



An  
Bord  
Pleanála

## Inspector's Report ABP-321702-25

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<b>Development</b>	Demolition of wall and gateway and construction of 10 houses and all associated site works.
<b>Location</b>	Smithstown, Julianstown, Co. Meath.
<b>Planning Authority</b>	Meath County Council
<b>Planning Authority Reg. Ref.</b>	2460699
<b>Applicant(s)</b>	Leonard Price Developments Ltd
<b>Type of Application</b>	Planning Permission
<b>Planning Authority Decision</b>	Grant permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Fred Logue
<b>Observer(s)</b>	Julianstown & District Community Association Ltd. Mr. Desmond Butler Hillcrest Residents Association
<b>Date of Site Inspection</b>	2 <sup>nd</sup> May 2025
<b>Inspector</b>	Dan Aspell

## **1.0 Site Location and Description**

- 1.1.1. The site is located on Main Street, Julianstown, Co. Meath. The site has a stated site area of 0.355ha and comprises a portion of a field. There is a wall, mature trees, and hedges along the roadside boundary to the east. There is a footpath outside the site along the road.
- 1.1.2. There is a single storey dwelling to the north of the site and a two-storey dwelling to the south. The remainder of the field extends to the west. The R150 regional road (Main Street) is to the east. Across the road is a large car park associated with the Lime Kiln bar and restaurant.
- 1.1.3. The majority of the site is within the Julianstown Architectural Conservation Area. There are a number of other Protected Structures to the south of the site.

## **2.0 Proposed Development**

- 2.1.1. The proposed development is generally for the construction of 10 no. 2-storey houses in Julianstown. The houses would be laid out in two terraces of five dwellings, each addressing Main Street. The terraces would be set back from the road and separated by a vehicular access to parking in the rear of the site. Shared amenity spaces are proposed to the front of the dwellings along the roadside, as well as in the rear of the site.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. Meath County Council issued a notification to Grant permission subject to 31 no. Conditions on the 19<sup>th</sup> December 2024. I note the following in particular:
  - Condition 5: Revised finishes;
  - Condition 6: Revised footpath, setting back of boundary, tactile paving, EV charging, and revised layout for a turning area for a refuse truck;
  - Condition 8: Archaeological testing;
  - Condition 10: Use and taking in charge of open space;

- Conditions 12 (Agreement of Construction Environment Management Plan); 13 (Notification of Meath County Council prior to site clearance); 14 (Invasive Alien Species Management Plan); 15 (Dust monitoring); 16 (Community liaison in relation to construction noise); 17 (noise monitoring); and 25 (construction times) relate to the management of construction;
- Conditions 20, 21, 22 & 23: management of surface water and runoff;
- Contributions: Conditions 27 (Roads), 28 (Social infrastructure); 29 (Surface water), 30 (Security) and 31 (for the monitoring of the construction phase).

### **3.2. Planning Authority Reports**

3.2.1. Planning report: The final Planning Authority report recommended permission be granted subject to conditions. I note the following points:

- Principle of development: Site is on 'A2 New Residential' lands. Residential use is permitted. Proposal is acceptable in principle. In the core Strategy there is remaining capacity for the proposed development in Tier 6 Villages;
- Design, layout & siting: Site is in Julianstown Architectural Conservation Area. Proposal is infill development. Public & private open space is proposed. The front elevations are to be finished in stone. Materials and finishes are to be agreed. Active frontages are provided, with passive surveillance to the front and rear. The Planner Report stated none of the development encroaches outside the red line. The submitted Design Statement is acceptable;
- Conservation: Conservation officer requested wall at front to be retained;
- Character: Site is in the 'river corridor and estuary' landscape character area. The character is very high value and high sensitivity to development;
- Density, plot ratio & site coverage: The appropriate density for 'Rural Village (Outer locations)' is 15-25upha. The proposed density is 28upha, and is acceptable. Site coverage is less than 80% and aligns with Development Plan. Plot ratio (0.2) is below Development Plan maxima and is acceptable;
- Private open space: All of the houses meet or exceed minimum standards;

- Open space: Applicant states 27% of site will be open space. A landscape plan is submitted. Open spaces will be to the front and rear. 10% of the space provided is to the front of the dwellings along the street. There will be a tiered community outdoor amphitheatre space, a resident allotment area, and a grass play area. The Planner Report did not consider the spaces to the front as useable open space, therefore the level of provision is 17% of site area. The space to the rear is more useable. Proposal is acceptable;
- Separation distances: Separation distances are achieved between existing and proposed dwellings;
- Boundaries: The stone wall to the front of the site should be retained. 12 no. trees and some hedgerow are to be removed. The Arboricultural Report sets out details. This is acceptable;
- Refuse storage: Bin stores to be finished in brick. This is acceptable;
- Access: Large volumes of traffic go through Julianstown. Retaining the existing front wall inhibits sightlines being achieved and should be partly set back. EV ducting is provided. A verge is proposed. Conditions are required in relation to EV charging, tactile paving, and refuse truck turning;
- Public lighting: An Outdoor Lighting Report and drawing are submitted. A lighting layout is required;
- Services: A condition for provision for broadband installation is required;
- Water: Development will connect to public mains supply and wastewater connections. All surface water will be directed to public sewer. In relation to flood risk, the Environment Section have no objection. In relation to surface water, SuDS features are incorporated. The Environment section stated no objection subject to conditions;
- Part V: The Housing section recommend Part V provision should be met on site and should be conditioned;
- Environmental Impact Assessment (EIA) screening: EIAR is not required;
- Appropriate Assessment (AA) screening: Report noted the submitted AA screening report and considers that AA is not required.

### Other Technical Reports

- 3.2.2. Transportation: Report recommended conditions.
- 3.2.3. Environment Flooding-Surface Water Section: No objection subject to conditions.
- 3.2.4. Environment Waste Section: Report stated no objection subject to conditions.
- 3.2.5. Architectural Conservation Officer: Report recommended conditions.
- 3.2.6. Meath County Council Broadband Officer: Report recommended conditions.
- 3.2.7. Public Lighting: Report recommended further information for a public lighting design that accords with Meath County Council requirements in relation to lantern design.

### **3.3. Prescribed Bodies**

- 3.3.1. Department of Housing, Local Government & Heritage Development Applications Unit: The observation noted the development is in the vicinity of 3 no. sites of archaeological interest (SMR Nos. ME028-022 (souterrain); ME028-103 (ringfort), and ME028-104 (enclosure)) and recommended conditions for pre-development testing.
- 3.3.2. Transport Infrastructure Ireland: The submission requested the Planning Authority have regard to official policy for development proposals impacting national roads 'DoECLG Spatial Planning and National Road Guidelines for Planning Authorities' and relevant TII publications and proposals impacting the light rail network [sic].

### **3.4. Third Party Observations**

- 3.4.1. During the planning application stage six observers made submissions to the Planning Authority, including a local Councillor. The issues raised related to: style & design; impact on ACA; materials; traffic, open space; green areas; access; structural assessment; pest control; parking; national guidelines; parking; play areas; traffic safety; water quality; noise; air pollution; landscape impact; operational waste management; road infrastructure; and archaeology.

## 4.0 Planning History

### 4.1. Subject site

- 4.1.1. Reg. Ref. 23175: Planning application for 14 dwellings deemed withdrawn 2023.
- 4.1.2. Reg. Ref. 23144: Incomplete planning application for construction of 14 dwellings.
- 4.1.3. ABP Ref. ABP-310255-21: Traffic calming consisting of the construction of traffic management/safety improvement works in Julianstown along the R132 approved with conditions by the Board in 2021.

### 4.2. Nearby sites:

- 4.2.1. None.

## 5.0 Policy Context

### 5.1. National guidelines and strategies

Sustainable Residential Development & Compact Settlements 2024 and Appendices

National Biodiversity Action Plan 2023, including its Objectives and Targets

Design Manual for Urban Roads & Streets (DMURS) 2019

Spatial Planning and National Road Guidelines for Planning Authorities 2012

Architectural Heritage Protection Guidelines 2011

Planning System & Flood Risk Management Guidelines 2009

Quality Housing for Sustainable Communities Best Practice Guidelines for Delivery  
Homes Sustaining Communities 2007

Recommendations for Site Development Works for Housing Areas 1998

### 5.2. Development Plan

- 5.2.1. The site is zoned 'A2 New Residential' in the Meath County Development Plan 2021-2027, where the land use zoning objective is: "*To provide for new residential*

*communities with ancillary community facilities, neighbourhood facilities as considered appropriate”.*

Regarding architectural heritage, I note Policies and Objectives INF OBJ 52, HER POL 16, Section 8.7 ‘Architectural Heritage’, and Section 8.7.2 ‘Architectural Conservation Areas’, and in particular:

- HER POL 19 seeks: *“To protect the character of Architectural Conservation Areas in Meath”*
- HER OBJ 22 seeks: *“To avoid the demolition of structures and the removal of features and street furniture which contribute to the character of an ACA. The Council will require that any planning application for demolition or alteration within an ACA be accompanied by a measured and photographic survey, condition report and architectural heritage assessment.”*

Regarding roads and traffic, I note Sections 9.15.2 ‘Regional and County Roads (Refer Map 9.2)’, 9.16 ‘Roadside Boundaries’, 11.5.6 ‘Building Line’, 5.9 ‘Roads Infrastructure, and in particular:

- Policy RD POL 38 seeks: *“To ensure that all development accessing off the county’s road network is at a location and carried out in a manner which would not endanger public safety by way of a traffic hazard.”*
- RD POL 41 seeks: *“To avoid the removal of existing roadside boundaries where they are more than 3 m from the road edge (edge of carriageway), except to the extent that this is needed for a new entrance, and where required for traffic safety reasons. (Please refer to policies contained in Section 8.9.7 Woodlands, Hedgerows and Trees in this regard).”*

Regarding open space, I note Policies and Objectives SH POL 8; SOC POL 38; SOC OBJ 13; SOC OBJ 15; and Sections 7.7.7 ‘Open Space’, 11.5.10 ‘Open Space’, and 11.5.11 ‘Public Open Space’, and in particular:

- DM OBJ 26 states that: *“Public open space shall be provided for residential development at a minimum rate of 15% of total site area. In all cases lands zoned F1 Open Space, G1 Community Infrastructure and H1 High Amenity cannot be included as part of the 15%. Each residential development proposal*

*shall be accompanied by a statement setting out how the scheme complies with this requirement”;*

Regarding surface water, Policies INF POL 16; INF OBJ 18; and Section 6.10 ‘Surface Water and Flood Risk Management’;

Regarding water supply and foul sewerage; Policies INF POL 12 and INF OBJ 11 and INF OBJ 18;

Regarding archaeology, Policies HER POL 2; HER POL 3; HER POL 39, Section 8.6 ‘Archaeological Heritage’. I note HER POL 39 seeks: “*To recognise the archaeological importance of townland boundaries including hedgerows and promote their protection and retention.*”

Regarding noise, Policies MOV OBJ 56 and Section 6.20 ‘Noise Pollution’.

### **5.3. Natural Heritage Designations**

- 5.3.1. The River Nanny Estuary and Shore SPA and North-west Irish Sea SPA are approximately 1.24km to the east.

## **6.0 Environmental Impact Assessment screening**

- 6.1.1. The proposed development has been subject to preliminary examination for environment impact assessment (See Form 1 & 2 Appendix 1 of this report). Having regard to the characteristics and location of the development and the types and characteristics of potential impacts, I consider that there is no real likelihood of significant effects on the environment. The development, therefore, does not trigger requirement for EIA screening and an EIAR is not required.

## **7.0 The Appeal**

### **7.1. Grounds of Third-Party Appeal**

- 7.1.1. One third-party appeal was received, from a Mr. Fred Logue of Riverside Cottages, Julianstown, the main points of which are summarised as follows:

- General: Appellant not opposed to principle of development. Proposal is gross overdevelopment;



- Plans & particulars: The application is deficient in a number of regards and does not meet the requirements of the Planning & Development regulations. It is unknown if issues to be agreed by condition can be achieved;
- Julianstown ACA: Proposal includes no information as to how proposal is consistent with / impacts the ACA. As such it materially contravenes the Development Plan. Proposal has not taken into account / is not consistent with Julianstown ACA Character Appraisal 2009. The Planning Authority decision directly conflicts with the ACA. The Board must take into account rather than have regard to the material effect on the character of the ACA. The Board must refuse the development if it is not satisfied the proposal will not have a material adverse impact on the ACA and will contribute to the ACA;
- Public open space: Proposal does not comply with the Development Plan open space requirements. Provision is qualitatively and quantitatively deficient. Open space to the rear is not passively supervised, consists of paved areas, and is surrounded by parking and bins;
- Surface water: There is no report from the Planning Authority executive engineers in response to further information. Limited surface water details are submitted by the applicant. There is no technical information or calculations. Surface water discharges greatly exceed the 2l/s/ha required by the Greater Dublin policies. The submitted information does not show how climate change has been accounted for. Condition 20 is evidence the surface water system has not been adequately designed. It is unclear if it is possible to design a surface water drainage system for the development by compliance. As such conditions are not appropriate;
- Design statement: The design statement is generic and does not comply with Development Plan objective DM OBJ13 or the ACA character appraisal;
- Construction environment management plan: It is not acceptable for a CEMP to be agreed by condition. The pre-planning meeting for the development discussed construction access from an entrance not shown in the application and which would require works outside the red line;
- Archaeology: Post-consent monitoring is not an appropriate way to assess impacts in this location;

- AA and Water Framework Directive (WFD): The AA is mistaken as there is a hydrological connection to the Nanny Estuary SPA overland and by the surface water network into the Nanny river. The Nanny river is at poor status and the Nanny Estuary is at moderate status under the WFD and no information to rule out deterioration in water quality is provided;
- Traffic & Transport: There is no information on traffic and transport. The site is accessed from an extremely busy road. There are queues of over 1km on all approach at peak times some days. There is likely to be queuing within the site and on the R132 for cars turning right into the site, which is a traffic risk. There is no safe way to cross the road at this location. There is no cycle connectivity for the site. Turning for a refuse truck is impossible within the site. None of the configurations set out in the DoELG 'Recommendations for Site Development Works for Housing Areas 1998' are possible;
- Noise: There are extremely high ambient noise levels due to heavy traffic and which exceed WHO standards. There is also high level of air pollution;
- EIA screening: Planning Authority did an unlawful screening as the developer did not provide the required information and the Planning Authority did not have regard to the criteria in the 2001 regulations or EIA Directive.

7.1.2. The appeal includes a letter and a report relating to heritage and archaeology.

## **7.2. First-Party Response to Third-Party Appeal**

7.2.1. A first-party response to the third-party appeal was received. The response addresses each of the appeal items, summarised as follows:

- General / grounds of appeal: Response sets out general and contextual points regarding the appeal, and reiterates points made in the application. Response states the number of dwellings proposed has been reduced from 14 to 10 no. from previous application;
- Plans & particulars: Open space provision is clearly shown on drawings, and surface water drainage calculations are provided. There is no intention of another entrance on a different road;

- Julianstown ACA: Response sets out details of how the proposal responds to the ACA, 2009 Character Appraisal, and relevant Development Plan requirements;
- Public open space: Open space of 27% of the site area is proposed. Proposed public open space exceeds quantitative and qualitative requirements;
- Surface water: Surface water drainage calculation are provided in the Engineering Services report;
- Design statement: The design statement was revised at further information stage; is specific and detailed; and includes all elements required of a design statement set out in the Meath County Development Plan;
- Construction environment management plan: There is no proposal to use an alternative entrance outside the red line boundary;
- Archaeology: The site is not adjacent, immediately north of, or within the curtilage of any protected structures;
- AA and WFD: An AA screening report was submitted with the application;
- Traffic & Transport: This is a village centre infill site which is zoned A2 Residential. Turning circles have been designed to accommodate fire tender and refuse truck turning;
- Noise: Proposed dwellings will be set back 8m from the road in line with adjoining properties. Other, older dwellings are closer to the road and more poorly insulated;

7.2.2. The response includes sections of the information submitted by the applicant to the Planning Authority at application stage.

### **7.3. Planning Authority Response**

7.3.1. The Planning Authority response requested the Board uphold the decision.

## **7.4. Observations**

7.4.1. Three valid observations were received by the Board, from Juliantstown & District Community Association Ltd., Mr. Desmond Butler, and Hillcrest Residents Association, summarised as follows:

- Juliantstown & District Community Association Ltd. expressed its support for the appeal by Mr. Fred Logue;
- Mr. Desmond Butler also expressed their support for the appeal by Mr. Logue. The observation also stated that the subject site is located on a narrow part of the main road through Juliantstown which will be a traffic hazard;
- Hillcrest Residents Association also expressed its support for Mr. Logue's appeal.

## **8.0 Assessment**

8.1.1. Having regard to the foregoing; having examined the application, appeal, Planning Authority reports, and all other documentation on file including all of the submissions received in relation to the appeal; and having inspected the area within and around the site; and having regard to relevant local, regional and national policies, objectives and guidance, I consider the main issues in this appeal are as follows:

- Design, character and architectural heritage;
- Access, traffic & transportation;
- Open space;
- Surface water;
- Related matters raised in the course of the appeal, including water and wastewater, construction management, archaeology and noise.

## **8.2. Design, character and architectural heritage**

8.2.1. The site is zoned 'A2 New Residential' in the County Development Plan. 'Residential' is a permitted use in this zone. I am satisfied the proposed development is acceptable in principle, subject to the detailed considerations below.

- 8.2.2. The majority of the site is within the Julianstown Architectural Conservation Area (Meath County Development Plan map Sheet No. 17(b) 'Heritage'). There is a cluster of Protected Structures to the south of the site. I note in particular 8 no. of these Protected Structures are located between the site and the R150. The closest is c.20m away. These Protected Structures are recorded on the National Inventory of Architectural Heritage as being of Regional importance. Two of the Structures are on the same side of the road as the subject site and are 20m and 40m respectively to the south (NIAH Refs. 14323006 'RIC barracks' and Ref. 14323005 'Tavistock court house'). I note in particular a terrace of worker's houses (NIAH Ref. 14323004) located opposite these Structures, c.30m south-east of the subject site. Due to their layout and distance from the site I do not consider the subject proposal would have a direct physical impact on these Protected Structures.
- 8.2.3. The applicant submitted a Design Statement and architectural drawings. The Design Statement refers to the location of the site within Julianstown ACA; the historical cottages in the area; the character of the village; retention of existing features; and building line. The Design Statement also indicates the proposed design references to the height, ridge/roof lines, design, and materials of neighbouring buildings, including neighbouring Protected Structures. The Statement sets out responses to a number of relevant Development Plan policies.
- 8.2.4. I have reviewed the provisions of the Development Plan in this regard, including Volume 2 Written Statement and Maps for Settlements in relation to Julianstown, Appendix 7 'Architectural Conservation Areas' in relation to Julianstown Architectural Conservation Area, and Sheet No. 17(b) 'Heritage'. I have also reviewed the Julianstown Architectural Conservation Area Character Appraisal 2009, which is a standalone document publicly available on the County Council website. I note Development Plan Appendix 7 sets out a summary of character, built form, materials, and objectives for Julianstown ACA, which I have considered in detail.
- 8.2.5. Regarding the proposed form, layout, density, and design of the development, I am generally satisfied the proposed development is appropriate for this ACA, and that it would broadly complement the character of the village and would not diminish its distinctiveness of place. In this regard I consider the proposed dwellings in terms of their terraced nature, height, scale, layout, density, and design strongly reference the existing terrace of worker's houses which are Protected Structures and located on

the opposite side of the road approximately 30m to the south-west. I note in this regard the stepped nature of the finished floor levels, pitched slate roofs, and roof profiles of both developments, and consider that the proposal complements the existing terrace. I consider too however that the proposal does not simply mimic the existing buildings but differentiates itself from the existing terrace with contemporary elements including the alternative porch design, windows, and chimneys. In this regard I am satisfied the proposed development will preserve the character and setting and not diminish the distinctiveness of place of Julianstown ACA.

- 8.2.6. Regarding the natural landscape setting of the village, the subject site is located within the built footprint of Julianstown and within the village boundary identified in the Development Plan. There are existing dwellings to the north and south. Buildings in the immediate area are a mix of 1 and 2 storeys. Given these factors, and the sloping topography of the area, I am satisfied that the location, height and scale of the proposed development will appropriately protect the natural landscape setting of the village.
- 8.2.7. In this regard I note that the proposal will remove the existing hedgerow and trees from the eastern site boundary. In this regard, the 'Summary of Character' for Julianstown ACA set out in Development Plan Appendix 7 states that much of Julianstown's charm derives from its largely unspoilt landscape setting, and refers to the elements that contribute to an appreciation of the special character of Julianstown ACA from near and afar. I also note the 2009 Character Appraisal states that much of the charm of Julianstown derives from its largely unspoilt landscape setting and the picturesque views into and out of the village, set against rolling farmland. Whilst the proposal seeks to remove trees and hedges along the site road frontage, given the location of the site within the footprint of the village, I am satisfied the proposal would not have a significant detrimental impact on the landscapes of the area, including outside of the village which I consider to be the primary landscape concern of relevant policy and guidance. I am satisfied the proposal is acceptable in this regard;
- 8.2.8. Regarding boundaries, the applicant seeks to retain much of the existing boundary wall along the roadside. Appendix 7 of the Development Plan states in relation to Julianstown ACA that, amongst other items, the distinctive picturesque architecture and boundary detailing of the area contribute to its character. The Planning Authority

Transportation Section sought removal of the wall in the interests of improved access and the Planning Authority Conservation Officer sought retention of the wall. The conditions attached by the Planning Authority sought to strike a balance in this regard with partial removal and a setting back of the wall. I am satisfied the proposed development, including proposals to retain much of the existing roadside boundary, would to a large extent not impact unduly with these features. I am satisfied that it's moving back strikes a reasonable balance to facilitate the development of this roadside site in line with the zoning objective. I consider however that in line with Development Plan policy objective HER OBJ 22 a condition relating to a measured and photographic survey of the wall as part of an architectural heritage assessment is warranted due to the location of the wall within the ACA.

- 8.2.9. Regarding streetscapes, as set out above, given the height, form, scale, and elevation design proposed, I consider the proposed terraces will fit well within the existing streetscape. Regarding materials and related details, the applicant proposed brick and render finishes to the street elevations at application stage, which was changed to stone in response to further information. I note the Planning Authority Architectural Conservation Officer report stated that the revised stone facades would help integrate the proposal into the ACA, and recommended a condition in this regard. I consider that whilst there is a mix of elevational materials in the area, I consider the prevailing materials in the immediate area within the ACA are coloured render. In this regard I note that the Section 6.6 'Palette of Materials' states that in the ACA the historic buildings are faced with stucco or render. I consider that a condition should be attached in this regard for the agreement of materials, including elevational materials, should the Board be minded to grant permission.
- 8.2.10. The appeal includes letters from a Dr. Jason Bolton in relation to conservation and archaeology. I have had due regard to the author's credential in this field and have reviewed in detail the content of these documents, including references to the policies and requirements of the Development Plan in relation to built heritage.
- 8.2.11. I note that the Planning Authority Architectural Conservation Officer report recommended conditions in relation to materials and construction details.
- 8.2.12. I have taken into account the material effect the proposed development would be likely to have on the character of the architectural conservation area, and the matters

raised by the appellant and observers. I am satisfied that on balance the proposed development would generally preserve and protect the character and appearance of the Julianstown ACA, subject to conditions as set out above, and that the proposed development generally complies with Policy HER POL 19, Objective HER OBJ 22, and Policy HER POL 16 of the Development Plan.

### **8.3. Access, traffic & transportation**

8.3.1. The appellant references high volumes of traffic passing through Main Street (R150), and states that queuing at the site entrance is likely and poses a traffic risk. The appeal states that traffic queues outside the site are sometimes more than 1km in length. The appeal also states there is no safe way to cross the adjacent road. The appeal further states that the site does not provide space for a refuse truck or fire tender to turn within the site. I also note points made by Mr. Butler in this regard.

8.3.2. The Planning Authority transportation section stated no objection subject to conditions.

#### *Impact on Main Street / R132*

8.3.3. In this regard, I note the site is zoned for residential development. There are a number of accesses in the immediate area. The site is within a 50kmh zone. There are existing footpaths either side of the road outside the site. The proposed access road within the development would be wide enough for cars to enter and egress simultaneously, and measures c.35m in length. A total of 20 no. parking spaces are proposed. I am satisfied the length of the access road and proposed parking layout provide for cars to manoeuvre safely and efficiently within the site.

8.3.4. I acknowledge that queuing for south-bound cars behind cars turning into the site may occur, however I note in this regard that the site is zoned for residential development, and that the appellant references to significant traffic queuing already outside the site at peak times. I am satisfied that such queuing would naturally slow traffic to a level to enable access into and egress from the site in breaks of traffic.

8.3.5. Regarding the lack of pedestrian crossings in the area, I acknowledge that there is no dedicated crossing point adjacent the site. There are a number of dwellings either side of the road, as well commercial premises and relevant road signage, and as such I consider that road users will be generally aware of the potential for persons



crossing the road in Julianstown. There are footpaths either side of the road as well as public street lighting in the area. The site is within a 50kmh zone. I note there is a bus stop on the opposite side of the road. I also note there is a controlled crossing c.150m to the north along the R150.

- 8.3.6. Overall I am satisfied that the proposal is generally acceptable in these regards.

*Refuse truck turning area*

- 8.3.7. The appellant states the Planning Authority Transportation section report appeared to confirm there is no adequate way for a refuse truck to turn within the development.
- 8.3.8. Condition 6 of the Planning Authority decision required a revised layout for a refuse truck turning area in accordance with the document “*Recommendations for Site Development Works for Housing Areas*”. Section 2.6 ‘Cul-de-sac Ends’ and Figure 2.2 ‘Residential Turning Bays’ of that document indicate suitable turning bays for cul-de-sac ends. The document states that the types (i), (ii) and (iii) as shown enable most large refuse vehicles or fire engines to turn by means of a three-point turn. It also states that other types of turning bay may be acceptable.
- 8.3.9. Having reviewed the referenced document and submitted site layout I am satisfied the proposed layout can comfortably accommodate the layout (Type ‘i’) within the referenced document. I consider that a condition should be attached in this regard, should the Board be of a mind to grant permission.

*Condition 6*

- 8.3.10. Condition 6 of the Planning Authority decision also required revised footpath details, setting back of the front boundary, provision of tactile paving, and provision of EV charging.
- 8.3.11. To ensure the provision of the required sightlines, the Planning Authority Transportation section report required the existing wall to be set back, whilst the Planning Authority Conservation section have sought retention of the wall. I note the proposed layout would provide for a footpath behind the existing boundary wall, with the existing public footpath retained outside this. The layout also provides areas for open space and cycle storage behind the proposed footpath and boundary wall, with a further circulation space between this and the proposed dwellings. I consider this

strikes an appropriate balance between the competing requirements of the Development Plan set out in Policies RD POL 38 and RD POL 41.

- 8.3.12. I am satisfied that sufficient space is available to accommodate the detailed revisions required by the Planning Authority in relation to footpaths, boundaries, access, and paving, and that these details should be resolved by condition.

#### **8.4. Open space**

- 8.4.1. The appellant has raised specific concerns in relation to open space. The Development Plan (objective DM OBJ 26) requires a minimum of 15% total site area to be given to public open space. The site is stated as measuring 3,550 sqm.
- 8.4.2. As submitted to the Planning Authority at further information stage (Drawing 01BR1), the applicant proposes open space to the front and rear of the dwellings. The drawings indicate that 957sqm of open space is proposed in total, equating to 27% of the site area, as follows:
- To the front of the proposed houses, 4 no. open spaces are shown. These are shown to measure 20sqm, 24sqm, 25sqm and 38sqm. These spaces are surrounded by footpaths and located between the dwellings and public road.
  - Two areas of open space are shown to the rear of the dwellings. The drawings appear to indicate these spaces measure 330sqm and 530sqm. One space comprises a 'community outdoor theatre space' and an area of hard surfacing. The other space comprises a grassed play area, resident allotment shed, allotment shed area, and another area of hard surfacing.
  - The revised layout also indicates 2 no. narrow areas to the sides of the proposed dwellings (62sqm and 95sqm).
- 8.4.3. Regarding the spaces proposed between the dwellings and the road, I concur with the Planning Authority planner report that those spaces could not reasonably be considered as public open space given their limited size and accessibility. I consider these spaces provide a valuable set back / buffer from the road, and have some value as shared amenity spaces for residents of the adjacent pairs of dwellings. As such I do not consider these spaces should be counted as public open space.

- 8.4.4. I have also discounted the spaces identified above to be located either side of the proposed dwellings (157sqm) due to their narrow shape.
- 8.4.5. Similarly, a significant proportion of the spaces to the rear appear to include hard surfaced circulation, car parking, incidental spaces, and vehicular access. As such I do not consider the figures annotated are correct. Accordingly, I have counted only the grassed play area, the resident allotment space, community outdoor theatre space and immediately adjoining usable open space. The area of these spaces is not stated. I estimate these spaces equate to approximately 540sqm or 15.2% of the site area. Given the location and ground levels within the site, and given the extent of areas discounted from my calculation of public open space above but which still provide for useable amenity space, I am satisfied the proposed public open space provision is acceptable in quality and quantity, and generally complies with Development Plan requirements in these regards.
- 8.4.6. Regarding private amenity space, the spaces indicated for each dwelling measure between 36 and 70sqm. Of the 10 no. spaces, 6 no. are below the minimum of 40sqm (2 no. having 36sqm, 3 no. having 38sqm and 1 no. having 39sqm) set out in Development Plan Table 11.1. Development Plan Section 11.5.12 'Private Open Space' states that a further reduction below the minimum standard of private open space may be considered acceptable where an equivalent amount of high quality semi-private open space is provided in lieu of the private open space, subject to at least 50% of the area being provided as private open space. Each of the above dwellings would also have shared amenity spaces to the front of the dwellings which would well exceed the referenced shortfall. This also broadly aligns with the provisions of SPPR 2 'Minimum Private Open Space Standards for Houses' of the Compact Settlement Guidelines. Given the foregoing, I am satisfied these spaces are sufficient and meet the requirements of national guidelines and the Development Plan, including Objective DM OBJ 26.

## 8.5. **Surface water**

- 8.5.1. The appellant states that limited surface water details and no technical information or calculations were submitted. The appeal also states that surface water discharges greatly exceed the 2l/s/ha required and the submitted information does not show

how climate change has been accounted for. The appeal submits that, as such, conditions are not appropriate.

- 8.5.2. The applicant submitted engineering drawings and an Engineering Services report. Calculations and technical data including flow design and runoff rates were set out in the report. Revised surface water proposals were submitted to the Planning Authority in response to further information. The revised proposals were prepared and submitted by the applicant's engineer, and were accompanied by a written response to further information in this regard. Surface water from the development is proposed to discharge to ground on site and to the public storm sewer within Main Street. Sustainable urban drainage systems are proposed. Prior to discharge to the public mains, surface water will be pre-treated in permeable paving and geocell/geo-paving prior to attenuation in a concrete tank within the proposed access. The attenuation tank will incorporate a bypass separator. Flow to the public mains is to be control by a hydro-brake.
- 8.5.3. The Planning Authority Environment Flooding Surface Water section report stated that should permission be granted a number of issues were required to be addressed prior to commencement (Conditions 20, 21, 22 and 23). These issues related to design details (petrol interceptor cross fall; CCTV survey and any necessary remedial works to the existing drainage network to facilitate discharge; and additional road gully locations; and compliance with the Greater Dublin Strategic Drainage Study Regional Drainage Policies Volume 2 for New Developments and Greater Dublin Regional Code of Practice for Drainage Works Volume 6).
- 8.5.4. Regarding compliance with the Greater Dublin Strategic Drainage Study (GDSDS), I note in this regard that the proposal achieves a drainage rate of 2.5l/s/ha whereas the GDSDS requires 2.0l/s/ha. The applicant's engineer confirms that all design and works will comply fully with the GDSDS Regional Drainage Policies Volume 2. The Planning Authority Environment Flooding Surface Water section report stated no objection subject to conditions, including for compliance with GDSDS and Greater Dublin Regional Code of Practice Code of Practice (GDR). I have reviewed the GDSDS and GDR Code of Practice, and Objectives INF OBJ 15 and 16 of the Development Plan. Given the rural village location I am satisfied that the foregoing is acceptable subject to conditions generally as set out above.

## 8.6. Related matters raised in the course of the appeal

### Construction management

- 8.6.1. The appellant states that it is not acceptable for a CEMP to be agreed by condition. The appeal also states that the pre-planning meeting discussed construction access from an entrance not shown in the application and which would require works outside the red line.
- 8.6.2. The applicant did not submit a construction management plan or construction environment plan. Minimal details in relation to construction management are set out in the application, including in terms of construction access. This is with the exception of references to tree removal in the arboricultural report and wheel washing in the AA screening report.
- 8.6.3. The site measures 0.355 ha. It is located along a regional road. I note the applicant controls adjacent lands comprising the remainder of the subject field. I also note that these lands extend south to the R150 and that there is no direct access to these lands from the R150. In any event, no construction management including construction traffic details in relation to access are submitted. I am satisfied that the site is sufficiently large to accommodate much of the required construction area, however based on the available information it appears the site is to be accessed for construction from the R132. This will cause temporary traffic disruption. I consider the applicant should be required to agree with the Planning Authority a Construction Management Plan and a Construction Traffic Management Plan prior to the commencement of development if the Board is minded to grant permission.
- 8.6.4. The Planning Authority Environment Waste Section report stated no objection subject to conditions, including for a CEMP and an Invasive Alien Species Management Plan. In response the Planning Authority decision included a number of conditions relating to construction management. In these regards I consider the following:
- Condition 12 required agreement of a Construction Environment Management Plan. As set out below, I am of the view that outstanding matters could be addressed by appropriate conditions to include a Construction Management

Plan and a Construction Traffic Management Plan to be agreed with the Planning Authority.

- Condition 13 required the applicant to notify the Environment Department prior to commencement. The Planning Authority Environment Waste Section report provided minimal rationale or reasons for this recommendation. I consider that such matters can be satisfactorily addresses through agreement of a Construction Management Plan and a Construction Traffic Management Plan and as such that this condition is not warranted.
- Condition 14 required preparation of an Invasive Alien Species Management Plan. There is no reference within the file to invasive alien spaces on the site. The Planning Authority Environment Waste Section report provided minimal rationale or reasons in this regard within the exception of stating that the development would be impactful during the construction stage with various environmental emissions during this period. Separate legal provisions also relate to Invasive Alien Species, and as such, based on the foregoing I do not consider this condition is warranted.
- Condition 15 related to a dust management programme. I consider this can be dealt with by way of a Construction Management Plan.
- Condition 16 require nomination of a public liaison officer in relation to noise. Given the scale of development, its location along the road, I am satisfied noise can be satisfactorily addresses through a Construction Management Plan to be agreed with the Planning Authority.
- Condition 17 required a noise monitoring programme to be submitted for the agreement of the Planning Authority. Given the location of the site and adjacent dwellings beside a public road I do not consider this is warranted. I am satisfied noise matters can be satisfactorily addressed through a Construction Management Plan for the development of the site.
- Condition 25 related to construction times. I am satisfied these matters can be dealt with through a Construction Management Plan for the site.
- Condition 31 related to a contribution payable to the Planning Authority relating to the monitoring of the construction phases of the development.

Given a number of the conditions identified above are not considered warranted, and that I recommend that a Construction Management Plan is agreed for the development, I do not consider this condition is warranted.

- 8.6.5. I am satisfied all of these conditions can be replaced by conditions for the agreement with the Planning Authority of a Construction Management Plan and Construction Traffic Management Plan for the development.
- 8.6.6. For completeness I note that the Planning Authority Environment Waste Section report stated no objection subject to 24 no. conditions. I am satisfied that the substantive matters raised in the report can be addressed by the above recommended conditions, should the Board consider a grant of permission to be forthcoming.

#### Archaeology

- 8.6.7. The appellant states that conditions for pre-development testing are not appropriate.
- 8.6.8. There are 2 no. sites recorded on the Sites & Monuments Record over c.200m west of the site (ME028-022 'soutterain' and ME028-103 'ringfort, rath') and a third site (ME028-104 'enclosure') c.250m to the southwest. The subject site is not within or adjacent any of the SMR zones related to these or other sites of known archaeological interest.
- 8.6.9. The Department of Housing, Local Government & Heritage submission noted the above sites of archaeological interest and recommended conditions requiring pre-development testing. Condition 8 of the Planning Authority decision required archaeological testing.
- 8.6.10. The appeal includes letters from a Dr. Jason Bolton in relation to conservation and archaeology. I have had due regard to the author's credential in this field and have reviewed in detail the content of these documents, including the references to other archaeological monuments and features in the wider area.
- 8.6.11. Given the location of the site at a distance from known sites of archaeological interest, and having regard to the foregoing, I am satisfied pre-development testing and monitoring of sub-surface work is appropriate and would address the concerns raised by the appellant and observers. This can be conditioned.

#### Noise

- 8.6.12. The appellant states there are extremely high ambient noise levels at the site due to heavy traffic, and that there is also a high level of air pollution. In response the applicant states the dwellings will be set back 8m from the road in line with adjoining properties, and that older dwellings are closer to the road and more poorly insulated.
- 8.6.13. Regarding air quality, no information is provided by the appellant in this regard. Similarly, minimal information or assessment was provided by the Planning Authority in this regard. Having reviewed available EPA information for the area (Environmental Protection Agency's Air Quality Index for Health (AQIH)), it indicates that air quality in the area is 'good'. I am satisfied with the proposal in this regard.
- 8.6.14. Regarding noise, the Planning Authority planner report made little comment in this regard, however Conditions 12, 16, 17, & 25 of the decision related to noise monitoring and management. Having reviewed their wording, I consider these conditions relate to the management of impacts on the existing amenities of the area arising from construction of the development rather than impacts on the proposed dwellings.
- 8.6.15. I have reviewed the provisions of the Development Plan in this regard. Development Plan Objective MOV OBJ 56 seeks to avoid locating residential development and other noise sensitive land uses in areas likely to be affected by inappropriate levels of noise. I note Development Plan Section 6.20 'Noise Pollution' refers to the County Meath Noise Action Plan 2018, however the 2024-2028 Noise Action Plan is available. I have reviewed the current Noise Action Plan and related mapping. The Action Plan indicates parts of the site are located within noise bands of 55dB – 74dB Lden (that is, noise level over the 24hr period) and 45dB – 69dB Lnight (night period only). In this regard I note that while the easternmost part of the site is within the 70-74dB Lden band, the proposed dwellings are set back generally within the 60-69dB Lden (and 50-64 Lnight) band areas.
- 8.6.16. The site is zoned 'A2 New Residential' where the land use zoning objective is: "*To provide for new residential communities with ancillary community facilities, neighbourhood facilities as considered appropriate*". The site is located along a regional road which is the main street in Julianstown. The road is a single lane carriageway and the site is within the 50km zone. There are a number of residential dwellings in the area also located along the road, some of which are located closer



to the road. As the applicant states, the proposed dwellings are to be set back from the road, with the main open spaces to the rear of the development screened by the proposed dwellings.

- 8.6.17. Whilst there are no specific noise thresholds in place either in the Development Plan or nationally relevant to this development, sound insulation is addressed in the Building Regulations. Nonetheless, I consider that the noise levels indicated and the proximity of the proposed dwellings to the roadway would be significant. However given the land use zoning; the nature of the adjacent road as a regional road within the 50km zone; the proposed dwellings being set back from the road in a comparable position to existing dwellings; and that the proposed dwellings would provide some noise screening for the amenity spaces to the rear/west of the site, I do not consider the impact in these regards would be inappropriate, subject to conditions relating to the internal noise environment of the dwellings.

#### Water supply and foul drainage

- 8.6.18. Water supply is to be taken from the public mains within Main Street. Foul drainage is also to be by the public mains in Main Street. No submission from Uisce Eireann is recorded on the file. A pre-connection enquiry response from Uisce Eireann was submitted with the application, and stated that connection for water and wastewater is feasible without upgrades by Irish Water. The Planning Authority raised no objection in this regard. I am satisfied in this regard subject to standard conditions.

#### Appropriate Assessment (AA) screening

- 8.6.19. Refer to Section 9 and Appendix 2 of this report in relation to AA screening. I note the appellant points in this regard. The applicant submitted an AA screening report with the application. The report considers European Sites within a 15km zone of influence, including the River Nanny and Shore SPA. The report concludes that it is not likely that there would be any significant impacts either directly or indirectly on the identified Natura Sites with respect to the activities carried out on site. As set out in Section 8 and Appendix 2 of this report I do not consider the AA screening report to be mistaken, and I am satisfied that likely significant effects on European Sites includes the River Nanny and Shore SPA can be excluded and therefore AA Stage 2

under Section 177V of the Planning & Development Act 2000 as amended is not required.

#### Conditions

- 8.6.20. As set out above I consider that conditions are required in relation to Part V (Condition 3 of Planning Authority decision); Section 47 (Condition 4 of Planning Authority decision); materials and finishes (Condition 5 of Planning Authority decision); details of revised site layout (Condition 6 of Planning Authority decision); public lighting (Condition 7 of Planning Authority decision); archaeological testing (Condition 8 of Planning Authority decision); naming and numbering (Condition 24); and water & wastewater connections (Condition 26) are required.
- 8.6.21. In relation to taking in charge and an owner management company, I consider that a single condition can replace Conditions 10 and 11 of the Planning Authority decision.
- 8.6.22. In relation to services, I am satisfied a single condition can replace Conditions 18 and 19 of the Planning Authority decision).
- 8.6.23. In relation to surface water detailed design, I consider that Conditions 20, 21, 22 and 23 of the Planning Authority decision can be replaced by a single condition.
- 8.6.24. Regarding construction management, I consider that Conditions 12, 13, 14, 15, 16, 17, 25 and 31 can be replaced by conditions for the agreement of a Construction Management Plan and Construction Traffic Management Plan for the development
- 8.6.25. I consider that Condition 2 of the Planning Authority decision (use of each dwelling as single residential unit) is not necessary.
- 8.6.26. I consider that Condition 9 of the Planning Authority decision (revised landscape plan is not warranted given the information provided.
- 8.6.27. As set out above, I also consider that Conditions in relation to the management of road traffic noise and the heritage and conservation aspect of works to the existing roadside boundary wall.

#### Contributions

- 8.6.28. The Planning Authority attached 5 no. conditions for contributions (Conditions 27, 28, 29, 30, and 31). As set out above I do not consider Condition 31 of the Planning

Authority decision is warranted. I consider that the remaining financial conditions can be replaced by a single condition.

## 9.0 **Appropriate Assessment screening**

- 9.1.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Sites including the River Nanny Estuary and Shore SPA and North-west Irish Sea SPA in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required. This determination is based on the nature of the proposed works and the location and distance from nearest European site and lack of connections.

## 10.0 **Water Framework Directive**

- 10.1.1. I have assessed the proposed development of 10 no. dwellings and have considered the objectives set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status, and prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied it can be excluded from further assessment because there is no conceivable risk to any water bodies either qualitatively or quantitatively or otherwise jeopardise any water body in reaching its WFD objectives.

## 11.0 **Recommendation**

- 11.1.1. I recommend permission be **Granted** subject to Conditions, for the reasons and consideration set out below.

## 12.0 **Reasons and Considerations**

Having regard to the nature, scale and design of the proposed development; to the site which is located with the Julianstown Architectural Conservation Area; and to the existing and permitted pattern of development in the area, including Protected

Structures in the area, it is considered that the proposed development generally complies with the policies and objectives of the Meath County Development Plan 2021-2027, including having regard to the 'A2 New Residential' land use zoning objective for the area, Policies HER POL 19 in relation to Architectural Conservation Areas and RD POL 38 in relation to public safety and traffic hazard, and would generally preserve and protect the character and appearance of the Julianstown Architectural Conservation Area, and would not impact unduly on residential amenities, traffic or public health. It is considered therefore that the proposed development would therefore be in accordance with the proper planning and sustainable development of the area, subject to the conditions set out below.

### 13.0 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 18 <sup>th</sup> day of November 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.	Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The materials and finishes to the front elevation shall be natural stone or render and shall be agreed with the Planning Authority in writing prior to commencement. Roof shall be natural slate either reclaimed or new natural slate. Windows, doors, and other external joinery on the building shall be timber or a composite metal; uPVC shall not be used. Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.
3.	Prior to the commencement of development on the existing roadside boundary wall within the Julianstown Architectural Conservation Area the

	<p>applicant/developer shall submit for the written agreement of the planning authority a specification and method statement, covering all works to be carried out, to ensure the development is carried out in accordance with good conservation practice.</p> <p>Reason: In the interest of the protection of architectural heritage.</p>
4.	<p>The following shall be complied with:</p> <p>(a) All entrance doors in the external envelope shall be tightly fitting and self-closing.</p> <p>(b) All windows and rooflights shall be double glazed and tightly fitting.</p> <p>(c) Noise attenuators shall be fitted to any openings required for ventilation or air conditioning purposes.</p> <p>Details indicating the proposed methods of compliance with the above requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: To protect residential amenity.</p>
5.	<p>Prior to commencement of development, the applicant shall submit for the written agreement of the Planning Authority details and a revised site layout demonstrating the following:</p> <p>(a) The existing boundary wall along the eastern boundary of the site shall be removed and set back at least 3 metres from the edge of the road. A concrete footpath shall be provided between the road and the new boundary wall. The existing boundary wall shall be reconstructed in the revised location using, in so far as is possible, the stone from the existing boundary wall or a similar natural stone.</p> <p>(b) Full details of the materials for the reconstruction of the wall.</p> <p>(c) A turning area for a refuse truck in accordance with the "Recommendations for Site Development Works for Housing Areas".</p> <p>(d) The provision of tactile paving at all pedestrian crossing points.</p> <p>(e) The provision of EV charging facilities to serve the development.</p> <p>Reason: In the interests of traffic safety.</p>

6.	<p>Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. Such lighting shall be provided prior to the making available for occupation of any residential unit.</p> <p>Reason: In the interest of amenity and public</p>
7.	<p>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. 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.</p> <p>(a) 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.</p> <p>(b) 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.</p> <p>Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.</p>
8.	<p>The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface</p>

	<p>water from the site for the written agreement of the planning authority.</p> <p>Reason: In the interest of public health.</p>
9.	<p>Prior to the commencement of development the developer shall enter into a Connection Agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
10.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.</p> <p>Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.</p> <p>Reason: In the interests of visual and [residential] amenity.</p>
11.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development or parts of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: To ensure the satisfactory completion and maintenance of this development.</p>
12.	<p>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.</p> <p>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).</p>

	Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.
13.	<p>Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a 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.</p> <p>Reason: In the interest of public safety and amenity.</p>
14.	<p>A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.</p> <p>Reason: In the interest of traffic safety and convenience.</p>
15.	<p>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.</p> <p>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.</p>
16.	The following shall be complied with:



	<p>(a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(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.</p> <p>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.</p>
17.	<p>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 of roads, footpaths, watermains, drains, 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 of any part of the</p>

	<p>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.</p> <p>Reason: To ensure the satisfactory completion of the development.</p>
18.	<p>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.</p> <p>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.</p>

*-I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.-*

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Dan Aspell  
Inspector  
13<sup>th</sup> May 2025

## APPENDIX 1

### Form 1: EIA Pre-Screening

<b>Case Reference</b>	ABP-321442-24
<b>Proposed Development Summary</b>	Construction of 10 no. houses shared amenity spaces, and all associated site works
<b>Development Address</b>	Main St. Julianstown, Co. Meath
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>	
	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. <b>Proceed to Q3</b>	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required.</b>	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. <b>Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	Class 10(b)(i) Construction of more than 500 dwelling units.
<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
<b>Yes</b> <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
<b>No</b> <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

**Inspector:** \_\_\_\_\_ **Date:** \_\_ 12<sup>th</sup> May 2025\_\_

## Form 2: EIA Preliminary Examination

<b>Case Reference</b>	ABP-321442-24
<b>Proposed Development Summary</b>	Construction of 10 no. houses shared amenity spaces, and all associated site works
<b>Development Address</b>	Main St. Julianstown, Co. Meath
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>	Proposed development comprises 10 no. dwellings in a rural village. The proposed development has a modest footprint, comes forward as a standalone project, requires minimal demolition works, does not require the use of substantial natural resources, or give rise to production of significant waste, significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, human health or is vulnerable to climate change.
<b>Location of development</b>	The development is located in a rural village on agricultural land. The receiving location is not particularly environmentally sensitive and is removed from sensitive natural habitats, designated sites and identified landscapes of significance in the County Development Plan. The site is of historic and cultural significance being near Protected Structures, Sites of archaeological interest, and in an Architectural Conservation Area, however given the scale and nature of development and mitigation proposed there will be no significant environmental effects arising.
<b>Types and characteristics of potential impacts</b>	Having regard to the characteristics and modest nature of the proposed development, the sensitivity of its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.

**Inspector:** \_\_\_\_\_ **Date:** 12<sup>th</sup> May 2025 \_\_\_\_\_  
**DP/ADP:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## APPENDIX 2

Screening for Appropriate Assessment - Test for likely significant effects				
<b>Step 1: Description of the project and local site characteristics</b>				
<b>Brief description of project</b>	Construction of 10 no. houses shared amenity spaces, SuDS, connection to sewage and water supply mains, and all associated site works			
<b>Brief description of development site characteristics and potential impact mechanisms</b>	Site measures 0.3440ha and comprises grassed agricultural land. Site is approx. 1.24km west of River Nanny Estuary and Shore SPA.			
<b>Screening report</b>	Yes			
<b>Natura Impact Statement</b>	No			
<b>Relevant submissions</b>	Planning Authority screening			
<b>Step 2. Identification of relevant European sites using the Source-pathway-receptor model</b>				
<b>European Site (code)</b>	<b>Qualifying interests Link to conservation objectives (NPWS, date)</b>	<b>Distance from proposed development (km)</b>	<b>Ecological connection</b>	<b>Consider further in screening Y/N</b>
The submitted Appropriate Assessment screening report from ESC Environmental Ltd identifies a large number of European Sites within a 15km zone of influence. It concludes that no potential impacts arise due to the size and scale of the site and lack of hydrogeological connections. I identify the following Sites on grounds the source-pathway-receptor model. These European Sites were also considered and discounted in the submitted Appropriate Assessment screening report				
River Nanny Estuary and Shore SPA (004158)	<a href="https://www.npws.ie/protected-sites/spa/004158">https://www.npws.ie/protected-sites/spa/004158</a>	1.24km	No feasible connection.	No
North West Irish Sea SPA (004236)	<a href="https://www.npws.ie/protected-sites/spa/004236">https://www.npws.ie/protected-sites/spa/004236</a>	1.24km	No feasible connection.	No
<b>Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites</b>				
<b>AA Screening matrix</b>				
<b>Site name</b>	<b>Possibility of significant effects (alone) in view of the conservation objectives of the site*</b>			
<b>Qualifying interests</b>	<b>Impacts</b>		<b>Effects</b>	
River Nanny Estuary and Shore SPA (004158) Oystercatcher <i>Haematopus ostralegus</i> Ringed Plover <i>Charadrius hiaticula</i> Golden Plover <i>Pluvialis apricaria</i> Knot <i>Calidris canutus</i> Sanderling <i>Calidris alba</i> Herring Gull <i>Larus argentatus</i> Wetland The Conservation Objectives for the SPA are to maintain the favourable conservation conditions of the identified Qualifying Interests.	No direct, indirect, ex situ or in combination impacts.		No significant effects likely.	
<b>No</b>	<b>Likelihood of significant effects from proposed development (alone): No</b>			
<b>No</b>	<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects? No</b>			

No	Possibility of significant effects (alone) in view of the conservation objectives of the site No	
	Impacts	Effects
North-west Irish Sea SPA (004236) Red-throated Diver <i>Gavia stellata</i> Great Northern Diver <i>Gavia immer</i> Fulmar <i>Fulmarus glacialis</i> Manx Shearwater <i>Puffinus puffinus</i> Cormorant <i>Phalacrocorax carbo</i> Shag <i>Phalacrocorax aristotelis</i> Common Scoter <i>Melanitta nigra</i> Black-headed Gull <i>Chroicocephalus ridibundus</i> ommon Gull <i>Larus canus</i> Lesser Black-backed Gull <i>Larus fuscus</i> Herring Gull <i>Larus argentatus</i> Great Black-backed Gull <i>Larus marinus</i> Kittiwake <i>Rissa tridactyla</i> Roseate Tern <i>Sterna dougallii</i> ommon Tern <i>Sterna Hirundo</i> Arctic Tern <i>Sterna paradisaea</i> Little Tern <i>Sterna albifrons</i> Guillemot <i>Uria aalge</i> Razorbill <i>Alca torda</i> Puffin <i>Fratercula arctica</i> Little Gull <i>Hydrocoloeus minutus</i> The Conservation Objectives for the SPA are to maintain and restore the favourable conservation conditions of the identified Qualifying Interests. I consider the project would not compromise the objective of restoration or make restoration more difficult.	No direct, indirect, ex situ or in combination impacts.	No significant effects likely.
No	Likelihood of significant effects from proposed development (alone): No	
No	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
I conclude that the proposed development (alone) would not result in likely significant effects on European site(s) including the River Nanny Estuary and Shore SPA and North-west Irish Sea SPA. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.		