



An
Coimisiún
Pleanála

Inspector's Report ABP-319578-25

Development	Demolition of existing shed and construction of a dwelling
Location	Convent Road, Athlumney, Navan, Co Meath.
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	23/595
Applicant(s)	Joseph Mandolil & Seena Mandolil.
Type of Application	Permission.
Planning Authority Decision	Refuse
Type of Appeal	First
Appellant(s)	Joseph Mandolil & Seena Mandolil.
Observer(s)	Margot Boyle
Date of Site Inspection	15 th of August 2025.
Inspector	Darragh Ryan

1.0 Site Location and Description

- 1.1. The site is located off Convent Road, Athlumney, Navan Road. There is an existing two storey dwelling to the front of the site and the site is located to the rear where there is an existing shed – proposed for demolition.
- 1.2. Convent Road joins with Kentstown Road to the north of the site with Athlumney Castle road junction and Convent Lane to the east. Bedford Medical Centre and Loreto Secondary School are across the road from the development site.
- 1.3. The site is located to the rear of existing dwelling, and is approx. 2m lower than the public road. The site is a primarily a yard area with a container along its southern boundary and a shed (62sqm) in its northwest corner. The site was partially used as a factory known as the Old Joinery. There is small group of trees to the northeastern corner of the site and some bushes and mounds of earth on its southern boundary. The River Boyne abuts the development to the east.
- 1.4. Access to the site is provided by a hard surface driveway which runs from Convent Road to the north-eastern corner of the site. This driveway already serves two dwellings. The stated site area is 0.051 hectares.

2.0 Proposed Development

- 2.1. Demolition of existing outbuilding, construction of a two storey dwelling. A Natura Impact Statement has been submitted with the application

3.0 Planning Authority Decision

3.1. Decision

The planning authority issued Decision to refuse permission for a single reason:

Having regard to inadequate sightlines available at the proposed vehicular access that do not accord with TII standards, it is considered that the proposed development would endanger public safety by reason of a traffic hazard and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

There are two Planning Reports on file dated 31st of July 2023 and 25th of March 2024. The first planning report sought further information for the following;

1. The applicant is requested to submit a revised site layout demonstrating the entrance and access driveway from the public road to the site are within the redline boundary of the application. A landholding map outlining ownership of all lands is also sought.
2. Provide a letter from third parties demonstrating that works to third party boundary is acceptable. Provide details of demolition ensuring no damage to party boundary walls.
3. Provide a sightline drawing demonstrating sightlines in line with DMURS from the access.
4. Provide contiguous elevation drawings of proposal from Convent Road. A detailed design statement is also required.
5. Provide clarification on the amount and useability of private outdoor amenity space.
6. Submit details of overshadowing analysis of potential impact on neighbouring properties from the development.
7. Provide details and measures taken to avoid overlooking of neighbouring properties. Provide details of setback distances between directly opposing windows.
8. Owing to proximity of River Boyne, the applicant is requested to submit a Flood Risk Assessment.
9. Details of surface water run-off is required to demonstrate the proposal is in line with BRE Digest 365.
10. Provide a response to the third party submission on file.

The second planning authority report noted that:

All responses provided with respect to further information request were considered and accepted. However, the sightlines from the access are considered inadequate and permission should be refused on this basis.

3.2.2. Other Technical Reports

3.2.3. Environment Flooding Surface Water Section – report dated 28/07/23

- Applicant required to submit a site specific flood risk assessment
- Details of surface water treatment and disposal are required in line with BRE Digest 365 - Further Information recommended.

Second report dated 25/03/2024

- From a flood risk perspective it is considered the site is not at risk of flooding
- Surface water treatment and disposal considered acceptable
- Conditions are recommended

3.2.4. Transportation Department report dated 28/07/23

Sightline drawing showing sightlines in accordance with DMURS – further information recommended.

Second report dated 4th March 2024

- The proposed sightlines of 23 meters setback at 2.0 meters at the entrance are not in accordance with DMURS and are therefore unacceptable. The intensification of the entrance would result in a traffic hazard and should not be permitted.
- A refusal of permission is recommended based on the above.

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

There is a single third party observer on file. The observer is a neighbour to the proposed site. The following issues are raised:

- Design – The proposed design will be an imposing and intimidating structure towering over neighbouring property. The new dwelling will be visible from multiple angles and will block light to the amenity area of neighbouring properties. The structure will be so high with a “butterfly” roof that it will block the skyline view.
- Loss of light – The proposal will result in a loss of light.
- Existing Tree – the existing tree on site should be cut back and not cut down.
- There is an asbestos roof on the shed for demolition. The demolition of shed may impact boundary wall.
- The proposal prevents future improvement to existing dwelling, where the observer seeks to renovate existing shed into a garden room. This will not be possible as the shed will be overlooked by the development.
- The proposal is out of character with the area and represents back land development.
- A more modest proposal should be sought on site.

4.0 Planning History

None recent

5.0 Policy Context

5.1. Meath County Development Plan 2021 – 2027

5.1.1. Residential Development

- DM OBJ 12: To encourage and facilitate innovative design solutions for medium to high density residential schemes where substantial compliance with normal development management considerations can be demonstrated.

- DM OBJ 15: As a general rule, the indicative maximum plot ratio standard shall be 1.0 for housing at edge of town locations with an indicative maximum plot ratio of 2.0 in town centre/core locations.
- DM OBJ 16: Site coverage shall generally not exceed 80%. Higher site coverage may be permissible in certain limited circumstances such as adjacent to public transport corridors; to facilitate areas identified for regeneration purposes; and areas where an appropriate mix of both residential and commercial uses is proposed.
- Amenity
- DM OBJ 18: A minimum of 16 metres separation between directly opposing rear or side windows above ground floor level in the case of detached, semi-detached, terraced units shall generally be observed.
- DM OBJ 21: A minimum distance of 2.3 metres shall be provided between dwellings for the full length of the flanks in all developments of detached, semi-detached and end of terrace houses.
- DM POL 11: New residential development should be designed to maximise the use of natural daylight and sunlight. Innovative building design and layout that demonstrates a high level of energy conservation, energy efficiency and use of renewable energy sources will be encouraged.
- DM OBJ 43: Backland development proposals shall avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development

5.1.2. 11.5.21 Corner/Side Garden Sites

- Corner Site/Side Garden development refers to sub-division of an existing house curtilage to provide an additional dwelling in existing built-up areas.
- Larger corner sites may allow for a variation in dwelling design, however, proposals should more closely relate to adjacent dwellings, albeit with a modern design in order to avoid a pastiche development. At the discretion of the Planning Authority there may be some relaxation in private open space and car parking standards for this type of proposal. The Council will require

corner site /side garden development proposals to have regard to the following criteria: Size, design, layout, building line and the relationship with existing dwellings and immediately adjacent properties; External finishes; Accommodation standards for the occupants; Car parking for existing and proposed development; Private open space for existing and proposed development; Development Plan standards for dwellings; Side/gable and rear access/maintenance space, where possible.

5.1.3. Private Open Space

- DM POL 7: Residential development shall provide private open space in accordance with the requirements set out in Table 11.1. Each residential development proposal shall be accompanied by a statement setting out how the scheme complies with the requirements set out in Table 11.1.

5.1.4. Boundaries

- DM POL 8: To require the provision of high quality, durable, appropriately designed and secure boundary treatments in all developments.
- DM POL 9: To support the retention of field boundaries for their ecological/habitat significance, as demonstrated by a suitably qualified professional. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, mitigation by provision of the same boundary type will be required.

5.2. **Natural Heritage Designations**

The River Boyne & Blackwater SPA 004232 – 18m to the west

The River Boyne & Blackwater SAC 002299 – 18m to the west

6.0 **EIA Screening**

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The

proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

This is first party appeal against the decision of Meath County Council to refuse permission for the construction of a dwelling on site. The Grounds of Appeal directly relate to the single reason for refusal. The Grounds of Appeal can be summarised as follows:

7.1.1. Existing Entrance –

The proposed entrance for the new dwelling is an existing entrance and already serves 2 dwellings. An average house generates slightly more than 10 traffic movements per day. The additional 10 traffic movements per day is marginal significance in a traffic context.

7.1.2. DMURS -

DMURS allows for variation from the standard position – unobstructed sightlines of 45 meters to the nearside of the road edge from a set back of 2.4m” is not relevant in the case having considered the overall situation. The Road layout with its horizontal deflection, the speed bumps, proximity of the medical centre and school junctions and cul-de-sac nature of the road all lead to lower design speed.

Its set out a design speed of 30km/h would be appropriate for this piece of road and as such stopping sight distances of 23m should be used. The 23m should be measured from 2.0m back from the edge of the highway and the sightlines should be the centre of the road.

The sightline to south of the entrance is delimited by the presence of existing dwelling on the edge of the footpath within 5.79 meters of the entrance. DMURS allows for the application of a two meter setback in difficult circumstances.

7.1.3. Locational Context -

Covenant Road is located follows an “L” shaped alignment from its junction with Kenstown Road to the north of the site to its junction with at Athlumney Castle Road

and Convent Lane to the east. The Convent Road Filtered Permeability Scheme has resulted in the creation of a cul de sac to the southeast of the site, meaning that the road to the southeast is essentially a cul-de-sac for vehicular traffic. This has resulted in the prohibition of on-street parking on either side of the section of the Road, traffic calming measures including speed bumps and the inclusion of cycle road markings which have all reduced the actual travelling speed of the road to 30kmph.

The section of Convent Road provides vehicular access to Bedford Medical Centre and the Loreto Secondary School and a number of residential development and individual houses. (Apartment complex 8 no units) and Riverside Estate (a small cul-de-sac development of 5 no houses)

Having regard to the Conevant Roads operational role in the “Permeability Scheme”, cul de sac nature of the road for vehicular traffic and traffic calming measures it is stated that a speed limit of 30kph is applicable.

7.1.4. Reduced Setback

Allowing a set-back of 2m allows for a sightline of 100m in a northerly direction to the junction with the Kenstown Road is achievable.

Allowing a setback of 2m allows for a sightline 23m from the centre of the entrance to the centre of the roads carriageway to the south of the site. Given the road is now a cul-de -sac and the travelling sped of the road is approx. 30kmph, it should be considered that the sightlines are acceptable

7.2. Planning Authority Response

Response from Planning Authority received on 17th of May 2024

The first party appeal has been examined by the Planning Authority. The Planning Authority is satisfied that all matters outlined above in the submission were considered in the course of its assessment of the planning application as detailed in the planning officers reports pl. ref 23595. 4.0 Conclusion An Bord Pleanala are respectfully requested to uphold the decision of the Planning Authority.

7.3. Observations

Margot Boyle – Neighbour made on observation on the 19/5/20024.

- As a resident using the entrance on a daily basis the sightlines to the south are restricted and this makes existing the site very tricky. There are two light standards on the road that reduce visibility. The road also turns to the right as it rises also reducing visibility
- Since the road has been turned into a cul de sac there has been significant increase in pedestrians cyclists and scooters using the road.
- In terms of other traffic there is a constant flow of traffic in and out of the medical centre as well as other residential uses further south.
- The peak school traffic times also increase congestion and makes it almost impossible to exit the site
- The existing laneway serving the existing 2 dwellings is very narrow and any increase in traffic on this laneway would increase congestion and create an additional hazard.

7.4. Further Responses

- None

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including all the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development
- Sightlines
- Other Matters

8.1.1. Principle of Development.

The site is located on Covenant Road approx. 230m south -east of Navan town centre. The site is on lands zoned A1 – Existing Residential.

The Objective for A1 zoning states:

Objective: To protect and enhance the amenity and character of existing residential communities

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

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

Permitted Uses

Residential, Sheltered Housing, B & B / Guest House, Community Facility / Centre, Home Based Economic Activities, Utilities.

8.1.2. The proposal includes for the provision of a single dwelling on zoned land within the town of Navan. The principle of development is therefore acceptable, subject to detailed considerations below.

8.1.3. Sightlines

8.1.4. The principal reason for refusal cited by the Planning Authority relates to the adequacy of sightlines from the existing access. It was determined that the proposed sightlines do not comply with Transport Infrastructure Ireland (TII) standards and that any intensification of the existing entrance would result in a traffic hazard. The applicant contends that a setback distance of 2.0m, rather than 2.4m, should be applied when assessing visibility splays. It is also argued that a reduced sightline of 23m to the south is acceptable in the context of the local road layout and the cul-de-sac character of the street.

8.1.5. The Meath County Development Plan does not prescribe specific sightline requirements for residential development in urban areas. In such circumstances, the Planning Authority and Transportation Section rely on the Design Manual for Urban Roads and Streets (DMURS, 2019) issued by the Department of Transport, Tourism

and Sport and the Department of the Environment, Community and Local Government.

- 8.1.6. DMURS emphasises that forward visibility and stopping sight distance (SSD) are critical elements of safe road design. The required forward visibility is derived from the SSD necessary for a driver to stop safely should an object enter the carriageway. Table 4.2 of DMURS specifies stopping sight distances according to design speed. The applicant argues that the design speed on this local road is 30 km/h, corresponding to an SSD of 23m. However, the Planning Authority considered that the default urban speed limit of 50 km/h applies, requiring an SSD of 45m. I note that Section 4.4.5 of DMURS allows a reduced setback of 2.0m in certain circumstances. Figure 4.63 of DMURS also illustrates that visibility splays should be measured to the nearside road edge rather than the road centreline.
- 8.1.7. The applicant's submitted drawings indicate sightlines of approximately 23m to the road centreline in both directions when measured from a 2.0m setback. In reality, sightlines of over 100m are achievable to the north of the access when measured to the nearside road edge. The primary constraint relates to southward visibility, which is severely restricted by the adjoining dwelling to the south. Meaningful improvement of sightlines in this direction would require widening of the public footpath to allow a greater setback.
- 8.1.8. Southward traffic approaching the site is travelling downhill, creating additional safety concerns. There are a number of significant traffic generators to the south of the site, including the main vehicular entrance to Loreto Secondary School, Bedford Medical Centre, Summerville Apartments (8 units) and Riverside Housing (5 units). While the Covenant Road Filtered Permeability Scheme has reduced through-traffic, the road continues to accommodate a substantial volume of vehicular movements. In my assessment, the effective operating speed of vehicles approaching downhill is closer to 50 km/h than the 30 km/h assumed by the applicant.
- 8.1.9. Furthermore, the permeability scheme has increased use of the street by pedestrians and cyclists, both of whom are particularly vulnerable to restricted visibility at this access point. During my site inspection, I noted that exiting the site in a southerly direction presented significant challenges due to limited sight distance.

- 8.1.10. On this basis, I consider that reliance on a sightline measured to the centre of the carriageway is inappropriate in this case. The Transportation Section of Meath County Council recommend sightlines of 45m to the nearside edge in line with DMURS requirements. I am satisfied that the proposed access arrangements do not achieve this standard.
- 8.1.11. Having regard to the restricted southern sightline, the downhill approach of traffic, the proximity of schools, medical and residential facilities generating vehicular movements, and the increased pedestrian and cyclist use arising from permeability measures, I consider that the development would give rise to a significant traffic safety hazard. The proposed access arrangements are not in accordance with the requirements of DMURS and, therefore, I concur with the assessment of the Planning Authority and the Transportation Section of Meath County Council. I recommend permission should be refused on this basis.

8.2. Other Matters

8.2.1. Water Framework Directive

I have assessed the proposed development for the construction of a single dwelling and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to a surface water

The reason for this conclusion is as follows:

- The best practice standard measures that will be employed to prevent groundwater and surface water pollution from the site.
- Details supplied within the Environmental reports submitted with the application

- 8.2.2. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a

temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

9.0 AA Screening

9.1. An AA Screening Statement and NIS (Stage 2 AA) was submitted by the applicant in response to the request for further information. The public notices were revised to reflect same.

9.2. Stage 1 – Screening Determination for Appropriate Assessment.

- 9.2.1. Having carried out Appropriate Assessment screening (Stage 1) of the project (included in Appendix 1 of this report), it has been determined that the project may have likely significant effects on the River Boyne and River Blackwater SPA (Site code 004232) and River Boyne and River Blackwater SAC (site code 002299) in view of the sites' conservation objectives and qualifying interests.
- 9.2.2. An Appropriate Assessment (Stage 2) is therefore required of the implications of the project on the qualifying interests of the SPA and SAC in light of their conservation objectives.
- 9.2.3. The possibility of likely significant effects on other European sites has been excluded on the basis of the nature and scale of the project, separation distances, and the weakness of connections between the project, the appeal site, and the European sites.

9.3. Stage 2 – Appropriate Assessment

- 9.3.1. In carrying out an Appropriate Assessment (Stage 2) of the project, I have assessed the implications of the project on the River Boyne and River Blackwater SPA and River Boyne and River Blackwater SAC in view of the sites' conservation objectives. I have had regard to the applicant's Natura Impact Statement and all other relevant documentation and submissions on the case file. I consider that the information include in the case file is adequate to allow the carrying out of an Appropriate Assessment.

9.3.2. Following the Appropriate Assessment (Stage 2), it has been concluded that the project, individually or in-combination with other plans or projects would not adversely affect the integrity of River Boyne and River Blackwater SPA (Site code 004232) and River Boyne and River Blackwater SAC (site code 002299) in view of the sites' conservation objectives and qualifying interests.

9.3.3. This conclusion is based on:

- An assessment of all aspects of the project including proposed mitigation measures in relation to the conservation objectives of the River Boyne and River Blackwater SPA and River Boyne and River Blackwater SAC
- An assessment of in-combination effects with other plans and projects including historical and current plans and projects.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the River Boyne and River Blackwater SPA and River Boyne and River Blackwater SAC.

10.0 Recommendation

I recommend that permission is refused for the following reasons and considerations.

11.0 Reasons and Considerations

Having regard to the horizontal and vertical alignment of the local road, the site entrance is deemed unsatisfactory owing to restricted sight distances. The applicant has not satisfactorily demonstrated that the proposed site entrance on the public road has sufficient sightline visibility in accordance with the requirements of Table 4.2 of Design Manual for Urban Roads and Streets (DMURS, 2019). In this regard, it is considered that turning movements generated by the proposed development from the site would interfere with the safety and free flow of traffic on the public road and would endanger public safety by reason of a traffic hazard, or obstruction of road users. Therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.

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.

Darragh Ryan
Planning Inspector

28th of August 2025

Form 1 - EIA Pre-Screening

Case Reference	319578-24
Proposed Development Summary	Construction of a dwelling house
Development Address	Convent Road, Athlumney, Navan, Co Meath
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☒ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	Class 10(b) Infrastructure Projects
☐ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Appropriate thresholds in accordance with Class 10(b): - Class 10(b)(i) – more than 500 dwelling units. Class 10(b)(iv) – urban development in an area greater than 10ha

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3) <i>[Delete if not relevant]</i>

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	319578-24
Proposed Development Summary	Construction of a dwelling house
Development Address	Convent Road, Athlumney, Navan, Co Meath
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposed development has been designed to logically address the topography on site, resulting in minimal change, with standard measures to address potential impacts on surface water and groundwaters in the locality. The site is part of an already heavily modified environment. Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Use of such materials would be typical for construction sites. Any impacts would be local and temporary in nature and the implementation of the standard construction practice measures would satisfactorily mitigate potential impacts. Potential impacts on European sites outlined in Appendix 1 of this report.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The nearest European sites are listed in Section 5.2 of this report Potential impacts on European sites outlined in Appendix 1 of this report.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration,	Construction activities will require the use of potentially harmful materials, such as fuels and other similar substances and give rise to waste for disposal. The use of these materials would be typical for construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature, and with the implementation of the standard measures, the project would satisfactorily mitigate the

cumulative effects and opportunities for mitigation).	potential impacts. Operational waste would be managed through a waste management plan to obviate potential environmental impacts. Other operational impacts in this regard are not anticipated to be significant. The development will implement SUDS measures to control surface water run-off. The development would not increase risk of flooding to downstream areas with surface water to discharge at greenfield runoff rates.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA <i>[Delete if not relevant]</i>
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 1:

Appropriate Assessment Stage 1 Screening Determination

Description of the project

I have considered the proposed construction of a residential dwelling in light of the requirements of section 177U of the Planning and Development Act 2000, as amended.

A screening report for Appropriate Assessment and Natura Impact Statement has been prepared by Noreen McLoughlin MSC on behalf of the applicant and the objective information presented in that report informs this screening determination. The screening report and NIS were submitted in response to a further information request by the PA.

Subject site

It is proposed to construct a single residential dwelling on land that is currently a brownfield site.

Project

I have provided a detailed description of the proposed development in my report (Section 2) and detailed specifications of the proposal are provided in other documents provided by the applicant.

In summary the proposed development is located on a site with a total site area of c 0.051 hectares. Site preparation work and construction works will require excavations along with the demolition of an existing shed.

The proposed development will be connected to a public water, surface water and foul sewer network. Attenuated surface water will outfall from the proposed development to the River Boyne.

Consultations and submissions

etails of submissions have been outlined under Section 7 of this report. There is no submission in relation to European sites.

Potential impact mechanism from the project

Site Surveys

The habitats within the proposed development site (comprising hard standing and scrub) are described by the ecologist as not conforming to habitats listed in Annex II of the Habitats Directive, nor are they capable of supporting qualifying interest (QI) or special conservation interest (SCI) species from any European sites on an ex-situ basis.

The application site itself is characterized by almost entirely hard standing and is occupied by a disused storage shed proposed for demolition.

There are no surface water bodies present within the development site. The River Boyne flows approx. 18m west of the proposed development site.

European Sites

The NIS identifies two European sites within the zone of influence of the proposed development (Section 4.2). These are the River Boyne and River Blackwater SAC (site code 002299) and River Boyne and River Blackwater SPA (site code 004232).

I note the applicant did not consider any further sites in a wider area (within 15km) which I consider reasonable.

Effect Mechanisms

There are no protected habitats or species identified at the site and therefore the likelihood of any significant effect of the project on any European site due to loss of habitat and/ or disturbance of species can be reasonably excluded.

A potential pathway (for surface water discharge) is identified to the River Boyne and River Blackwater SPA (site code 004232) and River Boyne and River Blackwater SAC and (site code 002299), via surface water during the construction and operation stages of the development.

Having regard to the characteristics of the project in terms of the site's features and location and the project's scale of works, I consider the following impacts and effect mechanisms require examination for implications for a likely significant effect on two European sites, River Boyne and River Blackwater SPA (site code 004232) and River Boyne and River Blackwater SAC and (site code 002299).

A) Surface water pollution during construction phase

B) Surface water pollution during operation phase

European Sites at risk

Table 1: European Sites at risk from impacts of the proposed project			
Effect mechanism	Impact pathway/ Zone of influence	European Site(s)	Qualifying/ Conservation interest features at risk
A) Surface water pollution during construction phase. B) Surface water pollution during operation phase. C) Noise disturbance D) Dust related effects	Impact via a hydrological pathway or via air.	River Boyne and River Blackwater SPA (site code 004232)	Kingfisher <i>Alcedo atthis</i> A229
As above	As above	River Boyne and River Blackwater SAC (site code 002299)	River Lamprey <i>Lampetra fluviatilis</i> 1099

			Salmon <i>Salmo salar</i> 1106 Otter <i>Lutra lutra</i> 1355 Alkaline fens 7230 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> Alno-Padion, Alnion incanae, Salicion albae 91E0
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Identification of likely significant effects on the European sites 'alone'

Table 2: Could the project undermine the Conservation Objectives 'alone'

European Site and qualifying feature	Conservation objective	Could the conservation objectives be undermined (Y/N)?			
		Effect A	Effect B	Effect C	Effect D
River Boyne and River Blackwater SPA (site code 004232)					
Kingfisher <i>Alcedo atthis</i> A229	To maintain the favourable conservation condition of..	Y	Y	Y	Y
European Site and qualifying feature River Boyne and River Blackwater SAC (site code 002299)	Conservation objective	Could the conservation objectives be undermined (Y/N)?			
		Effect A	Effect B	Effect C	Effect D
River Lamprey <i>Lampetra fluviatilis</i> 1099	To restore the favourable conservation condition of..	Y	Y	N	Y
Salmon <i>Salmo salar</i> 1106	As above	Y	Y	N	Y
Otter <i>Lutra lutra</i> 1355	To maintain the favourable conservation condition of ..	Y	Y	Y	Y
Alkaline fens 7230	As above	Y	Y	N	Y
Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> Alno-Padion, Alnion incanae, Salicion albae 91E0	To restore the favourable conservation condition of..	Y	Y	N	Y

Effect Mechanism A (Surface water pollution during construction phase)

- The construction of the project involves ground excavations and demolition of existing shed.

Effect Mechanism B (Surface water pollution during operation phase)

- The operation phase of the project involves discharging stormwater to the River Boyne.

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Appropriate Assessment: Stage 1 Conclusion - Screening determination

In accordance with section 177U of the Planning and Development Act 2000 as amended, and on the basis of objective information, having carried out Appropriate Assessment screening (Stage 1) of the project, it has been determined that the project may have likely significant effects on River Boyne and River Blackwater SAC (site code 002299) and River Boyne and River Blackwater SPA (site code 004232) in view of the sites' conservation objectives and qualifying interests.

An Appropriate Assessment (Stage 2) is therefore required of the implications of the project on the qualifying interests of the SAC and SPA in light of their conservation objectives.

The possibility of likely significant effects on other European sites has been excluded on the basis of the nature and scale of the project, separation distances, and the weakness of connections between the project, the appeal site, and the European sites, River Boyne and River Blackwater SAC (site code 002299) and River Boyne and River Blackwater SPA (site code 004232)

No measures intended to avoid or reduce harmful effects on European sites have been taken into account in reaching this conclusion.

Appropriate Assessment

Stage 2

Aspects of the Proposed Development

During the construction phase the proposal could result in discharges to the River Boyne as a result of ground excavations and pouring of concrete for foundations and other hard surfaces. There is no proposed foul water discharge to or water abstraction from the River Boyne.

Mitigation Measures

The description and consideration of the impacts of these works to the River Boyne are the subject of the NIS, and preliminary CEMP. A range of mitigation measures are identified during the construction and operation phases of the project to protect the water quality of the river, prevent pollution events, and mitigate against excessive siltation, primarily in the NIS and CEMP. These are set out in Section 5 of the NIS.

These are detailed under Pre-Construction and Construction and operation and Landscaping

Where relevant, likely significant effects on the European site(s) 'in-combination with other plans and projects'

Table 3: Plans and projects that could act in combination with effect mechanisms of the proposed project (e.g. approved but uncompleted, or proposed)

Plan / Project	Effect mechanism
Listed in Section 4 of the NIS and supplemented by information in section 5.0 of this report.	A, B, C & D as per Table 1 above

I have had regard to the information included in the NIS, and information submitted with the application. I have also had regard to planning applications (proposed/ decided) in Navan Town which have been accompanied by NISs and (as relevant) subject to AAs. I do not identify any significant in-combination effect from same. In respect of relevant plans, I identify that SEA was undertaken by the planning authority in respect of the Meath County Development Plan 2021-2027 incorporating the Volume 2 written statement for Navan. The CDP includes policies and objectives seeking environmental protection and pollution prevention and requiring projects to be constructed to/ operate within industry standards with connection to/ servicing by public water services infrastructure.

Table 4: Could the project undermine the Conservation Objectives in combination with other plans and projects?

European Site and qualifying feature	Conservation objective	Could the conservation objectives be undermined (Y/N)?			
		Effect A	Effect B	Effect C	Effect D
River Boyne and River Blackwater SPA (site code 004232) As per Table 2 above	As per Table 2 above	N	N	N	N
River Boyne and River Blackwater SAC (site code 002299) As per Table 2 above	As per Table 2 above	N	N	N	N

Appropriate Assessment: Stage 2 Conclusion

The project has been considered in light of the assessment requirements of sections 177U and 177V of the Planning and Development Act 2000, as amended. On the basis of objective information, I have assessed the implications of the project on the River Boyne and River Blackwater SPA and River Boyne and River Blackwater SAC in view of the sites' conservation objectives. I have had regard to the applicant's NIS and all other relevant documentation and submissions on the case file. I consider that the information include in the case file is adequate to allow the carrying out of an Appropriate Assessment.

Following the Appropriate Assessment (Stage 2), it has been concluded that the project, individually or in-combination with other plans or projects would not adversely affect the integrity of River Boyne and River Blackwater SPA (site code 004232) and River Boyne and River Blackwater SAC (site code 002299) in view of the sites' conservation objectives and qualifying interests.

This conclusion is based on:

- An assessment of all aspects of the project including proposed mitigation measures in relation to the conservation objectives of the River Boyne and River Blackwater SPA and River Boyne and River Blackwater SAC.
- An assessment of in-combination effects with other plans and projects including historical and current plans and projects.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the River Boyne and River Blackwater SPA and River Boyne and River Blackwater SAC.

Inspector: _____

Date: _____