



An
Bord
Pleanála

Inspector's Report

ABP-313380-22

Development

Removal of an area of hardstanding which was constructed pursuant to planning permission reg. 99/2617 and which now comprises a defunct road, the provision of additional open space within this part of Balreask Manor, the erection of 6 no. semi-detached dwellings, extension to the existing estate road and footpath, carparking for each of the proposed houses as well as six communal/visitor bays within the enlarged area of public open space, connections to the public water supply and sewerage systems along with all associated site works.

Location

Balreask Manor, Trim Road, Navan, Co Meath.

Planning Authority

Meath County Council

Planning Authority Reg. Ref.

22118

Applicant(s)

John P. Molloy.

Type of Application

Permission.

Planning Authority Decision

Refusal

Type of Appeal

First Party

Appellant(s)

John P. Molloy.

Observer(s)

None.

Date of Site Inspection

19th December 2022

Inspector

Lucy Roche

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1.0 Site Location and Description

- 1.1. The subject site is located within the development boundary of Navan, in the townland of Balreask Old, approximately two kilometres south of the town centre. The lands are situated on the western side of the Trim Road (R161) and within the established residential development of Balreask Manor.
- 1.2. The site has a stated area of 0.6ha, is irregular in shape and encompasses an area of green space that is bisected by a section of estate road (hereinafter referred to the roadway), vehicular access to which is blocked by bollards at its eastern end. Trees have been planted on both sides of the roadway. The roadway culminates c5m from the western site boundary. The lands between the end of the roadway and the western site boundary are unkempt, they are traversed by a makeshift pathway which connects the site to the adjoining lands to the west.
- 1.3. The site is bounded to the north by the rear curtilages of No's 132 to 139 Balreask Manor, to the south by No. 127 Balreask Manor and an area of public open space, to the west by undeveloped zoned lands (MP13) and to the east by an estate road.

2.0 Proposed Development

- 2.1. The proposed development comprises:
 - The removal of an area of hardstanding which was constructed pursuant to planning permission reg. 99/2617 and which now comprises a defunct road,
 - The provision of additional open space within this part of Balreask Manor,
 - The erection of 6 no. semi-detached dwellings,
 - The extension of the existing estate road and footpath currently serving no's 119 to 127 Balreask Manor.
 - The provision of on-site carparking for each of the proposed houses as well as six communal/visitor bays within the enlarged area of public open space,
 - Connections to the public water supply and sewerage systems along with all associated site works

2.2. Table 2.1 below provides a schedule of the key features and figures associated with the proposed development

Table 2.1 - Site / Development Details	
Site Area	0.6ha (c1.48 acres)
Current Use	Public Open Space = c0.5ha (1.24 acres) Road / hard surfaced area = c0.1ha (c0.24 acres)
No. of Units	6
Gross Floor Area	759.48sqm
Type / Mix	1 house type comprising: Two storey semi-detached, four-bedroom dwelling with integrated garage and optional conservatory.
Density	10units/ hectare
Design:	The design accords with that of existing dwellings within Balreask Manor
Parking	12no spaces 1 on-site space per dwelling and 6 visitor spaces
Public Open Space (proposed)	0.756 acres / c0.3ha
Vehicular Assess	Access is to be provided via the extension of an existing estate cul-de-sac.

3.0 Planning Authority Decision

3.1. Decision

It is a policy (DM POL4) of Meath County Development Plan 2021-2027, *“To require that all proposals for residential development demonstrate compliance with the Sustainable Residential Development in Urban areas – Cities, Towns and Villages*

(2009) and the Urban Design Manual a Best Practice Guide, 2009 or any updates thereafter”

The Local Planning Authority is not satisfied on the basis of the information submitted that adequate permeability and connectivity with adjacent lands to the west in accordance with the requirements of the Urban Design Manual and with the Design Manual for Urban Roads and Streets (DMURS), has been provided. Accordingly, to permit the proposed development would be contrary to the aforementioned policy provisions of the Meath County Development Plan 2021-2027 and Ministerial Guidelines and thereby contrary to the proper planning and sustainable development of the area

2. The proposed development is located on land designated as public open space under planning reference 98/236 and as such the proposed development if permitted would materially contravene the terms of that permission and would be contrary to the proper planning and sustainable development of the area.

3. Having regard to the layout of the proposed development, it is considered the proposed development would be prejudicial to existing zoned residential lands to the west and undermine access to the Masterplan (MP) No.13 lands at ‘Balreask Old, Lands between Trim Road and Commons Road and lead to an undesirable situation where connectivity from existing and proposed residential development lands to the west would not be in line with the requirements of the Urban Design Manual and with the Design Manual for Urban Roads and Streets (DMURS) Ministerial Guidelines. Therefore, the proposed development, if permitted, would contravene said guidelines and would create an undesirable future precedent for similar types of development and would be contrary to the proper planning and sustainable development of the area

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Having regard to the Council’s ‘Taking in Charge’ map the maintenance of the existing open space is undertaken by the Council.

- Under the parent permission, MCC Ref: 98/236, it is evident that the area forms part of the overall wider public open space for the area and as such it is considered that if permitted the proposed development would materially contravene Condition 1 of that permission and set an undesirable precedent for similar types of development on public open space.
- The size, scale, massing and design /appearance of the units would be in keeping with urban context.
- The proposed development would block and undermine future access to lands to the immediate west (part of Master Plan 13).
- Not satisfied, on the basis of the information submitted that adequate permeability and connectivity with adjacent lands to the west has been provided in accordance with the Urban Design Manual and the Design Manual for Urban Roads and Streets (DMURS)
- Internal layouts accord with Quality Housing for Sustainable Communities
- The overall layout plan is lacking in detail in terms of access drives, footpaths, public lighting.
- Stage 2 Appropriate Assessment and sub-threshold EIAR not required
- The report recommends that permission be refused for three reasons as set out in section 3.1 above.

3.2.2. Other Technical Reports

Transportation: Recommends that permission be refused. It is considered that the proposed development which incorporates the construction of dwellings on lands identified in the parent permission as being set aside as an access point to the lands to the west, could prejudice the preparation of Masterplan 13 and prevent the (DMURS) permeability and connectivity requirements with adjacent lands from being achieved.

Public Lighting: Requests further information re: public lighting design

Water Services: No objection subject to condition

Housing: As development is greater than 4 units Part V applies

3.3. Prescribed Bodies

Irish Water: Requests further information – submission of pre-connection enquiry to address the following.

The proposed dwellings would be situated on lands which are identified as the location for wastewater connection point for site O & Site P in Navan Strategic Wastewater Infrastructure Plan. The applicant's proposal would potentially compromise the route of a planned strategic foul sewer required to facilitate housing development on lands to the west of the subject site.

3.4. Third Party Observations

The planning authority received five observations in relation to the proposed development. Observations were received from residents of Balreask Manor and from the Navan Cycle Initiative

One observation was submitted in support of the proposed scheme on the following grounds:

- The provision of 6 houses is necessary to finish off the estate
- The gap at the end of the estate is unsightly, unhygienic and attracts illegal dumping and anti-social behaviour

The remaining four observations raised concerns in relation to the proposal which can be summarised as follows:

- The proposed development would block existing pedestrian access to the fields behind Balreask Manor, used for exercise / walking etc
- Closing the access to adjoining lands to the west would impede habitat connectivity for wildlife, hinder accessibility, and close off planned pedestrian / cycle access links to future recreational areas, shops, schools etc
- Existing road infrastructure should be maintained to support active travel
- Council access plans must be maintained

- Alterations to the existing cul-de-sac would impact the amenities of adjoining residential properties and pose a safety risk to children playing in the green area.
- Noise and dust during construction
- Reduction in green space

4.0 Planning History

4.1. Balreask Manor:

MCC Ref: 98/236 Permission granted (1998) for 173 houses. The scheme was revised to incorporate a distribution route from the Trim Road to the western perimeter of this land. This route traversed the proposed development site.

MCC Ref:99/2617 Permission granted (2002) for completion & retention of realignment of part of main road through Balreask Manor / proposed development site & for deletion of house nos. 128 to 131 inclusive & for associated changes in boundaries.

Condition 1: The conditions of P98/236 and P99/132 relating to the development shall be fully complied with except where conditions hereunder specify otherwise.

Reason: In the interest of proper planning control.

Condition 2: requires the development to be carried out in accordance with the plans and particulars submitted on 23/12/99 as amended on 23/11/01.

APB: PL17.201206 Permission granted (2003) for works within Balreask Manor including the erection of temporary bollards across the estate road bisecting the proposed development site.

4.2. Proposed Development site:

MCC Ref: NA/50484 Permission refused (2006) for 6 no. three bed semi-detached dwellings etc. It was considered that the

proposal which would involve the development of lands designated as public open space and lands set aside for vehicular access to zoned lands to the west, under planning permission 99/2617, would contravene that permission, be prejudicial to the preparation of Local area Plan No.4 and lead to substandard residential development.

5.0 Policy Context

5.1. National Policy

5.1.1. Project Ireland 2040 - National Planning Framework

The National Planning Framework issued by the Department of Housing, Planning and Local Government in February 2018 supports compact growth, and seeks to make better use of existing underutilised, serviced lands within built-up areas. The framework targets a greater proportion (40%) of future housing development to be within and close to the existing 'footprint' of built-up areas.

National Policy Objective 35

Increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

5.1.2. Sustainable Residential Development in Urban areas, Guidelines (DoEHLG, 2009):

The 'Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009' promote higher densities at appropriate locations. In respect of infill residential development, potential sites may range from small gap infill, unused or derelict land and backland areas, up to larger residual sites or sites assembled from a multiplicity of ownerships. In residential areas whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and the privacy of adjoining dwellings, the protection of established character and the need to provide residential infill.

5.1.3. Design Manual for Urban Roads and Streets 2019 (DMURS), (Department of Transport and the Department of Environment)

5.1.4. Urban Design Manual a Best Practice Guide, 2009

5.2. **Development Plan**

5.2.1. The Meath County Development Plan 2021-2027 (MCDP) is the operative plan for the area

5.2.2. Settlement Hierarchy: Navan is identified as a Key Town. Key Towns are settlements with a strong employment base and a broad range of services that serve a wide catchment area

5.2.3. Zoning: The subject site is zoned A1 Existing residential. The objective for this area is *“To protect and enhance the amenity and character of existing residential communities”*

Lands identified as ‘Existing Residential’ are established residential areas.

Development proposals on these lands primarily consist of infill developments and the extension and refurbishment of existing properties. The principle of such proposals is normally acceptable subject to the amenities of surrounding properties being protected and the use, scale, character, and design of any development respecting the character of the area.

Residential is listed as a permitted use within the A1 zoning

5.2.4. Density: It is an objective of this Plan to require a density of 45 units/ha on more centrally located and strategic lands in Regional Growth Centres and Key Towns. This density is also a requirement on lands adjacent to existing and future and rail stations in the County. On the remaining, more edge of centre lands in the Regional Growth Centre and Key Towns a density of 35 units/ha will normally be required.

5.2.5. **Master Plan:**

- 5.2.6. There are 13 Master Plan areas identified in Navan. The purpose of a Master Plan is to ensure an integrated approach is taken to the phasing, management, and development of lands within the Master Plan Area. A planning application will not be considered in the absence of the Master Plan being agreed in writing with the Executive of the Planning Authority.
- 5.2.7. Master Plan 13 – Balreask Old, lands between Trim Road and Commons Road to the west of the appeal site.

Master Plan 13 relates to land situated between the Trim Road and the Commons Road. These lands are to be developed primarily for residential uses. The Master Plan has an area of c.39.6 hectares. To ensure there is appropriate service provision in this part of the town, the development of these lands shall include the provision of local services and facilities including a neighbourhood centre, which may also include small scale enterprises compatible with a residential location, community facilities, and the reservation of a site for a primary school, the size and location of which shall be agreed with the Department of Education.

An integral part of the development of these lands will be the delivery of Local Distributor Road LDR 2(a). The design and delivery of this Distributor Road shall be integrated into any Master Plan for these lands. This Distributor Road shall be delivered in its entirety in conjunction with the development of this Master Plan. Any phasing proposals regarding the development of these lands and the construction of the Distributor Road shall be agreed in writing with the Planning Authority as part of the preparation of the Master Plan.

Status: Awaiting preparation

5.2.8. Noted Policy / Objectives.

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

DM OBJ 22: The design of any housing scheme shall have regard to the requirement for connectivity between residential areas, community facilities etc. The design of any walkways, lanes or paths connecting housing estates or within housing estates shall be of sufficient width to allow for the safe movement of pedestrians and cyclists. They shall be adequately overlooked and lit and not be excessive in length.

SH POL 3 To support the creation of healthy and sustainable communities that encourages and facilitates walking and cycling and general physical activity through the implementation of best practices in urban design that promotes permeability and interconnecting spaces.

SOC OBJ 17 To ensure permeability and connections between public open spaces including connections between new and existing spaces, in consultation to include residents.

5.2.9. **Integrated Development Framework Plan (IDFP)**

5.2.10. In accordance with Section 1.4.10 of the Navan Development Plan 2009 – 2015 (incorporating Variations No. 1 and No.2) the Navan Integrated Development Framework Plan (IDFP) was prepared in December 2002 (and updated in 2009) and had a time frame up to 2016. The IDFP sought to make Navan a more accessible and attractive town that could accommodate an ultimate population horizon of 60,000 persons.

5.3. **Natural Heritage Designations**

The application site is not located within or directly adjacent to any Natura 2000 site, and the eastern boundary of the subject site is approximately 1.6km from the River Boyne and River Blackwater SAC and SPA.

5.4. **EIA Screening**

5.4.1. Having regard to the nature and scale of the proposed development comprising a residential development of only 6no. units and the location of the site outside of any protected site, the nature of the receiving environment, the limited ecological value of

the lands in question, the availability of public services, and the separation distance from the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

This is a first party appeal lodged on behalf of Mr. John P. Molloy against the decision of the Meath County Council to refuse permission for the development of lands within Balreask Manor, Trim Road, Navan, Co Meath for three reasons. The grounds of appeal can be summarised as follows:

Refusal Reason 1 - Permeability and Connectivity

- The submission has regard to the planning history of the site and to local planning policy (historic and present) pertaining to the site / area.
- No housing developments have yet been permitted on the adjacent swathe of residential land to the west of the appeal site (MP 13) and there is at present no reason as to why residents of Balreask Manor would wish to trespass on land which is in third party ownership.
- While the Council did originally envisage a link between Balreask Manor and Masterplan 13 lands (formerly Framework Plan 3) and that such a route would cross the proposed development, it is contended that plans for this link have been abandoned.
- The access arrangements for MP13 as set out in the Integrated Development Framework Plan (as amended 2009) can reasonable be brought forward and applied to this application
- The find it difficult to conclude that the Councils objection in its first reason for refusal is sufficiently serious so as to prevent the provision of a housing development at a time of a national accommodation crisis.

Refusal Reason 2 – Public Open Space

- The developer of this estate originally envisaged the provision of a cluster of houses in this part of Balreask Manor. This arrangement was only altered in response to issues raised during the planning process. The applicant now seeks to build dwellings originally planned for this part of Balreask Manor in light of changes to the Local authority's road layout plans for this overall area.
- No part of the present proposal encroaches on the area of open space which was originally approved for this part of Balreask Manor under MCC Ref: 98/236.
- The development permitted under MCC Ref: 98/236 envisaged the provision of 0.51 acres of public open space in this part of Balreask Manor. The proposed development envisages 0.75 acres an increase of c0.24 acres.
- The council taken in charge map is incorrect to the degree that it was never intended for the appeal site to be adopted or maintained in public ownership. The submission includes a copy of letter and associated drawing, from Paul Carroll & Associates to Meath County Council, in relation to the taking in charge request. As detailed on this drawing the appeal site is omitted from the request.
- The claim, that this proposal would breach condition no.1 of permission Reg 98/236 is not only incorrect in land use terms but ignores the fact that standard stipulations of this type do not persist in perpetuity.

Refusal Reason 3 – Access to Masterplan (MP) No.13

- The issues raised in Refusal Reason 3 are similar to those already covered by the Council's first reason for refusal
- Under the revised access arrangements set out in the IDFP (as amended 2009) the use of the road network in Balreask Manor to serve the adjacent land was abandoned.
- The MCDP 2021-2027 draws a specific link between the development of MP13 and the delivery of the Local Distributor Road LDP 2(a). The undeveloped lands to the west of the proposed development site are to be accessed off this new route

- The report of the planning officer fails to note how the layout of the Canterbrook estate to the immediate north of Balreask Manor contains a connection with the undeveloped land to the west.

6.2. **Planning Authority Response**

- The planning authority requests that the Board uphold its decision to refuse permission.

6.3. **Observations**

None

7.0 **Assessment**

7.1. **Introduction**

7.1.1. Having examined the application details and all other documentation on file, (including the submissions received in relation to the appeal), and inspected the site, and having regard to relevant local/regional/national policies and guidance, and the planning history of the site, I consider that the main issues in this appeal are those cited in the refusal reasons. Issues raised by Irish Water and, Appropriate Assessment also merit consideration. I am satisfied that all other issues were fully addressed by the Planning Authority and that no other substantive issues arise.

7.1.2. The issues for consideration can be addressed under the following headings:

- The Principle of Development
- Public Open Space
- Access to adjoining zoned lands - 'Masterplan 13'
- Irish Water
- Appropriate Assessment

7.2. The Principle of Development

- 7.2.1. The appeal site is in an area zoned 'A1 Existing Residential'. The objective for this area is '*To protect and enhance the amenity and character of existing residential communities.*' Lands identified as 'Existing Residential' are established residential areas. The Meath County Development Plan 2021 – 2027 (MCDP) states that development proposals on these lands primarily consist of infill developments and the extension and refurbishment of existing properties and that the principle of such proposals is normally acceptable subject to the amenities of surrounding properties being protected and the use, scale, character, and design of any development respecting the character of the area. Residential is listed as a permitted use within this zoning.
- 7.2.2. Having considered the plans and particulars submitted with the application and having inspected the site I am satisfied that the use, scale, character, and design of the proposed development would adequately respect the character of the area. However, I am concerned that the proposed development would result in the loss of public open space and therefore detract from the amenities of Balreask Manor. This issue is considered in more detail in the following section of this report.

7.3. Public Open Space

- 7.3.1. The appeal site, with a stated area of c0.6ha, comprises an area of public open space (which I estimate to be in the region of c0.5ha /1.24 acres) traversed by an unused section of estate road. Planning permission is being sought for the redevelopment of this 0.6ha plot of land to allow for the construction of six semi-detached dwellings with c0.75 acres (c0.3ha) of public open space.
- 7.3.2. The planning authority, as set out in their decision to refuse permission for this development, consider that development of lands, designated as public open space, would materially contravene the terms of the grant of permission under MCC Ref. No: 98/236 and would thus be contrary to the proper planning and sustainable development of the area. Refusal reason no.2 relates.

- 7.3.3. In the first party grounds of appeal, the applicants refer to the planning history of the site and the development permitted under MCC Ref. No: 98/236, the parent permission for Balreask Manor. MCC Ref. No: 98/236, as it pertains to the appeal site, allowed for the construction of four houses (identified as unit no's 128 to 131), c0.51 acres (c0.2ha) of public open space and a future access road to then un-zoned lands to the west (now designated Masterplan 13 Lands).
- 7.3.4. As set out in the grounds of appeal, it is the contention of the first party appellants, that no part of the proposed development would encroach on the area (0.51 acres / 0.2ha) of public open space originally permitted under MCC Ref. No: 98/236 and that the layout of the proposed scheme would allow for an additional 0.24 acres of open space above what was originally envisaged for this site.
- 7.3.5. I have reviewed the planning history associated with this site and while I note the layout of the development as originally permitted under MCC Ref. No: 98/236, regard is had to the subsequent grant of planning permission under MCC Ref. No: 99/2617 under which permission was granted for the completion & retention of the realignment of part of main road through Balreask Manor (thereby altering the alignment of the road as it traverses the appeal site) and the deletion of house nos. 128 to 131 (incl.).
- 7.3.6. I note that in accordance with the plans and particulars approved under MCC Ref. No: 99/2617, lands within the appeal site (outside of the proposed road realignment), were explicitly identified for use as open space. For reference, I refer the Board to MCC Ref. No: 99/2617, Drawing No: 99/ jpm /site rev 6, submitted to the planning authority on the 23rd of November 2001.
- 7.3.7. Furthermore, I note from site inspection that the lands in question currently form part of the public open space area within Balreask Manor.
- 7.3.8. In light of the above, I am satisfied that the proposed development, if permitted, would encroach on lands which have been designated as public open space within Balreask Manor under the previous grant of planning permission, MCC Ref: No.99/2617 and which are currently being used as such. The proposed development

would therefore materially contravene the terms of that permission and would, through the loss of public open space, seriously injure the amenities of residents of Balreask Manor. The proposed development would therefore be contrary to the residential zoning objective for the area which seeks to *protect and enhance the amenity and character of existing residential communities* and to the proper planning and sustainable development of the area.

7.4. Access to Adjoining Zoned Lands - 'Masterplan 13'

- 7.4.1. As previously noted, the appeal site is traversed, towards its southern end, by a partially constructed and unused section of estate road which was constructed pursuant to the planning permission granted under MCC Ref. No: 99/2617. It would appear, following a review of the planning history associated with this site, notably MCC Ref. No: 98236, that this section of roadway was designed to be part of a distributor road through Balreask Manor, connecting the R161 (Trim Road) to the east, to undeveloped lands to the west. It is of note that the layout of Balreask Manor was redesigned, during the course of the planning authority's determination of MCC Ref. No: 98/236, to ensure that no dwelling is accessed directly from this distributor road.
- 7.4.2. The undeveloped lands to the west of Balreask Manor are designated 'Masterplan 13' (MP13) and zoned for residential development under the Meath County Development Plan 2021-2027 (MCDP). As set out in the MCDP, the development of MP13 lands shall include the provision of local services and facilities including a neighbourhood centre, community facilities, and primary school.
- 7.4.3. For clarification purposes, it is of note that prior to c2009, 'Masterplan 13' (MP13) was referred to as 'Framework Plan 3'.
- 7.4.4. As part of the proposed development, the applicants are seeking to remove the section of the distributor road from within the appeal site, thereby removing the option of a future road link from Balreask Manor to Masterplan 13 lands. Refusal reasons 1 and 3 of the planning authorities decision relate.

- 7.4.5. It is the contention of the applicants, as set out in the grounds of appeal, that plans to access 'Masterplan 13' lands via Balreask Manor have been abandoned and no longer form part of adopted policy. To support this contention, reference is made in the grounds of appeal, to a former policy document, entitled 'Framework Plan 3'. As set out in the grounds of appeal, this document, prepared in or about the year 2003, included the option of accessing MP13 lands via the existing access road from Balreask Manor. In accordance with the details proposed 'Framework Plan 3' was amended (c2009) by Map No.2 of the Integrated Development Framework Plan (IDFP) and that under the revised access arrangements set out in the IDFP, the use of the road network in Balreask Manor to serve the adjacent lands has been abandoned. Regard is had to Map 2 of the IDFP (as depicted on Page 16 of the first party appellants grounds of appeal), which details a series of red arrows believed to indicate possible entrance points to MP13, none of which traverse the present application site.
- 7.4.6. The Meath County Development Plan 2021-2027 (MCDP) is now the operative plan for the area. Volume 2 of MCDP includes a written statement and land use zoning objectives map for the settlement of Navan. Section 6.0 of the written statement refers to masterplans, noting that 'Masterplan 13' is awaiting preparation.
- 7.4.7. While I note that neither the written statement nor its associated land use zoning objectives map, include a specific objective that MP13 lands be served by a direct access from Balreask Manor, it is evident from the planning history and layout of development within Balreask Manor, that connectivity between Balreask Manor and MP13 was always to be facilitated. I note that the Transport Section of Meath County Council have, in their report to the planning authority, highlighted the importance of this link in providing future access to MP13 lands.
- 7.4.8. Furthermore, a direct link between the existing residential development of Balreask Manor and adjoining MP13 lands (the development of which is to include which include a neighbourhood centre, community facilities, and primary school), would I consider accord with both local and national planning policy / guidance.

7.4.9. As set out in Section 3.8.9 - Design Criteria for Residential Development, the MCDP supports the principles of good urban design including the creation of permeable streets that promote walking and cycling and provide direct and safe routes to adjoining developments and town/village centres. This is reflected in the policies and objectives of the plan, notably:

- DM POL 4: To require that all proposals for residential development demonstrate compliance with the Sustainable Residential Development in Urban Areas - Cities, Towns & Villages (2009) and the Urban Design Manual- A Best Practice Guide, 2009 or any updates thereof
- DM OBJ 22: which states that *the design of any housing scheme shall have regard to the requirement for connectivity between residential areas, community facilities etc*
- SH POL 3 which seeks “*To support the creation of healthy and sustainable communities that encourages and facilitates walking and cycling and general physical activity through the implementation of best practices in urban design that promotes permeability and interconnecting spaces*”

7.4.10. At national level, regard is had to the Urban Design Manual (2009) which identifies connectivity as one of the key principles of good urban design, and to the Design Manual for Urban Roads and Streets (DMURS) which requires permeable street layouts in new residential areas to promote connectivity and to support the development of sustainable communities.

7.4.11. The proposed development would if permitted result in the loss of a direct access link between the Balreask Manor and Masterplan 13 lands to the west, thereby reducing the level of connectivity and permeability between existing and planned residential areas. The loss of this link would in my opinion be prejudicial to the development of Masterplan (MP) No.13 lands and to the amenities of both existing and future residents of the area. Furthermore, it would be contrary to the principles of good urban design as set out in both the Urban Design Manual 2009, to the requirements of the Design Manual for Urban Roads and Streets (DMURS) and to

the provisions of the Meath County Development Plan. I therefore recommend that planning permission be refused.

7.5. Water Services (New Issue)

7.5.1. Irish Water, in their report to the planning authority, state that the proposed dwellings would be situated on lands identified as the location for wastewater connection point for Site O & Site P in Navan Strategic Wastewater Infrastructure Plan. They consider that the proposed scheme has the potential to compromise the route of a planned strategic foul sewer which they state is required to facilitate housing development on lands to the west of the subject site. In the absence of any information to the contrary, I consider that planning permission should be refused on this basis.

7.5.2. This is a new issue, and the Board may wish to seek the views of parties. However, having regard to the other substantive reasons for refusal set out below, it may not be considered necessary to pursue the matter.

7.6. Appropriate Assessment

7.6.1. The application site is not located within or directly adjacent to any Natura 2000 site, and the eastern boundary of the subject site is approximately 1.6km from the River Boyne and River Blackwater SAC and SPA.

7.6.2. Having regard to the nature and scale of the proposed development comprising a residential development of six dwellings, on zoned and serviced lands within an established residential area, and the separation distance between the application site and the nearest European site, no appropriate assessment issues arise, and therefore I consider that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site.

8.0 Recommendation

8.1. I recommend that permission for this development be refused for reasons outlined below.

9.0 Reasons and Considerations

1.	<p>Having regard to the planning history of the site, namely Meath County Council planning reference No.99/2617, wherein the proposed development is shown to be located on land identified as public open space, it is considered that the proposed development would, if permitted, materially contravene the terms of planning reference 99/2617, as the proposed development would encroach on lands which have been designated as public open space for Balreask Manor.</p> <p>It is therefore considered that the proposed development would, through the loss of established public open space, seriously injure the residential amenities of residents of Balreask Manor, contrary to the residential zoning objective for the area which seeks <i>'To protect and enhance the amenity and character of existing residential communities'</i></p> <p>The proposed development and the undesirable precedent it would set for similar type developments in this residential estate would therefore be contrary to the planning and sustainable development of the area</p>
2.	<p>Having regard to the location of the site within the established residential development of Balreask Manor, the planning history of Balreask Manor which provides for a direct access from the R161 Regional Road (Trim Road) to zoned lands to the west (Masterplan 13) via the proposed development site, and the layout of the proposed development, it is considered the proposed development would result in the loss of a direct access link between the Balreask Manor and Masterplan 13 lands to the west, thereby reducing the level of connectivity and permeability between existing and planned residential areas.</p> <p>The proposed development would therefore be prejudicial to the development of Masterplan (MP) No.13 lands and to the amenities of existing and future residents of the area. Furthermore, it is considered that the proposed development would be contrary to the principles of good</p>

	<p>urban design as set out in the Urban Design Manual 2009, to the requirements of the Design Manual for Urban Roads and Streets (DMURS) and to the provisions of the Meath County Development Plan, which are considered reasonable, namely DM POL 4 which requires that all proposals for residential development demonstrate compliance with the Sustainable Residential Development in Urban Areas - Cities, Towns & Villages (2009) and the Urban Design Manual-A Best Practice Guide, 2009 or any updates thereof; DM OBJ 22 which states that <i>the design of any housing scheme shall have regard to the requirement for connectivity between residential areas, community facilities etc</i> and SH POL 3 which seeks “<i>To support the creation of healthy and sustainable communities that encourages and facilitates walking and cycling and general physical activity through the implementation of best practices in urban design that promotes permeability and interconnecting spaces.</i>”</p> <p>The proposed development would therefore be contrary to the proper planning and sustainable development of the area.</p>
3.	<p>Having regard to the location of the proposed dwellings on lands identified by Irish Water as the location for wastewater connection points in the Navan Wastewater Infrastructure Plan, the Board is not satisfied on the basis of the information available, that the proposed development would not compromise the route of a planned strategic foul sewer which is required to facilitate housing development on lands to the west of the subject site. The proposed development would therefore be prejudicial to public health and contrary to the proper planning and sustainable development of the area.</p>

Lucy Roche
 Planning Inspector

25th January 2023