDs measures are included and are not being relied on to mitigate against significant effects on any European Site. In relation to disturbance and/or displacement of species the hydrological link will not result in significant effects and the site does not provide an ex-situ habitat for any of the bird species identified as qualifying interest of the River Nanny Estuary and Shore SPA. For the same reason significant effects in terms of changes in population density are ruled out.

12.3.4 In-combination effects are considered in the applicant's report and following the consideration of a number of planning applications in the area, there is no potential for in-combination effects given the scale and location of the development.

12.4 Applicants' AA Screening Report Conclusion:

12.4.1 The AA Screening Report has concluded that the possibility of any significant effects on identified designated European sites can be ruled out and there is no requirement for a Stage 2 Appropriate Assessment.

12.5 Appropriate Assessment Screening:

12.5.1 In determining the Natura 2000 sites to be considered, I have had regard to the nature and scale of the development, the distance from the site to the designated Natura 2000 sites, and any potential pathways which may exist from the development site to a Natura 2000 site. The site is not directly connected with, or necessary to the management of any Natura 2000 sites. The impact area of the construction phase would be limited to the outline of the site.

12.5.2 In terms of the zone of influence, I would note that the site is not within or immediately adjacent to a European site and therefore there will be no loss or alteration of habitat, or habitat/ species fragmentation as a result of the proposed development. I have had regard to the submitted Appropriate Assessment screening report, which identifies that while the site is not located directly within any Natura 2000 areas, there are a number of Natura 2000 sites sufficiently proximate or linked (indirectly) to the site to require consideration of potential effects. These are listed earlier with approximate distance to the application site indicated. The specific qualifying interests and conservation objectives of the above sites are described above. In carrying out my assessment I have had regard to the nature and scale of the project, the distance from the site to Natura 2000 sites, and any potential pathways which may exist from the development site to a Natura 2000 site, aided in part by the EPA Appropriate Assessment Tool (www.epa.ie), as well as by the information on file, including observations on the application made by prescribed bodies, and I have also visited the site.

12.5.3 I concur with the conclusions of the applicant's screening, in that there is only the possibility for significant effects on the following European sites (associated with impact on water quality), as a result of potential impact associated with contamination of surface and/or ground water during construction and/or operation;

and impacts associated with disturbance/habitat loss during construction and/or operation. This potential exists due to the location of the application site within a drainage catchment of the River Nanny in terms of surface water drainage, the surface water network discharges to the Kellystown Stream, which discharges to the River Nanny and subsequently into the River Nanny Estuary and Shore SPA. I consider that significant effects on any other designated Natura 2000 sites can be ruled given the lack of source pathway receptors between the application site and other designated sites, the distant and interrupted hydrological connection, the nature and scale of the development and the distance and volume of water separating the application site from designated sites in the marine environment (dilution factor).

12.5.4 I am of the view in relation to River Nanny Estuary and Shore SPA that significant effects as a result of deterioration of water quality can be ruled out on the basis of implementation of construction management measures during the construction phase that would prevent discharge of sediment and pollution materials to surface and groundwater. At the operational phase surface water drainage proposal including SuDS measures and standard surface drainage measures associated with urban development are sufficient to prevent contamination of surface water or ground water. I note in full the submitted AA Screening Report and supporting documentation. I note various measures proposed during the construction and operational phase of the development and I am satisfied that these are standard construction/ operational processes and cannot be considered as mitigation measures. These measures are standard practices for urban sites and would be required for a development on any urban site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites. In the event that the pollution control and surface water treatment measures were not implemented or failed I am satisfied that the potential for likely significant effects on the qualifying interests of Natura 2000 sites in the marine environment, from surface water runoff, can be excluded given the interrupted hydrological connection, the nature and scale of the development and the designated site being part of the marine environment (dilution factor).

12.5.5 The applicant's screening report relies on the results of bird surveys (outlined in the Ecological Impact Assessment), which indicate that the application site is not used by populations of bird species that are qualifying interests of the River Nanny Estuary and Shore SPA. Given the separation of application site from the designated sites, the conclusions of the AA screening report is that it not likely that the application site provides significant ex situ habitat to support the protected species of the SPAs is accepted.

12.5.6 In relation to the potential for disturbance of habitats and species that are qualifying interests of designated sites, the application as noted above is 10.4km from River Nanny Estuary and Shore SPA. In relation to construction activity the application site is sufficiently separated from any designated Natura 2000 site so as the impact of construction (noise, dust and vibration) would cause no disturbance and implementation of standard construction management measures (cannot be considered as mitigation measures as they would apply regardless of connection to European Sites) would prevent construction disturbance beyond the immediate vicinity of the site.

12.5.7 In-combination effects are considered in the applicant's screening report and following the consideration of a number of planning applications in the area, which are mainly relating to other residential development, there is no potential for in-combination effects given the scale and location of the development and the fact that such is subject to the same construction management and drainage arrangements as this proposal (cannot be considered as mitigation measures as they would apply regardless of connection to European Sites).

12.5.8 The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment I consider that the proposed development either individually or in combination with other plans or projects would not be likely to have a significant effect on European Sites No 004158 River Nanny Estuary and

Shore SPA or any other European site, in view of the sites' Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on the following:

- The location of the proposed development physically separate from the European sites.
- The scale of the proposed development involving a change in the condition of lands 4.8 hectares in area from greenfield to residential use on lands zoned for urban expansion.

This screening determination is not reliant on any measures intended to avoid or reduce potentially harmful effects of the project on a European Site.

The following are noted:

1. The Proposed Development is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The Proposed Development is unlikely to either directly or indirectly significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The Proposed Development, alone or in combination with other projects, is not likely to have significant effects on the European sites considered in this assessment in view of their conservation objectives.
4. It is possible to conclude that significant effects can be excluded at the screening stage'.

There is no requirement therefore to prepare a Stage 2 – Appropriate Assessment.

13.0 Recommendation

Section 9(4) of the Act provides that the Board may decide to:

- (a) grant permission for the proposed development.
- (b) grant permission for the proposed development subject to such modifications to the proposed development as it specifies in its decision,

(c) grant permission, in part only, for the proposed development, with or without any other modifications as it may specify in its decision, or

(d) refuse to grant permission for the proposed development,

and may attach to a permission under paragraph (a), (b) or (c) such conditions it considers appropriate.

In conclusion, I consider the principle of development as proposed to be acceptable on this site. The site is suitably zoned for residential development and is a serviced site. The proposed development is of a suitably high quality and provides for a mix of one bed apartments and two, three and/four-bedroom dwellings, which are served by suitable quality communal, private and public open space.

I do not foresee that the development will negatively impact on the existing residential and visual amenities of the area. Suitable pedestrian infrastructure is available to serve the development. The development is generally in accordance with National Guidance and Local Policy and is in accordance with the proper planning and sustainable development of the area.

Having regard to the above assessment, I recommend that section 9(4)(a) of the Act of 2016 be applied, and that permission is **GRANTED** for the development, for the reasons and considerations and subject to the conditions set out below.

14.0 Reasons and Considerations

Having regard to

(i) the site's location on lands with zoning objectives for residential development, buffer zone and open space, and objective provisions in the Meath County Development Plan 2021 - 2027 in respect of residential development,

(ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Meath County Development Plan 2021 - 2027 and appendices contained therein,

(iii) to the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,

(iv) the Guidelines for Planning Authorities on Sustainable Residential Development 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,

(v) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of the Housing and Planning and Local Government, December 2020,

(vi) Housing for All, issued by the Department of Housing, Local Government and Heritage in September 2021

(vii) Regulation of Commercial Institutional Investment in Housing – Guidelines for Planning Authorities, May 2021

(viii) to the pattern of existing and permitted development in the area, and

(ix) Chief Executive's Report of Meath County Council,

(x) to the 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.

15.0 Recommended Draft Order

15.1. Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 11th of April 2022 by the applicant DSPL Ltd.

15.2. Proposed Development

- The proposed development comprises of permission for strategic housing development at, Commons, Longford Road/The Steeples Road, Duleek, Co. Meath.
- The proposed development consist of 141 no. residential units comprising a mixture of 10 no. 1 bed apartments, 7 no. 2 bed terraced dwelling houses, 102 no. 3 bed terraced/semi-detached dwelling houses, and 22 no. 4 bed semi-detached/detached dwelling houses with;
 - 415sqm crèche/childcare facility.
 - The provision of associated site development works, including the provision of a roadside footpath and cycle path along the Steeples/Longford Road, surface car parking (total 317 spaces), bin & cycle storage, public open space (c.0.74ha) & communal open spaces (c. 770sqm), hard & soft landscaping, boundary treatments, sub-stations and public lighting.

15.3 Decision

Grant permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

15.4 Matters Considered

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

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

(i) the site's location on lands within a zoning objective for residential, and the policy and objective provisions in the Meath County Development Plan 2021 - 2027,

- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Meath County Development Plan 2021 - 2027 and appendices contained therein,
- (iii) to the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (iv) the Guidelines for Planning Authorities on Sustainable Residential Development 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,
- (v) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of the Housing and Planning and Local Government, December 2020,
- (vi) Housing for All, issued by the Department of Housing, Local Government and Heritage in September 2021,
- (vii) Regulation of Commercial Institutional Investment in Housing – Guidelines for Planning Authorities, May 2021
- (viii) to the pattern of existing and permitted development in the area, and
- (ix) Chief Executive’s Report of Meath County Council,
- (x) to the submissions and observations received,
- (xi) the Inspectors report.

15.5 Appropriate Assessment (AA Screening)

15.5.1 The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development, the Appropriate Assessment Screening report submitted with the application, the Inspector’s report, and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have significant effects on any European Site in view of the conservation objectives of such sites.

15.6 Environmental Impact Assessment

15.6.1 The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening report submitted by the applicant, identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

Having regard to:-

- (a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10b(i) and (iv) of Part 2 of Schedule 5 of the Planning and Development regulations, 2001, as amended;
- (b) The existing use on the site and pattern of development in the surrounding area;
- (c) the habitats on site and species that utilise such;
- (d) the availability of mains water and wastewater services to serve the proposed development;
- (e) the location of the development outside of any sensitive location specified in Article 299(c)(1)(v) of the Planning and Development Regulations 2001, as amended;
- (f) The guidance set out in “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development” issued by the Department of the Environment, Heritage and Local Government (2003);
- (g) The criteria set out in Schedule 7 of the Planning and Development regulations 2001, as amended, and
- (h) the features and measures proposed by the applicant envisaged to avoid or prevent what otherwise be significant effects on the environment, including measures identified in the proposed Construction and Environmental Management Plan.

The Board considered that the proposed development would not be likely to have significant effects on the environment and the preparation and submission of an environmental impact assessment report would not, therefore, be required.

15.7 Conclusions on Proper Planning and Sustainable Development:

16.7.1 The Board considered that, subject to compliance with the conditions set out below that the proposed development would constitute an acceptable quantum and density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, or historic environment, would be acceptable in terms of urban design, height, scale, mass, and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area. In coming to this conclusion, specific regard was had to the Chief Executive Report.

16.7.2 The Board considered that the proposed development is broadly compliant with the current Meath County Development Plan 2021 - 2027 and would therefore be in accordance with the proper planning and sustainable development of the area.

16.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed

particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The development shall be carried out in accordance with the phasing programme specified.

Reason: In the interest of orderly development.

3. Details of the materials, colours and textures of all the external finishes to the proposed building shall be as submitted with the application, unless otherwise 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.

4. Proposals for a development name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

5. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, 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 apartment unit.

Reason: In the interests of amenity and public safety.

6. 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.

Reason: In the interests of visual and residential amenity.

7. The road network serving the proposed development, including turning bays, junction with the public road, parking areas, footpaths and kerbs, access road to service areas shall be in accordance with the detailed construction standards of the Planning Authority for such works. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of amenity and of traffic and pedestrian safety.

8. (a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. All car parking spaces shall be assigned permanently for the residential development and shall be reserved solely for that purpose. These residential spaces shall not be utilised for any other purpose.
(b) Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the Planning Authority.

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

9. A minimum of 10% of all car parking spaces should be provided with functioning EV charging stations/ points, and ducting shall be provided for all remaining car parking spaces, including in-curtilage spaces, facilitating the installation of EV charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points has 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. The car parking spaces for sole use of the car sharing club shall also be provided with functioning EV charging stations/ points.

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

10. The level of communal bicycle parking spaces specified (45) spaces shall be provided within the site. Details of the layout, marking demarcation and security provisions for these spaces shall be as submitted to An Bord Pleanála with this application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

11. 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.

12. 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.

13. The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

14. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company

(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

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

15. (a) A plan containing details for the management of waste (and, 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 unit shall be submitted to, and agreed in writing with, the Planning Authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

(b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

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

16. 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. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

17. The construction of the development shall be managed in accordance with a Construction Environmental 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 with measures to reflect mitigation described in the submitted EIAR for the application, in addition to the following:

- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- b) Location of access points to the site for any construction related activity;
- c) Location of areas for construction site offices and staff facilities;
- d) Details of site security fencing and hoardings;
- e) Details of on-site car parking facilities for site workers during the course of construction;
- f) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- g) Measures to obviate queuing of construction traffic on the adjoining road network;
- h) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network and for the cleaning of the same;
- i) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

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

l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;

m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority. Reason: In the interest of amenities, public health and safety.

Reason: In the interest of amenities, public health and safety.

18. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, 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.

19. 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) engage the services of a suitably qualified archaeologist to co-ordinate the mitigation proposals contained in the Archaeological Assessment report for archaeological excavation (preservation by record) and archaeological monitoring

of groundworks. The archaeologist will excavate and 'preserve by record areas 2B and 3B identified in the test phase and to monitor under licence all other groundworks associated with the development.

(b) should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Department of Housing, Local Government and Heritage with regard to any necessary mitigating action (e.g. preservation *in situ*, or excavation) and should facilitate the archaeologist in recording any material found.

(c) the planning authority and the Department of Housing, Local Government and Heritage shall be furnished with a report describing the results of the monitoring.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, site, features or other objects of archaeological interest.

20. Prior to commencement of development, the applicant 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 Act 2000, as amended, and of the housing strategy in the development plan of the area.

21. Prior to the commencement of any house or 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 (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all houses and 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.

22. 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.

23. 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.

Appendix A EIA Screening Determination

A. CASE DETAILS		
An Bord Pleanála Case Reference		ABP-313272-22
Development Summary		141 no. residential units (131 no. houses and 10 no. apartments), crèche and associated site works
	Yes / No / N/A	
1. Has an AA screening report or NIS been submitted?	Yes	An EIA Screening Report and a Stage 1 AA Screening Report was submitted with the application
2. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	
3. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	SEA undertaken in respect of the Meath County Development Plan 2021 - 2027 and the results of the Strategic Environmental Assessment of the plan. See also Section 11.9 of the Inspectors Report for details of other relevant assessments.

B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures – Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment ? Yes/ No/ Uncertain
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	Yes	The development is in the built up area of the town	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	The proposed development is located on a greenfield site within the development	No.

		envelope of Duleek.	
<p>1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?</p>	Yes	<p>Construction materials will be typical of such an urban development. The loss of natural resources or local biodiversity as a result of the development of the site are not regarded as significant in nature.</p>	No.
<p>1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?</p>	Yes	<p>Construction activities will require the use of potentially harmful materials, such as fuels, hydraulic oils and other such substances. Such use will be typical of construction sites. Any impacts would</p>	No.

		<p>be local and temporary in nature and implementation of a Construction Management Plan will satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.</p>	
<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Yes</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are</p>	<p>No.</p>

		<p>likely. Such construction impacts would be local and temporary in nature and implementation of a Construction Management Plan will satisfactorily mitigate potential impacts. Operational waste will be managed via a Waste Management Plan. Significant operational impacts are not anticipated.</p>	
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No</p>	<p>No significant risk identified. Operation of a Construction Management Plan will satisfactorily mitigate emissions from spillages during construction.</p>	<p>No.</p>

		<p>The operational development will connect to mains services.</p> <p>Surface water drainage will be separate to foul services within the site. No significant emissions during operation are anticipated.</p>	
<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Yes</p>	<p>Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature and their impacts may be suitably mitigated by the operation of a Construction Management Plan.</p> <p>Management of the scheme in accordance with an agreed</p>	<p>No.</p>

		Management Plan will mitigate potential operational impacts.	
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No	Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of a Construction Management Plan would satisfactorily address potential impacts on human health. No significant operational impacts are anticipated.	No.
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	No significant risk having regard to the nature and scale of development. Any risk arising	No.

		from construction will be localised and temporary in nature. The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location.	
1.10 Will the project affect the social environment (population, employment)	Yes	Redevelopment of this site as proposed will result in a change of use and an increased population at this location. This is not regarded as significant given the urban location of the site and surrounding pattern of land uses.	No.
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No.	The proposal is a self-contained stand-alone development of a site and is not	No.

		part of larger landholding or a phase of larger planned development.	
2. Location of proposed development			
<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ol style="list-style-type: none"> 1. European site (SAC/ SPA/ pSAC/ pSPA) 2. NHA/ pNHA 3. Designated Nature Reserve 4. Designated refuge for flora or fauna 5. Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan 	No	No European sites located on the site. An Appropriate Assessment screening accompanied the application which concluded the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of any designated European sites.	No.
<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	No	Potential for bat species to roost on site. A hedgerow/treeline identified as suitable for bat roosts to be retained, installation of bat boxes and bat	No.

		sensitive light scheme.	
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No	The site is not within or adjacent to any such sites.	No.
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No.	There are no such features arise in this urban location.	No.
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No.	There are no direct connections to watercourses in the area. The development will implement SUDS measures to control surface water run-off. The site is not at risk of flooding. Potential indirect impacts are considered with regard to surface water, however, no likely significant effects are anticipated.	No.
2.6 Is the location susceptible to subsidence, landslides or erosion?	No.	Site is located in a built-up urban location where such impacts are not foreseen.	No.

<p>2.7 Are there any key transport routes (e.g. National Primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?</p>	<p>No.</p>	<p>The site is served by a local urban road network. No significant contribution to traffic congestion is anticipated.</p>	<p>No.</p>
<p>2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?</p>	<p>No</p>	<p>None adjacent to the subject site.</p>	<p>No.</p>

<p>3. Any other factors that should be considered which could lead to environmental impacts</p>			
<p>3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?</p>	<p>No.</p>	<p>No developments have been identified in the vicinity which would give rise to significant cumulative environmental effects. Some cumulative traffic impacts may arise during construction. This would be subject to a construction traffic management plan.</p>	<p>No.</p>
<p>3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?</p>	<p>No.</p>	<p>No trans-boundary effects arise.</p>	<p>No.</p>

3.3 Are there any other relevant considerations?	No.	No.	No.
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C. CONCLUSION

No real likelihood of significant effects on the environment.	Yes	EIAR Not Required	EIAR Not Required.
Real likelihood of significant effects on the environment.		Refuse to deal with the application pursuant to section 8(3)(a) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended)	

D. MAIN REASONS AND CONSIDERATIONS

Having regard to: -

- a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(i) and (iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- b) Class 14 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- c) the location of the site on lands governed by zoning objective A2 New Residential Objective to ‘provide for new residential communities with ancillary community facilities, neighbourhood facilities as considered appropriate.’ in the Meath County Development Plan 2021 - 2027,
- d) The existing use on the site and pattern of development in surrounding area,
- e) The planning history relating to the site,
- f) The availability of mains water and wastewater services to serve the proposed development,

- g) The location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended),
- h) 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),
- i) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 as amended, and
- j) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the proposed Construction & Demolition Waste Management Plan (CDWMP) and Construction & Environmental Management Plan (CEMP),

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

Inspector: _____

Date:
—

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.

Colin McBride
Senior Planning Inspector

28th April 2023