



An  
Bord  
Pleanála

## Inspector's Report

**ABP-318678-23**

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<b>Development</b>	LRD for 102 units, creche/ medical centre and all associated site works. Includes a NIS.
<b>Location</b>	Friarspark 2nd Division & Effernock, Maudlin, Trim, Co. Meath
<b>Planning Authority</b>	Meath County Council
<b>Planning Authority Reg. Ref.</b>	23930
<b>Applicant(s)</b>	Marina Quarter Ltd.
<b>Type of Application</b>	Large-Scale Residential Development
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellants</b>	Denis Leavy
<b>Date of Site Inspection</b>	21 <sup>st</sup> February 2024
<b>Inspector</b>	Paul O'Brien

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## 1.0 Site Location and Description

- 1.1. The subject site with a stated area of 3.1 hectares, comprises lands located approximately 1.5 km to the south east of Trim town centre. The subject lands are located within the Effernock Manor housing development, which consists of a mix of two storey detached and semi-detached houses.
- 1.2. The subject site consists of two sections of land, the one to the north is the smaller of the two, with a stated area of 0.57 hectares. This smaller area of land is located to the south east of an existing three arm roundabout and is enclosed by timber fencing/ block walls with a hardstanding surface. To the east of this section of the site is an area of public open space.
- 1.3. The larger section of land to the south, with a stated area of 2.3 hectares, is almost rectangular in shape. This site is enclosed with paladin/ and temporary fencing with most of the site having a hardstanding surface.
- 1.4. Access to the site is via Effernock Close and Effernock Crescent and which join the R154 to the north. The R154 is the primary road between Trim town centre and the M3 motorway, connecting to the motorway to the north of Dunboyne. Effernock Close and Crescent are residential streets providing access to detached houses.
- 1.5. The River Boyne is approximately 630 m to the north of the subject site. To the south of the site is Knightsbrook Golf Club. The adjoining lands to the west are in agricultural use.

## 2.0 Proposed Development

- 2.1. The proposal, as per the submitted public notices, comprises the construction of 102 residential units, a creche, medical centre, open space, and all associated site works.
- 2.2. The following tables set out some key elements of the proposed development:

**Table 1: Key Figures**

<b>Site Area</b>	3.1 hectares
<b>Site Coverage</b>	15%
<b>Plot Ratio</b>	0.29

<b>No. of Units</b>	102
<b>Apartments</b>	16
<b>Houses</b>	86
<b>Building Height</b>	Two Storey
<b>Density –</b>	33 units per hectare
<b>Open Space Provision</b>	0.47 hectares – 15% of Total Site Area
<b>Car Parking – Total Parking</b>	214
<b>Non-residential</b>	
Creche	289 sq m – Approximately 46 children
Medical Centre	290 sq m

**Table 2: Unit Mix**

<b>Houses</b>				
<b>Type</b>	<b>Description</b>	<b>Floors</b>	<b>Bedrooms</b>	<b>Number</b>
C8	Detached	2	4	2
C9	Detached	2	4	1
D	Semi-Detached	2	3	18
E	Terraced	2	2	43
F	Semi-Detached	2	3	12
F2	Semi-Detached	2	3	10
<b>Total</b>				<b>86</b>
<b>Apartments</b>				
P1/ P3	Ground Floor Apartments	2	1	8
P2/ P4	First Floor Apartments	2	1	8
<b>Total</b>				<b>16</b>
<b>Total Overall Residential Units</b>				<b>102</b>

2.3. The proposed creche and medical centre are located to the northern section of the site and have a combined floor area of 579 sq m.

### 3.0 Planning Authority Pre-Application Opinion

3.1. A LRD/ Section 247 Consultation Meeting took place on the 29<sup>th</sup> of May 2023 between representatives of the applicant and the Planning Authority, Meath County Council. A Section 32C consultation meeting took place on the 25<sup>th</sup> of July 2023 between the applicant and Meath County Council. A LRD opinion was issued on the 21<sup>st</sup> of August 2023 and set out that the documentation required further consideration and/ or

amendment to constitute a reasonable basis for an application for permission under Section 34 of the Planning and Development Act 2000 as amended.

3.2. The following issues were identified that would require further consideration, with a brief summary of the applicant's response provided:

- Provision of an Environmental Impact Assessment Screening, and which considers the cumulative impact of housing development in the area, and also the impact of the development on sensitive locations in the area. In response an Environmental Impact Assessment Screening Report and a Natura Impact Statement have been prepared. Cumulative impact has been considered as appropriate.
- 1. Need for a statement of consistency and clarification of elements of this development. The applicant has prepared and submitted a Statement of Consistency & Planning Report in response to this issue. The proposed development is considered to be materially different to an concurrent application under appeal under ABP Ref. 314242.
- 2. Need for a detailed phasing proposal with specific elements to be provided in the first phase. The applicant responded in full through the preparation of the Architectural Design Statement. Phase 1 to develop the northern tract of land including the creche and medical centre.
- 3. Need for a design statement with specific design issues to be addressed and provide for suitable character areas. In response the Architectural Design Statement addresses these issues, in addition to the supporting drawings/ plans and other documentation.
- 4. Have regard to Section 28 Guidelines and development plan requirements. Full regard is had to the Meath County Development Plan 2021 – 2027 and the submitted Statement of Consistency & Planning Report also address all relevant issues.
- 5. A social infrastructure assessment to be provided. One has been included with the application.
- 6. Landscaping and boundary details with specific issues raised. A number of documents have been provided in support of the application including a Landscape Design Statement, Landscape Management & Maintenance Plan, and an Arboricultural Impact Assessment. An Ecological Impact Assessment was also

prepared and is submitted in support of the application and responds to issues in relation to public lighting and bats.

- 7. Environmental Assessments to inform the nature/ design of the development. A NIS and EclA have been submitted in support of the application. Surveys were undertaken during the appropriate seasons as relevant to the survey species.
- 8. Full details on surface water drainage and flood risk assessment. Full details are provided in a submitted Engineering Report.
- 9. Consideration and assessment of potential archaeology on site. An Archaeological Assessment prepared by John Cronin & Associates has been submitted in response.
- 10. Full details required in relation to traffic, transportation, and car/. bicycle parking. These issues are addressed through a submitted Engineering Report and the Architectural Design Statement as well as the submitted plans.
- 11. Details in relation to public lighting. An Outdoor Lighting Report has been prepared and is submitted in support of the application.
- 12. Details of water supply and foul drainage. Full contact has been made with Uisce Éireann and further details are provided in the engineering documentation submitted in support of the application.
- 13. Demonstration of Part V and Universal Design compliance. Contact has been made with Meath County Council in relation to Part V and the issue of Universal Design is addressed through the Architectural Design Statement.
- 14. Environmental management issues for construction and operational stages of the development. A Construction Management Plan has been prepared and submitted in support of the application.
- 15. A number of other issues were identified including energy efficiency, taking in charge, fire safety, electrical infrastructure, and telecommunication provision. These issues were addressed by the applicant through the preparation of specific documents or through ensuring that the development complies with other non-planning codes.

## 4.0 Planning Authority Decision

### 4.1. Decision

The Planning Authority decided to grant permission subject to condition. Conditions are generally standard except for the following, in summary:

3. The proposed phasing plan to be omitted and a revised phasing plan to be provided and which includes sub-phases within phase 2 of the development,
4. Units 31- 42 and 63 – 74 to be revised through the removal of their gardens, and to provide for increased balcony/ terrace areas, provide bin storage. The area that is proposed as private open space to be used as public open space.

### 4.2. Planning Authority Reports

#### 4.2.1. Planning Reports

The Planning Report reflects the decision to grant permission for the proposed development, subject to conditions. The Meath County Council Planner addressed the issues raised in one of the observations through their planning assessment, but the issues raised by the other observer, who is also the appellant in this case, were addressed in the Planning History. PA Ref. 22/612/ ABP Ref. 314242 refers to an application for modifications to a previous application. The proposal is for 85 residential units, and a creche/ medical centre. The Meath County Council Planner reported that the development description and layout were different in both cases and therefore the two applications were materially different.

#### 4.2.2. Other Technical Reports

- Transportation Department: No objection subject to conditions.
- Environment Flooding – Surface Water Section: No objection subject to conditions.
- Archaeologist: Additional trial testing be dug, and assessments undertaken as the remains of an 18<sup>th</sup> Century estate road may be located here.
- Broadband Officer: No objection subject to condition.
- Housing Department: No objection to this development subject to finalisation of Part V requirements on site.

- Public Lighting: Request that a full lighting plan be provided.

#### 4.2.3. Prescribed Bodies

- Environmental Health Officer: No objection to the proposed development subject to recommended conditions.
- Development Applications Unit: No further archaeological requirements in this case.
- Uisce Éireann:
  - Water Supply: Can connect to the public system subject to demonstration that sufficient size and capacity can be provided and transfer in time the third-party water infrastructure to Uisce Éireann.
  - Foul Drainage: Can connect to the public system subject to demonstration that sufficient size and capacity can be provided and transfer in time the third-party foul drainage infrastructure to Uisce Éireann.

#### 4.2.4. Third Party Observations

Two valid submissions were received from members of the public. The issues raised include the following summarised comments:

- The design of the proposed houses is different to that of the existing houses and would negatively affect the character and visual appearance of the Effernock development. This may also impact on property values.
- Concern about increased traffic and parking issues. Potential for conflict over parking spaces in the vicinity of the creche facility.
- Safety concerns about the proximity of the development to the roundabout within the Effernock development.
- Potential for pedestrian/ children safety issues due to the increase in traffic here.
- Increase in demand may put pressure on the creche facility.
- Facilities such as the creche/ GP are often located in quieter areas, the provision of a dense development around these facilities would change the character from what was intended.
- Concerns about the long-term maintenance of shared spaces etc.



- Pressure on existing services in the area, including environmental, social and infrastructure services.
- Potential for loss of privacy through overlooking from the proposed houses.
- Increase in noise and nuisance is likely due to the proposed development.
- The application should be withdrawn under Section 37(5) of the Planning and Development Act 2000 as amended as there is a concurrent application on this site, under appeal – Reg Ref. ABP 314242 refers.

## 5.0 Planning History

The following relates to the planning history on this site:

**PA Ref. 22/612/ ABP Ref. 314242** refers to a January 2024 decision to grant permission for modifications to a previous permission under PA ref TA160093/ ABP Ref PL17.247489. The application as amended provides for 85 houses and crèche/ medical centre in an amended layout.

**PA Ref. TA/160093/ ABP Ref. PL 17.247489** refers to a March 2017 decision to grant permission for the construction of 382 no. residential dwellings comprising 367 no. houses and 15 no. apartments, a medical centre (gross floor area 259 sq m) and a crèche (gross floor area 488 sq m). This application was accompanied by an NIS and EIS.

**PA Ref. TA/40062/ ABP PL17.214200** refers to July 2006 decision to grant permission for 564 houses, crèche, medical centre on the same site at Maudlin, Effernock and Friarspark, Trim, County Meath. This permission, although granted an extension of duration permission under TA110599, was never implemented.

## 6.0 Policy Context

### 6.1. National Policy

#### 6.1.1. Project Ireland 2040 – National Planning Framework (NPF)

Chapter 4 of the National Planning Framework (NPF) is entitled 'Making Stronger Urban Places' and it sets out to enhance the experience of people who live, work and visit the urban places of Ireland.

### 6.1.2. **Section 28 Ministerial Guidelines**

The following is a list of Section 28 - Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Urban Development and Building Heights - Guidelines for Planning Authorities – (DoHPLG, 2018).
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DoHLGH, 2022).
- Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (DHLGH, 2024).
- Quality Housing for Sustainable Communities (DoEHLG, 2007).
- The Planning System and Flood Risk Management including the associated Technical Appendices (DEHLG/ OPW, 2009).
- Childcare Facilities Guidelines for Planning Authorities (2001).

#### **Other Relevant Policy Documents include:**

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

## 6.2. **Regional Policy**

### 6.2.1. **Regional Spatial and Economic Strategy for the Eastern and Midland Region**

6.2.2. Trim is designated as a Level 3 Town in Table 6.1 – Retail Hierarchy for the Region and is also included in Table 7.1 – ‘Strategic Natural, Cultural and Green Infrastructure Assets in the Region’.

## 6.3. **Local/ County Policy**

### 6.3.1. **Meath County Development Plan**

6.3.2. The Meath County Development Plan 2021 - 2027 is the current statutory plan for County Meath including Trim/ the subject lands. Volume 1 provides the Written Statement, Volume 2 – Written Statement and Maps for Settlements, Volume 3 – Book of Maps, SEA and AA in Volume 4 and also a number of appendices are provided.

Sections of the plan have been changed due to an Order of the High Court and where such changes have been made this is clearly indicated.

6.3.3. The Core Strategy in Chapter 2 designates Trim as a Self-Sustaining Growth Town, on which there will be focus on consolidation. I have extracted the following relevant information for Trim from Table 2.12:

<b>2016 Census Population</b>	<b>2027 Target Population</b>	<b>Net New Units required for the Plan Period</b>
9,164	11,444	437

6.3.4. The subject site is zoned A2 New Residential with the objective 'To provide for new residential communities with ancillary community facilities, neighbourhood facilities and employment uses as considered appropriate for the status of the centre in the Settlement Hierarchy.'

6.3.5. 'Development Management Standards and Land Use Zoning Objectives are provided in Chapter 11 of the development plan. Objective DM OBJ 14: states:

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

- Self-Sustaining Growth Towns: (Dunboyne, Ashbourne, Trim, Kells): greater than 35uph
- Self-Sustaining Towns: 25uph - 35uph

It should be noted that SPPR 1 of the Urban Development and Building Heights Guidelines for Planning Authorities December 2018 shall be considered in the implementation of the above densities.'

#### 6.4. **Natural Heritage Designations**

None.

## 7.0 **The Appeal**

### 7.1. **Grounds of Appeal**

A single first party appeal was lodged by Denis Leavy. I have summarised the main points as follows:

- The application should not have been accepted as it is contrary to Section 37(5) of the Planning and Development Act 2000 as amended. This is a similar development to that submitted under PA Ref. 22/612/ ABP Ref. 314242.

Note: A decision to grant permission has been made on the above referenced development, dated January 2024.

- The proposed development does not comply with Objective DM OBJ 14 of the Meath County Development Plan in terms of density. The proposal is for 33 units per hectare and the reference objective is for a density in excess of 35 units per hectare.

- The maisonette type units should be omitted as they do not comply with the residential standards for housing with particular reference made to the provision of private amenity space.

- The appellant refers to SPPR 1 of the Apartment Guidelines and that no more than 50% of apartments be one bedroom or studio type units. All the proposed apartments are one bedroom and therefore do not comply with SPPR 1.

- The proposed development does not comply with SPPR 5 of the Apartment Guidelines in relation to floor to ceiling heights. The proposal is for 2.45 m on the ground floor and 2.44 m for first floor levels.

- Condition no.4 requires alterations to the apartments, and this will result in a substandard form of residential amenity in terms of overlooking leading to a loss of privacy. The revisions do not address the issue of substandard layout.

- The proposed development will not be provided with the minimum requirement of 15% open space in accordance with Objective DM OBJ 26 as only 14.6% of the site area is allocated as open space. The allocation of open space includes areas that are considered to be incidental amenity spaces.

- The submitted application/ supporting documentation do not adequately demonstrate that an adequate surface water drainage system is to be provided and the flood risk assessment is considered to be deficient. Further information should have been sought in relation to these matters.

- The proposed development should be subject to an environmental impact assessment. The proposed scheme would amount to 484 no. dwelling units on an overall site greater than 20 hectares. Request the Board undertake EIAR screening.

## 7.2. Planning Authority Response

Meath County Council reported that each of the issues raised in the appeal have been addressed in their planning report. They conclude that the site is suitably zoned for residential development, is within walking distance of the town centre and forms part of an existing scheme. Request that the decision to grant permission be upheld.

## 7.3. Applicants Response to Appeal

The applicant notes the submitted appeal and the following points are made in summary:

Firstly, they consider that the appeal should be dismissed/ not considered under Section 138(1)(a) and (b) of the Planning and Development Act 2000 as amended. 9 appeals have been made to date by this appellant under various names; these appeals refer to developments that in excess of 25 km from their address. It is considered that the appeal is without substance/ foundation, a list of the other appeals is provided, and the appeal will only delay the decision of the Planning Authority to grant permission for this development.

The appellant requested an oral hearing is requested under Section 134 of the Act. This response is supported by an analysis letter from McCann Fitzgerald considering the nature of the submitted appeal.

Note: I wish to advise the Board that no valid oral hearing request was made.

Secondly, the grounds of the appeal are considered in depth:

- The proposed development subject to this appeal is different to the other application under PA Ref. 22/612/ ABP Ref. 314242 providing for a different layout and an additional 16 residential units. Reference is made to case of similar issue.
- The density is acceptable in the context of the overall development of this area. Reference is made to the Sustainable Residential Development and Compact Settlements Guidelines, 2024 and that densities of 30 to 50 dwellings per hectare shall be provided in suburban/ urban extension locations of Key Towns and Large Towns. The proposed density of 33 units is within this range.
- The maisonette units are not representative of apartments as they have own door access but do comply with the Apartment Guidelines in terms of floor space

provision. Floor to ceiling heights are considered to be acceptable for these units. Condition no.4 allows for revisions to the maisonette units to the satisfaction of Meath County Council. Revised plans are included that demonstrate suitable revisions to these units including the storage provision.

- It is considered that adequate public open space is to be provided on site – 0.47 hectares out of a total site area of 3.1 hectares – therefore 15.16 %.
- Issues in relation to adequate flood protection can be addressed through condition no. 17 of the Meath County Council decision to grant permission.
- In relation to EIA, the development does not give rise to any environmental concerns and does not meet the requirements for the provision of an EIAR. A letter from Enviroguide is included that considers there to be no requirement for an EIA for this development.

If the appeal is accepted and no oral hearing is held, it is requested that permission be granted for the proposed development as submitted.

#### 7.4. **Observations**

None received.

### 8.0 **Assessment**

8.1. I wish to refer to the Section 138 issues raised by the applicant at this point. The issues raised in the appeal are with substance in terms of planning and are issues that have a foundation or at least should be considered. I cannot determine if they are vexatious and that is an issue for the Board to consider. Similarly, there is no indication that they have sought to delay the development or are seeking some benefit. I therefore consider that the appeal as submitted is with some foundation and the issues raised should be considered.

8.2. The main issues that arise for consideration in relation to this appeal can be addressed under the following headings:

- Principle of Development
- Density & Scale of Development

- Impact on Residential Amenity
- Impact on the Character of the Area
- Traffic and Access
- Infrastructure and Flood Risk
- Other Matters
- Appropriate Assessment (AA)
- Environmental Impact Assessment (EIA)

### 8.3. Principle of Development

- 8.3.1. The subject lands are suitably zoned for residential development, and the associated facilities including the creche and medical centre are also acceptable on these lands in terms of the A2 – New Residential zoning that applies here. I note that the Planning Authority raised no issue in relation to the development of this site for residential use as proposed by the applicant. As reported by the applicant, the permitted developments on the adjoining lands under PA Ref. TA/160093/ ABP Ref. PL 17.247489, allowed for 382 residential units. Subsequent modifications have been permitted under a number of applications, and the units permitted as a result of these revised applications have been completed and from the site visit they are mostly occupied.
- 8.3.2. The subject development site consists of two tracts of land within the Effernock residential development. These are connected by existing residential streets but are effectively the infilling of two undeveloped sites within this residential development. The northern tract of land will provide for 14 units, and a creche/ medical centre. The lands to the south to provide for 88 residential units and associated open space.
- 8.3.3. The appeal considered that the proposed development should be withdrawn under Section 37(5) of the Planning and Development Act 2000 as amended, as there is a concurrent application on this site, under appeal – Reg Ref. ABP 314242 refers. A decision to grant permission has been in that case and I concur with the Planning Authority that there are material differences between the proposed development and the previous, now permitted, development on these lands. The subject application proposes an additional 16 units over the permitted development on this site and the layout of the units/ site plans are suitably different.

#### 8.3.4. **Density and Scale of Development**

8.3.5. The proposal is for 102 units on a net site area of 3.1 hectares giving a density of 33 units per hectare. The Planning Authority raised no issue of concern in relation to the density and the scale of development proposed on this site. The appeal referenced DM OBJ 14 of the Meath County Development Plan 2021 – 2027 and which seeks to encourage the provision of a density in excess of 35 units per hectare. In response to the appeal, the applicant references the Sustainable and Compact Settlements Guidelines and table 3.4 with reference to ‘It is a policy and objective of these Guidelines that residential densities in the range 30 dph (sic) to 50 dph shall generally be applied at suburban and edge locations of Regional Growth Centre...’.

8.3.6. I note the incorrect 30 dph referenced above, the true figure in the guidelines is 35 dph. In any case the difference is relatively small and on the overall site there would be a shortfall of approximately 6 units. Additional maisonette units could be provided in lieu of semi-detached houses, or units 100 to 102 could be replaced with a terrace of houses, but I am satisfied that the proposed layout is acceptable having regard to its integration with the existing houses in the area. The northern lands provide for a creche/ medical centre, and this will serve the larger Effernock development and the residents of housing in the area. Calculating the density based on Appendix B of the Sustainable and Compact Settlements guidelines gives a density of 35 units per hectare.

8.3.7. The important factor is that the development plan seeks to encourage a density of 35 units per hectare and the provision of 33 dwelling units per hectare is within this range. I am therefore satisfied with the proposed density of units on these lands demonstrates compliance with the Meath County Development Plan 2021 – 2027.

#### 8.4. **Impact on Residential Amenity**

8.4.1. The appeal raised a number of issues in relation to residential amenity and which were contrary to the requirements of the Meath County Development Plan 2021 – 2027. Meath County Council did not raise any significant issues of concern in relation to existing and proposed residential amenity. I will consider the raised issues under the following sections of my report.

8.4.2. Residential Standards: The appeal considers that the total number of maisonettes is excessive. The proposed development provides for a mix of houses and maisonette units, and I consider this mix to be acceptable as it would meet a range of tenure types.



The provision of 16 maisonettes which makes up 16% of the overall total of 102 units demonstrates compliance with SPPR 1 of the apartment guidelines, which allows for up to 50% of units in a scheme to be one-bedroom or studio units.

8.4.3. The appeal also raises concern about the proposed maisonette units in terms of private amenity space provision, and non-compliance with SPPR 5 of the apartment guidelines in terms of minimum floor to ceiling heights. In the appeal response, the applicant has outlined a justification for these units. I am satisfied that these units are acceptable. Each unit is provided with over 30 sq m of private amenity space and this is in excess of the requirement for a one-bedroom apartment in the apartment guidelines but is also in excess of the requirements for a 1 bed house under SPPR 2 of the Sustainable and Compact Settlements guidelines. I note the comments regarding the location of the private amenity space for the first-floor units, however these units do have direct access to 5.5 sq m of private amenity space to the south elevation and this is acceptable. I am satisfied that the proposed units will provide for a high quality of residential amenity.

8.4.4. I also note the comments regarding compliance with SPPR 5 and the requirement that ground floor units be 2.7 m in height. I have no concern regarding the proposal at 2.45 m for ground floor units and I agree with the applicant that these units are not reflective of standard apartments in that they are own door units as well as being dual aspect with a large area of private amenity space provided to their rear. The ground floor units are also provided with a small area of open space to their front. The layout of the units and the availability of open space will ensure that the units will receive good sunlight/daylight. The intention of the apartment guidelines is that ground floor apartment units would receive good daylight, sunlight, and ventilation. I would have no concern in that regard. The Board may decide to condition that ground floor units achieve a floor to ceiling height of 2.7 m, but I consider that there is no need for such a condition and that discretion may be applied in accordance with SPPR 5.

8.4.5. The other units, houses, are provided with adequate floor areas, room sizes, storage provision and private amenity space. Adequate separation distances are provided to ensure that privacy is protected, and all units will receive appropriately high levels of sunlight and daylight.

8.4.6. Public Open Space: The third-party appeal raised concern about the lack of open space, but I am satisfied that there is no such shortfall. The applicant has clarified that

a total of 15.16% of the site area is allocated to open space. The available open space includes ecological spaces to the western, southern, and eastern boundaries, but I am satisfied that these spaces provide for a useful amenity function.

8.4.7. I note that condition 4 d. as provided by Meath County Council refers to the possibility of additional open space through the conversion of the private amenity spaces to the rear of the maisonettes. I would be concerned that this would not be acceptable in terms of residential amenity as these spaces would not benefit from adequate passive surveillance and more perhaps more importantly, would not be easily accessible to members of the public.

8.4.8. If the Board were concerned about the provision of public open space, then perhaps Units 39/40 and/ or 65/66 could be omitted and replaced with open space. As reported, I am satisfied that the residents of this development will have access to adequate public open space and demonstrate compliance with the requirements of the Meath County Development Plan 2021 – 2027.

8.4.9. **Childcare Provision:** The proposed development includes the provision of a childcare facility with a stated floor area of 289 sq m and which can accommodate 46 children, though the number of children that may be accommodated depends on age etc. The applicant has provided a ‘Social & Community Infrastructure Audit’ in support of the application and details the childcare demand under Section 5.3. In the interest of clarity, I have summarised the requirements for childcare provision for this development.

	<b>2001 Childcare Guidelines</b>	<b>2020 Apartment Guidelines – without 1 bed</b>	<b>2022 Apartment Guidelines – without 1 bed and only 50% of 2 beds</b>
Number of proposed Units	102	86	65
1 Facility with capacity for 20 children for every 75 units	27	23	17

8.4.10. The Planning Authority raised no issues of concern in relation to the proposed childcare facility. This facility will serve the needs of the subject site and will also meet

the need for childcare in the immediate area. This is to be welcomed as it ensures that the childcare facility and the medical centre become a focal point for the entire development/ Effernock residential scheme.

8.4.11. **Conclusion on Residential Amenity:** I am satisfied that the proposed development will provide for a high quality of residential amenity as the housing is of a high quality with a good mix of types and each unit is provided with good floor space/ private amenity. The layout of the site is acceptable and will ensure integration with the existing completed development. The internal layout is of a good quality and allows for good permeability throughout the site area/ with the existing residential units. I am satisfied that the proposed development will not impact on existing residential areas in terms of loss of privacy through overlooking and loss of daylight through overshadowing. Adequate separation distances are provided to ensure the protection of residential amenity.

8.4.12. I have no objection to the development in terms of residential amenity and I consider it to be acceptable in terms of compliance with the requirements of the Meath County Development Plan 2021 – 2027 and the relevant SPPRs of the apartment guidelines, 2023 and the sustainable residential development guidelines 2024.

## 8.5. **Impact on the Character of the Area**

8.5.1. As already reported, the subject lands are zoned for residential development and the submitted proposal is in accordance with this. Some comment was made in the original objections to the application to the proposed units increasing the overall density on this site and which in turn would be out of character with the existing form of development. I disagree with these comments as the applicant has sought to develop the vacant sites that exist here, with housing that although having their own distinctive style, are in keeping with the overall character of the area.

8.5.2. In addition to the Architectural Design Statement, the proposed development is illustrated through the submitted 'Verified View Photomontages and CGI's for Trim LRD'. This includes a number of photomontages of the proposed development and demonstrate that the proposed development, including the creche/ medical centre, will integrate with the existing form of development here.

8.5.3. The creche and medical centre will provide for additional services that will serve the existing and the housing proposed in this application. These services will be located in

a central location that is easily accessible to all houses within the overall development and which are easily accessible by walking and cycling.

## **8.6. Traffic and Access**

8.6.1. The proposed development is acceptable in terms of road layout and traffic movement. The main access roads serving the two areas of land are already in place and include adequate pedestrian footpaths. The subject development will provide the internal street network to serve the new units, and this is considered to be acceptable. The internal street layout includes the provision of home zones/ shared areas, and it is important that this is designed with the pedestrian in mind. Final details on the internal road layout can be agreed with the Local Authority by way of condition.

8.6.2. The proposed development provides for adequate car parking to serve future residents. Houses are provided with in-curtilage parking and shared parking areas are available for the maisonette units. Dedicated parking is provided for the creche/ medical centre.

## **8.7. Infrastructure and Flood Risk**

8.7.1. Water supply and foul drainage: Uisce Éireann noted that the proposed water supply and foul drainage can be connected to the public system. Uisce Éireann have requested that the third-party services be transferred over to them in time. From the available information, there is no concern regarding the servicing of this development with public water supply and foul drainage.

8.7.2. Flood Risk: The appeal refers to concerns about surface water drainage and flood risk. The 'Planning Submission Report for Engineering Services Meath County Council' prepared by Paul McGrail Consulting Engineers Ltd, includes a site-specific flood risk assessment. The assessment has full regard to 'The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009'. The subject site is located within Flood Zone C.

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

- Fluvial: Details from floodinfo.ie indicate that fluvial flooding for 10%, 1% and 0.1% flood events do not extend to these lands.
- Pluvial: There is no record of such flooding on these lands and the proposed surface water network is designed to mitigate the risk of pluvial flooding on these lands.

The surface water system is designed for 1 in 100 year return period with an additional allowance for climate change of 20%.

- Tidal: Not relevant to this site.

8.7.4. The subject site is therefore located in Flood Zone C and is suitable for residential development. There is no requirement for a detailed flood risk assessment of the proposed development.

8.7.5. From the submitted information and the available information, I am satisfied that the risk of flooding on site is low and that that the proposed development will not adversely affect adjoining lands. The subject lands are located within Flood Zone C and Meath County Council did not raise any issues of concern regarding the proposed surface water drainage and flood measures. I note the concerns raised in the third-party appeal regarding surface water drainage and flooding, however the comments relate more to the wording of Condition no. 17 and the perceived failure of the applicant to provide the conditioned information with the application. I am satisfied that the final details can be adequately addressed between the applicant and the Planning Authority.

8.7.6. I have no objection to the development in terms of infrastructure and flood risk and I consider it to be acceptable in terms of compliance with the requirements of the Meath County Development Plan 2021 – 2027.

## 8.8. Other Matters

8.8.1. **Ecological Impact Assessment (EclA):** The applicant engaged NMEcology to prepare an Ecological Impact Assessment (EclA), dated September 2023, and this was included in support of the application. The River Boyne and River Blackwater SAC (002299) and the River Boyne and River Blackwater SPA (004232) are 0.6 km to the north of the subject site and the Trim pNHA is located 2 km to the east of the subject site. Details are provided in Table 2 of the EclA and Figure 3 provides their location relative to the subject site. Walkover surveys were undertaken in February 2022 and August 2023. The EclA includes an extensive list of sources consulted in its preparation.

8.8.2. I am satisfied that the information provided is acceptable. The submitted report is comprehensive and I am satisfied that the 'Zone of Influence (ZOI)' considered/ used by the applicant is appropriate to ascertain the impact of the development on the ecology

of the area. Details of the Phase 1 Habitat Survey are provided in Section 4.3, and Section 4.4 provides the Surveys for protected/ priority Fauna. The subject lands have been heavily modified and are found to be of Negligible ecological importance. The site is not suitable for bats and surveyed birds were found to be common species in Ireland. Paw prints of badgers and foxes indicates that they were passing through the area. Other species which may be found in the wider area include deer, red squirrels and otters, however the subject lands would not be suitable as a habitat and the report considers that the site would be negligible for these species. No invasive species were found on the subject lands. Table 3 provides details of 'Important ecological features within the Site'.

8.8.3. Trees and hedgerows on the site are to be retained and additional landscaping will be of benefit to biodiversity. There will be no impact to nesting birds and mammals. No other development is underway or due to commence in the immediate area, therefore cumulative impacts can be ruled out. Section 6 provides details on Proposed mitigation measures, and which are standard construction/ pollution control measures for a development of this nature. Residual Impacts are considered under Section 7 of the EclA.

8.8.4. Comment on EclA and supporting reports: The submitted report and details are noted and it is clear that the existing site is not a rich biodiversity location. From the site visit it was clear that the site has been much modified and cleared of vegetation and the site fencing/ hoarding ensures that mammals can only enter the site with some difficulty. The development of the site and its associated landscaping will provide for improved biodiversity than is the case at present.

8.8.5. I therefore consider that the EclA demonstrates that the proposed development would not have a significant impact on flora and fauna. The appropriate landscaping of this site and suitable lighting will encourage a greater richness of biodiversity than is the case at present.

8.8.6. Archaeology: An Archaeological Impact Assessment by John Cronin & Associates reports:

'There are no recorded archaeological sites or designated architectural heritage structures located within the proposed development site and, therefore, no impacts on these elements of the cultural heritage resource are predicted. The proposed

development site has undergone programme of archaeological testing in 2004 (northern portion) and 2015 (southern portion) which did not identify any archaeological features. In addition, a programme of archaeological monitoring of topsoil stripping within the proposed development site was carried out in 2021 and this revealed nothing of archaeological significance within the site. No potential impacts on any unrecorded, subsurface archaeological remains are, therefore, predicted.’ The proposed development would have no predicted impact on any archaeology located within this site.

8.8.7. The Department of Housing, Local Government and Heritage – Development Applications Unit, noted the submitted Archaeological Impact Assessment and had no further archaeological requirements to make. The Meath County Council Archaeologist recommends that further surveys be undertaken of a disused road to the east of the site. I note this recommendation and I also note that the Planning Authority did not provide for a specific condition in relation to this. I am satisfied that the submitted impact assessment has adequately considered the potential for archaeology on this site and I also refer again to the fact that these lands have been disturbed over time. If, any archaeology were found during the construction phase, then the requirements of the relevant National Monuments acts would apply.

## **9.0 Appropriate Assessment (AA)**

### **Stage 1 – Appropriate Assessment Screening by Applicant**

9.1 The applicant has engaged the services of NM Ecology, to prepare an appropriate assessment screening; a Natura Impact Statement (NIS) incorporating an AA Screening has been submitted and is dated August 2023. I have had regard to the contents of same.

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

9.2.1 The areas addressed are as follows:

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

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

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

9.3.2 Full details of the site and the development description are provided in Section 2 of the NIS. The subject site, consisting of two tracts of land, is located to the south of Trim on lands that were formally in agricultural use but have been surfaced over during the development of the adjoining lands. The immediate area consists of a mix of residential development, a golf course/ hotel and agricultural lands. The subject lands have been heavily modified over time. The northern area of land is approximately 600 m to the south of the River Boyne, and the other, southerly, section of land is 700 m south of the River Boyne. A tributary of the River Boyne, the Knightsbrook River, is approximately



990 m to the south east of the subject lands. A drainage ditch along the western boundary of the southern section of land connects into a similar ditch in the Knightsbrook golf course and it is not clear if it connects to the Boyne River or not. The submitted report takes a precautionary approach and assumes that there is a hydrological connection between the site and the Knightsbrook River. The characteristics of the proposed development are provided in Section 2.3; development consists of 102 residential units, creche/ medical centre and all associated works.

9.3.3 Field surveys were undertaken in February 2022 and in August 2023. The site is not directly connected with, or necessary to the management of any management of any European designated site. The zone of influence of the proposed project would be limited to the outline of the site during the construction phase. The proposed development is therefore subject to the provisions of Article 6(3).

9.3.4 The report states that ‘a defined zone of influence (e.g. 15 km) is not used in this assessment, as it is no longer considered best practice (OPR 2021).’ A total of two European Sites have been identified as located within the potential zone of influence and these are as follows:

Name	Site Code	Distance from Site
<p>River Boyne and River Blackwater SAC Conservation Objectives:</p> <p>To maintain the favourable conservation condition of Alkaine fens.</p> <p>To restore the favourable conservation condition of Alluvial forests, River Lampey, Atlantic Salmon and Otter.</p> <p>Qualifying Interests:</p> <p>1099 River Lamprey 1106 Salmon 1355 Otter 7230 Alkaline fens 91E0 Alluvial forests with Alno-Padion, Alnion incanae, Salicion albae</p>	(002299)	0.6 km to the north.

<p>River Boyne and River Blackwater SPA Conservation Objectives:</p> <p>The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest.</p> <p>Objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:</p> <p>Kingfisher (A229)</p>	(004232)	0.6 km to the north.
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9.3.5 **Connectivity-Source-Pathway-Receptor:** The submitted AA Screening Report makes full consideration of the Connectivity-Source-Pathway-Receptor model for the two identified sites. The following is found in summary:

<b>Site</b>	<b>Comment</b>
River Boyne and River Blackwater SAC	Indirect link through a drainage ditch that connects into the Knightsbrook River which is a tributary of the River Boyne.
River Boyne and River Blackwater SPA	Indirect link through a drainage ditch that connects into the Knightsbrook River which is a tributary of the River Boyne.

Consideration was given to other European sites, but these can be excluded at this stage due to distance from the subject site and lack of a suitable pathway; reference is made to the Boyne Coast and Estuary SAC and Boyne Estuary SPA which are over 50 km from the site and any pollutants entering the River Boyne would be diluted on reaching these sites. The distance of 600 m allows for a suitable separation between the subject site and the designated sites, on the River Boyne, in terms of dust generated pollution.

#### **9.4 Applicants Assessment of Likely Significant Effects:**

- 9.4.1 The submitted AA Screening Report, through section 3.4, considers the potential impacts on European Sites from the proposed development. The pathway is considered to be tenuous due to its lengthy and circuitous route and it is reported that 'it is considered extremely unlikely that there could be a likely significant effect on their qualifying interests.' Adopting a precautionary approach, there is the potential for a large-scale pollution event during the construction phase and which would impact on the SAC/ SPA. Best practice construction-phase pollution prevention measures can address this, but the applicant does not consider their use under Stage 1 – Appropriate Assessment Screening.
- 9.4.2 Foul drainage is treated at the Trim Waste Water Treatment works and this facility was compliant with EPA requirements. Uisce Éireann have confirmed that there is capacity in this treatment facility to serve the proposed development. Groundwater will be treated on site and will not impact on the designated European sites. The proposed development will not give rise to displacement or disturbance of any SCI bird species. As there are no applications for similar large-scale development in the area, in combinations effects are ruled out in the AA Screening Report.

#### **9.5 Applicant's AA Screening Conclusion:**

The applicant reports that:

'It has been established in Section 3.4 that pollutants generated during construction works could potentially reach the SAC / SPA via surface water. It is unlikely that the proposed development could cause significant effects on the qualifying interests of either site, but in accordance with the precautionary principle it is necessary to consider the worst-case scenario, i.e. that the development would result in a large pollution event. This risk can be avoided using best-practice construction-phase pollution-prevention measures.' The applicant refers to legal cases and judgements and that such mitigation measures cannot be considered at Stage 1. The applicant considers it necessary to proceed to Stage 2 of the Appropriate Assessment Process.

#### **9.7 Screening Assessment of the submitted AA:**

- 9.6.1 In determining the Natura 2000 sites to be considered, I have had regard to the nature and scale of the development, the distance from the site to the designated Natura 2000

sites, and any potential pathways which may exist from the development site to a Natura 2000 site. The site is not directly connected with, or necessary to the management of a Natura 2000 sites. The impact area of the construction phase would be limited to the outline of the site. In terms of the zone of influence, I would note that the site is not within or immediately adjacent to a European site and therefore there will be no loss or alteration of habitat, or habitat/ species fragmentation as a direct result of the proposed development.

9.6.2 The applicant state that there is potential for pollution associated with the use of concrete/ cement, suspended sediments, hydrocarbons and chemical during the construction phase. As construction phase mitigation measures are proposed, the applicant proceeds to Stage 2 Appropriate Assessment and a NIS has been prepared.

9.6.3 I disagree with the submitted report in that the proposed measures to prevent pollution are standard construction phase measures and none of the measures that are proposed can be considered to be unique such as to allow the progression of this development. The two areas of land that form this development have undergone site clearance and should be relatively easy to develop for the intended purpose. Site clearance and the use of haul roads to access a site can give rise to silt/ sediment discharge and in this case such issues are significantly reduced. The mixing and pouring of concrete would be controlled at all times and similarly the cleaning/ maintenance of machines/ plant would be controlled. Dust suppression and street cleaning would be standard practice especially more so in an area with a high number of existing residential units.

9.6.4 As I have reported, the construction of housing here should be easily done as the site has been cleared for development and access roads are in place. Similarly, water/ foul drainage services are available and similarly I would expect that at a minimum that ducting is in place for electricity and telecommunication services. This will ensure that any groundworks will be reduced to that in the immediate vicinity of the site. The fact that the site consists of two areas of land should also reduce the potential for any pollution impacts. The nearest that any part of the site is to the River Boyne is 600 m and this is an adequate separation considering the nature and scale of development proposed here.

## 9.7 **Appropriate Assessment Conclusion:**

- 9.7.1 The proposed residential development at Efferknock, Trim, Co. Meath has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended.
- 9.7.2 It is reasonable to conclude that on the basis of the information provided on file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on the River Boyne and River Blackwater SAC (002299) and the River Boyne and River Blackwater SPA (004232), or any European site, in view of these sites' Conservation Objectives, and having regard to the nature and scale of the proposed development and the location of the site in an established, serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise. It is therefore not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on an European site.
- 9.7.3 In consideration of the above conclusion, there is no requirement therefore for a Stage 2 Appropriate Assessment (and for the submission of a Natura Impact Statement - NIS).

## 10.0 Environmental Impact Assessment (EIA) Screening

- 10.1 This application was submitted to the Board after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.
- 10.2 **Applicant's EIA Screening Report:** The applicant has submitted an EIA Screening Report, including Schedule 7 details, and which has been prepared by Enviroguide Consulting dated September 2023, and I have had regard to same. The submitted report considers that the development is below the thresholds for mandatory EIAR having regard to Schedule 5 of the Planning and Development Regulations 2001, due to the site size at 3.10 hectares, number of residential units (102) and the fact that the proposal is unlikely to give rise to significant environment effects, a formal EIAR is not required. A description of the proposed development is provided under Section 2 of the EIA Screening Report.
- 10.3 Full consideration is provided of Class 15 in the submitted EIA Screening and a summary of EIA activities is provided in Table 3-1 of the EIA Screening Report. Cumulative impacts with the approved developments have also been considered in this table/ section of the EIA Screening Report.
- 10.4 Sub-threshold development is considered under Section 3.4. Table 4-2 provides details on 'Designated sites within 5km of the Site' and which lists the River Boyne and Blackwater SAC and SPA and Trim pNHA. Section 4.2.2.7 considers the impact of the development on 'Landscapes and Sites of Historical, Cultural or Archaeological Significance' and no issues of concern are identified with no archaeological mitigation measures recommended. Section 4.3 provides details on 'Characteristics of the Potential Impacts'. Under Section 4.3.4 'Probability of the Impact' it states, 'No significant environmental impacts are predicted for the Proposed Development.' The proposed development will give rise to increased employment opportunities which in turn will have a slight positive impact on human health. Suitable measures will be taken to address noise and dust pollution during the construction phase, though these are considered to not be significant or likely to cause nuisance as a result of the mitigation measures.

10.5 Section 4.3.6 considers 'Cumulation with Other Projects' and planning applications within a 2 km radius of the subject site, which have been decided in the last five years, are considered in the context of cumulative impact with the subject development. Table 4-5 provides details of 'Permitted Developments within a 2km radius of the Proposed Development'. Cumulative impacts may arise in terms of potential pollution and nuisance during the construction phase of the development however these can be addressed through standard construction management practices, and which are detailed in the CEMP. It is reported that 'there is no potential for significant in-combination impacts to arise due to surface water discharges during the Construction and Operational Phases of the Proposed Development.'

10.6 Section 5 provides a 'Summary of Assessment Findings' and these are outlined in Table 5-1, with no likely significant effects foreseen. Section 7 provides the conclusion and which states: 'Based on the assessment carried out in the appropriate sections of this Screening Report, it can be concluded that the Proposed Development will not have significant effects on the environment during both the Construction and Operational Phases.

Having regard to the nature and scale of the Proposed Development on an urban site served by public infrastructure, and the absence of any significant environmental sensitivities in the area, it is concluded that, by reason of the nature, scale and location of the subject site, the Proposed Development would not be likely to have significant effects on the environment and a mandatory Environmental Impact Assessment Report (EIAR) is not required for the Proposed Development.'

10.7 **Planning Authority Comment on the EIA Screening Report:** The Planning Authority reported no concern in relation to the submitted EIAR Screening and their conclusion was that 'the proposed development is unlikely to have significant effects on the environment.'

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

- 500 dwellings

- Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. A business district is defined as ‘a district within a city or town in which the predominant land use is retail or commercial use’.

- 10.9 The applicant submitted an EIA Screening Statement with the application, and this document provides the information deemed necessary for the purposes of screening sub-threshold development for an Environmental Impact Assessment. The various reports submitted with the application address a variety of environmental issues and assess the impact of the proposed development, in addition to cumulative impacts with regard to other permitted developments in proximity to the site, and demonstrate that, subject to the various construction and design related mitigation measures recommended, the proposed development will not have a significant impact on the environment. I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other submissions, and I have considered all information which accompanied the application.
- 10.10 The EIA screening report prepared by the applicant has under the relevant themed headings considered the implications and interactions between these assessments and the proposed development, and as outlined in the report states that the development would not be likely to have significant effects on the environment. I am satisfied that all other relevant assessments have been identified for the purposes of screening out EIAR.
- 10.11 I have completed an EIA screening assessment as set out in Appendix A of this report. I consider that the location of the proposed development and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment. The proposed development does not have the potential to have effects the impact of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency or reversibility. The impact of the development in combination with other developments in the area has also been considered and no significant effects on the environment arise.
- 10.12 **Appeal comments on EIA:** The appellant raised the issue of need for cumulative assessment in their submission. The appeal response by the applicant makes clear



‘that the obligation to carry out an EIA “is confined to the specific project or proposed development the subject of an application for planning permission” (Fitzpatrick v An Bord Pleanála [2019] IESC).’ The submitted screening considered cumulative impacts as required and no issues of concern were raised. I note the issues raised, however I consider that no further environmental impact assessment is required for this development.

10.13 **Conclusion on EIAR Screening:** The application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the EIA Screening Statement submitted with the application. It is recommended that a Screening Determination should be issued confirming that there is no requirement for an EIAR based on the above considerations.

## **10.0 Recommendation**

Having regard to the above assessment, I recommend that permission is GRANTED for the Large-Scale Residential Development (LRD) Friarspark 2<sup>nd</sup> Division & Effernock, Mauldin, Trim, Co. Meath as proposed for the reasons and considerations set out below.

## **11.0 Reasons and Considerations**

Having regard to the provisions of the Meath County Development Plan 2021 - 2027, including the zoning for residential purposes, to the location of the proposed development in an established urban area and to the nature, form, scale, and design of the scheme, and having regard to the Sustainable Residential Development and Compact Settlements guidelines 2024, the Apartment Guidelines 2023, and the Childcare Guidelines 2001 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.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **12.0 Recommended Draft Order**

### **12.1 Application:**

For permission under the Planning and Development Act 2000 as amended, in accordance with plans and particulars, lodged with Meath County Council on the 8<sup>th</sup> of September 2023 and appealed to An Bord Pleanála on the 12<sup>th</sup> of December 2023.

### **Proposed Development:**

- The provision of 102 residential units in the form of 43 x two-bedroom houses, 40 x three-bedroom houses, 3 x four-bedroom houses and 16 x one-bedroom apartments/ maisonettes. The development also includes a creche/ medical centre, car/ bicycle parking, public and private open space, internal road/ street network, connections to the existing Friarspark and Efferknock housing development, and all associated site works.

- The application contains a statement setting out how the proposal will be consistent with the objectives of the Meath County Development Plan 2021 - 2027
- An Appropriate Assessment Screening Report, a Natura Impact Statement and an Environmental Impact Assessment Screening Report have been included with the application.

**Appeal:**

A third-Party appeal by Denis Leavy against the decision of Meath County Council to grant permission for this residential development.

**12.2 Decision:**

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

**12.3 Matters Considered:**

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

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

- (i) the provisions and policies of the Meath County Development Plan 2021 - 2027,
- (ii) The zoning objective A2 – New Residential – which seeks ‘To provide for new residential communities with ancillary community facilities, neighbourhood facilities and employment uses as considered appropriate for the status of the centre in the Settlement Hierarchy.’
- (iii) to Housing for All issued by the Department of Housing, Local Government and Heritage, 2021,

(iv) the Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage, January 2024,

(v) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of Housing and Planning and Local Government, July 2023,

(vi) the Childcare Guidelines, 2001,

(vii) the availability in the area of a wide range of social and transport infrastructure,

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

(ix) Submissions received, and

(x) the Inspectors Report

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

#### **12.4 Appropriate Assessment (AA) – Stage 1:**

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within an established town centre location and adequately serviced urban site, the Appropriate Assessment Screening Report submitted with the application, the Inspector's Report, and submissions on file.

In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of specifically the River Boyne and River Blackwater SAC (site code 002299) and the River Boyne and River Blackwater SPA (site code 004232).

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of European Sites in view of the conservation objectives of the sites. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

## **12.5 Environmental Impact Assessment (EIA):**

The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report submitted by the applicant, which contains the information set out Schedule 7A to the Planning and Development Regulations 2001 (as amended), identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

Having regard to:

- The nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(iv) and Class 13 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- Class 14 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- The location of the site on lands governed by zoning objective A2: 'New Residential' in the Meath County Development Plan 2021 - 2027, and the results of the strategic environmental assessment of the Meath County Development Plan undertaken in accordance with the SEA Directive (2001/42/EC),
- The existing use on the site and pattern of development in surrounding area,
- The planning history relating to the site,
- The availability of mains water and wastewater services to serve the proposed development,
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and

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

## **12.6 Conclusions on Proper Planning and Sustainable Development:**

The Board considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height, and quantum of development, would not give rise to surface water drainage/ flooding issues, as well as being acceptable in terms of traffic and pedestrian safety and convenience. The proposal would, subject to conditions, provide an acceptable form of residential amenity for future occupants.

The Board considered that the proposed development is, compliant with the current Meath County Development Plan 2021 - 2027, and the relevant SPPRs of the Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities, 2024 and the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2023, and the proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

## **13.0 Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior to commencement of development, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

**Reason:** In the interest of clarity.

2. The developer shall enter into water and waste water connection agreement(s) with Uisce Éireann, prior to commencement of development.

**Reason:** In the interest of public health.

3. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services.

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

4. The operating hours of the childcare facility and medical centre shall be agreed in writing with the Planning Authority prior to the occupation of the non-residential uses.

**Reason:** In the interest of clarity and to ensure the protection of residential amenity.

5. Details of the materials, colours, and textures of all the external finishes to the proposed buildings shall be as submitted with the application, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

**Reason:** In the interest of visual amenity.

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

**Reason:** In the interest of urban legibility.

7. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any apartment unit and shall comply with the recommendations of the Ecological Impact Assessment (EclA) with reference to bats.

**Reason:** In the interests of amenity and public safety, and to ensure the protection of biodiversity.

8. All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenity.

9. a) The road network serving the proposed development, including turning bays, junction with the public road, connections to the adjoining Effernock residential development, parking areas, footpaths, and kerbs, shall be in accordance with the detailed construction standards of the Planning Authority for such works and which shall comply with the requirements of DMURS. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

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

10. A minimum of 10% of all car parking spaces serving the apartments shall be provided with functioning EV charging stations/ points, and ducting shall be provided for all remaining car parking spaces, including in-curtilage spaces, facilitating the



installation of EV charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.

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

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

**Reason:** In the interest of residential and visual amenity.

12. (a) All areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.

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

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

13. (a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the Planning Authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

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

(c) This plan shall provide for screened bin stores, which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot.

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

14. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines for the preparation of resource & waste management plans for construction & demolition projects”, published by the EPA in 2021. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

15. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- b) Location of areas for construction site offices and staff facilities;
- c) Details of site security fencing and hoardings;
- d) Details of on-site car parking facilities for site workers during the course of construction;

- e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- f) Measures to obviate queuing of construction traffic on the adjoining road network;
- g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority.

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

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

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

17. 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 housing 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.

**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.

18. 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.

19. 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.

20. 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.

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Paul O'Brien  
Inspectorate  
7<sup>th</sup> March 2024

## EIA Screening Determination:

A. CASE DETAILS		
<b>An Bord Pleanála Case Reference</b>	318678-23	
<b>Development Summary</b>	The provision of 102 residential units in the form of houses and maisonettes, a creche/ medical centre, and all associated site works.	
	<b>Yes / No / N/A</b>	<b>Comment (if relevant)</b>
<b>1. Was a Screening Determination carried out by the PA?</b>	Yes	The Planning Authority conclude that 'Considering the location of the proposed development and the environmental sensitivity of area the proposed development is unlikely to have significant effects on the environment.'
<b>2. Has Schedule 7A information been submitted?</b>	Yes	
<b>3. Has an AA screening report or NIS been submitted?</b>	Yes	AA Screening and a NIS have been submitted.
<b>4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?</b>	No	
<b>5. Have any other relevant assessments of the effects on the environment which have a significant</b>	Yes	An Ecological Impact Assessment has been submitted.

bearing on the project been carried out pursuant to other relevant Directives – for example SEA		
<b>B. EXAMINATION</b>	<p>Where relevant, briefly describe the characteristics of impacts (ie the nature and extent) and any Mitigation Measures proposed to avoid or prevent a significant effect</p> <p>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)</p>	<p>Is this likely to result in significant effects on the environment?</p> <p>Yes/ No/ Uncertain</p>
<b>1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)</b>		
<p><b>1.1</b> Is the project significantly different in character or scale to the existing surrounding or environment?</p>	<p>The development proposes the provision of mostly two and three storey houses and is in keeping with the predominately residential nature of development to the south of the R154/ eastern side of Trim.</p>	<p><b>No.</b></p>
<p><b>1.2</b> Will construction, operation, decommissioning or demolition works cause physical changes to the</p>	<p>The proposed development will result in an existing cleared</p>	<p><b>No.</b></p>

<p>locality (topography, land use, waterbodies)?</p>	<p>site been developed for residential use in accordance with the residential zoning that applies to these lands.</p>	
<p><b>1.3</b> Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?</p>	<p>Construction materials will be typical of such an urban development. The loss of natural resources or local biodiversity as a result of the development of the site are not regarded as significant in nature.</p>	<p><b>No.</b></p>
<p><b>1.4</b> Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels, hydraulic oils and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and implementation of a Construction Management Plan will satisfactorily mitigate potential impacts. No</p>	<p><b>No.</b></p>



	operational impacts in this regard are anticipated.	
<p><b>1.5</b> Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and implementation of a Construction Management Plan will satisfactorily mitigate potential impacts. Operational waste will be managed via a Waste Management Plan. Significant operational impacts are not anticipated.</p>	<p><b>No.</b></p>

<p><b>1.6</b> Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No significant risk identified subject to the implementation of appropriate mitigation measures. The operation of a Construction Management Plan will satisfactorily mitigate emissions from spillages during construction. The operational development will connect to mains services. Surface water drainage will be separate to foul services within the site. No significant emissions during operation are anticipated.</p>	<p><b>No.</b></p>
<p><b>1.7</b> Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature and their impacts may be suitably mitigated by</p>	<p><b>No.</b></p>

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

	The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location.	
<b>1.10</b> Will the project affect the social environment (population, employment)	The development of this site as proposed will result in a change of use and an increased population at this location. This is not regarded as significant given the urban location of the site and surrounding pattern of land uses, which are characterised by residential development. The proposed development will also create employment opportunities during the construction phase of this scheme.	<b>No.</b>
<b>1.11</b> Is the project part of a wider large scale change that could result in cumulative effects on the environment?	Large scale residential development has taken place in the area and the subject lands form two tracts of land that were not developed at	<b>No</b>

	the same time as the other lands.	
<b>2. Location of proposed development</b>		
<p><b>2.1</b> Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <p>a) European site (SAC/ SPA/ pSAC/ pSPA)</p> <p>b) NHA/ pNHA</p> <p>c) Designated Nature Reserve</p> <p>d) Designated refuge for flora or fauna</p> <p>e) Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</p>	<p>No European sites located on or adjacent to the site. An Appropriate Assessment Screening and a Natura Impact Statement were provided in support of the application.</p>	<b>No.</b>
<p><b>2.2</b> Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be significantly affected by the project?</p>	<p>The submitted EclA and AA Screening/ NIS did not raise any issues of concern.</p> <p>The site is limited as a bat and bird habitat.</p>	<b>No.</b>
<p><b>2.3</b> Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p>None identified.</p>	<b>No.</b>
<p><b>2.4</b> Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?</p>	<p>There are no such features that arise in this location.</p>	<b>No.</b>

<p><b>2.5</b> Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?</p>	<p>None on site. A site-specific flood risk assessment was prepared, and no issues of concern were identified. The site is located within Flood Zone C.</p>	<p><b>No.</b></p>
<p><b>2.6</b> Is the location susceptible to subsidence, landslides or erosion?</p>	<p>No such impacts are foreseen.</p>	<p><b>No.</b></p>
<p><b>2.7</b> Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?</p>	<p>Access to and from the site will be via an existing residential street network that serves the existing Effernock housing development. This network is connected to the R154 to the north of the site and no issues of road capacity have been identified by the Planning Authority.</p>	<p><b>No.</b></p>
<p><b>2.8</b> Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be significantly affected by the project?</p>	<p>There are no sensitive land uses adjacent to the subject site.</p>	<p><b>No.</b></p>
<p><b>3. Any other factors that should be considered which could lead to environmental impacts</b></p>		
<p><b>3.1 Cumulative Effects:</b> Could this project together with existing and/or approved development</p>	<p>In effect, this is the completion of the Effernock residential</p>	<p><b>No.</b></p>

result in cumulative effects during the construction/ operation phase?	development, which has been constructed and most units are occupied. No cumulative impacts are therefore foreseen.	
<b>3.2 Transboundary Effects:</b> Is the project likely to lead to transboundary effects?	No trans-boundary effects arise as a result of the proposed development.	<b>No.</b>
<b>3.3</b> Are there any other relevant considerations?	<b>No.</b>	<b>No.</b>

### C. CONCLUSION

<b>No real likelihood of significant effects on the environment.</b>	<input type="checkbox"/>	EIAR Not Required
<b>Real likelihood of significant effects on the environment.</b>	<input type="checkbox"/>	EIAR Required

### D. MAIN REASONS AND CONSIDERATIONS

Having regard to: -

- a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- b) Class 14 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- c) the location of the site on lands governed by zoning objective A2 – New Residential in the Meath County Development Plan 2021 – 2027,
- d) The existing use on the site and pattern of development in surrounding area,
- e) The planning history relating to the site,
- f) The availability of mains water and wastewater services, facilitated by a temporary wastewater treatment plant, to serve the proposed development,

g) The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003),

h) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 as amended, and

i) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the proposed Construction and Environmental Management Plan (CEMP),

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

**Inspector** \_\_\_\_\_

**Date** \_\_\_\_\_