



An
Bord
Pleanála

Inspector's Report

ABP-317374-23

Development

Amendments to a residential development permitted under Reg. Ref. NA/181326. To replace a permitted 4 storey apartment block containing 40 no. units with 29 no. dwellings.

Location

Lands to the north of the Clonmagaddan Road, Clonmagaddan, Navan, Co. Meath

Planning Authority

Meath County Council

Planning Authority Reg. Ref.

22/1558

Applicant(s)

Glenveagh Homes Limited.

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party

Appellant(s)

DM Leavy

Observer(s)

None

Date of Site Inspection

27th June 2024

Inspector

Elaine Power

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1.0 Site Location and Description

- 1.1. The appeal site is located on the northern edge of Navan, c. 2km from the town centre. The surrounding area has a suburban character. The site has a stated area of c. 0.71ha and forms part of a larger Masterplan area at Clonmagadden, which is identified as MP4 in the development plan. The masterplan lands are within the applicant's ownership.
- 1.2. The site is generally bound to the north and east by undeveloped lands within the masterplan area. To the north-west by Cluain Adáin, which is a partially constructed residential estate. To the south it is bound by Clonmagadden Link Road and to the west by the internal access road serving Cluain Adáin. Further west, on the opposed site of the internal access road construction works are underway for a mixed-use development.
- 1.3. The site is currently an overgrown greenfield site. It slopes in a south - north direction, with a level difference of c. 1m within the site. The sites boundaries comprise hoarding and mature trees and hedgerows. A vehicular access road is constructed to the site's eastern boundary.

2.0 Proposed Development

- 2.1. It is proposed to amend Reg. Ref NA/181326 by replacing an approved 4-storey apartment block containing 40 no. residential units with 29 no. residential units and ancillary car parking, public open space, internal access roads, footpaths and all site services.
- 2.2. Key Development Statistics are outlined below:

	Permitted	Proposed
Site Area	0.5ha	0.71ha
No. of Units	40	29
Unit type	40 no. apartments	14 no. houses 15 no. duplex / triplex
Unit mix	17 no. 1-beds 20 no. 2-beds 3 no. 3-beds	15 no. 1-beds 3 no. 2-beds 11 no. 3-beds

Density	80 uph	41 uph
Height	4-storeys	2-3 storeys
Open Space	1,500sqm 30%	690sqm / 10%
Car Parking	62 no. spaces	43 no. spaces

3.0 Planning Authority Decision

3.1. Decision

Permission was granted subject to 35 no. standard conditions.

3.2. Planning Authority Reports

3.2.1. *Planning Reports*

The initial planners report dated 1st February 2023 raised some concerns and recommended that 4no. items of further information be requested from the applicant. These items are summarised below: -

1. Revise car parking provision in accordance with development plan standards and demonstrate how electric vehicle charging would be provided.
2. (i) With regard to the triplex unit the applicant shall submit a Daylight and Shadow Analysis. Where any undue loss of daylight or overshadowing occurs, the applicant shall provide appropriate design solution and justify same.

(ii) Modify the maisonette units to provide a balcony at first floor level for units P2 and P4. Reconfiguration of rear open space for the exclusive use of ground floor maisonettes.

(iii) Open space shall be amended having regard to Objective 27.
Reconsideration of hedging to ensure passive overlooking of open space and submit a boundary treatment plan.
3. Comprehensive response to third party submission
4. If modification of the development is deemed significant there is a requirement to readvertise the proposed development.

The proposed development was readvertised on the 26th April 2023.

The planners report dated 22nd May 2023 considered that all items of further information had been adequately addressed and recommended that permission be granted subject to conditions.

3.2.2. Other Technical Reports

Transportation Department: Report dated 19th January 2023 raised some concerns regarding the detailed design of the proposed development and recommended that further information be sought regarding the provision of car parking in accordance with development plan standards, clarity on how EV charging would be provided, clarity on bicycle parking, visitor parking and footpath widths. Report dated 18th May 2023 considered that not all items of FI had been addressed. However, it is considered that these could be addressed by way of condition.

Public Lighting Section: email dated 19th December 2022 raised no objection.

Housing Department: Note dated 21st December 2022 raised no objection.

Broadband Officer: Report dated 21st December 2022 raised no objection subject to conditions.

Water Service Department: Report dated 22nd December 2022 raised no objection subject to conditions.

Chief Fire Officer: Report dated 13th January 2023 raised no objection subject to conditions.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

A third-party submission was received from the Appellant, DM Leavy. The grounds of the submission are similar to those summarised in the appeal below.

4.0 Planning History

The appeal site forms part of a larger Masterplan area at Clonmagaddan, which is identified as MP4 in the development plan. There are a large number of planning applications on the overall site. The most relevant are outlined below:

Reg. Ref. NA/151046 (Phase 1): Permission was granted in 2016 for 106 no. 2-storey houses and all associated works on a c. 6.5 ha site to the north of the appeal site. This phase is completed and occupied.

Reg. Ref NA/181326 (Phase 2): Permission was granted in 2019 for 99 no. residential units comprising 40 no. apartments in a 4-storey block and 59 no. houses and all associated works on 3 no. distinct sites with a total site area of 3.34 ha. This site incorporates the appeal site. The 59 no. houses are completed and occupied.

ABP. 310884-21, Reg. Ref 21304 (Phase 2): Permission was refused in 2022 for amendments to the eastern portion of a residential scheme permitted under NA/181326 to replace 40 no. apartments in a 4-storey block with 23 no. dwellings on the current appeal site. The reason for refusal considered that the acceptability and compliance of the density and mix of units within the permitted scheme (Reg. Ref. NA/181326) relied upon the inclusion of the apartment block. The replacement of the permitted apartment block with a lower density housing development with considerably less 1-bed and 2-bed units, would be contrary to National Guidelines and to the relevant provisions of the development plan where they pertain to density and unit mix.

Reg. Ref. 22/395 (Phase 3): Permission was granted in 2022 for 36 no. sheltered housing units, a community building (355sqm), a childcare facility (363sqm) and a retail unit (928sqm) and all associated works on a 2.62 ha site immediately west of the appeal site. Construction works have commenced on this site.

ABP. 314744-22, Reg. Ref. 22/924 (Phase 3): Permission was granted in 2023 for a Large-Scale Residential Development (LRD) for 138 no. residential units (100 no. houses and 38 no. duplex / triplex units) and all associated works on a c. 6.96 ha site to the west of the appeal site.

5.0 Policy Context

5.1. Meath County Development Plan 2021 - 2027

The appeal site is located within the Masterplan area MP4 which comprises 28.31ha of land. It is predominately zoned C1 Mixed Use with the associated land use objective to provide for and facilitate mixed residential and employment generating uses. The guidance notes that in order to achieve balanced development, the percentage of residential development in C1 zones shall generally not exceed 50 % of the quantum of a development site. Residential is a permitted use.

A smaller linear area at the sites northern and eastern boundary is zoned F1 Open Space with the associated land use objective to provide for and improve open space for active and passive recreational amenities. The guidance states that the Planning Authority will consider development proposals for utility development and transportation infrastructure on F1 Open Space zoned land on a case by case basis subject to the works being ancillary to and necessary for the appropriate development of adjacent lands. In all instances the integrity of the open space land as an amenity area shall not be significantly reduced

Navan is the largest settlement and primary growth centre in the County. It is also the County Town and primary retail and employment centre in Meath. It is identified as a Key Town in the settlement hierarchy. Key Towns are large economically active service and/or county towns that provide employment for their surrounding areas and with high-quality transport links and the capacity to act as growth drivers to complement the Regional Growth Centres.

The population of Navan is envisioned to increase by 5,900 from 30,173 in 2016 to 36,073 in 2027 with a housing allocation of 3,204 for the period 2021-2027. Approx. 871 no. residential units were completed between 2016-2019 with an additional 924 no. units with planning permission not yet built.

Volume 2 of the plan sets out written statements and maps for settlements in the County. The development strategy for Navan aims to support population and economic growth consistent with its designation as a 'Key Town'. It states that a Local Area Plan will be prepared during the lifetime of the development plan.

Section 5 of the statement sets out the land use strategy for Navan which aims to *delivery compact growth through the redevelopment of infill and brownfield sites in addition to the development of greenfield sites in proximity to the town centre will assist in creating a more sustainable settlement where there are opportunities for people to use more sustainable modes of transport.*

Section 6 notes the masterplans for Navan. This includes Master Plan 4 which relates to lands between Clonmagadden Road and Kilsaran Lane with an area of c.27.5 hectares zoned for residential, community, open space, and mixed uses. This Master Plan was agreed in 2018. There is a residential development 'Cluain Adáin' presently under construction in the Master Plan area.

The following policies and objectives specifically relating to Navan are considered relevant.

NAV POL 1: *to consolidate and strengthen Navan's position a Key Town and the principle economic and service centre in Meath by continuing to support economic and population growth based on the principles of a sustainable community and a high quality and attractive urban environment.*

NAV OBJ 4 *To support the prioritisation of residential development in locations that adjoin, or provide easy access to the town centre.*

The following development plan policy and objectives are considered relevant:

SH POL 5: To secure a mix of housing types and sizes, including single storey properties, particularly in larger developments to meet the needs of different categories of households.

SH POL 7: To encourage and foster the creation of attractive, mixed use, sustainable communities that include a suitable mix of housing types and tenures with supporting facilities, amenities, and services that meet the needs of the entire community and accord with the principles of universal design, in so far as practicable.

SH POL 8: To support the creation of attractive residential developments with a range of housing options and appropriate provision of functional public and private open space that is consistent with the standards and principles set out in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the

associated Urban Design Manual – A Best Practice Guide, DEHLG (2009) and any subsequent Guidelines.

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

- Residential Development Beside Rail Stations: 50 uph or above
- Regional Growth Centres/Key Towns: (Navan/Drogheda) - 35-45 uph
- Self-Sustaining Growth Towns: (Dunboyne, Ashbourne, Trim, Kells): greater than 35uph • Self-Sustaining Towns: 25uph - 35uph
- Smaller Towns and Villages: 25uph - 35 uph
- Outer locations: 15uph – 25uph

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

Chapter 2: Core Strategy, Chapter 3: Settlement and Housing Strategy, Chapter 5 Movement Strategy, Chapter 6: infrastructure and Chapter 11 Development Management Standards and Land Use Zoning Objectives are also considered relevant.

5.2. *Regional Spatial and Economic Strategy for the Eastern and Midland Region, 2019 – 2031*

The RSES is underpinned by key principles that reflect the three pillars of sustainability: Social, Environmental and Economic, and expressed in a manner which best reflects the challenges and opportunities of the Region. It is a key principle of the strategy to promote people's quality of life through the creation of healthy and attractive places to live, work, visit and study in.

Section 4.2 of the strategy identifies Navan as a Key Town. Key Towns are Large economically active service and/or county towns that provide employment for their surrounding areas and with high-quality transport links and the capacity to act as growth drivers to complement the Regional Growth Centres. Section 4.6 Key Towns

notes that Navan has a compact and walkable town centre surrounded by residential areas. The consolidation of residential development proximate to social and community infrastructure will be promoted.

5.3. ***National Planning Framework (2018)***

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

- National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- National Policy Objective 13: In urban areas, planning and related standards, including in particular building height and car parking, will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.
- National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- National Policy Objective 35: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

5.4. ***Section 28 Ministerial Guidelines***

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant Section 28 Ministerial Guidelines are:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024

5.5. **Other Relevant Guidance**

- Design Manual for Urban Roads and Streets, 2013

5.6. **Natural Heritage Designations**

There are no designated sites in the immediate vicinity of the appeal site.

5.7. **EIA Screening**

5.7.1. 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 Environmental Impact Assessment (EIA) is required for infrastructure projects that involve:

- Construction of more than 500 dwelling units
- 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.
- Item 15: 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.

5.7.2. The proposed development is to amend Reg. Ref NA/181326 by replacing an approved 4-storey apartment block containing 40 no. residential units with 29 no. residential units on a c. 0.71 ha site. The site is located in the urban area (other parts of a built-up area) and is, therefore, below the applicable threshold of 10ha. There are no excavation works proposed. Having regard to the relatively limited size and the urban location of the development, and by reference to any of the classes outlined above, a mandatory EIA is not required. I would note that the development would not give rise to significant use of natural resources, production of waste, pollution, nuisance, or a risk of accidents. The site is not subject to a nature conservation

designation. The proposed development would use the public water and drainage services of Uisce Eireann and Meath County Council, upon which its effects would be marginal.

- 5.7.3. It is noted that the proposed development forms part of a larger masterplan. The masterplan submitted with ABP. 314744-22, Reg. Ref. 22/924, which is available on the planning authority's website, aimed to provide a total of 381 no. residential units, a creche, a community facility, a retail unit and a school. to allow for the comprehensive assessment of permitted and proposed developments on the masterplan lands, this application included an EIAR. The EIAR concluded that the culmination of effects would not be likely to give rise to significant effects on the environment.
- 5.7.4. Given the information submitted by the applicant, having carried out a site visit on the 27th July 2024 and to the nature and limited scale of the proposed development and the absence of any connectivity to any sensitive location, I am satisfied that 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. An EIA - Preliminary Examination form has been completed and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of the third party appeal from DM Leavy are summarised below:

- The approved apartment development on the site is the appropriate type of development at this location, which would provide a recognisable node or entrance to the overall development at Windtown / Proudstown Link Road.
- The sites C1 zoning objective allows for a maximum of 50% of the site to be developed as residential. The proposal for 100% residential materially contravenes the sites zoning objective. This deviation is not adequately addressed by the planning authority.
- Concerns that the quantum of public open space does not equate to 15% of the total site area, as required under Objective DM OBJ 26. The drawings

indicate that public open space is c. 692sqm and not the stated 1,093sqm. The quantum of public open space is less than 10% of the total site area and therefore would materially contravene Objective DM OBJ 26.

- The appellants submission to the planning authority is also attached with the appeal. It also notes that the proposed development fails to overcome the previous reason for refusal on the site and would represent a poor utilisation of zoned land within Navan, that is designated a Key Town.

6.2. Applicant Response

The applicant's response is summarised below:

Grounds to Dismiss the Appeal

- The appellant has targeted the applicant's (Glenveagh Homes Limited) developments throughout the country. The appeals are vexatious. The applicant has brought proceedings against the appellants seeking a declaration inter alia that they have unlawfully engaged in an abuse of the public consultation procedures provided in the Planning and Development Act, 2000. It is requested that the Board hold an Oral Hearing to afford the appellant an opportunity to demonstrate to the Board any reason why it should not dismiss this appeal.
- Section 1 of the response outlines a number of planning applications by the applicant that have been appealed by the appellants. It is considered that the these appeals and submissions have been lodged with the intention of both delaying and frustrating the construction of residential developments by Glenveagh.
- The appeal site is located c. 1km from the nearest residential property. This appeal does not raise any concerns typically expressed by local residents.

Market Demand in Navan

- Navan primarily consists of younger working age persons aged 25-44 (c. 33%). Navan and Meath also have a significantly high proportion of families with children (60%). The applicant has had extensive engagement with the local

population from Phase 1 and 2 of the development and there is a strong demand for affordable family type houses.

- Appendix A of the response to the appeal includes a letter from a local Auctioneers in support of the proposed development stating that there is a strong demand in Navan for own door residential units and currently there is not enough houses to meet this demand. The letter also notes that based on local market knowledge and demand it is considered that the sale of apartments in Cluain Adáin would generally fall below what is estimated to be the construction cost. Details of apartments sold in Navan in 2021 are attached with the letter.
- The perception of apartment living has been negatively impacted by the pandemic with a preference and demand now towards own door units. There is also a demand for more space to facilitate working from home and a garden.
- The scheme includes an appropriate mix of 1, 2 and 3 -bed, affordable family type houses required to meet market demand preferences for individual buyers and to accord with the current and anticipated future demographic profile and housing needs of Navan.
- The construction of the apartment block is not commercially viable given current and anticipated future market demands and preferences for house type development in the northern environs of Navan.

Principle of Development

- The proposed development is an amendment to a permitted residential scheme that forms part of a larger masterplan site. The proposed residential use is not changing or displacing any other permitted use.
- The appeal site represents c. 38% of lands zoned C1 in the masterplan. The remaining portion of lands zoned C1 (0.98ha) are on the opposite side of internal access road. Permission was granted on this site in 2022 for a local neighbourhood centre comprising a community building, childcare facility, retail / café unit, 36 no. sheltered housing units and a public plaza. The combined development on lands zoned C1 result in an appropriate split of 43% residential

(0.71ha) and 45% commercial (0.75ha) with the remaining 2% comprising roads and footpaths.

Public Open Space

- The appeal correctly identified an error in the calculation of public open space. It is proposed to provide 690sqm of public open space which equates to c. 10% of the site area.
- The residential development referred to in DM OBJ 26 can reasonably be interpreted to relate to the overall masterplan lands and it is appropriate to assess this amendment to an approved residential scheme, within the context of the overall masterplan area.
- Excluding the 3.91 ha of land zoned Objective E Enterprise (3.91 ha), the school site (3.55 ha) and the Objective C1 lands approved for a commercial development, the remaining area zoned for residential, open space, mixed use and community (sheltered housing) is 17.58ha. The zoned or permitted public open space equates to 35% of the masterplan area that is primarily zoned for residential or mixed uses. This significantly exceeds the development plan requirement of 15%. The provision of public open space is indicated on drawings attached to Appendix B and C of the response.
- The allocation of public open space demonstrates that the established, permitted and proposed residential development within the masterplan area benefits from excellent proximity and accessibility to a variety of active and passive spaces that are suitable for a range of age groups.
- The proposed development contributes to the wider urban consolidation and sustainability objectives that promote an efficient use of zoned and serviced lands.

6.3. Planning Authority Response

The planning authority is satisfied that all matters raised in the appeal were considered in the course of the assessment of the planning application.

6.4. **Observations**

None

6.5. **Further Responses**

None

7.0 **Assessment**

7.1. Having examined the appeal details and all other documentation on file, including all of the submissions received in relation to the appeal, the report of the local authority and inspected the site, and having regard to relevant local / regional / national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Quantum of Development and Unit Mix
- Open Space
- Design Approach

7.2. In the interest of clarity my assessment below relates to the scheme submitted by way of further information on the 14th April 2023.

7.3. ***Principle of Development***

7.3.1. The appeal site has a stated area of 0.71ha, the vast majority of the site is zoned C1 Mixed Use with the associated lands use objective *to provide for and facilitate mixed residential and employment generating uses*. The guidance for lands zoned C1, as set out in Section 11.14.6 of the development plan, notes that in order to achieve balanced development, the percentage of residential development in C1 zones shall generally not exceed 50% of the quantum of a development site.

7.3.2. The third-party notes that the sites C1 zoning objective allows for a maximum of 50% of the site to be developed as residential and considers that the proposal for 100% residential use would materially contravene the sites zoning objective. The C1 zoning objective is *to provide for and facilitate mixed residential and employment generating*

uses. I am satisfied that the proposed residential use is permissible under the sites zoning objective and, therefore, the proposed use would not be a material contravention. However, it is noted that the guidance set out in Section 11.14.6 of the development plan requires that the percentage of residential development in C1 zones generally should not exceed 50% of the quantum of development.

- 7.3.3. The appeal site forms part of a larger Masterplan area at Clonmagadden, which is identified as MP4 in the development plan. The development plan identifies Masterplan 4 (MP4) as lands between Clonmagadden Road and Kilsaran Lane, with a stated area of c. 27.5 ha zoned for residential, community, open space, and mixed uses. The masterplan is non-statutory and was prepared by the applicant and agreed with the planning authority. While the masterplan has not been submitted with the appeal, it was submitted to the planning authority in 2022 with ABP. 314744-22, Reg. Ref. 22/924 (Phase 3) and is publicly available to view on the planning authority's website. A masterplan drawing (P-041) was submitted with the application.
- 7.3.4. I agree with the applicant that the proposed uses on lands zoned C1 should not be assessed in isolation and should be considered within the framework of the overall masterplan lands. Appendix B of the applicant's response to the appeal includes a map indicating the location and quantum of the differing zoning objectives within the overall masterplan lands. The map indicates that 1.68 ha of land at the site's southern boundary is zoned C1 Mixed Use, in this regard c. 0.7 ha on the eastern side of the access road, this the vast majority of the appeal site, and c. 0.98 ha of lands zoned C1 on the opposite side of the access road. The appeal site (0.7ha) equates to c. 42% of lands zoned C1 Mixed Use (1.69 ha) within the masterplan lands.
- 7.3.5. Permission was granted in 2022, under Reg. Ref. 22/395, for a local neighbourhood centre comprising a community building, childcare facility, retail unit incorporating a café unit, 36 no. sheltered housing units and a public plaza on the site on the opposite side of the internal access road. This development site had a total stated site area of 2.62 ha. From the site layout (publicly available on the planning authority's website), it would appear that the community building, childcare facility, retail unit incorporating a café unit and 6 no. sheltered housing units are located on lands zoned C1. The remaining portion of this site was zoned for community uses and open space.

- 7.3.6. I am satisfied that the quantum of residential use within lands zoned C1, in the overall masterplan lands, is in accordance with the provisions of Section 11.14.6 of the development plan as the residential use does not exceed 50% of the quantum of a development site. It is also noted that permission was previously granted on the appeal site for a residential development and that the planning authority raised no concerns regarding the mix of uses proposed within the overall masterplan lands.
- 7.3.7. A small portion of the appeal site, at the sites northern and eastern boundary, is zoned F1 Open Space with the associated land use objective *to provide for and improve open space for active and passive recreational amenities*. This portion of the site would accommodate a section of the proposed access road, a footpath and a marginal area of car parking for 10 no. residential units at the site's eastern boundary.
- 7.3.8. The guidance for F1 lands, as set out in Section 11.14.6 of the development plan, states that *the Planning Authority will consider development proposals for utility development and transportation infrastructure on F1 Open Space zoned land on a case-by-case basis subject to the works being ancillary to and necessary for the appropriate development of adjacent lands. In all instances the integrity of the open space land as an amenity area shall not be significantly reduced*. I am satisfied that the proposed road and footpath, located within the area zoned for public open space, are transport infrastructure and are ancillary to and necessary for the appropriate development of adjacent lands which are zoned for mixed use. Therefore, in my opinion these uses are permissible under the sites zoning objective.
- 7.3.9. I am also satisfied that the 8 no. on-street car parking spaces assigned to the 8 no. maisonette units, as indicated on drawing no. P-047, falls within the definition of transport infrastructure and are also permissible under the F1 zoning objective.
- 7.3.10. A marginal area of the front gardens of 2 no. houses (House Type A1) at the sites eastern boundary are also located on lands zoned F1. It is my view that the encroachment of the front gardens of 2 no. dwellings onto the area zoned F1 is minor in nature and would not materially impact on the sites zoning objective. However, if the Board have any concerns in this regard, a condition could be attached to any grant of permission to remove the private driveways and replace them with a communal

parking area, which in my view would fall within the definition of transport infrastructure.

7.3.11. The layout of the scheme also includes a c. 400sqm area of public open space at the site's northeastern boundary, on lands predominately zoned for residential uses and the site is also located immediately south-west of area of land (c. 2.15ha) zoned for public open space. Therefore, I am satisfied that due consideration has been given to the layout of the scheme and that it would not impact on the integrity of the public open space to the north-east of the appeal site or result in a significant reduction in public open space within the overall masterplan site.

7.3.12. Overall, I am satisfied that the proposed development is in accordance with the sites zoning objectives and should be assessed on its merits.

7.4. *Quantum of Development and Unit Mix*

7.4.1. Permission was granted in 2019 (Reg. Ref NA/181326) for Phase 2 of the overall masterplan lands. The approved development was for 99 no. residential units, comprising 40 no. apartments in a 4-storey block and 59 no. houses on 3 no. distinct parcels of land with a total site area of 3.34ha. The phase 2 development tied into the 106 no. houses approved under Phase 1.

7.4.2. The 59 no. houses approved under Phase 2 have been constructed and are occupied. Permission was refused (ABP. 310884-21, Reg. Ref 21/304) in 2022 to replace the apartment block (40 no. apartments) with 23 no. dwellings. The reason for refusal considered that the acceptability and compliance of the density and mix of units within the permitted scheme (Reg. Ref. NA/181326) relied upon the inclusion of the apartment block. The replacement of the permitted apartment block with a lower density housing development with considerably less 1-bed and 2-bed units, would be contrary to National Guidelines and to the relevant provisions of the development plan where they pertain to density and unit mix.

7.4.3. The proposed development would replace the approved 4-storey apartment block (40 no. units) with 29 no. residential units (14 no. houses and 15 no. duplex / triplex units). The third party considers that the previous reason for refusal has not been overcome by the proposed development.

- 7.4.4. The previously refused scheme (ABP. 310884-21) had a density of 32 uph, in this regard 23 no. residential units on a c. 0.71 ha site. This density was below the recommended density of 35 - 45 uph for Navan as set out in Objective DM OBJ 14 of the development plan. The proposed development of 29 no. residential units on has a density of c. 41 units per ha, which is in accordance with the provisions of Objective DM OBJ 14. In addition, Table 3.5 of the Sustainable Residential Development and Compact Settlements Guidelines sets out density ranges of 30-50 units per ha for suburban / urban extension areas of a Key Town / Large Town. Navan is identified as a Key Town in the development plans core strategy. I am satisfied that the proposed density, of 41 uph, is in accordance with the provisions of the both the development plan and the Compact Settlement Guidelines and overcomes the concerns previously raised by the Board.
- 7.4.5. The previously approved Phase 2 (Reg. Ref. NA/181326) development was provided on 3 no. distinct parcels of land. It is acknowledged that the previously approved apartment block (40 no. units) was located on a c. 0.5ha site and had a density of c. 80uph. However, the overall Phase 2 development had a density of 29 units per ha. Phase 1 (Reg. Ref. NA/151046) had a density 16pha and Phase 3 (ABP. 314744-22, Reg. Ref. 22/924) had a density of 35 uph. I am satisfied that the proposed density (41 uph) would be consistent with the densities approved on the overall masterplan lands and that the overall development of the masterplan lands is not reliant on the inclusion of the apartment block (40 no. residential units) to ensure the efficient use of zoned and serviced land in the urban area.
- 7.4.6. The Boards previous reason for refusal also raised concerns regarding the unit mix, in particular the limited number of 1-bed and 2-bed units proposed. In the interest of clarity, a comparison of the unit mix is summarised in the table below.

Unit Mix	Approved (Phase 2) Reg. Ref. NA/181326	Refused ABP. 310884-21	Proposed
1-bed	17 no. (42.5%)	3 no. (13%)	15 no. (52%)
2-bed	20 no. (50%)	3 no. (13%)	3 no. (10%)
Total 1 & 2 beds	37 no. (92.5%)	6 no. (26%)	18 no. (62%)
3- bed	3 no. (7.5%)	17 no. (74%)	11 no. (38%)

7.4.7. The proposed unit mix should also be considered in the context of the overall masterplan plans. In this regard a comparison of the approved and proposed unit mix for the overall masterplan lands is provided below.

Unit Mix	Approved masterplan lands (including 40 no. apartments)	Approved masterplan plans including the proposed development
1-bed	23 no. (6%)	21 no. (6%)
2-bed	129 no. (34%)	112 no. (30%)
Total 1 and 2 bed units	152 (40%)	133 no. (36%)
3-bed	191 no (50%)	199 no. (54%)
4-bed	36 no. (10%)	36 no. (10%)
Number of units	379 no.	368 no.

7.4.8. It is acknowledged that the percentage of 1 and 2 bed units in the proposed scheme (62%) is less than that originally approved in the apartment development (92.5%). However, the proposed percentage of 1 and 2-bed units is a significant increase on the percentage (26%) proposed under the refused scheme (ABP. 310884-21). In the context of the overall masterplan lands the proposed development would result in no change to the percentage of 1-bed units and a slight decrease, of 4%, of 2-bed units. In my view this change is not significant.

7.4.9. In response to the appeal the applicant also notes that the construction of the apartment block is not commercially viable given current and anticipated future market demands and preferences for house type development in the northern environs of Navan. This is supported by a letter from a local Auctioneers, attached as Appendix A of the response to the appeal, which states that there is a strong demand in Navan for own door residential units and currently there are not enough houses to meet this demand. The letter also notes that based on local market knowledge and demand it is considered that the sale of apartments in Cluain Adáin would generally fall below what is estimated to be the construction cost. Details of apartments sold in Navan in 2021 are attached with the submission.

7.4.10. Overall, having regard to the information provided by the applicant with regard to market demand in Navan for own door family units and the location of the appeal site, at the outer suburban edge, c. 2km from Navan town centre I am satisfied that the unit mix is appropriate in this instance and in accordance with the provisions of Policy SH POL 5 to secure a mix of housing types and sizes.

7.5. *Open Space*

7.5.1. The proposed scheme incorporates c. 690sqm of public open space in 2 no. pocket parks at the northern portion of the site. It is noted that the layout includes additional areas of incidental open space, including a linear strip along the site's southern boundary with Clonmagadden Road, which are not included in the calculation of public open space. Concerns are raised by the third party that the quantum of public open space does not equate to 15% of the total site area, as required under Objective DM OBJ 26. In response to the appeal the applicant acknowledged that there was an error in the submitted documentation and that the total area of public open space proposed is c. 690sqm, which equates to c.10% of the site area.

7.5.2. Objective DM OBJ 26 requires that for residential developments a minimum of 15% of total site area be provided as public open space. It also clarifies that this quantum excludes lands zoned F1 Open Space, G1 Community Infrastructure and H1 High Amenity. Therefore, the proposed provision of public open space does not comply with the provisions of Objective DM OBJ 26, as the provision of public open space is less than 15% of the total site area. However, it is noted that Policy and Objective 5.1 of the Compact Settlement Guidelines requires a minimum of 10% of the net site area to be provided as public open space, save in exceptional circumstances. I am satisfied that the provision of public open space within the proposed scheme is in accordance with the requirements of the Compact Settlement Guidelines.

7.5.3. While I am satisfied that the quantum of public open space is acceptable and in accordance with the provisions of national guidelines, I also agree with the applicant that the quantum of public open space should be assessed in the context of the overall masterplan lands. Appendix B of the applicant's response to the appeal includes drawings identifying areas of public open space within the overall masterplan lands. The information submitted indicates that there are 3 no. areas zoned for New

Residential within the masterplan lands, with a combined area of c. 9.25ha. There is c. 1.5ha of existing or approved public open space within these lands, which equates to c. 16.2% to the lands zoned for New Residential within the masterplan lands.

7.5.4. 0.7 ha of the appeal site is zoned for Mixed Use which allows for residential development. Therefore, in combination residential developments are permitted or proposed on a total area of c. 9.95ha. The proposed scheme includes c. 690sqm of public open space. Therefore, the total provision of public open space on lands which permit residential uses within the overall masterplan lands equates to c. 15.6%. The provision of public open space on lands that permit residential development exceeds the 15% as set out in Objective DM OBJ 26.

7.5.5. While the error in the original calculation of public open space is noted, I have no objection to the quantity or quality of the proposed public open space provision.

7.6. *Design Approach*

7.6.1. The appeal site is located at the edge of the suburban area of Navan, c. 2km from the town centre. It currently comprises a greenfield site and forms part of the emerging Cluain Adáin residential estate to the north and west.

7.6.2. The proposed scheme comprises the construction of 29 no. residential units laid out in a traditional gird pattern with 2 no. areas of public open space generally located to the north of the residential units. Vehicular access to the site is proposed from the sites western boundary via the recently constructed internal access road serving the wider residential estate.

7.6.3. The third party raised concerns that the approved apartment development on the site is the appropriate type of development at this location, which would provide a recognisable node or entrance to the overall development. The previously approved apartment block was 4-storeys in height. The proposed scheme is predominantly 2-storeys in height with a 3-storey element (Triplex Unit) at the site south-west corner, at the entrance to the Cluain Adáin residential estate. Having regard to the suburban location and the emerging height and character of Cluain Adáin I have no objection to the proposed height of the scheme and consider that the proposed 3-storey at the sites entrance would appropriate aid with placemaking and legibility.

- 7.6.4. The external material comprises of buff brick and white render, which is reflective of the existing residential units within Cluain Adáin. The triplex units would be finished solely in brick, which is a durable material and would result in a high-quality finish for this prominent element within the scheme. I have no objection to the proposed external materials, however, to ensure a high-quality finish it is recommended that final details of all external materials be agreed with the planning authority.
- 7.6.5. The quantitative standards compliance matrix submitted by way of further information on indicate that all houses reach and exceed the minimum requirements set out in the Quality Housing for Sustainable Communities Guidelines and the apartments (duplex / triplex units) reach and exceed the standards set out in the Apartment Guidelines.
- 7.6.6. Overall, I have no objection in principle to the proposed design, layout or height of the proposed scheme and consider it reflective of the established and emerging pattern of development in the surrounding area.

8.0 AA Screening

- 8.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 8.2. The site is not located within or adjacent to a designated site. The closest designed sites to the appeal site are: -
- River Boyne and River Blackwater SAC (002299) c.1.1km from the appeal site
 - River Boyne and River Blackwater SPA (004232) c.1.1km from the appeal site
- 8.3. A description of the project is summarised in Section 2 of my report. In summary, the proposed development comprises the construction of 29 no. residential units. The surrounding area is suburban in nature. The site is serviced by public water supply and foul drainage networks. The development site is located in an urbanised environment close to noise and artificial lighting. No flora or fauna species for which Natura 2000 sites have been designated were recorded on the application site.
- 8.4. No concerns were raised in the appeal regarding the impact of the proposed development on any designated site.

- 8.5. It is noted that a Stage 2 Appropriate Assessment (NIS) was submitted with both ABP. 314744-22, Reg. Ref. 22/924, for 138 no. residential units (Phase 3) and Reg. Ref. 22/395 for a mixed use development comprising 36 no. sheltered housing units, a community building, a childcare facility and a retail unit with ancillary cafe (Phase 3) on the overall masterplan lands. It was concluded in both of these applications that on the basis of objective scientific information, that the proposed developments would not have an adverse effect on the River Boyne and River Blackwater SAC (Site Code 002299) and River Boyne and River Blackwater SPA (Site Code 04232).
- 8.5.1. It is considered that there is nothing unique or particularly challenging about the proposed development, either at construction or operational phase.
- 8.5.2. The nearest stream, which is a tributary of the River Blackwater, is located c. 600m north of the appeal site. There are no surface water networks in the vicinity of the appeal site that are hydrologically connected to a designated site.
- 8.5.3. During the construction phase, standard pollution control measures would be put in place. These measures are standard practices for urban sites and would be required for a development on any urban site. 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 zone of influence from surface water run-off can be excluded given the distant and lack of a hydrological connection and the nature and scale of the development.
- 8.5.4. The scheme includes attenuation measures which would have a positive impact on drainage from the subject site. SUDS are standard measures which are included in all projects and are not included to reduce or avoid any effect on a designated site. The inclusion of SUDS is considered to be in accordance with the Greater Dublin Strategic Drainage Study (GDSDS) and are not mitigation measures in the context of Appropriate Assessment. I also note that the proposal would not generate any demands on the existing municipal sewers for surface water.
- 8.5.5. The foul discharge from the proposed development would drain via the public sewer to the Navan Wastewater Treatment Plant for treatment and ultimately discharge to the River Boyne. There is potential for an interrupted and distant hydrological connection between the subject site and the designated sites in the River Boyne due

to the wastewater pathway. The subject site is identified for development through the land use policies of the Meath County Development Plan 2021-2027. This statutory plan was adopted in 2021 and was subject to AA by the planning authority, which concluded that its implementation would not result in significant adverse effects to the integrity of any Natura 2000 areas. I also note the development would not generate significant demands on the existing municipal sewers for foul water. It is my view that the foul discharge from the site would be insignificant in the context of the overall licenced discharge at Navan WWTP, and thus its impact on the overall discharge would be negligible. It is also noted that the planning authority and Uisce Eireann raised no concerns in relation to the proposed development.

- 8.6. There are no excavation works proposed and no effects on groundwater are expected.
- 8.7. The site has not been identified as an ex-situ site for qualifying interests of a designated site and I am satisfied that the potential for impacts on wintering birds, due to increased human activity, can be excluded due to the separation distances between the European sites and the proposed development site, the absence of relevant qualifying interests in the vicinity of the works and the absence of ecological or hydrological pathway.
- 8.8. It is noted that the planning authority were satisfied that the development is unlikely by way or direct, indirect or secondary impacts, individually or in combination with other plans or projects to have any significant effect on any European Site.
- 8.9. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 8.10. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

It is recommended that permission be granted subject to conditions.

10.0 Reasons and Considerations

10.1. Having regard to the sites zoning objectives, the provisions of the Meath County Development Plan 2021-2027, to the sites location within an existing urban area, and to the existing pattern of development in the area 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 / land in the vicinity, would be consistent with national and local planning policy and would be acceptable in terms of design, scale, height, quantum of development, and 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.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 14th day of April 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed residential units shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. The landscaping scheme shown on drawing number P-008 as submitted to the planning authority by way of further information on the 14th day of April, 2024 shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

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

Reason: In the interest of urban legibility

5. Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interest 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. Details of the ducting shall be submitted to and agreed in writing by the planning authority prior to the commencement of development.

Reason: In the interests of visual and residential amenity.

7. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Council for such works and services. Prior to the commencement of development, the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

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

8. Prior to the commencement of development, the developer shall enter into a Connection Agreements with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

9. The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

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

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

Reason: To safeguard the amenity of property in the vicinity.

11. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development

12. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure the satisfactory completion and maintenance of this development.

13. (a) Prior to the commencement of 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 residential 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.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

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.

14. 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 Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

15. 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.

16. 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.

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.

Elaine Power

Senior Planning Inspector

12th July 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	317374-23			
Proposed Development Summary	Amendment to Reg. Ref. NA/181326 to replace a permitted 4 storey apartment block containing 40 no. units with 29 no. residential units			
Development Address	Lands to the north of the Clonmagaddan Road, Navan, Co. Meath			
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes		
		No	No further action required	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?				
Yes			EIA Mandatory EIAR required	
No			Proceed to Q.3	
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?				
		Threshold	Comment (if relevant)	Conclusion
No		N/A		No EIAR or Preliminary Examination required
Yes		10 (b)(i): Construction of more than 500 dwelling units		Proceed to Q.4

		<p>10 (b)(iv): 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.</p> <p>15: 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.</p>		
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4. Has Schedule 7A information been submitted?		
No		Preliminary Examination required
Yes		Screening Determination required

Inspector: _____

Date: _____

Appendix 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	317374-23		
Development Summary	Amendment to Reg. Ref. NA/181326 to replace a permitted 4 storey apartment block containing 40 no. units with 29 no. residential units		
Examination			
		Yes / No / Uncertain	
1. Is the size or nature of the proposed development exceptional in the context of the existing environment?		No	
2. Will the development result in the production of any significant waste, or result in significant emissions or pollutants?		No	
3. Is the proposed development located on, in, adjoining or have the potential to impact on an ecologically sensitive site or location*?		No	
4. Does the proposed development have the potential to affect other significant environmental sensitivities in the area?		No	
Comment (if relevant)			
Conclusion			
Based on a preliminary examination of the nature, size or location of the development, is there a real likelihood of significant effects on the environment **?			
There is no real likelihood of significant effects on the environment	EIAR not required	X	
There is significant and realistic doubt in regard to the likelihood of significant effects on the environment	Screening Determination required	No	
	Sch 7A information submitted?	Yes	No
There is a real likelihood of significant effects on the environment	EIAR is required (Issue notification)		

Inspector _____ **Date:** _____

DP/ADP _____ **Date:** _____

(only where EIAR/ Schedule 7A information is being sought)

* Sensitive locations or features include SAC/ SPA, NHA/ pNHA, Designated Nature Reserves, and any other ecological site which is the objective of a CDP/ LAP (including draft plans)

** Having regard to likely direct, indirect and cumulative effects.