



An
Bord
Pleanála

Inspector's Report ABP-321389-24

Development	Large Scale Residential Development for the construction of 110 dwellings. A Natura Impact Statement (NIS) has been prepared in respect of the proposed development.
Location	Trim Road, Balreask Old & Limekilnhill, Navan, Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	24201
Applicant(s)	Cairn Homes Properties Limited
Type of Application	Large-scale Residential Development
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party
Appellant(s)	Meath Travellers Workshop
Observer(s)	None.
Date of Site Inspection	30 th January 2025.
Inspector	Peter Nelson

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Appendix 1 – Form 1: EIA Pre-Screening

Form 3: EIA Screening

Appendix 2 – Appropriate Assessment Screening

Appendix 3 – Appropriate Assessment

1.0 Site Location and Description

- 1.1. The site, with a stated area of 3.34 hectares, is located on the eastern side of the Trim Road (R161) in the townland of Balreask Old on the southern side of Navan town in County Meath within the 50kph speed limit. The site is c.1km south of the centre of Navan and is c.500m from the site of the future Navan Railway Station
- 1.2. The site forms part of a larger plot of land identified in the Meath County Development Plan 2021-2027 as M8 Masterplan lands. The proposed development is the third phase of the Swanbrook residential development. The subject site wraps around the recently constructed Phases One and Two. The permitted creche has yet to be constructed. As part of the Phase One, a new cycle lane and footpath has been provided on western side of the R161 Trim Road.
- 1.3. The area is a mix of commercial and residential uses. Directly to the north of the site is a free-standing Lidl supermarket. Beechmont Garden Centre and shopping centre are on the opposite side of the R161 to the northwest. Also opposite the site are the Canterbrook and Beechmont housing estates.
- 1.4. To the east and south of the site is bounded by undeveloped lands in agricultural use which are under the applicant's control. The site is irregular in shape is relatively flat, sloping west to east. The northern section of the site bounds the former Navan-Dublin railway line.

2.0 Proposed Development

- 2.1. The proposed development comprises of the construction of 110no. residential dwellings, comprising of 64no. two-storey houses and 46 no. apartments in a single four storey block.
- 2.2. The proposed development is phase three of an overall landholding. The proposed development will be accessed via the entrances and link streets serving Phase 1 (Strategic Housing Development ABP ref: 311199-21) and permitted Phase 2 (P.A. ref: 2221202 as amended by P.A. ref: 23403) both accessed from the Trim Road.

- 2.3. The proposed development also includes the provision of 184 no. car parking spaces, including 3 accessible spaces and 15no. EV charging spaces, serving the residential development. 116 no. bicycle spaces are proposed.
- 2.4. The proposed development includes modifications to Phase 2 including an extension of the permitted north-south link street and incorporating new junctions and the reconfiguration of the permitted car parking layout serving the childcare facility.
- 2.5. The proposed development includes public and communal open spaces, bin storage and associated infrastructure including a temporary foul water pumping station.
- 2.6. For ease of reference for the Board, the following table sets out some key elements of the proposed development:

Table 1: Key Figures

Site Area	
Gross	3.34 hectares
Net	2.67 hectares
No. of Units	110
Apartments	46
Houses	64
Building Height	Houses 2 storey, Apartments 4 storey
Density	41.2 units per hectare
Open Space Provision	
Public	4,205m ²
Communal	310m ²
Parking	
Car	184 spaces
Bicycle	116 spaces

- 2.7. The table below presents a summary of the proposed residential unit mix.

Table 2: Summary of Proposed Residential Unit Mix

Description	Phase 3 Proposed	%
1 Bed Apartments	23	21%
2 Bed Apartments	23	21%
2 Bedroom Houses	2	2%
3 Bedroom Houses	58	53%
4 Bedroom Houses	4	3%
Total	110	100%

3.0 Planning Authority Pre-Application Opinion.

3.1. An LRD/ Section 247 Consultation Meeting took place on the 22nd of August 2023 between representatives of the applicant and the Planning Authority, Meath County Council. A Section 32C consultation meeting took place on the 30th of November 2023 between the applicant and Meath County Council. An LRD opinion was issued on the 22nd of September 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. Guidance was provided on the following topics (in summary):

- Screening for Appropriate Assessment (AA) and Natura Impact Statement (NIS).
- Zoning/Masterplan Density/Phasing
- Design, Layout including Residential Units Mix.

The proposed housing mix was considered acceptable at this stage. It was recommended that a justification of the mix be submitted with the planning application.

- Requirements of the Apartment Guidelines 2023
- Landscaping
- Social Infrastructure Assessment
- Environment
- Flooding
- Archaeology
- Broadband
- Houses: Part V.

Given the high housing need for 1 and 2 bed properties, the proposal as submitted at this stage, was considered to be in line with current housing need.

- Transportation
- Water & Wastewater
- Public Lighting
- Noise
- CEMP
- Waste Management
- Taking in Charge/Management Company
- Fire Safety
- Energy Efficiency
- Public Artwork
- Other Issues

A copy of the minutes of the section 247 pre-application meeting and the section 247(7) determination by the planning authority are included in the case file.

4.0 Planning Authority Decision

4.1. Decision

4.1.1. On the 4th July 2024 Meath County Council requested the applicant to submit Further Information relating to the following:

- The submitted Site-Specific Flood Risk Assessment.
- A revised surface design water drainage system incorporating surface level nature-based solutions to attenuate and filtrate development runoff.
- Additional detail for the AA Screening and the NIS.
- Revised public notices.

4.1.2. On the 8th November 2024 Meath County Council decided to grant permission subject to 27no. conditions.

4.1.3. The attached conditions are generally standard except for the following:

- No14. Requires the agreement on the detailed design of the main Link Street including its interface with the Link Distributor Road 1(a) (LDR1(a)) and completion of the full extent of the link road between the proposed development and the Trim Road prior to the occupation of the development, unless otherwise agreed.
- No.15. Requires the agreement on a revised Site-Specific Flood Risk Assessment.

4.2. Planning Authority Reports

Planning Reports

4.2.1. The main points of the initial report of the Planning Officer dated the 4th July 2024 can be summarised as follows:

Principle of Development

- There is capacity in the Core Strategy to accommodate the proposed development.

- It is proposed to locate the residential development in the A2 zoning which is acceptable as it is the primary zone where new residential development should be located.
- The apartment is located in the C1 mixed use zone which requires that residential development generally does not exceed 50% of the quantum of a site.
- The permitted and proposed new residential development (1.25 Ha) represents half of the recently developed C1 area and is consistent with the C1 land use zoning.
- No dwellings, private amenity spaces or associated parking infrastructure are proposed on the *A2 – Phase 2 – Residential Lands not available for Development until post -2027* zone lands which is acceptable.
- A temporary wastewater pumping station and the surface water outfall are proposed in the F 1 Zone which is acceptable as utilities are 'permitted uses' in this zoning.
- The net plot ratio of 0.40 and site coverage of 19% of net developable area are acceptable.

Development Management Standards

- The proposed housing layout follows the pattern established by the earlier phases and in this context is acceptable.
- The density proposed is 41.2 units per hectare.
- Given that the site is located c. 1km from the town centre and immediately south of the lands earmarked for a railway station, it can accommodate higher densities.
- The density is with the 30-55 range for such as site as presented in the Sustainable Residential Development and Compact Settlement, Guidelines for Planning Authorities, 2024.
- The development is proposed to be delivered in 3 sub phases.

- The height strategy for the 4-storey apartment block as presented is considered to comply with the Development Plan and the Urban Development and Building Heights, Guidelines for Planning Authorities. (2018)
- The size of the proposed houses meets or exceed the minimum requirements as set out in Quality Housing for Sustainable Communities (2007) and are acceptable.
- The proposed apartment development complies with SPPR 1, 3,4, 5 and 6 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2022)
- The development is compliant with the internal storage requirements as set out in Appendix 1 of the guidelines,
- The proposed units mix as presented is acceptable.
- The analysis presented in the Daylight, Sunlight and Overshadowing Study is acceptable.
- The finishes are to be similar as those used in the earlier phases. Final decision on external finished will be agreed at compliance stage.
- The development forms part of the planned urbanisation of the area and the visual impact will be reasonable when viewed in the context of surrounding development.
- The public open space provision exceeds the County Development Plan requirements.
- Satisfied that the trees and hedgerows scheduled for removal are necessary to facilitate the development when taken in conjunction with the landscape measures proposed.
- The private open space provision complies with the development plan standards.
- The private balconies and storage requirements have been provided in accordance with the Design Standards for New Apartments 2022.
- The proposed bicycle parking and bin storage are acceptable.

- A final agreement of boundary treatments will be subject to post planning agreement, noting the boundaries permitted by ABP in phases 1 and 2.
- The requirement to have a management company in place will be reinforced by the attachment of a planning condition.
- 6 no. units are designed in accordance with the requirements of the 'Universal Design Guidelines for Ireland'.
- Accessible parking space are located proximate to access cores in the basement parking and universally designed to be accessible to all users with a range of disabilities.
- Acceptance of conclusion of the Acoustic Design Statement which states that the standard construction methods and materials will provide suitable acoustic insulation.
- The required art feature as required under Development Plan Objective DMOBJ 38 will be addressed by condition.

Social Infrastructure Audit (SIA)

- The site is in a highly accessible location in a designated Key Town. The proposed development will provide a critical mass of population to support existing facilities and services into the future. The general conclusions of the SIA are acceptable.

Appropriate Assessment.

- The planning authority retained Tetra Tech to undertake a technical review of the NIS and concluded that the Planning Authority should not accept the AA screening as it does not provide certainty that all mechanisms which could lead to a likely significant effect have been assessed.
- Further Information is required.

Environmental Impact Assessment Screening Report

- The submitted environmental impact assessment screening report concludes that the significant environmental effects are highly unlikely to arise from the proposed development. This conclusion is acceptable to the Planning Authority.

Ecological Impact Assessment

- Acceptance of the surveys carried out, the level of detail contained in the submitted Ecological Impact Assessment and the conclusions presented.
- The impacts arising from the development on ecology are considered acceptable subject to carrying out mitigation measures.

Architectural & Archaeological Heritage

- The condition recommended by the National Monuments Services to be included.
- No impacts on architectural heritage are considered likely.

Conclusion

- While further information can only be sought in limited circumstance for a LRD application, further information is required in relation to a Site-Specific Flood Risk Assessment and additional details and assessment in the AA screening report and the NIS.

4.2.2. The main points of the report of the Planning Officer after the submission of the Further Information dated the 8th November 2024 can be summarised as follows:

- There is now no objection to the proposed development from a flooding perspective subject to the attachment of two conditions.
- The development now broadly meets the requirement of Meath County Council Environment Flooding- Surface Water Section with respect to the orderly collection, treatment and disposal of surface water subject to conditions.
- A revised AA Screening report, NIS and CEMP has been submitted. Based on the recommendation of Tetra Tech report all outstanding issues can be addressed by the attaching of appropriate planning conditions, including mitigation measures.
- Concludes that the proposed development would not seriously injure the visual or residential amenity of the area and would not be likely to have significant effects on the environment or the ecology of the area.

4.2.3. Other Technical Reports

- Report from **Broadband Officer** dated the 31st May 2024 recommends the attachment of a condition relating to telecommunications infrastructure.
- Report from the **Environment Flooding- Surface Water Section**, undated, stated that as the Site-Specific Flood Risk Assessment is not detailed enough, the proposed development would be contrary to the Planning System and Flood Risk Management - Guidelines for Planning Authorities. The report also states that with regard to Surface Water Treatment & Disposal the development broadly meets the requirements of the section and recommends conditions.
- The second report from the **Environment Flooding- Surface Water Section**, dated the 7th November 2024 stated that that they have no objection to the proposed development from a flooding perspective subject to conditions.
- Report from the **Transportation Department** dated the 27th June 2024 had no objection subject to conditions.
- The report from the **Housing Section** dated the 30th May 2024 states that the Part V requirement to be met by the delivery of units on site.
- The report dated 20th June 2024 the from **Tetra Tech** who were instructed by the Planning Authority to undertake a review of the AA screening and NIS, found that the AA screening and the NIS were lacking sufficient detail to carry out an Appropriate Assessment.

4.3. Prescribed Bodies

- **HSE** report received on the 13th June 2024 made observations relating to the prevent of temporary emissions during construction, integration of green planting throughout the public realm, integration of safe and segregated pedestrian and cycle facilities and ventilated and drained bin stores.
- **Uisce Eireann** report dated the 25th June 2024 has no objection in principle and stated that the applicant has engaged with them in regard to a pre-

connection Enquiry and has been issued with a Confirmation of Feasibility. Uisce Eireann recommended conditions.

- **Department of Housing, Local Government and Heritage** report dated the 12th June 2024 recommend a condition relating to Archaeological Monitoring and recommended the planning authority request the applicant to submit further information relating to a revised design for the surface water drainage scheme to ensure that detrimental effects on the Qualifying Interests of the River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA do not occur.

4.4. **Third Party Observations**

Three submissions were received on the planning application. The main points raised can be summarised as follows:

- The development must be assessed for compliance with the requirements of the Water Framework Directive.
- The development is within the Zone of Influence of the River Boyne and Blackwater Special Area of Conservation.
- Agreeing with the principle of more housing in Navan, there is no need for more apartments in the area.
- The proposed development will lead to exclusion of the Traveller families.
- Issues relating to the Housing List.
- There has not been adequate consultation with the Traveller Community.
- Cena (Traveller Cultural Appropriate Homes) were not involved in the Part V discussions.
- The housing mix for the Part V proposal is not adequate and should include larger units.
- The applicant should provide apprenticeship and employment opportunities for the local young travellers.

- Single storey dwellings should be provided to meet the needs of an aging population.
- The four-storey apartment block will have an adverse effect on the area.

One observation was received on foot of the Further Information submitted. The main points can be summarised as follows.

- For 12 months before the lodging of the application the Traveller Housing Body (Cena) has tried in vain to be involved to increase and improve the output of Traveller-specific accommodation.
- Issues relating to unemployment.
- The Housing Strategy should reflect the objectives of the 5-year Travellers Accommodation Programme.
- Zoning policies should be flexible to reflect the urgent need to secure additional Traveller accommodation within the Strategically Zoned Planning Schemes.
- The need to counteract segregation in housing between persons of different social background in the area.
- The need to include Travellers targets and objectives within the new Local Authority Housing Delivery Action Plans.

5.0 Planning History

ABP. Ref: 311199-21

Application for permission for a Strategic Housing Development (SHD) consisting of 132 no. residential units, (60no. houses and 72no. apartments) a creche and associated site works. The site area as submitted was 4.2 hectares.

Split Decision

Permission **refused** on the 13th December 2021 for the part of the development on the portion of the site located on lands which are the subject to land use zoning

objective “A2 Phasing – Residential Land not available for development until post 2027” indicated on map 28(A) Navan Land Use Zoning Map of the Meath County Development Plan 2021-2027 and permission **granted**, the remainder of the development, as proposed.

The scheme is **phase one** of the overall development of which the current appeal is part of.

P.A. Ref: 22/1202

Permission granted on the 25th January 2023 for the construction of 43 no. residential dwellings (24no. houses and 24no. duplex units). The scheme is **phase two** of the overall development of which the current appeal is part of. The site area as submitted was 2.11 ha.

P.A. Ref:23/403

Permission granted on the 28th July 2023 for modification to the SHD development granted under ABP. Ref: 3111199-21 to replace the childcare facility with an area of grassed open space and the provision of a childcare facility of 710m² in the northeastern part of the applicant’s landholding that will accommodate all of the childcare needs of the entire Masterplan 8 lands.

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.

National Strategic Outcome 1 (Compact Growth) sets out the focus on pursuing a compact growth policy at national, regional, and local level.

Chapter 6 ‘People Homes and Communities’ includes 12 objectives among which include:

Objective 27 which seeks to ensure the integration of safe and convenient alternatives to the car design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.

Objective 33 which seeks to prioritise the provision of new homes at locations that can support sustainable development at an appropriated scale of provision relative to location.

Objective 35 which seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill Development schemes, area or site-based regeneration and increased building heights.

6.1.2. Housing for All – A New Housing Plan for Ireland to 2030, 2021.

The government's housing plan to 2030. It is a multi-annual, multi-billion-euro plan which aims to improve Ireland's housing system and deliver more homes of all types for people with different housing needs.

6.1.3. Climate Action Plan, 2024.

The purpose of the Climate Action Plan is to lay out a roadmap of actions which will ultimately lead to meeting Ireland's national climate objective of pursuing and achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022.

6.1.4. Water Framework Directive

The Water Framework Directive (Directive 2000/60/EC) is EU legislation which sets out a framework for the protection and improvement of water quality across various water bodies, including rivers, lakes, groundwater, and transitional coastal waters.

6.1.5. National Biodiversity Action Plan 2023-2030

Ireland's 4th NBAP sets the biodiversity agenda for the period 2023 – 2030. The NBAP has a list of Objectives which promotes biodiversity as follows,

- Objective 1 Adopt a whole of government, whole of society approach to biodiversity; Objective 2 Meet urgent conservation and restoration needs;
- Objective 3 Secure nature's contribution to people;
- Objective 4 Enhance the evidence base for action on biodiversity;
- Objective 5 Strengthen Ireland's contribution to international biodiversity initiatives

6.1.6. 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).

6.1.7. 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 2019-2031

Navan is the County Town and is designated a Key Town in the Regional Spatial and Economic Strategy for the Eastern and Midland Region.

The settlement strategy for key town is defined as follows:

‘Key Towns Provide for the sustainable, compact, sequential growth and urban regeneration in the town core of identified Key Towns by consolidating the built footprint through a focus on regeneration and development of identified Key Town centre infill / brownfield sites.’

6.3. County/Local 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 Navan and the subject lands. The plan came into effect on the 3rd November. I note that the original Meath County Development Plan 2021-2027 (adopted on 22nd September 2021) has been superseded by a Consolidated version of the Meath County Development Plan 2021-2027 (incl. Variations 1 & 2) adopted on the 13th May 2024.

6.3.3. 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

6.3.4. The Core Strategy in Chapter 2 designates Navan as a Key Town.

6.3.5. Settlement and Housing Strategy

I have extracted the following relevant information for Navan from Table 2.12: Core Strategy Table, Population and Household distribution to 2027.

Settlement	Population 2016	Projected Population 2027	Net New Units required for the Plan Period
Navan	30,173	36,073	924

Policy SH OBJ 3 sets out that an Order of Priority for the release and development of residential lands with any lands identified as being ‘Post 2027’ not being available

for residential development during the lifetime of the subject Development Plan and no permission for dwellings will be granted on these lands by Meath County Council.

Policy SH OBJ 15 refers to the 10% social housing requirements to land zoned for residential use or for a mixture of residential and other uses, except where the development would be exempted from this requirement.

The applicant overall landholding forms the majority of the Master Plan 8 as designated in Section 6 of the Development Strategy. The description of this master plan area is as follows: *‘Master Plan 8 relates to a triangle of land formed by the Trim Road, the former Navan-Dublin Rail Alignment and lands adjoining the Swan River. This area has been identified for mixed uses, new residential and an open space/amenity area. The design and delivery of local distributor road LDR 1(a) will be a fundamental part of any Master Plan. The Master Plan shall include details of the proposed phasing for the development of the lands which shall include the delivery of the Distributor Road.’*

6.3.6. Zoning

The majority of 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.’*

A 0.73ha section of the site which contains the proposed apartments and open space is located on an area zoned C1 Mixed Use with an objective *‘to provide for and facilitate mixed residential and employment generating uses.’*

A section of the site which contains the proposed Link Street, open space and the attenuation tanks is zoned A2 Phase 2 Residential land not available for development until post 2027.

The proposed temporary wastewater pumping station and the surface water outfall are located on lands zoned F1 with an objective *‘To provide for and improve open spaces for active and passive recreational amenities’*

Utilities are ‘a permitted use’ under the F1 zoning.

6.3.7. Design Criteria for Residential Development.

It is an objective of the Plan as stated in Section 3.8.9 to require a density of 45 units/ha on more centrally located and strategic lands in Regional Growth Centres and Key Towns. This density is also a requirement on lands adjacent to existing and future and rail stations in the County.

Policy SH POL 9 is to promote higher densities in appropriate locations and in particular close to town centres and along public transport corridors, in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009).

6.3.8. Relevant Objectives include:

SH OBJ 17

To implement the 'Meath County Council Traveller Accommodation Programme 2019-2024' and any subsequent programme adopted during the lifetime of the Development Plan.

SH OBJ 21

To require that, where relevant, all new residential developments shall be in accordance with SSPR 1 to SPPR 4 of the Urban Development and Building Heights Guidelines for Planning Authorities, December 2018 as well as SPPR 1 to SPPR 9 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, March 2018. All new residential development should comply with the densities outlined in Chapter 11 of this plan.

SH OBJ 22

To seek that all new residential developments on zoned lands in excess of 20 residential units provide for a minimum of 5% universally designed units in accordance with the requirements of the 'Universal Design Guidelines for Homes in Ireland' developed by the Centre for Excellence in Universal Design (National Disability Authority).

SH OBJ 23

To require that all new residential development applications of 50 units or more are accompanied by a Social Infrastructure Assessment (SIA) to determine if social and community facilities in the area are sufficient to provide for the needs of the future residents in accordance with the requirements of policy SOC POL 6 in the 'Community Building Strategy' (Chapter 7).

MOV OBJ 3

To ensure that design for cycle infrastructure for all relevant developments shall be carried out in accordance with the Greater Dublin Area Cycle Network Plan, other relevant design standards or any successors to these documents.

MOV OBJ 25

To facilitate the provision of electricity charging infrastructure for electric vehicles both on street and in new developments in accordance with car parking standards and best practice.

MOV OBJ 46

To require provision of parking standards in accordance with the standards set out in Chapter 11 Development Management for all developments.

INF OBJ 7

To promote the sustainable use of water and water conservation in existing and new development within the County and encourage demand management measures among all water users.

INF OBJ 12

The Planning Authority shall consider the provision of temporary wastewater treatment facilities for new developments only in circumstances where a permanent solution is identified and committed to by Irish Water. The temporary solution shall only be considered where it is deemed to be environmentally sustainable and would not affect the water quality status of receiving waters. Adequate provision shall be made by the developer for the operation and maintenance of the temporary facility for the duration of the operation of the required infrastructure.

INF OBJ 15

To require the use of SuDS in accordance with the Greater Dublin Regional Code of Practice for Drainage Works for new developments (including extensions).

INF OBJ 20

To implement the Planning System and Flood Risk Management-Guidelines for Planning Authorities (DoEHLG/OPW 2009) or any updated guidelines. A site-specific Flood Risk Assessment should be submitted where appropriate.

HER OBJ 34

To protect and conserve the conservation value of candidate Special Areas of Conservation, Special Protection Areas, Natural Heritage Areas and proposed Natural Heritage Areas as identified by the Minister for the Department of Culture, Heritage and the Gaeltacht and any other sites that may be proposed for designation during the lifetime of this Plan in accordance with the provisions of the Habitats and Birds Directives and to permit development in or affecting same only in accordance with the provisions of those Directives as transposed into Irish Law.

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

- Residential Development Beside Rail Stations: 50 uph or above
- Regional Growth Centres/Key Towns: (Navan/Drogheda) - 35-45 uph

DM OBJ 25: To require development with increased building height at the following locations;

- Dunboyne Central rail station
- Pace Rail Station
- Maynooth Environs
- Drogheda Environs
- Navan

DM OBJ 38: All proposals for residential developments above 75 units shall incorporate works of public art into the overall scheme or make a financial contribution to the Council to provide the piece of public art in order to enhance the

amenities of the local environment (Refer to Chapter 7, Community Building Strategy).

6.3.9. Development Plan Volume 2: Written Statement Navan

6.3.10. The stated vision is *“For Navan to continue to function and develop as a multi-modal Key town in Meath; an important employment centre for administrative, retail, health, and education services, where development in the town centre is balanced by investment in the business and industrial parks, which will enhance its attractiveness as a place to live, work, and invest and thereby support the creation of a sustainable community.”*

Master Plan 8

Master Plan 8 relates to a triangle of land formed by the Trim Road, the former Navan-Dublin Rail Alignment and lands adjoining the Swan River. This area has been identified for mixed uses, new residential and an open space/amenity area. The design and delivery of local distributor road LDR 1(a) will be a fundamental part of any Master Plan. The Master Plan shall include details of the proposed phasing for the development of the lands which shall include the delivery of the Distributor Road.

NAV OBJ 6

To operate an Order of Priority for the release and development of residential lands with any lands identified as being ‘Post 2027’ not available for development until after 2027.

NAV OBJ 19: To support the delivery of the following key road projects:

- i. Distributor Road LDR1a) Trim Road to Dublin Road
- ii. Distributor Road LDR 1b) Kilcarn Link Road
- iii. Distributor Road LDR 2a) Commons Road to Trim Road
- iv. Distributor Road LDR 2b) Commons Road and Athboy Road
- v. Distributor Road LDR 4 Ratholdron Road to Kells Road
- vi. Distributor Road LDR 6 Kentstown Road to Boyne Road

Development of these road projects will be subject to the outcome of the Appropriate Assessment process. Where adverse effects on European site integrity are identified, alternative routes or designs will be developed to ensure that the project will not adversely affect the integrity of any European Sites, either alone or in-combination with any other plans or projects. If, despite the implementation of mitigation measures, there remains a risk that the proposals will adversely affect the integrity of any European Site(s), the project will not be progressed unless an alternative solution can be implemented which avoids/ reduces the impact to a level that the integrity of the European Site(s) is(are) unaffected

6.4. Natural Heritage Designations

The River Boyne and River Blackwater Special Area of Conservation (Code 002299) is c.0.66km from the application site.

Boyne Coast and Estuary Special Area of Conservation (Code 001957) is c.26.3 km from the application site.

River Boyne and River Blackwater Special Protection Area (Code 004232) is c.0.66km from the application site.

The Boyne Estuary Special Protection Area (Code 004080) is c.25.1km of the application site.

7.0 The Appeal

7.1. Grounds of Appeal

An appeal has been received from the Meath Travellers Workshop. The main points of the appeal can be summarised as follows:

- The recommendations in the appellant's first submission on the planning application were not acknowledged in the planner's report as they were considered to be irrelevant to the planning process.

- Some of the recommendations in the appellants second submission on the planning application were considered to be national strategic policy rather than local and are related to future planning rather than the current planning application.
- The lack of linkages between the County Development Plan and Travellers Accommodation Plan needs to be addressed.
- The 1998 Travellers Accommodation Act requires that Development Plans must include provision for travellers and the use of particular areas for that purpose.
- The OPR 2021 study on Travellers Accommodation & the Local Development Plan highlights that under Section 10(2)(i) of the 2000 Act a development plan must include objectives for the provision of accommodation for travellers.
- Cena (Travellers Housing Body) should have been on board to carry out a consultation process on the application to discuss what options might be available or feasible to carry out within this development.
- The recommendation for flexibility in zoning objectives to accommodate Travellers' need should be applied to this application and should apply to the re-zoning to allow for 45+ units per hectare.
- Public and private sector working together to deliver housing is vital.
- Consideration should be given to the high level of unemployment within the core area of where this development is taking place. Apprenticeships should be given to young people during construction.
- There should be a mix of ground floor houses or bungalows for people with disabilities and the elderly.
- Two-bedroom houses should be provided for smaller families. The majority of units proposed in the Part V agreement for this phase are 1 & 2 bed apartments.
- To reconsider the height of the four-storey apartment block.

7.2. Applicant Response

The main points of the applicant's response can be summarised as follows:

- The appeal does not request that permission is refused.
- A substantial part of the grounds of appeal addresses broad policy and legislative matters that are relevant to the drafting and implementation of national guidelines, legislation and statutory land use plans, the Traveller Accommodation Programmes and culturally appropriate housing policies in the Meath Housing Strategy and Development Plan.
- Meath County Council's obligation in respect of traveller's accommodation is implemented at the planning application stage through the Part V of the Act.
- Section 6.3.3 of the Meath Housing Strategy states that the social housing need assessment included an analysis of Traveller families in the County and accommodation requirements.
- The LRD application included site plans identifying the units for transfer in compliance with Part V. Condition no.12 requires the applicant to provide social and affordable housing units to the Council in accordance with the Act, as implemented through the Housing Strategy and County Development Plan.
- The applicant and the planning authority have discharged their duties and obligations under the Act, in accordance with the Housing Strategy that forms part of the County Development Plan, as informed by the adopted Traveller Accommodation Programme.
- The proposed mix of units to be transferred under Part V were discussed and agreed with the local authority at pre-planning stage.
- The proposed Part V provision comprises of 12no. one bed apartments, 3no. two-bed (three person) apartments, 9 no. two bedroom (four person) apartments and 5 no. three bedroom houses.
- The proposed Phase 3 includes 58no. 3-bed houses and 4-bed houses which represents 56.3% of the total units.

- Of the total Master Plan lands 48.8% of the units are 3-bed units which have been designed to be adaptable into the future to and meet the varied needs of different household types.
- There is no objective in the Development Plan to provide grouped housing on the appeal site.
- The proposed development provides a density of development appropriate to the context of the site proximate to the town centre which could not be achieved by the inclusion of bungalows.
- The height of the apartment block is appropriate to its location and context being closest to the town centre and addressing the open space to the west and the railway line.
- The block provides for increased unit numbers and a broader range of building typologies in line with wider demographic and household formation trends.
- A 4-storey bock was submitted in response to the feedback from the c.247 meeting.
- The proposed height is appropriate and consistent with national planning policy that advocates sustainable densities on sites accessible to urban centre and public transportation facilities.

7.3. Planning Authority Response

A late response was received from Meath County Council on the 15th January 2025. This was returned to the Council.

7.4. Observations

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
- Consultation.
- Employment
- Accessible Housing
- Housing Mix
- Height of Proposed Apartment Block
- Childcare – New Issue
- Local Authority Conditions

8.2. **Principle of Development**

Zoning

- 8.2.1. The appeal site contains four zoning objectives. The majority of the site is zoned A2 - New Residential. All of the proposed houses are located on this zoning. Part of the site is zoned A2 Phase 2 where residential land is not available for development until post 2027. While part of the link street and public open space is proposed on this zoning, no residential units are proposed. The Development Plan Objective SH OBJ 3 states no permission for dwellings will be granted on these lands by Meath County Council during the lifetime of the development plan. As there are no dwellings proposed on the A2 Phase 2 lands I consider that the proposed development complies with the A2 zoning objective.
- 8.2.2. Part of the site is zoned F1-Open space. No residential units are proposed on this zoning. The temporary pumping station and attenuation tank are proposed for this zoning. Utilities are permitted uses on this F1 zoning.

8.2.3. The remainder of the site is zoned C1 Mixed Use. The objective of this zoning is *'To provide for and facilitate mixed residential and employment generating uses'*. The Development Plan guidance for this zone is that the *'percentage of residential development in C1 zones shall generally not exceed 50% of the quantum of a development site'*. In the Planning Report and Statement of Consistency, submitted with the planning application, it is stated that the proposed residential development combined with previous phases of residential development on C1 lands is a total of 1.25ha or 29% of C1 lands in the master plan area. I note that directly to the north of the link road is a Lidl supermarket and to the west is a Circle K service station, both on C1 zoned lands

8.2.4. I, therefore, consider that the proposed development complies with the zoning objectives of the site.

Density

8.2.5. The density of the proposed development is a stated 41.2 units per hectare. Development Plan DM OBJ 14 states that *'the following densities shall be encouraged when considering planning applications for residential development:*

- *Residential Development Beside Rail Stations: 50 uph or above*
- *Regional Growth Centres/Key Towns: (Navan/Drogheda) - 35-45 uph'*

As Navan is a designated key town, the density of the proposed development complies with this objective.

8.2.6. Development Plan Policy SH POL 9 is to promote higher densities in appropriate locations and in particular close to town centres and along public transport corridors, in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009).

8.2.7. The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) replace the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009).

8.2.8. It is a policy and objective of the above Guidelines that *'residential densities in the range 30 dph to 50 dph (net) shall generally be applied at suburban and urban extension locations of Key Towns and Large Towns, and that densities of up to 80*

dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations.

- 8.2.9. Navan is identified as a key town in the settlement strategy for Meath in the Development Plan. The density of the proposed development therefore complies with the provisions of the Guidelines.

8.3. Consultation

- 8.3.1. One of the grounds of appeal recommends consultation with Cena, The Traveller Housing Body is required to discuss what options might be available or feasible to carry out this development. The letter from Cena submitted with the appeal states that there has been no consultation with the Traveller Community in previous development phases. They are proposing a meaningful and reliable means by which the input of the Traveller Community can be assured.
- 8.3.2. The planning application for the proposed development has been subject to and complied with the statutory provisions relating to the involvement of third parties in the application process. I consider that the public notices at the application and further information stage were adequate.
- 8.3.3. The appellant considers that the recent residential development in Navan have failed to provide for Traveller Accommodation.
- 8.3.4. Development Plan Objective SH OBJ 17 is to implement the 'Meath County Council Traveller Accommodation Programme 2019-2024' and any subsequent programme adopted during the lifetime of the Development Plan.
- 8.3.5. Section 6.3.3 of the Meath County Council's Housing Strategy assessed the accommodation requirements of the Traveller Community and prepared the Traveller Accommodation Programme 2019-2024 based on this assessment.
- 8.3.6. The Meath County Council Traveller Accommodation Programme 2019-24 recognises, in Section 4.0 Consultation, that the Housing (Traveller Accommodation) Act 1998 requires that a consultation process underpins the preparation and implementation of the Traveller Accommodation Programme.
- 8.3.7. The Meath County Council's Traveller Accommodation Programme 2019-2024 outlines the Council Policy regarding the provision of Traveller Accommodation. It

sets out the range of social housing supports for Travellers including standard Local Authority Housing, Approved Housing Body Housing, Group Housing and Halting Site Bays.

- 8.3.8. I note that the Meath County Council's Traveller Accommodation Programme is currently being reviewed.
- 8.3.9. Traveller Accommodation Programme 2019-2024 details the council targets for the provision of housing for Traveller Accommodation. The target includes 45 standard social housing.
- 8.3.10. I consider that the location and allocation of such units is a matter for Meath County Council and is outside the remit of the Board. I have assessed the mix of units and in particular the mix of units proposed to be transferred to the council to comply with Part V of the Planning and Development act 200 in section 8.6 of this report.
- 8.3.11. To conclude I consider that any consultation relating to the provision of Traveller Accommodation and the implementation of the Traveller Accommodation Programme is matter for the Local Authority and is beyond the scope of this planning application and appeal.

8.4. Employment

- 8.4.1. In the submitted appeal, the appellant recommends that considering the high number of unemployed within the area that apprentice opportunities should be afforded to local residents.
- 8.4.2. The proposed development will result in employment opportunities during the construction phase. However, I consider that is not within the Boards remit to prescribe the type of employment during construction.

8.5. Accessible Housing

- 8.5.1. The appellant recommends that the development should provide for a mix of ground floor bungalows for people with disabilities and the elderly.
- 8.5.2. Objective SH OBJ 22 of the Meath County Development Plan 2021-2027 requires that 'all new residential developments on zoned lands in excess of 20 residential

units provide for a minimum of 5% universally designed units in accordance with the requirements of the 'Universal Design Guidelines for Homes in Ireland' developed by the Centre for Excellence in Universal Design (National Disability Authority).'

- 8.5.3. Six units of the proposed development have been designed in accordance with the requirements of the 'Universal Design Guidelines for Homes in Ireland'. This equates to over 5% of the total number of units proposed.
- 8.5.4. The proposed Part V provision submitted with the application consist of 5no. three-bed units and 24 apartments. The apartments proposed for the Part V provision consist of 12no. one-bed units, 3 no. two-bedroom (three person) units, 9no. two-bedroom (four person) units. The six universal designed units are on the ground floor and are all part of the proposed Part V provision.
- 8.5.5. All of the units will also be subject to Part M of the Building Regulations that requires adequate provision be made for people to access and use a building, its facilities and its environs.
- 8.5.6. The guidance notes contained in section 11.9.1 of Chapter 11 of the Development Plan required that accessible car parking spaces shall be provided at a minimum rate of 5% of the total number of spaces, for developments requiring more than 10 car parking spaces. Out of a total of 58 no. car parking spaces for the apartments 3 accessible spaces have been provided. This equates to over 5%. These spaces are located within easy access to the entrance to the apartment block
- 8.5.7. I consider that the housing mix and design of the proposed development adequately provides for the needs of the elderly and the disabled.

8.6. Unit Mix

- 8.6.1. The appellant recommends that there is a need for two-bedroom houses in the scheme to provide for small families as the majority of the Part V agreement with this proposed phase are 1 and 2-bedroom apartments.
- 8.6.2. Table 3 below details the proposed mix of unit for the proposed phase three and for the permitted and built phases 1 and 2. The proposed phase three provides a variety of house types including 2no. 2-bedroom houses and 23 two-bedroom apartments both of which have been provided adequate private amenity space.

8.6.3. Table 3 Mix of Units for the Permitted and Proposed Phases

Description	Phase 1 & 2 Permitted	Phase 3 Proposed	Overall (Phase 1, 2 & 3)	Mix (%)
1 Bed Apartments	-	23	23	9.5
1 Bed Duplex	4	-	4	1.7
2 Bed Apartments	-	23	23	9.5
2 Bed Duplex	30	-	30	12.4
2 Bedroom Houses	-	2	2	0.8
3 Bed Duplex	26	-	26	10.7
3 Bedroom Houses	60	58	118	48.8
4 Bedroom Houses	12	4	16	6.6
Total	132	110	242	100

8.6.4. On foot of the LRD Opinion the applicant provided a Justification of the Unit Mix with the application. The justification states that *‘the proposed development places significant emphasis on the delivery of smaller units to reflect the smaller average household sizes, an ageing and more diverse population, with greater labour mobility...’* The overall mix of unit for phase 3 consists of 46% of units are 1- and 2-bedroom dwellings and 56% are 3- and 4-bed units.

8.6.5. For the proposed apartment building 50% of the units are one-bedroom units and 50% are two-bedroom units. Specific Planning Policy Requirement 1 of the Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities 2023 requires that *‘housing developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms.’* The proposed apartment mix is consistent with the above Specific Planning Policy Requirement.

8.6.6. It can be seen from Table 3 that for the combined three phases that 11.2% of the units are one bed, 22.7% are two beds, 59.5% are three beds and 6.6% are four

beds. Development Plan policy DM POL 6 requires that the unit typologies proposed provide a sufficient unit mix which addresses wider demographic and household formation trends. I am, therefore, satisfied that the proposed development as both a stand-alone development and as part of the masterplan lands provides a sufficient unit mix to address the needs and household trends of the area.

8.6.7. While I note that no 2-bedroom houses are proposed to be transferred as part of the proposed Part V provision, 12no. 1-bed apartments, 3no. two-bedroom (3 person) apartments, 9no. two-bedroom (4 person) apartments and 5no. three-bedroom houses are proposed to be transferred. A letter from Meath County Council's Housing Department has been submitted with the application, which states that Council agrees in principle to the applicant's proposal for the delivery of Social and Affordable Units. The letter states that the purchase of these units by the Housing Authority is subject to funding approval from the Department of Housing Local Government and Heritage.

8.6.8. The Meath Housing Strategy 2020-2026 highlights that 70% of the households that have a housing need are either composed of a single person or a lone parent. The single-person household has increased the most since the 2013 assessment was undertaken, increasing by over 50%. Couples with or without children account for less than one-third of the list. I consider that the provision of a mix of 1,2,3,4 person apartments and three-bedroom houses provide an adequate mix of units that complies with the housing strategy. I consider that the proposed one- and two-bedroom apartments with adequate private and communal space in an overall development with adequate public open space and play facilities will be suitable for small families.

8.6.9. A standard condition was attached to the grant of permission requiring an agreement in the relation to the provision of housing in accordance with the requirements of Section 94(4) and Section 96(2) and (3) of Part (V) of the Planning and Development Acts 2000-2022. If the Board is minded to grant permission, I recommend that this condition be attached.

8.7. Height of Proposed Apartment Building

- 8.7.1. The appellant recommends that the height of the apartment building be reconsidered as due to its scale, and it is not appropriate for the surrounding landscape.
- 8.7.2. It is a policy of the Meath Development Plan (DM OBJ 25) to require development with increased building height at certain locations including Navan. It also states that in all cases all proposals for buildings in excess of 6 stories at these locations shall be accompanied by a statement demonstrating compliance with the Urban Development and Building Heights, Guidelines for Planning Authorities (2018), or any updates thereof. As the building is less than 6 storeys a statement demonstrating compliance with the Urban Development and Building Heights, Guidelines for Planning Authorities is not required to comply with Policy DM OBJ 25.
- 8.7.3. The proposed apartment building is a flat roof four storey structure and is to the northern section of the site adjacent to the two storey creche building, The Lidl supermarket is located between the Trim Road and the proposed apartment and creche building.
- 8.7.4. The height of the proposed apartment building is 13.7m. I note that the height of the duplex units as permitted in Phase 2 is 12.05m.
- 8.7.5. A landscape and Visual Impact Appraisal (LVIA) and Verified Photomontages and CGIs have been submitted with the application. The LVIA has assessed the visual impact of the apartment development at St. Columbus Crescent at Beaufort College, at St. Columbus Crescent along the Railway Greenway and the entrance to site, beside Lidl from Trim Road. For the first two viewpoints the significant visual impacts are considered to be 'slight' and positive stating that the clearly urban typology and scale of the building will contribute to shift towards a more urban condition which is appropriate in this location. At the site entrance the significant buildings visual impacts are considered to be 'moderate' and positive, stating that it will contribute positively to the emerging urban landscape character, structure and legibility. I concur with the findings of the LVIA and believe that the visual impacts will contribute positively to the emerging urban landscape.
- 8.7.6. I consider that, as can be seen from the verified photomontages that the proposed apartment building will not be overbearing or out of character with the surrounding area and will be an acceptable scale for the area which represents an evolving and emerging urban landscape.

8.8. Childcare – New Issue

- 8.8.1. The proposed development is the third phase of the Swanbrook Residential Development. Phases 1 and 2 consists of 132 dwellings. The proposed development is for an additional 110 dwellings. No childcare facility has been provided to date.
- 8.8.2. The Childcare Facilities Guidelines for Planning Authorities requires the provision of one childcare facility with a minimum of 20 childcare places per 75 dwellings. Section 4.7 of the Sustainable Urban Housing Design Standards for New Apartments (2023) states that *‘One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms.’* The proposed development contains 110 units, 23 of these are one bedroom unit. Therefore, the childcare requirement for the proposed development is a childcare facility with 23no. spaces.
- 8.8.3. The overall childcare requirement for Phases 1 -3 is a stated 57 childcare spaces. As stated above no facility has been built to date.
- 8.8.4. The Social Infrastructure Assessment, submitted with the application, included a survey of the of the Childcare Availability with c.1km of the site. It found that there is combined total capacity of 309 no. spaces of childcare and childminding services. While I acknowledge that there are a number of childcare facilities in the area, I consider that there is a requirement for a childcare facility for the recently constructed phases and the proposed Phase 3 development of this new residential area.
- 8.8.5. The applicant has recognised that there is a need for a childcare facility for the entire masterplan area. The permitted childcare facility (P.A. Ref: 23/403) will accommodate 124no. childcare spaces which, it is stated, will adequately cater for demand arising from the proposed development phases and future development phases. I note that the remainder of the undeveloped Masterplan lands are subject to a A2 Phase 2 zoning which is lands not available for residential development until post 2027. Given that the proposed development is the third phase of the development which will result in a total of 242 dwellings, I consider that a childcare facility is required before the occupation of the proposed residential units. If the Board is minded to grant permission I recommend that a condition be attached

requiring the availability of the childcare facility before the occupation of the proposed residential units.

8.9. Consideration of Local Authority Conditions

- 8.9.1. Please see below Table 4 which details the reasoning behind my recommended conditions for the proposed development.
- 8.9.2. Below are my further reasonings for omitting Local Authority Condition No. 14 and of Condition 15.
- 8.9.3. Condition No14, requires the agreement on the detailed design of the main Link Street including its interface with the Link Distributor Road 1(a). (LDR1(a)) and completion of the full extent of the link road between the proposed development and the Trim Road prior to the occupation of the development, unless otherwise agreed. The full extend of the link road is not included in the application. As part of the masterplan the link road is to end at the proposed LDR 1(a).
- 8.9.4. It is stated in the applicant's Statement of Compliance with MP8 Masterplan that the southern section of the link road is to be completed in a subsequent phase of road works that were presented to Meath County Council in a S247 meeting held in February 2024.I note that an application for a 695m section of the LDR1(a) Road was submitted to the council on the 30th September 2024 but deemed to be invalid.
- 8.9.5. I note that the Traffic and Transport Assessment Report (TTAR) assessed the traffic implications of the proposed development gaining access from the Trim Road via the Phase 1 and Phase 2 development entrances. These access points are the existing priority junction via the Lidl access road and the Trim Road/Balreask Village/ Swanbrook Avenue signalised junction. The TTAR noted the potential future access points at the LDR1(a) and another access point at the Trim Road.
- 8.9.6. The conclusion of the report stated that the impact on the surrounding road network, as a result of this phase of the development will be minimal. The Meath County Council's Transportation report stated that proposed development is not considered to have a significant impact on the local road network.

- 8.9.7. Having regard to the above I consider that the LRD1(a) is not required to serve this development and the existing road network is otherwise satisfactory and capable of serving this development.
- 8.9.8. As there is no planning permission for the LDR1(a) Road, I do not consider that the full extent of the road can be developed at this stage nor can detail design of the interface with the LDR1(a) as no permission exists for the LDR1(a) Road, therefore if the Board is minded to grant permission, I recommend that this condition be omitted.
- 8.9.9. Condition No. 15 requires that a revised Site-Specific Flood Risk Assessment for the proposed development be submitted and agreed in writing. I note that the report from the Environmental Flooding-Surface Water Section Planning Report dated 7th November 2024 assessed the revised Further Information SSFRA. It stated that the revised SSFRA is not consistent in its details to clearly show the flood risk with the proposed development, however the report noted that the proposed development is predominately located on Flood Zone C with some underground services with flood zones.
- 8.9.10. I note that a small section of the proposed internal access road would be subject to Fluvial Flooding. The SSFRA states that the road level will be raised above the 0.1% HEFS water level and therefore remove the risk. The Environmental Flooding-Surface Water Section Planning report concludes that it is clear from the justification test 0 can be satisfactory applied and passes.
- 8.9.11. Both the Environmental Flooding-Surface Water Section Planning Report and the SSFRA notes that there will be flood impacts to the flood plain adjacent to the subject site from the proposed LDR1(a). This proposed road does not yet have planning permission and is not part of this proposed development. I consider that the impact of the proposed LDR1(a) will be assessed in a separate planning permission when lodged.
- 8.9.12. Given that all the residential units are located on Flood C and on zoned master plan lands and that the development as applied for will not increase flood risk elsewhere, I am satisfied that the proposed development is appropriate in this area of Flood Zone C where the probability of flooding is less than 0.01% AEP (1 in 1,100-year.) I therefore do not consider that a revised SSFRA is required

Table 4 Recommended Conditions

Consideration of Local Authority Conditions		
ABP Ref: 321389-24 P.A. Ref: 24/201		
P.A Condition No.	Subject	Included/Modified/Excluded in Schedule of Conditions and reasons
1	Plans and Particulars	Modify Covered in Condition No.1 (Standard ABP condition)
2	Number of Units permitted	Excluded. Covered under condition No.1
3	Phasing Plan	Modified Covered in Condition No.3 (Standard ABP condition)
4	Archaeology	Modified Covered in Condition No. 5 (Standard ABP condition)
5	Name of Development	Modified Covered in Condition No.6 (Standard ABP condition)
6	Implementation of NIS Mitigation Measures	Modified Covered in Condition No.2 including CEMP, EcIA & NIS
7	Clearance of vegetation	Excluded

		Covered in Condition No.2 Included in NIS mitigation measures.
8	Finishes	Include Covered in Condition No.7
9	Trees	Exclude Covered in Condition No.2 Included in CEMP mitigation measures and Arboricultural Assessment
10	Landscaping/Public Art	Modify Covered in Condition No. 8
11	Occupation by Individual purchaser	Include Condition No.9
12	Part V Agreement	Include Condition No.10
13	All Service cables to be underground.	Include Condition No.11
14	Details of Link Street	Exclude See Section 8.7.3 above
15	Revised Flood Risk Assessment	Exclude See section 8.7.6 above
16	Maintenance of Watercourses	Exclude Covered in condition No.12
17	Drainage Details	Modify

		Covered in condition No. 12 (Standard ABP condition)
18	Wate Management Plan CEMP	Include Covered in condition No. 14 (Standard ABP condition)
19	Community Liaison Officer Noise	Modify Covered in Condition No.14
20	Taking in Charge	Include Covered in condition No. 15
21	Open Space	Exclude Covered in Condition No.1 and No.15
22	Management Company	Modify Condition No. 18. (Standard ABP condition)
23	Contribution	Modify Covered in condition No. 19 (Standard ABP condition)
24	Contribution	Covered in condition No. 19 (Standard ABP condition)
25	Contribution	Covered in condition No. 19 (Standard ABP condition)
26	Bond	Covered in condition No. 20 (Standard ABP condition)
27	Contribution	Exclude Relates to monitoring of construction phases. Not

		included in Development Contribution Scheme 2024-2029
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9.0 Appropriate Assessment

Appropriate Assessment Screening

- 9.1. I have completed a screening for Appropriate Assessment (Stage 1) and determined that the project may have likely significant effects on the following European sites: River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC and Boyne Estuary SPA in view of those sites' conservation objectives and qualifying interests. The Board determined that an Appropriate Assessment (Stage 2) is required of the implications of the project on same. I am satisfied that the possibility of likely significant effects by the project on other European sites could be excluded in view of the nature and scale of the project and those sites' conservation objectives.

Appropriate Assessment

- 9.2. I have considered the Natura Impact Statement submitted by the applicant and all other relevant documentation on the case file and completed an Appropriate Assessment (Stage 2) of the implications of the project on River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC and Boyne Estuary SPA in view of the sites' conservation objectives. I consider that the information submitted was adequate to allow the carrying out of an Appropriate Assessment
- 9.3. Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would / would not adversely affect the integrity of the European sites No. 002299, 004232, 001957 & 004080, or any other European site, in view of the site's Conservation Objectives.

This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and ecological monitoring in relation to the Conservation Objectives of the River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC and Boyne Estuary SPA.
- Detailed assessment of in combination effects with other plans and projects including historical projects, current proposals and future plans.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC and Boyne Estuary SPA.

See appendix No.2 and No.3.

10.0 EIA Screening

10.1. An Environmental Impact Assessment Screening Report and a Statement in accordance with Article 103(1A) of the Planning and Development Regulations 2001 (as amended), were submitted with the application. The applicant determined that the project was sub-threshold for the purposes of EIA and the development was assessed against the criteria set out in Schedule 7 and Schedule 7A.

10.2. Under Part 2, Schedule 5 of the Planning and Development Regulations, the development is classed as Class 10(b)(i) dwelling units and 10(b)(iv) urban development. The proposed development is located in a built up area and has a stated area of 3.95 hectares. In combination with Swanbrook phases one and two the project is sub-threshold for mandatory EIA as the combined sites are less than 10 hectares. This was acknowledged in the application. The Screening Report submitted by the applicant examined the potential impacts of the development under the requirements of Schedule 7 and Schedule 7A. I have carried out an EIA screening determination on the project which is set out in Appendix 1 of this report.

10.3. Having regard to: -

1. the criteria set out in Schedule 7, in particular
 - (a) the limited nature and scale of the proposed housing development, in an established residential area served by public infrastructure
 - (b) the absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside of the designated archaeological protection zone
 - (c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)
2. the results of other relevant assessments of the effects on the environment submitted by the applicant
3. the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.

I concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

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

11.0 Recommendation

Following from the above assessment, I recommend that permission is GRANTED for the development as proposed due to the following reasons and considerations, and subject to the conditions set out below.

12.0 Reasons and Considerations

Having regard to the provisions of the Meath County Development Plan 2021 - 2027, including the zoning for residential purposes, mixed use and open space, 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.

13.0 Recommended Draft Order

13.1. 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 10th of May 2024 and appealed to An Bord Pleanála on the 5th of December 2024.

Proposed Development:

- The provision of 110no. residential dwellings, comprising of 64no. two-storey houses and 46 no. apartments in a single four storey block.
- The development also includes the provision of 184 no. car parking spaces, 116 no. bicycle spaces are proposed, modifications to Phase 2 including an extension of the permitted north-south link street and incorporating new junctions and the reconfiguration of the permitted car parking layout serving the childcare facility.
- The proposed development includes public and communal open spaces, bin storage and associated infrastructure including a temporary foul water pumping station.
- 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.

13.2. **Appeal:**

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

13.3. **Decision:**

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

13.4. **Matters Considered:**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any 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 objectives 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.’, C1 - Mixed Use – which seeks ‘To provide for and facilitate mixed residential and employment generating uses.’ And F1- Open Space which seeks ‘To provide for and improve open spaces for active and passive recreational amenities.’
- 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.

13.5. Appropriate Assessment (AA) – Stage 1:

The Board completed a screening for Appropriate Assessment (Stage 1) and determined that the project may have likely significant effects on the European sites, River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC and Boyne Estuary SPA in view of those sites' conservation objectives and qualifying interests. The Board determined that an Appropriate Assessment (Stage 2) is required of the implications of the project on same. The Board is satisfied that the possibility of likely significant effects by the project on other European sites could be excluded in view of the nature and scale of the project and those sites' conservation objectives.

13.6. Appropriate Assessment (AA) – Stage 2

The Board considered the Natura Impact Statement submitted by the applicant and all other relevant documentation on the case file and completed an Appropriate Assessment (Stage 2) of the implications of the project on River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC and Boyne Estuary SPA in view of the sites' conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment. The Board concluded that the project, individually

or in combination with other plans or projects, would not adversely affect the integrity River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC and Boyne Estuary SPA in view of the sites' conservation objectives and qualifying interests. This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and ecological monitoring in relation to the Conservation Objectives of the River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC and Boyne Estuary SPA.
- Detailed assessment of in combination effects with other plans and projects including historical projects, current proposals and future plans.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC and Boyne Estuary SPA.

13.7. Environmental Impact Assessment Screening:

The Board completed an Environmental Impact Assessment screening determination of the project and considered that the Environmental Impact Assessment Screening Report and other documents submitted by the applicant identify and describe adequately the direct, indirect, and cumulative effects of the project on the environment. Regard has been had to:

- a) The nature and scale of the project, which is below the thresholds in respect of Class 10(b)(i) and Class 10(b)(iv) of the Planning and Development Regulations 2001, as amended.
- b) The location of the site on lands zoned lands (Proposed Residential, Mix Use Residential and Open Space zoning objectives), and other relevant policies and objectives in the Meath County Development Plan 2021- 2027, and the results of the strategic environmental assessment of this plan undertaken in accordance with the SEA Directive (2001/42/EC).
- c) The greenfield nature of the site and its location in an urban area which is served by public services and infrastructure.
- d) The pattern of existing and permitted development in the area.

- e) The planning history at the site and within the area.
- f) The location of the site outside of any sensitive location specified in article 109(4)(a) the Planning and Development Regulations 2001, as amended and the absence of any potential impacts on such locations.
- 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 and 7A of the Planning and Development Regulations 2001, as amended.
- i) The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the EIA Directive.
- j) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including those identified in the Acoustic Design Statement, Resource & Construction Waste Management Plan, Operational Waste Management Plan, Social Infrastructure Assessment, Flood Risk Assessment, Archaeological Assessment, Ecological Impact Assessment, Infrastructure Design Report, Construction and Environmental Management Plan and Traffic and Transport Assessment Report

In so doing, the Board concluded that by reason of the nature, scale and location of the proposed development, the development would not be likely to have significant effects on the environment and that an Environmental Impact Assessment and the preparation of an Environmental Impact Assessment Report would not, therefore, be required.

13.8. Conclusion on Proper Planning and Sustainable Development

The Board considers that, subject to compliance with the conditions set out below, the proposed development would be consistent with the applicable ‘New Residential’, and ‘Mixed Use’ zoning objectives and other policies and objectives of

the Meath County Development Plan would constitute an acceptable mix and quantum of residential development, would result in an appropriate density of residential development, would provide acceptable levels of residential amenity for future occupants, would not seriously injure the residential or visual amenities of property in the vicinity, would not cause adverse impacts on or serious pollution to biodiversity, lands, water, air, noise or waste, would be acceptable in terms of pedestrian, cyclist and traffic safety and convenience, and would be capable of being adequately served by water supply, wastewater, and surface water networks without risk of flooding. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 3rd day of September 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) Mitigation and monitoring measures outlined in the plans and particulars, including the Construction and Environmental Management Plan, Ecological Impact Assessment and Natura Impact Statement, submitted with this application shall be carried out in full, except where otherwise required by conditions attached to this permission.

(b) Prior to the commencement of development, the developer shall submit a comprehensive list of mitigation and monitoring measures from the named

reports and a corresponding timeline/ schedule for implementation of same to the planning authority for its written agreement.

Reason: In the interest of protecting the environment, public health, and clarity.

3. The proposed development shall be carried out on a phased basis, in accordance with the phasing scheme submitted with the planning application, unless otherwise agreed in writing with the planning authority.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

4. The creche permitted under planning permission ref: 23/403, shall be available for occupation prior to occupation of the residential units in the proposed development, or within such other timeframe as may be agreed with the Planning Authority (or in default of agreement with An Bord Pleanála).

Reason: In order to provide adequate childcare facilities for the proposed development.

5. The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development. following consultation with the Local Authority. Prior to the commencement of such works the archaeologist shall consult with and forward to the Local Authority archaeologist or the NMS as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall

cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation [preservation in-situ/excavation].

The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.

Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.

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

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

7. Details of the materials, colours, and textures of all the external finishes to the proposed buildings and boundary treatments shall be submitted to the planning authority for written agreement prior to commencement of development.

Reason: In the interest of visual amenity.

8. (a) The landscaping scheme shown on drawing numbers 22106C-2-100, as submitted to the planning authority on the 10th day of May, 2024 shall be carried within the first planting season following substantial completion of external construction works.

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

(b) Prior to the commencement of development, details of a public art feature shall be incorporated into the overall scheme or a financial contribution to facilitate the Planning Authority to provide a piece of public art in order to enhance the amenities of the local environment shall be submitted for the written agreement of the Planning Authority.

Reason: In the interest of residential and visual amenity.

9. (a) Prior to the commencement of any house in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant houses permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

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

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

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

10. 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 transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall 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 for the area.

11. 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.

12. 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.

13. (a) The developer shall enter into water and/ or wastewater connection agreement(s) with Uisce Eireann, prior to commencement of development.

(b) All development shall be carried out in compliance with Uisce Eireann codes and practices.

Reason: In the interest of public health.

14. (a). Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, an up-to-date Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.
- (b) A designated Community Liaison Officer (CLO) shall be appointed prior to commencement of construction works, appointment shall be confirmed in writing with Planning Authority.

Reason: In the interest of public safety and amenity.

15. The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking In Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.

Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.

16. The internal road network serving the proposed development, including carriageway widths, corner radii, turning bays, junctions, set down/ drop off area(s), parking areas, footpaths, kerbs, pedestrian crossings, raised tables,

and cycle lanes shall be in accordance with the detailed construction standards of the planning authority for such works, and design standards outlined in the Design Manual for Urban Roads and Streets and the National Cycle Manual issued by the National Transport Authority. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of traffic and pedestrian safety.

17. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through 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. The agreed lighting system shall be fully implemented and operational before the proposed development is made available for occupation.

Reason: In the interests of amenity and public safety

18. (a) The management and maintenance of the development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being so taken in charge.
- (b) The communal open spaces, hard and soft landscaping, car and cycle parking areas, access ways, refuse/ bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by the legally constituted management company.
- (c) 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: In the interests of orderly development and to provide for the satisfactory future maintenance of this development.

19. 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.

20. 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.

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.

Peter Nelson
Senior Planning Inspector

25 February 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	321389-24		
Proposed Development Summary	Large-scale residential development: Construction of 110 dwellings and all associated site works. The application site comprises lands generally to the east and southeast of the recently constructed Swanbrook residential development.		
Development Address	Trim Road, Balreask Old & Limekilhill, Navan, Co. Meath		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	Tick if relevant and proceed to Q2.
			Tick if relevant. No further action required
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Class 10(b)(i) 'Construction of more than 500 dwellings units' Class 10(b)(iv) 'urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			

Yes			EIA Mandatory EIAR required
No	X		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Class 10(b)(i) 'Construction of more than 500 dwellings units' The proposal is for 110 dwellings. Class 10(b)(iv) 'urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. The site size is 3.5 hectares in a built-up area other than a business district.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No		Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes	X	Screening Determination required

Inspector: _____ Date: _____

Form 3 - EIA Screening Determination Sample Form

A. CASE DETAILS		
An Bord Pleanála Case Reference	321389-24	
Development Summary	Large-scale residential development: Construction of 110 dwellings and all associated site works. The application site comprises lands generally to the east and southeast of the recently constructed Swanbrook residential development.	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	The PA determined that the development was sub-threshold under Class 10(b)(i) and 10(b)(iv) of Part 2, Schedule 5 of the Planning and Development Regulations 2001 (as amended).
2. Has Schedule 7A information been submitted?	Yes	
3. Has an AA screening report or NIS been submitted?	Yes	An Appropriate Assessment Screening Report and Natura Impact Statement were submitted with the application.
4. Is an IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	

<p>5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA</p>	<p>Yes</p>	<p>Other assessments carried out include:</p> <p>An Environment Impact Assessment Screen Report which considers the EIA Directive (2011/92/EU, as amended by 2014/52/EU)</p> <p>An Ecological Impact Assessment which considers the Habitats Directive (92/43/EEC), and Birds Directive (2009//147/EC).</p> <p>A site-specific Flood Risk Assessment which considers the content of the EU Floods Directive (2007/60/EC)</p> <p>A building lifecycle report which considered the content of the Energy Performance in Buildings Directive (2010/31/EU)</p> <p>SEA was undertaken by the planning authority in respect of the Meath County Development Plan. 2021-2027 as amended and varied.</p>
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B. EXAMINATION	Yes/ No/ Uncertain	<p>Briefly describe the nature and extent and Mitigation Measures (where relevant)</p> <p>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)</p> <p>Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.</p>	<p>Is this likely to result in significant effects on the environment?</p> <p>Yes/ No/ Uncertain</p>
<p>This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith</p>			
<p>1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)</p>			
<p>1.1 Is the project significantly different in character or scale to the existing surrounding or environment?</p>	<p>Yes</p>	<p>While the site is currently in agriculture use it is an extension of a recently constructed residential scheme at the edge of Navan town. There are residential developments on the opposite side of the Trim Road.</p> <p>The landscape will be permanently altered by the development. However, the site has no specific designations to preserve it, and it is zoned for residential and mixed use development in the Development Plan. As the development is an extension of any existing residential development it will not</p>	<p>No -</p>

		be significant different to the existing surroundings or environment,	
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	<p>The appearance of the greenfield site would be permanently altered by the development and the land use would change from agricultural to residential.</p> <p>The site is not within a visually sensitive area and has no protected views, prospects or features of interest. Standard measures to address potential impacts on surface water and ground water in the locality are outlined in the Construction and Environmental Management Plan (CEMP) and the Surface Water Management system would prevent impacts on existing watercourses.</p>	No
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	No	<p>Construction materials will be typical for an urban development of this nature and scale. The loss of natural resources because of the development are not regarded as significant in nature. The CEMP proposes measures during construction to reduce the amount of waste produced including building material shall be chosen with an aim to 'design out waste'. The Resource & Construction Waste Management Plan states that materials will be re-used where possible.</p>	No

<p>1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?</p>	<p>Yes</p>	<p>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 outlined in the CEMP and the Operational Waste Management Plan would satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.</p>	<p>No</p>
<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Yes</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other 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 outlined in the CEMP and the Ecological Impact Assessment, the project would satisfactorily mitigate the potential impacts.</p>	<p>No</p>
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>Yes</p>	<p>Operation of the standard measures listed in the CEMP will satisfactorily mitigate emissions from spillages during construction and operation. The operational development will connect to</p>	<p>No</p>

		mains services and discharge surface waters only after passing through fuel interceptors and SUDS. Surface water drainage will be separate to foul services within the site. A Natura Impact Statement was prepared for the application and contains mitigation measures to prevent the release of pollutants into surface waters from the site.	
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	There is potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised and short term in nature, and their impacts would be suitably mitigated by the operation of standard measures listed in the CEMP. The proposed operational street lighting will not be significant.	No
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	Yes	Construction activity is likely to give rise to dust emissions, noise and surface water runoff. Any potential impacts would be localised and temporary in nature. Measures to manage dust levels are set out in the CEMP and a dust control monitoring will be put in place to prevent nuisance to sensitive receptors. Noise and vibration management methods with monitoring are proposed in the CEMP.	No

1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	No significant risk is predicted having regard to the nature and scale of the development. All standard health and safety procedures will be implemented during construction and operation. The Flood Risk Assessment concludes that the site is not at risk from flooding. Any risk arising from demolition and construction will be localised and temporary in nature. There are no Seveso/COMAH sites in the vicinity.	No
1.10 Will the project affect the social environment (population, employment)	Yes	The proposed development would increase the local population and provide housing and would generate employment opportunities during the construction phases.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	Yes	Whilst the development is located in a Masterplan area which is undergoing development, it is a stand-alone project, and earlier phases are complete.	No
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: <ul style="list-style-type: none"> - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA - Designated Nature Reserve 	Yes	The nearest European sites are the River Boyne and River Blackwater SAC and SPA, which are approximately 0.66km to the west of the site. The Conservation Objectives for these sites relate to freshwater habitats and species and the Kingfisher.	No

<ul style="list-style-type: none"> - Designated refuge for flora or fauna - 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>A ground/surface water pathway has been identified from the site to the SAC and the SPA via the River Swan and on to the River Boyne. The NIS concluded that the proposed development will not adversely affect the integrity of these European sites. The potential for significant effects on Natura 2000 sites has been screened out. Refer to Section 8.0 of the Inspector's Report.</p>	
<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	Yes	<p>Surveys carried out for the Ecological Impact Assessment Report (EclA) found no evidence of bat roosts and foraging and commuting routes on the site. A bird survey observed 1 species on the Red list and 5 species on the Amber list. Evidence of badgers was also found on the site. The EclA contained a full set of mitigation measures to prevent significant impacts on protected, important or sensitive species.</p>	No
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	Yes	<p>The subject site has no designations that relate to landscape, culture or archaeology. The nearest recorded archaeological site is 373m from the site. A submission from the Department of Housing Local Government and Heritage recommends archaeological monitoring to take place during construction.</p>	No
<p>2.4 Are there any areas on/around the location which contain important, high</p>	No	<p>The site is a greenfield agricultural site on the edge of Navan Town, which is</p>	No

quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?		bounded by residential land and by agricultural land. There are no areas on or around the site which contain important, high quality or scarce resources which would be affected by the project	
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No	A Flood Risk Assessment (FRA) was carried out for the development. The majority of the site is located in Flood Zone C. There is a small section of the site in Zone B, which is liable to potential flooding. An internal access road is proposed for this area. The FRA determined that risk is minimal and will not present environmental problems.	No
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	There is no evidence of the site being subsidence, landslides or erosion.	No
2.7 Are there any key transport routes(eg 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?	No	The Traffic and Transport Assessment Report concludes that the impact on the surrounding road network will be minimal.	No.
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No.	Beaufort College is located adjacent to the site. The proposed residential development will not significantly affect the facility.	No
3. Any other factors that should be considered which could lead to environmental impacts			

3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No	The proposed development is phase 3 of a residential development on Masterplan lands of which phases 1 and 2 have been developed. Th overall site area of the 3 phases combined is less than 10 hectares and is therefore sub threshold. Subject to standard conditions and the proposed mitigation measures, it considered that significant cumulative effects during the construction and operation phase will not arise	No		
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No		No		
3.3 Are there any other relevant considerations?	No		No.		
C. CONCLUSION					
No real likelihood of significant effects on the environment.	<input checked="checked" type="checkbox"/>	EIAR Not Required			
Real likelihood of significant effects on the environment.	<input type="checkbox"/>				
D. MAIN REASONS AND CONSIDERATIONS					
<p>Having regard to: -</p> <ol style="list-style-type: none"> the limited nature and scale of the proposed housing development, in an established residential area served by public infrastructure 					

2. the absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside of the designated archaeological protection zone
3. The location of the site on lands zoned lands (Proposed Residential, Mix Use Residential and Open Space zoning objectives), and other relevant policies and objectives in the Meath County Development Plan 2021- 2027, and the results of the strategic environmental assessment of this plan undertaken in accordance with the SEA Directive (2001/42/EC).
4. The greenfield nature of the site and its location in an urban area which is served by public services and infrastructure.
5. The pattern of existing and permitted development in the area.
6. The planning history at the site and within the area.
7. The location of the site outside of any sensitive location specified in article 109(4)(a) the Planning and Development Regulations 2001, as amended and the absence of any potential impacts on such locations.
8. 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).
9. The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001, as amended.
10. The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the EIA Directive.
11. The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including those identified in the Acoustic Design Statement, Resource & Construction Waste Management Plan, Operational Waste Management Plan, Social Infrastructure Assessment, Flood Risk Assessment,

Archaeological Assessment, Ecological Impact Assessment, Infrastructure Design Report, Construction and Environmental Management Plan and Traffic and Transport Assessment Report

I concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

Inspector _____

Date _____

Approved (DP/ADP) _____

Date _____

Appendix 2: Appropriate Assessment Screening

Screening for Appropriate Assessment Screening Determination

Step 1: Description of the project

I have considered the residential development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The subject site is located to c. 0.66 km to the west of the River Boyne and River Backwater Special Area of Conservation (SAC) and Special Area of Protection (SPA). The Boyne Coast and Estuary SAC is 26.3km from the application site and the Boyne Estuary SPA is 25.1km from the site.

The proposed development comprises of the construction of 110 no. residential units of which 64 no. are two-storey houses and 46 no. are apartments. The proposed development will integrate with and be accessed via exiting entrances and link streets serving Phase 1 and 2. 184 no. car parking spaces and 116 no. bicycle spaces are proposed.

The proposed development includes public and communal open spaces, bin storage, internal roads, water supply, surface and foul water drainage (including a temporary pumping station). The site is the third phase of a residential development on overall landholding that has been the subject of a master plan. At present most of the site is soil and bare ground or recolonize bare ground.

A report dated the 12th June 2024 from the Department of Housing, Local Government and Heritage considered that the design of the drainage system did not appear to follow current best practice which are essential give the distance of the surface water discharge to the European Site. They recommended a revised design for the development surface water drainage scheme. They requested the design to incorporate surface level nature-based solutions to attenuate and filtrate development runoff and provide for maintenance and monitoring of the drainage system in its operational phase. This is to ensure detrimental effects on

downstream flora and fauna including QI's for the River Boyne and River Blackwater SAC and SPAC do not occur as a result of pollution originating from the proposed development during its operational phase.

The proposed project has been updated to incorporate the recommended changes. The submitted AA screening and NIS have been updated to reflect these changes.

Step 2: Potential impact mechanisms from the project

There is an indirect pathway to the River Boyne and River Blackwater SAC via the proposed foul and surface water drainage strategy. Given that the foul drainage from the development will discharge to the Navan Wastewater Treatment Plant where it will be treated under license and will not significantly impact on the qualifying interests of the SAC.

After attenuation, the surface water from the development outfalls to the River Swan which outfalls to the River Boyne. It is considered that indirect impacts on the qualifying interest of the SAC are likely through dust and contaminated surface water runoff.

There is an indirect hydrological pathway to the River Boyne and River Blackwater SPA. Kingfisher is a QI for this SPA and is a piscivorous bird species and therefore indirect impacts on the qualifying interest of the SPA are likely through dust and contaminated surface water runoff from the surface water drainage from the proposed development.

The applicant's screening report states there is an indirect hydrological pathway to the Boyne Coast and Estuary SAC through via the surface water drainage networks. Notwithstanding the distance of the site to this SAC the screening report claims that in the absence of mitigation measures, it is possible that pollutants from other projects with de minimis effects, in-combination, could pose a significant effect on the QI.

The applicant's screening report states there is an indirect hydrological pathway to the Boyne Coast and Estuary SPA via the surface water drainage networks. Notwithstanding the distance of the site to this SPA the screening report claims that in the absence of mitigation measures, it is possible that pollutants from other projects with de minimis effects, in-combination, could pose a significant effect on the bird QI.

Indirect impacts and effect mechanism arising from the proposed development

- **Effect A**

Surface water pollution (silt/ hydrocarbon/ construction related) from construction works resulting in changes to environmental conditions such as water quality/ habitat degradation.

- **Effect B**

Surface water pollution during the operation phase.

Step 3: European Sites at risk

With reference to the potential impact mechanisms from the proposal, identify the European site(s) and qualifying features potentially at risk. Examine Site specific conservation objectives and relevant and supporting documents.

Table 1 European Sites at risk from impacts of the proposed project [example]

Effect mechanism	Impact pathway/Zone of influence	European Site(s)	Qualifying interest features at risk
Effect A Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction stage. Effect B Deterioration of water quality through the discharge of contaminated surface water during	River Swan	River Boyne and Blackwater SAC (002299)	Alkaline fens [7230] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Lampetra fluviatilis (River Lamprey) [1099] Salmo salar (Salmon) [1106]

the operational stage.			Lutra lutra (Otter) [1355]
Effect A Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction stage. Effect B Deterioration of water quality through the discharge of contaminated surface water during the operational stage.	River Swan	River Boyne and Blackwater SPA (004232)	Kingfisher (Alcedo atthis) [A229]
Effect A Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction stage. Effect B Deterioration of water quality through the discharge of contaminated surface water during the operational stage.	River Swan River Boyne	Boyne Coast and Estuary SAC (001957)	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glaucopuccinellietalia maritima) [1330] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]
Effect A Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or	River Swan River Boyne	Boyne Estuary SPA (004080)	Shelduck (Tadorna tadorna) [A048] Oystercatcher (Haematopus ostralegus) [A130]

oil during the construction stage.			<p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Turnstone (<i>Arenaria interpres</i>) [A169]</p> <p>Little Tern (<i>Sterna albifrons</i>) [A195]</p> <p>Wetland and Waterbirds [A999]</p>
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The River Boyne and River Blackwater SPA (004232) is a long, linear site that comprises stretches of the river Boyne and several of its tributaries. Most of the site is in Co. Meath, but it extends also into Co's Cavan, Louth and Westmeath. The site is a Special Protection Area (SPA) under the E.U. Birds Directive of special conservation interest for the Kingfisher. A survey in 2010 recorded 19 pairs of Kingfisher (based on 15 probable and 4 possible territories) in the River Boyne and River Blackwater SPA.

The River Boyne and River Blackwater SAC (002299) comprises the freshwater element of the river Boyne as far as the Boyne Aqueduct, the Blackwater as far as Lough Ramor and the Boyne tributaries including the Deel, Stoneyford and Tremblestown Rivers. The main areas of alkaline fen in this site are concentrated in the vicinity of Lough Shesk, Freehan Lough and Newtown Lough, (to the east of Navan). Wet woodland fringes many stretches of the Boye with notable

occurrences on a chain of small islands c. 2.5km to the west of Drogheda. The dominant habitat along the edges of the river is freshwater marsh with a secondary habitat of wet grassland. Along much of the Boyne and along tributary stretches are found areas of mature deciduous woodland on the steeper slopes above the floodplain marsh or wet woodland vegetation. Many of these are planted in origin. Other habitats present along the Boyne and Blackwater include lowland dry grassland, improved grassland, reedswamp, weedy waste ground, scrub, hedge, drainage ditch and canal.

Atlantic Salmon use the tributaries and headwaters of the Boyne as spawning grounds. Salmon stocks in the Blackwater River suffered from an arterial drainage scheme in the 1970's and are still recovering. River Lamprey are present in the lower reaches of the Boyne and Otter can be found throughout the site.

The Boyne Coast and Estuary SAC is a coastal site which includes most of the tidal sections of the River Boyne, intertidal sand- and mudflats, saltmarshes, marginal grassland, and the stretch of coast from Bettystown to Termonfeckin that includes the Mornington and Baltray sand dune systems.

The Boyne River channel, which is navigable and dredged, is defined by training walls, these being breached in places. Intertidal flats occur on the sides of the channelled river. The sediments vary from fine muds in the sheltered areas to sandy muds or sands towards the river mouth. The linear stretches of intertidal flats to the north and south of the river mouth are mainly composed of sand.

The site is of considerable conservation interest as a coastal complex that supports good examples of eight habitats that are listed on Annex I of the E.U. Habitats Directive, including one which is listed with priority status, and for the important bird populations that it supports

The Boyne Estuary SPA is a moderately-sized coastal site situated west of Drogheda on the border of Counties Louth and Meath. The site comprises most of the estuary of the Boyne River, a substantial river which drains a large catchment.

Apart from one section which is over 1 km wide, its width is mostly less than 500 m. The river channel, which is navigable and dredged, is defined by training walls, these being breached in places. Intertidal flats occur along the sides of the channelled river. The sediments vary from fine muds in the sheltered areas to sandy muds or sands towards the river mouth. The linear stretches of intertidal flats to the north and south of the river mouth are mainly composed of sand.

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Shelduck, Oystercatcher, Golden Plover, Grey Plover, Lapwing, Knot, Sanderling, Black-tailed Godwit, Redshank, Turnstone and Little Tern. The E.U. Birds Directive pays particular attention to wetlands and, as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds.

The Boyne Estuary is the second most important estuary for wintering birds on the Louth-Meath coastline.

Step 4: 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 (summary)	Could the conservation objectives be undermined (Y/N)?	
		Effect A	Effect B
River Boyne and River Blackwater SAC (2299)			
Alkaline fens [7230]	To maintain the favourable conditions of Alkaline Fens	N	N
Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i> , <i>Salicion albae</i>) [91E0]	To restore the favourable conservation condition of Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i>	N	N
<i>Lampetra fluviatilis</i> (River Lamprey) [1099]	To restore the favourable conservation condition of River Lamprey	Y	Y

Salmo salar (Salmon) [1106]	To restore the favourable conservation condition of Atlantic Salmon	Y	Y
Lutra lutra (Otter) [1355]	To maintain the favourable conservation condition of Otter	Y	Y
River Boyne and River Blackwater SPA (4232)			
Kingfisher (Alcedo atthis) [A229]	To maintain the favourable conservation condition of Kingfisher	Y	Y
Boyne Coast and Estuary SAC (1957)			
Estuaries [1130]	To maintain the favourable conservation condition of Estuaries	Y	Y
Mudflats and sandflats not covered by seawater at low tide [1140]	To maintain the favourable conservation condition of Mudflats.	Y	Y
Annual vegetation of drift lines [1210]	Not stated	Y	Y
Salicornia and other annuals colonising mud and sand [1310]	To restore the favourable conservation condition of Salicornia and other annuals colonizing mud and sand i	Y	Y
Atlantic salt meadows (Glaucopuccinellietalia maritima) [1330]	To maintain the favourable conservation condition of Atlantic salt meadows	Y	Y
Embryonic shifting dunes [2110]	To restore the favourable conservation condition of Embryonic shifting dunes	Y	Y
Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120]	To restore the favourable conservation condition of Shifting dunes along the shoreline with Ammophila arenaria (white dunes) i	Y	Y
Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]	To restore the favourable conservation condition of Fixed coastal dunes with herbaceous vegetation (grey dunes)	Y	Y
Boyne Estuary SPA (4080)			
Shelduck (Tadorna tadorna) [A048]	To maintain the favourable conservation condition of Shelduck	Y	Y
Oystercatcher (Haematopus ostralegus) [A130]	To maintain the favourable conservation condition of Oystercatcher	Y	Y
Golden Plover (Pluvialis apricaria) [A140]	To maintain the favourable conservation condition of Golden Plover	Y	Y
Grey Plover (Pluvialis squatarola) [A141]	To maintain the favourable conservation condition of Grey Plover	Y	Y

Lapwing (<i>Vanellus vanellus</i>) [A142]	To maintain the favourable conservation condition of Lapwing	Y	Y
Knot (<i>Calidris canutus</i>) [A143]	To maintain the favourable conservation condition of Knot	Y	Y
Sanderling (<i>Calidris alba</i>) [A144]	To maintain the favourable conservation condition of Sanderling	Y	Y
Black-tailed Godwit (<i>Limosa limosa</i>) [A156]	To maintain the favourable conservation condition of Black-tailed Godwit	Y	Y
Redshank (<i>Tringa totanus</i>) [A162]	To maintain the favourable conservation condition of Redshank	Y	Y
Turnstone (<i>Arenaria interpres</i>) [A169]	To maintain the favourable conservation condition of Turnstone	Y	Y
Little Tern (<i>Sterna albifrons</i>) [A195]	To maintain the favourable conservation condition of Little Tern	Y	Y
Wetland and Waterbirds [A999]	To maintain the favourable conservation condition of the wetland habitat	Y	Y

I conclude that the proposed development would have a likely significant effect 'alone' on River Lamprey, Salmon and otter of the River Boyne and River Blackwater SAC, on the Kingfisher of the River Boyne and River Blackwater SPA from effects associated with deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operation stage. An appropriate assessment is required on the basis of the effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at this time.

Taking the precautionary approach, and the lack of directed evidence in the submitted application, the proposed development may have a significant effect on the QIs of the Boyne Coast and Estuary SAC and the Boyne Estuary SPA potentially when taken in combination with other plans and projects

Overall Conclusion- Screening Determination

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information

I conclude that the proposed development is likely to have a significant effect on the River Lamprey, Salmon and otter of the River Boyne and River Blackwater SAC, on the Kingfisher of the River Boyne and River Blackwater SPA

‘alone’ in respect of effects associated with deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operation stage.

Taking the precautionary approach, the proposed development may have a likely significant effect on the QIs of the Boyne Coast and Estuary SAC and the Boyne Estuary SPA potentially when taken in combination with other plans and projects.

It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is required on the basis of the effects of the project.

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

Appendix 3: Appropriate Assessment

1. Appropriate Assessment

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

- Compliance with Article 6(3) of the EU Habitats Directive
- Screening the need for appropriate assessment
- The Natura Impact Statement and associated documents
- Appropriate assessment of implications of the proposed development on the integrity each European site

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

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.

The proposed development is not directly connected to or necessary to the management of any European site and therefore is subject to the provisions of Article 6(3).

3. Screening Determination

Following the screening process, it has been determined that Appropriate Assessment is required as it cannot be excluded on the basis of objective information that the proposed development of 110 dwellings individually or in-

combination with other plans or projects will have a significant effect on the following European sites (i.e. there is the possibility of significant effect):

- River Boyne and River Blackwater SAC
- River Boyne and River Blackwater SPA
- Boyne Coast and Estuary SAC
- Boyne Estuary SPA.

Measures intended to reduce or avoid significant effects have not been considered in the screening process.

4. The Natura Impact Statement

After a Further Information request from the Planning Authority the applicant submitted a revised Natura Impact Statement. The Natura Impact Statement for a proposed Large-Scale Residential Development at Navan (East), Navan, Co. Meath was prepared by Altermar, Marine & Environmental Consultancy and dated the 3rd September 2024. The NIS examines and assess potential adverse effects of the proposed development on the following European Sites:

- River Boyne and River Blackwater SAC
- River Boyne and River Blackwater SPA
- Boyne Coast and Estuary SAC
- Boyne Estuary SPA.

All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects on site integrity are examined and evaluated for effectiveness. Possible in-combination effects were also considered.

The applicants NIS concluded that following the implementation of the construction and operational mitigation measures outlined in the NIS, the construction and presence of this development would not be deemed to have a significant adverse effect on Natura 2000 sites. No significant adverse effects are likely on Natura 2000 sites, their qualifying interests or conservation objectives alone in combination with other plans and projects based on the implementation of mitigation measures. The

NIS therefore concludes that the proposed project will not adversely affect the integrity of European sites.

5. Submissions

The report dated the 12th June 2024 from the Department of Housing, Local Government and Heritage considered that the design of the drainage system did not appear to follow current best practice which are essential give the distance of the surface water discharge to the European Site. They recommended a revised design for the development surface water drainage scheme. They requested the design to incorporate surface level nature-based solutions to attenuate and filtrate development runoff and provide for maintenance and monitoring of the drainage system in its operational phase. This is to ensure detrimental effects on downstream flora and fauna including QI's for the River Boyne and River Blackwater SAC and SPAC do not occur as a result of pollution originating from the proposed development during its operational phase.

The proposed project has been updated to incorporate the recommended changes. The NIS has been updated to reflect these changes.

6. Appropriate Assessment of implications of the proposed development

The following is a summary of the objective scientific assessment of the implications of the project on the qualifying interest features of the European sites using the best scientific knowledge in the field. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed.

I have adhered to the following guidance when carrying out the Appropriate Assessment.

- DoEHLG (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, National Parks and Wildlife Service. Dublin
- EC (2002) Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and 6(4)

of the Habitats Directive 92/43/EC ADVICE NOTE 1: APPROPRIATE ASSESSMENT June 2020 59 EC (2018) Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC]

7. European Sites

The following sites are subject to Appropriate Assessment:

- River Boyne and River Blackwater SAC
- River Boyne and River Blackwater SPA
- Boyne Coast and Estuary SAC
- Boyne Estuary SPA.

A description of the sites and their Conservation and Qualifying Interests/Special Conservation Interests, including any relevant attributes and targets for these sites, are set out in the NIS and summarised in Tables 1, 2,3 and 4 of this report as part of my assessment.

8. Aspects of the proposed development.

The main aspects of the proposed development that could adversely affect the conservation objectives of European sites include;

- Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction stage.
- Deterioration of water quality through the discharge of contaminated surface water during the operational stage.

Taking the precautionary approach, and the lack of information and evidence on in the application, the proposed development may have a likely significant effect on the QIs of the Boyne Coast and Estuary SAC and the Boyne Estuary SPA potentially when taken in combination with other plans and projects and therefore those sites were included in the Appropriate Assessment.

Table 1**River Boyne and River Blackwater SAC (002299)****Key Issues that could give rise to adverse effects**

Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.

Summary of Appropriate Assessment					
Qualifying Interest	Conservation Objectives, Targets and Attributes	Potential Adverse Effects	Mitigation Measures	In-Combination Effects	Can adverse effects on integrity be excluded?
Lampetra fluviatilis (River Lamprey) [1099]	To restore the favourable conservation condition of River Lamprey. Distribution: Restore access to all water courses down to first order streams	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.	See Section 8	None	Yes
Salmo salar (Salmon) [1106]	To restore the favourable conservation	Deterioration of water quality through contaminated surface water runoff from silt,		None	Yes

	condition of Atlantic Salmon. Distribution: 100% of river channels down to second order accessible from estuary	hydrocarbons and/or oil during the construction and operational stage.			
Lutra lutra (Otter) [1355]	To maintain the favourable conservation condition of Otter. Distribution: No significant Decline	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.		None	Yes
Overall Conclusion: Integrity Test Following the implementation of mitigation, the construction and operation of this proposed development will not adversely affect the integrity of this European site and no reasonable doubt remains as to the absence of such effects					

Table 2 River Boyne and River Blackwater SPA (004232) Key Issues that could give rise to adverse effects Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.					
Summary of Appropriate Assessment					
Qualifying Interest	Conservation Objectives, Targets and Attributes	Potential Adverse Effects	Mitigation Measures	In-Combination Effects	Can adverse effects on integrity be excluded?
Kingfisher (Alcedo atthis) [A229]	To maintain the Favourable conservation condition of Kingfisher. Distribution: No significant decline in number of breeding territories/pairs in the long term	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.	See Section 8	None	Yes
Overall Conclusion: Integrity Test Following the implementation of mitigation, the construction and operation of this proposed development will not adversely affect the integrity of this European site and no reasonable doubt remains as to the absence of such effects					

Table 3 Boyne Coast and Estuary SAC (001957) Key Issues that could give rise to adverse effects Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.					
Summary of Appropriate Assessment					
Qualifying Interest	Conservation Objectives, Targets and Attributes	Potential Adverse Effects	Mitigation Measures	In-Combination Effects	Can adverse effects on integrity be excluded?
Estuaries [1130]	To maintain the favourable conservation condition of Estuaries. Habitat Area: The permanent habitat area is stable or increasing, subject to natural processes.	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.	See Section 8	None	Yes
Mudflats and sandflats not covered by	To maintain the favourable conservation condition of Mudflats and	Deterioration of water quality through contaminated	See Section 8	None	Yes

seawater at low tide [1140]	sandflats not covered by seawater at low tide. Habitat Area: The permanent habitat area is stable or increasing, subject to natural processes	surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.			
Annual vegetation of drift lines [1210]	None Recorded	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.	See Section 8	None	Yes
Salicornia and other annuals colonising mud and sand [1310]	To restore the favourable conservation condition of Salicornia and other annuals colonizing mud and sand.	Deterioration of water quality through contaminated surface water runoff from silt,	See Section 8	None	Yes

	Habitat Area: Area stable or increasing, subject to natural processes, including erosion and succession	hydrocarbons and/or oil during the construction and operational stage.			
Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330]	To maintain the favourable conservation condition of Atlantic salt meadows. Habitat Area: Area stable or increasing, subject to natural processes, including erosion and succession	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.	See Section 8	None	Yes
Embryonic shifting dunes [2110]	Under Review	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons	See Section 8	None	Yes

		and/or oil during the construction and operational stage.			
Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]	To restore the favourable conservation condition of Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes). Habitat Area: Area stable or increasing, subject to natural processes, including erosion and succession	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.	See Section 8	None	Yes
Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]	To restore the favourable conservation condition of Fixed coastal dunes with herbaceous vegetation. Habitat Area:	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons	See Section 8	None	Yes

	A rea increasing, subject to natural processes including erosion and succession.	and/or oil during the construction and operational stage.			
<p>Overall Conclusion: Integrity Test</p> <p>Following the implementation of mitigation, the construction and operation of this proposed development will not adversely affect the integrity of this European site and no reasonable doubt remains as to the absence of such effects</p>					

Table 4 Boyne Estuary SPA (004080) Key Issues that could give rise to adverse effects Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.					
Summary of Appropriate Assessment					
Qualifying Interest	Conservation Objectives, Targets and Attributes	Potential Adverse Effects	Mitigation Measures	In-Combination Effects	Can adverse effects on integrity be excluded?
Shelduck (Tadorna tadorna) [A048]	To maintain the favourable conservation condition of Shelduck. Population Trend: Long term population trend stable or increasing	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.	See Section 8	None	Yes
Oystercatcher (Haematopus ostralegus) [A130]	To maintain the favourable conservation condition of Oystercatcher.	Deterioration of water quality through contaminated	See Section 8	None	Yes

	Population Trend: Long term population trend stable or increasing	surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.			
Golden Plover (<i>Pluvialis apricaria</i>) [A140]	To maintain the favourable conservation condition of Golden Plover. Population Trend: Long term population trend stable or increasing	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.	See Section 8	None	Yes
Grey Plover (<i>Pluvialis squatarola</i>) [A141]	To maintain the favourable conservation condition of Grey Plover. Population Trend: Long term population trend stable or increasing	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the	See Section 8	None	Yes

		construction and operational stage.			
Lapwing (<i>Vanellus vanellus</i>) [A142]	To maintain the favourable conservation condition of Lapwing. Population Trend: Long term population trend stable or increasing	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.	See Section 8	None	Yes
Knot (<i>Calidris canutus</i>) [A143]	To maintain the favourable conservation condition of Knot. Population Trend: Long term population trend stable or increasing	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.	See Section 8	None	Yes

Sanderling (<i>Calidris alba</i>) [A144]	To maintain the favourable conservation condition of Sanderling. Population Trend: Long term population trend stable or increasing	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.	See Section 8	None	Yes
Black-tailed Godwit (<i>Limosa limosa</i>) [A156]	To maintain the favourable conservation condition of Black-tailed Godwit. Population Trend: Long term population trend stable or increasing	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.	See Section 8	None	Yes
Redshank (<i>Tringa totanus</i>) [A162]	To maintain the favourable conservation condition	Deterioration of water quality through contaminated surface water runoff	See Section 8	None	Yes

	<p>of Redshank.</p> <p>Population Trend:</p> <p>Long term population trend stable or increasing</p>	<p>from silt, hydrocarbons and/or oil during the construction and operational stage.</p>			
<p>Turnstone (<i>Arenaria interpres</i>) [A169]</p>	<p>To maintain the favourable conservation condition of Turnstone.</p> <p>Population Trend:</p> <p>Long term population trend stable or increasing</p>	<p>Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.</p>	See Section 8	None	Yes
<p>Little Tern (<i>Sterna albifrons</i>) [A195]</p>	<p>To maintain the favourable conservation condition of Little Tern.</p> <p>Breeding population abundance:</p> <p>apparently occupied nests: No significant decline.</p>	<p>Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the</p>	See Section 8	None	Yes

		construction and operational stage.			
Wetland and Waterbirds [A999]	To maintain the favourable conservation condition of the wetland habitat. Habitat area: The permanent area occupied by the wetland habitat should be stable and not significantly less than the area of 594ha, other than that occurring from natural patterns of variation	Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during the construction and operational stage.	See Section 8	None	Yes
Overall Conclusion: Integrity Test Following the implementation of mitigation, the construction and operation of this proposed development will not adversely affect the integrity of this European site and no reasonable doubt remains as to the absence of such effects					

9. Mitigation Measures

An extensive series of mitigation measures have been proposed in the NIS to prevent potential impacts on the SPA and SACs. The potential impact from the proposed development causing a Deterioration of water quality include dust deposition, pollution, silt ingress from site run off and downstream negative impacts.

The proposed mitigation measures include;

- An ecologist to oversee works.
- Local silt traps established throughout the site.
- Stockpiling with suitable barriers to be away from drains.
- Fuel, oil and chemical storage will be sited within a bunded area.
- Bunds will be kept clear and spill within the bund area will be cleaned up immediately.
- Petrochemical interception and bunds in the refuelling area.
- Maintenance of all drainage structures.
- Sufficient onsite cleaning of vehicles prior to exiting the site.
- Site Manager responsible for pollution prevention programme and record daily checks.
- Refuelling of vehicles/machinery will only be carried out within the bunded area.
- Concrete trucks, cement mixers or drums/bind are only permitted to wash out in designated wash out areas at least 50m from sensitive receptors.
- Spill containment equipment shall be available for use in the event of emergency.
- Speed limits on site (15km) to reduce dust generation and mobilisation.
- Fully enclose specific operations where there is a high potential for dust production.
- Site runoff of water or mud will be retained with the site.
- Cover, seed or fence stockpiles to prevent wind whipping.
- Any un-surfaced roads will be restricted to essential site traffic.

- Cutting, grinding or sawing equipment fitted or in conjunction with suitable dust suppression techniques.
- Use of enclosed chutes and conveyors and covered skips.
- Foul water management will be carried out during the construction phase in line with best practice and Water Pollution Acts.
- Use of Hessian, mulches or tackifiers where it is not possible to re-vegetate or cover with topsoil.
- During dry and windy periods, a bowser will operate to suppress dust.
- Appropriate storage and settlement facilities to be provided on site.

In addition to the above, the Construction and Environment Management Plan (CEMP) outline further mitigation measures.

It is considered that the proposed mitigation measure will overcome the potential significant impacts from the proposed development which would cause a deterioration of water quality include dust deposition, pollution, silt ingress from site run off and downstream negative impacts.

10. In-Combination Effects

The proposed residential development is catered for through land use planning, including the Meath County Development Plan, 2022-2028 (as amended), covering the location of the application site. This has been subject to AA by the Planning Authority, which concluded that its implementation would not result in significant adverse effects to the integrity of any Natura 2000 areas.

The proposed development is the third phase of a residential development. Phases 1 and Phase 2 were subject to Appropriate Assessment with NIS submitted with the applications.

Save for the creche building, Phases 1 and 2 are complete. With the implementation of the proposed mitigation measures I consider that the proposed development, both in the construction and operational phases, would have no likely significant effects in combination with the operating phases of Phases 1 and 2 or in combination with the construction of the creche on the qualifying features of any European site

The applicant considers 'in-combination effects' in the Appropriate Assessment Screening Report. This included commercial, educational and residential developments in the Navan area.

Having reviewed the Planning Authority's online planning application register, I note that there are other residential, educational and commercial related permissions within the wider surrounds which are typical of the area's urban location.

Having regard to the proposed mitigation measures I consider that the proposed development along with other projects with de minimis effects, in-combination, could not pose a significant effect of on the qualifying interest of the Boyne Estuary SPA and the Boyne Coast and Estuary SAC.

Overall, I conclude that the proposed development, subject to the proposed mitigation measures would have no likely significant effect in combination with other plans and projects on the qualifying features of any European site.

11. Appropriate Assessment Conclusion

The residential development has been considered in light of the assessment requirements of Sections [177U and 177V/ or 177AE] of the Planning and Development Act 2000 as amended. Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC and Boyne Estuary SPA. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of its/their conservation objectives.

Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would / would not adversely affect the integrity of the European sites No. 002299, 004232, 001957 & 004080, or any other European site, in view of the site's Conservation Objectives.

This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and ecological monitoring in relation to the Conservation Objectives of the River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC and Boyne Estuary SPA.
- Detailed assessment of in combination effects with other plans and projects including historical projects, current proposals and future plans.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA, Boyne Coast and Estuary SAC and Boyne Estuary SPA.