



An
Bord
Pleanála

Inspector's Report

ABP-321753-25

Development	Large-Scale Residential Development (LRD) for the construction of 141 residential dwellings, reconfiguration of the road layout and all associated site works. NIS submitted with Further Information
Location	Main Street/ R125 and Ballybin Road, Ratoath, Co. Meath.
Website	www.ballybinroadlrd.ie
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	2460487
Applicant(s)	Marshall Yards Development Company Limited
Type of Application	Large Scale Residential Development - Appeal
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Ciaran Buckley Gillian Toole
Observer(s)	Peter and Siobhan O'Sullivan

Liz and Paul O'Brien
Ciaran and Niamh Clancy
Damian and Linda Ryan

Date of Site Inspection

28th March 2025

Inspector

Paul O'Brien

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1.0 Site Location and Description

- 1.1. The subject lands contain an irregular shaped area of land located to the eastern of Ratoath village. The site with a stated area of 5.48 hectares is located to the north of Main Street and to the west of the Ballybin Road. A large, detached house and a number of agricultural buildings are located on site. To the south east of the site is a detached single storey house. The rest of the site contains large fields and is under grass. Vehicular access to the site is from the Ballybin Road to the west and off a large roundabout to the south of the site. The site boundary is primarily in the form of hedgerows and trees.
- 1.2. Adjoining lands to the west are in residential use occupied by Fox Lodge Woods and lands to the east/ south east are also in residential use, occupied by Moulden Bridge. The lands to the north and north east are in agricultural use and contain fields under grass. Powerlines cross the site, approximately on a south to north axis. The site is approximately 4.6km to the north west of Nine Milestone which provides a connection via the R125 to the M2 motorway.
- 1.3. There are bus stops to the south of the site on the Ballybin Road. These are served by Bus Éireann routes 103, 105, 105X and 109A. Services on the 103/ 105X operate to Dublin City Centre via Ashbourne, the 105 operates between Ratoath and Navan/ Kells to the north and Dublin Airport to the south east and the 105 operates between Drogheda and Blanchardstown. The 109A is extended to Dublin City Centre during the night and combined with the 103 it provides for a 24 hour bus service between Ratoath and Dublin City Centre. Ashbourne Connect serve this stop by the 194 route and which operates between Ratoath and Dublin City Centre at peak times.

2.0 Proposed Development

- 2.1. The proposal, as per the submitted public notices, comprises of the demolition of two houses and agricultural structures on site and the construction of 141 residential units and all site works on this site in Ratoath, Co. Meath.
- 2.2. The following tables set out some of the key elements of the proposed development as submitted to the Planning Authority:

Table 1: Key Figures

Site Area	Original Application	Following FI Response
Residential Development	3.66 hectares	3.66 hectares
Area for Road Works and Services	1.82 hectares	1.82 hectares
Total Site Area	5.48 hectares	5.48 hectares
Site Coverage	19.8%	19.3%
Plot Ratio	0.34	0.32
No. of Units		
Apartments/ Maisonettes	24	24
Houses	117	106
Total	141	130
Density	38.52 per hectare	36.3 per hectare
Open Space Provision	0.62 hectares – 17%	0.58 hectares – 16%
Car Parking		
Non-curtilage	39	35
Curtilage	189	175
Total	228	210
Bicycle Parking	210	184 (12 for the creche)
Childcare Provision	0	7 (included in the 35 above)

Table 2: Composition of Residential Units

Unit Type	Bedrooms/ Persons	Storeys	Total	Total after FI
Type A1 – Maisonette	1/ 2	1	6	6
Type A2 – Maisonette	1/ 2	1	6	6
Type DX1 – Maisonette	1/ 2	1	6	6
Type DX2 – Maisonette	3/ 5	2	6	6
Type E1 – Mid Terrace House	2/ 3	2	57	48
Type H1 – Mid Terrace House	1/ 2	2	0	2
Type H2(c) – 2 Bed Mid Terrace	2/ 3	2	0	2
Type H2(a) – 2 Bed Mid Terrace	2/ 3	2	0	2
Type D1 – End of Terrace House	3/ 4	2	27	26
Type F1 – End of Terrace	3/ 5	2	13	6
Type C1 – Semi-detached	3/ 5	2	12	12
Type B1 – Semi-detached	4/ 7	3	4	4
Type F4 – Semi-detached	4/ 7	3	2	2
Type X2 – Detached	4/ 8	3	1	1
Type X1 – Detached	5/ 10	3	1	1
Total			141	130

Table 3: Unit Type Breakdown

	Percentage (rounded up)
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Bedroom	Original	Following FI
1 Beds	13%	15.4%
2 Beds	40%	40%
3 Beds	41%	38.5%
4 Beds	5%	5%
5 Beds	1%	1%

- 2.3. Vehicular access to the site is from the Ballybin Road to the east of the site. Pedestrian access is proposed from the Ballybin Road, the R125/ Main Street to the south of the site and also connections to Fox Lodge Manor to the north.
- 2.4. Two proposed vehicular/ pedestrian access points are indicated to the north east of the site and which would allow for connections to currently undeveloped lands to the east of the site. The proposed development includes the revision of the local road network and junctions in the immediate area of the site along the Ballybin Road and R125/ Main Street.

3.0 Planning Authority Pre-Application Opinion

- 3.1. A Section 247 pre-application consultation took place on the 18th of December 2023 and a Section 32C LRD Meeting took place on the 29th of April 2024 between representatives of the Planning Authority and the applicant. A range of issues were considered during these meetings, and full details are provided with the Planning Authority report.
- 3.2. The Planning Authority issued an opinion on the 24th of May 2025 and which stated, 'Following consideration of the issues raised during the consultation process, the Planning Authority is of the opinion that the documentation submitted requires further consideration and/or amendment to constitute a reasonable basis for an application for permission for the proposed LRD under section 34 of the Act.' The following issue, in summary, required to be addressed in order to constitute a reasonable basis for an LRD application:
- Requested to provide an updated Appropriate Assessment (AA) and is relevant to provide a Natura Impact Statement (NIS). Specific issues referred to

insufficient details to rule out significant effect due to distance and dilution effect for ground and surface water, insufficient details to rule out impacts to SAC due to deposition of particles, lack of details on air pollution, no clear separation of construction versus operational impacts, missing information and consideration of designated sites, insufficient consultation with stakeholders and lack of consideration of impacts from light, noise and recreational pressures on designated sites.

3.3. A number of matters were raised that required specified information, were identified as follows, in summary:

- Planning – Zoning/ density/ phasing: Requested to update the Statement of Consistency to consider all relevant policy documents, consider other applications in the area for residential development, provide for full phasing details, and if a creche is to be provided, this shall be in Phase 1.
- Planning – Design/ Layout/ Unit Mix: Demonstration of connectivity/ permeability in the area and provide for full CGIs. Justification for demolition on site, provide for a detailed Design Statement, specific design issues are raised including building mix, open space provision and character areas to be clearly differentiated. Provide for dual fronted buildings, active frontages and consider the design of the duplex units which address the realigned Ballybin Road. Other issues include improved safety/ visibility within the stairwell of the duplex units, revised bin/ cycle storage areas, creche design details, house design details, boundary treatment details, access arrangements, building height, provision of a daylight/ sunlight analysis, provision of a building lifecycle report, provision of CGIs, provide a detailed Housing Quality Assessment in accordance with guidance, address all SPPRs and specified points in the apartment guidelines, details on site coverage/ plot ratio and justify the unit mix. Details are requested on childcare and the demand for childcare in this part of Ratoath it is noted that the applicant had not proposed any such childcare in their application.
- Landscaping: Full details requested on site landscaping/ boundary treatment/ amenity space provision, biodiversity, and provide for a Landscaping Report and Landscape Management Plan. Also, details requested in relation to a hedgerow study, an Arboricultural assessment, tree constraints plan and tree protection details. Request that standards in the Compact Settlement Guidelines be met.

- Social Infrastructure Assessment (SIA): Request that a fully detailed SIA be submitted. Particular reference is made on childcare provision, and concerns about GP – healthcare in the area.
- Request that submitted AA, EIA and EclA be consistent with each other. Further details are required in relation to each of these documents and are outlined in the PA report.
- Flooding Risk Management: Further details are required in relation to flood risk on site. It is noted that parts of the site are in flood zones A and B. A Justification Test is to be applied to the proposed development and a revised Site Specific Flood Risk Assessment (SSFRA) to be submitted.
- Surface Water Management: Specific details are outline in relation surface water drainage/ management.
- Archaeology: Recommend that archaeological testing of the site be undertaken to inform the incorporation of appropriate archaeological mitigation measures in the proposed design of this development.
- Broadband: Provision be made for suitable telecommunication connections to the proposed residential units in the design of this development.
- Housing Part V/ Universal Design: Specific details are recommended to be provided/ incorporated into the development design.
- Transportation: Specific details requested to be submitted in relation to transportation include accessibility/ integration with existing development/ bus stops in the area, traffic assessment details, construction details including an Outline Construction Traffic Management Plan (OCTMP), junction details, safety, bicycle parking, internal street layout details and a list of relevant issues.
- Water and Wastewater: Compliance with Uisce Éireann requirements and clarify the capacity in local services.
- Public Lighting: Provision of a lighting design and ensure that it is bat friendly.
- CEMP/ Waste Management: Provide relevant documentation.
- Taking in Charge: Provide details on taking in charge and provision of a management company.
- Fire Safety: Demonstrate compliance with relevant fire safety requirements.
- Energy Efficiency: Demonstrate compliance with Section 28 guidelines and relevant policies/ objectives of the Meath County Development Plan.

- Public Artwork: Details of suitable artwork to be provided.
- Estate Name: Details to be provided.
- Electrical Infrastructure/ Telecom Services: Advised to contact utility providers are about services crossing the site.
- General: A list of issues to be addressed by the applicant in the above documents.

3.4. The applicant has outlined revisions made to the development as a result of the PA opinion and the more noticeable revisions are listed in Section 4.3.1 of the 'Planning Report and Statement of Consistency' dated June 2024. Various documents have been submitted in support of the application, and these are in accordance with the list provided in the issued PA opinion. Submitted documentation will be referenced in my assessment of this application.

4.0 Planning Authority Decision

4.1. Decision

The Planning Authority decided to grant permission for the proposed development, subject to recommended conditions, following the submission of further information from the applicant.

4.2. Planning Authority Reports

4.2.1. Planning Reports

Grant permission subject to 40 conditions. Further information was sought, and the PA was satisfied with the submitted response, with issues requiring further detail to be addressed by way of condition. The permitted development was for 130 units, this was a reduction from the proposed 141 units. The revisions resulted in a density of 36.3 units per hectare.

4.2.2. Other Technical Reports

- Transportation Section (General): No objections subject to conditions.
- Transportation Section (Public Lighting): No objections subject to conditions, following the receipt of a further information response.
- Environment: No objections subject to conditions.

- Housing Department: No objection subject to condition regarding Part V housing.
- Broadband Officer: No objection subject to conditions.
- External Consultant – Plan Energy Consulting: Further information requested in relation to the Appropriate Assessment (AA) Screening/ Natura Impact Statement. On receipt of further information, concern remained over conflict between submitted statements. The Planning Authority are advised to ensure that there is no lacuna in the submitted documents and further comments on the implementation of the Construction Environment Management Plan (CEMP).

4.2.3. Conditions

Conditions are generally standard, though I note the following, summarised:

2. The development shall consist of 130 residential units.
5. Childcare facility should be provided prior to the commencement of the 75th residential unit. Full details of the facility to be provided.
7. Details of materials/ finishes to be submitted to the Planning Authority prior to the commencement of development. Specific details are listed requiring revisions to a number of houses. Bin/ Bicycle and storage details to be provided.
8. Detailed boundary and landscaping details to be provided with specific requirements for boundary walls, street furniture, and open space.
11. Implementation of avoidance/ mitigation measures as per Section 4.7 of the Natura Impact Statement, Section 7 of the Ecological Impact Assessment, Chapter 5 of the Outline Preliminary Construction Management Plan, and incorporate measures into a Construction Management Plan.
13. A minimum of 5% of units to be universally designed.
15. Implement the recommendations of the Site Specific Flood Risk Assessment.
- 17./18. Design of the new works along the R125/ Ballybin Road/ L-5018.
19. Impact of the works on other signalised junctions in the area and synchronise the junction lights in the area.
21. Works on the Ballybin Road shall not be completed without an approved Road Opening Licence.

23. Archaeological requirements.

25. Provide for telecommunication services in conjunction with the development of the housing units.

26. Details on the Outline Construction Management Plan (CEMP) and the Resource and Waste Management Plan for Construction – this is a long condition extending to two and a half pages incorporating Points a) to z).

In addition to the conditions there are a number of advice notes included, (i) to (xiii), these are standard.

I note the above conditions and in the event that permission were to be granted, I consider that a number of these could be rationalised/ merged.

4.3. Prescribed Bodies

The following reports were received:

- Health Service Executive (HSE) – EHO: No objection subject to recommended conditions. On receipt of further information, no objection subject to conditions.
- Dublin Airport Authority: No comment on the development but recommend that consultation be held with the IAA and AirNav Ireland.
- Uisce Éireann: No objection subject to recommended conditions.

4.4. Third Party Observations

The Planning Authority report that 133 submissions were received on the original application and following the receipt of further information response, a further 53 submissions were received. Councillors C. O'Reilly, N. Killian and G. Toole made comments on this development. Full details of the third party submissions are provided in the Planning Authority reports, though I note the following in summary:

Principle of Development:

- Welcome for the reduction in housing units following the receipt of the further information response.
- Development would be contrary to the Meath County Development Plan.

- Concern about the demolition of a house that was only constructed in 2012, this should be retained/ reused.

Impact on Residential Amenity:

- The scale and density of development was out of character with the established area.
- Density at 38.52 units per hectare was excessive.
- Concerns about overlooking leading to a loss of privacy.
- Concern about the loss of property values.
- Insufficient separation distances between proposed and existing units.
- Identify that an insufficient number of universal design housing have been provided on site.
- Concern about the lack of affordable housing in the scheme.
- Concern about the distribution of social housing throughout the site area.
- Increase in the number of one/ two-bedroom units from what was originally proposed.
- A separate application should be made for four/ five-bedroom units.

Impact on the Character of the Area:

- Impact of the development on the character and visual amenity of the area.
- Concern about the materials to be used on the elevations of the proposed houses.

Amenity Space:

- Open space areas 3 and 4 are poor quality and spaces B, C and D will provide for poor amenity due to their elevated nature.
- Need for more playground space.
- Concern about the maintenance of open space areas into the future.

Traffic and Transport:

- Uncertain if adequate consultation was held with Bus Éireann and the National Transport Authority about the relocated bus stops and the safety of these new locations.
- Welcome for suggestion that developer may fund bus shelters adjacent to the site.
- Inadequate existing public transport in the area.
- Likely for increase traffic congestion due to relocated bus stops, replacement of roundabout with signalised junction, and impact on traffic at the Montessori.
- Concern about noise and traffic impacts during the construction phase.
- Concern about the impact of increased traffic on vulnerable road users.
- Ca parking concerns especially about overspill parking into neighbouring housing areas due to under provision of car parking.
- Insufficient car parking to serve the childcare facility.

Infrastructure:

- Need for a Settlement Capacity Audit for the Ratoath area.
- There is a lack of social infrastructure in the area – such as childcare, healthcare, schools and Garda.
- Welcome for the proposed childcare facility. The original application raised concerns about the lack of a specific childcare facility on site.
- Request that it be relocated away from the site entrance.

Impact on Ecology/ Biodiversity:

- Loss of green and recreational space.
- Loss of existing trees may give rise to an increase in noise levels as the trees act as a sound barrier.
- Need for a waste management and pest control plan.

Other Issues:

- Lack of consultation with the local community about this development.

- Concern about anti-social activity due to the removal of an existing boundary and the location of a playground in Open Space Area D.

5.0 Planning History

The Planning Authority have provided a comprehensive planning history in their reports. The following are considered relevant to this development.

PA Ref. DA120947 refers to a May 2013 decision to grant permission for a dwelling house with rainwater harvester, domestic garage, new domestic entrance onto public road to replace existing agricultural entrance adjacent to existing entrance to family dwelling, landscaping, and other site works. This is the large house to the southern centre of the site proposed for demolition as part of this development.

PA Ref. DA30334 refers to a June 2004 decision to grant permission for a residential development of 124 units on lands to the west/ north of the site with access through the existing Fox Lodge housing development. This development is complete and occupied.

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.

A number of key policy objectives are noted as follows:

- National Policy Objective 4 seeks to 'Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being'.
- National Planning Objective 11 provides that 'In meeting urban development requirements, there be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and

villages, subject to development meeting appropriate planning standards and achieving targeted growth’.

- National Planning Objective 13 provides that “In urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected”.

Chapter 6 of the NPF is entitled ‘People, Homes and Communities’ and it sets out that place is intrinsic to achieving a good quality of life.

A number of key policy objectives are noted as follows:

- National Policy Objective 27 seeks to ‘Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages’.
- National Policy Objective 33 seeks to ‘Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location’.
- National Policy Objective 35 seeks ‘To increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights’.

6.1.2. **Section 28 Ministerial Guidelines**

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

- Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (DoHLGH, 2024)

- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DoHLGH, 2023).
- Urban Development and Building Heights - Guidelines for Planning Authorities – (DoHPLG, 2018).
- Quality Housing for Sustainable Communities (DoEHLG, 2007).
- The Planning System and Flood Risk Management including the associated Technical Appendices (DEHLG/ OPW, 2009).
- Childcare Facilities Guidelines for Planning Authorities (2001).

Other Relevant Policy Documents include:

- Design Manual for Urban Roads and Streets (DMURS) 2019 as updated.
- Permeability Best Practice Guide – National Transport Authority.
- The Climate Action Plan 2025
- National Biodiversity Action Plan 2023 - 2030

6.2. Regional Policy

6.2.1. The ‘Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy (RSES) 2019-2031’ supports the implementation of Project Ireland 2040 and the economic and climate policies of the Government, by providing a long-term strategic planning and economic framework for the region.

6.2.2. Ratoath is identified in the RSES as a ‘self-sustaining town’ situated in the ‘core region’ for the eastern and midland regional authority (EMRA) area. Within the RSES-EMRA this region is described as being home to over 550,000 people and includes the peri-urban hinterlands within the commuter catchment of the Dublin metropolitan area. Ratoath is noted as one of the towns in the region to have recorded the highest population growth rates in the country in the previous decade (2009-2019), despite the town having a comparatively low level of employment provision, while still serving as an important employment and service centre with scope to potentially strengthen as an employment centre, particularly given its strategic location, connectivity with surrounding settlements and the availability of a skilled workforce.

6.2.3. The following regional policy objectives (RPOs) of the RSES are considered relevant to this application:

- RPO 3.2 – in promoting compact urban growth, a target of at least 50% of all new homes should be built within or contiguous to the existing built-up area of Dublin city and its suburbs, while a target of at least 30% is required for other urban areas;
- RPO 3.3 – regeneration areas and increasing of densities in line with the Sustainable Residential Development Guidelines, the New Apartment Guidelines and the Building Heights Guidelines.

6.3. Local Planning Policy

Meath County Development Plan 2021-2027

6.3.1. Based on its high levels of population growth and a weak employment base that is reliant on other areas for employment and/or services and requiring targeted ‘catchup’ investment to become more self-sustaining, Ratoath is identified within the fourth tier of the County Development Plan settlement strategy with potential additional capacity for 803 residential units on 27.7 hectares of zoned land, inclusive of 72 permitted units. Table 2.4 provides the ‘Settlement hierarchy for Meath’ and indicates that Ratoath is a ‘Self-Sustaining Town’.

6.3.2 The Development Plan includes objectives SH OBJ 4 and CS OBJ 9 aiming to prepare local area plans for several larger settlements within the lifetime of the Development Plan, including Ratoath. In the interim the context, character, vision, opportunities and various strategies and objectives relating to Ratoath are contained in a written statement and the zoning maps which form part of the Development Plan.

6.3.3 Policy RA POL 1 and objective RA OBJ 1 support consolidated development of Ratoath in line with the core strategy. Other relevant objectives include RA OBJ 7 (RORR), RA OBJ 8 (Ratoath pedestrian and cycle scheme), RA OBJ 9 (linear parks and amenity spaces), RA OBJ 11 (high standard designs and materials) and RA OBJ 12 (urban and landscape design statements). In conjunction with the National Transport Authority (NTA) and others, objective MOV OBJ 1 of the Development Plan aims to prepare and implement a local transport plan for towns in County Meath including Ratoath.

6.3.4 Chapter 3 of the Development Plan outlines the Council's approach to housing and settlement, including design criteria, densities and categories of lands applicable for housing. Chapter 11 of the Development Plan comprises development management standards for various forms of development.

6.3.5 As per the Development Plan maps, the following is noted:

- The site is zoned A2 – New Residential with an 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.'
- There is a site specific reference to the south of the subject lands 'To promote the preservation of individual trees or groups of trees as identified on the Heritage Map and to manage these trees in line with arboricultural best practices.'
- As per the Strategic Flood Risk Assessment – the subject site is located in Flood Zone C.

6.4. **Natural Heritage Designations**

The nearest European Designated Sites are Malahide Estuary SPA (Site Code 004025) and Malahide Estuary SAC (Site Code 000205) and which are approximately 17km to the east of the subject site. Malahide Estuary pNHA (Site Code 000205) is also 17km to the east and the North-West Irish Sea SPA (004236) is approximately 24 km to the east.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

7.2. Two separate third-party appeals have been made, these are from individuals, though the one from C. Buckley includes a list of residents in the area who are stated to support the appeal. The following issues raised in the third-party appeals are summarised and grouped under appropriate headings:

Principle of Development:

- Concerns of residents of the area have been ignored.
- Lack of consultation with public transport providers in the area.

- Lack of consultation with the Garda Síochána Crime Prevention Officer.
- The development should be considered in the context of all South Meath and not just Ratoath.

Traffic and Transport:

- The Ballybin Road is very busy with car and bus traffic. It has not been upgraded to carry this traffic.
- Improved road surface resulted in an increase in road speed and accidents along the Ballybin Road.
- The proposed development includes a short section upgrade of the Ballybin Road.
- Concern that the proposed development will give rise to increased safety concerns along the Ballybin Road. The existing road network is not safe for pedestrians and cyclists and bus drivers will not pick up/ drop off passengers along the Ballybin Road.
- Upgrading the roundabout to the south of the site will not address all safety concerns along the local road network.
- Upgrade works to the local road network were not completed and would have benefited the residents of the area.
- A number of road alignments/ proposed improvements are provided in the appeal from Ciaran Buckley. These include additional realignments of the Ballybin Road outside of the red line boundary of the subject site.
- The submitted Transport Assessment does not consider the proposed F11/M15 Rural Cycle Path.
- There is a need for infrastructure to be in place before the development of housing.

Environmental Impact Assessment:

- The non-provision of an EIA is noted and considered to be incorrect.
- The development is below the 500 houses that triggers an EIA but road improvements in the area would also trigger an EIA.
- The site is in an area adjacent to known flooding. Increased hardstanding and development which allows for increased run-off may increase flooding in the area.

Photographs, site layout/ site location plans, location of accident data and other details have been submitted in support of the appeals.

7.3. Applicant Response

The applicant has responded to the issues raised in the third party appeals. The following provides a summary of their response, under the headings they have considered the appeal under:

- **Concerns of Residents have been ignored:** Makes clear that the development was considered by Meath County Council and the further information request specifically requested that the issues raised by third parties be addressed. Amendments were made to the development in response. The applicant outlines that consultation with residents/ interested parties has been had.
- **No External Consultation, Development Will Exacerbate Road and Transport Issues and Impact Not Adequately Measured:** Outlines that consultation with the NTA and Bus Éireann would not take place prior to the lodgement of a planning application. Insufficient evidence provided in the appeal that the development will have an adverse impact on traffic and public transport in the immediate area. The alterations to the road network were identified at pre-planning consultation stage and the proposals have been submitted in response, full details are provided in the submitted documentation with the application. The appeal response notes existing traffic congestion in Ratoath, the development will make improvements along Main Street in terms of shorter queueing time, development of the nature proposed should be expected in a town such as Ratoath and impact on traffic during the construction phase would be short term.
- **An Garda Síochána were not Consulted:** Not required to consult though noted that residents did contact the local office, but no submission was made on this application. Willing to accept revisions to the proposed open space area to the north.
- **Planning Conditions Should Require Infrastructure Before Housing:** Assuming this is to provide the road improvements before the housing is commenced. The applicant considers this to be unreasonable as there is a need for housing in the area and to delay its development would not make sense.
- **Adjudication in the Context of all of South Meath:** Outlines what the development will provide. Notes that 130 objections were made but only two appeals were

submitted indicating that in general there was an acceptance of the permitted development.

- **Concern in Relation to the Realignment and Upgrade of Ballybin Road:** The location of areas of concern along the Ballybin Road fall outside of the application area and revisions to road speeds are also outside of the control of the applicant. Notes that from the 7th of February 2025, road speeds on local roads will be reduced to 60kph and this would include the Ballybin Road. The design of the realigned road should not result in excessive road speeds as indicated by the appellants. The removal of the roundabout will improve road safety in the area.
- **Realignment of the Ballybin Road Should Follow one of 2 No. Other Options:** The applicant has addressed the proposed alignments as raised by the appellants. These are either matters for the Local Authority or would result in the loss of residential development which would be contrary to the Meath County Development Plan 2021 – 2027. The completion of the Ratoath Outer Ring Road is outside of the scope of this planning application.
- **Ballybin Road Needs to be Upgraded for Existing Users, Residents and Businesses:** Upgrades past the area proposed by the applicant are outside of this scope of this application. Full details are provided on road improvements and also in terms of provision of footpath and cycleways on site.
- **The Development Does not take Account of the F11/M15 Rural Cycle Route:** The applicant considers that the proposed development will support the development of the cycle network in the area and supports Meath County Council's proposals for cycle facilities in the area.
- **EIAR requirement and Flood Risk:** EIA is not triggered by the scale of development or by other aspects of the development that could impact on the environment. Meath County Council raised no issues of concern in relation to this aspect of the development. The Site Specific Flood Risk Assessment did not raise any issue of flooding that would impact on the proposed development.

In conclusion the applicant requests that the decision to grant permission issued by Meath County Council be upheld.

7.4. Planning Authority Response

No further comment to make, all issues have been covered in the CE report.

7.5. Observations

Four third party observations were received and the following points, summarised, were made:

- Boundary needs correction where it connects to adjoining site.
- Request additional boundary treatment to address issues of overlooking.
Existing trees have provided a good level of privacy protection over the years.
- Removal of trees and hedgerow is a concern as replacement planting may not be retained on site. Uncertain as to who will maintain the landscaping and trees on site.
- Also, there is a concern about impact on existing planting on adjoining lands which have a high amenity/ biodiversity value.
- Insufficient consideration given to the impact on bats which are to be found within the trees to the west/ north east of the subject site.
- It would appear that the applicant has failed to address issues raised in the LRD pre-application consultation.
- It is unclear why the western tree row cannot be retained other than the applicant's desire to develop this part of the site.
- Need to ensure that residential amenity is protected in accordance with the Meath Development Plan 2021 – 2027.
- Concern about the relocation of the bus stop serving Foxlodge Woods and Foxlodge Manor.
- Opposed to the provision of an inline bus stop and also concern that overlooking will increase from the upper deck of buses in the area.
- Concern about traffic impacts arising from the proposed development.
- Need for reconsideration of the proposed local road network serving Ratoath.
- Traffic congestion and delays are already significant in this part of Ratoath.
- Proposed road upgrades/ cycle route works combined with the proposed development would result in significant traffic congestion in Ratoath over a long period of time.
- Opposed to the development of pedestrian/ cycle connectivity between the proposed development and Foxlodge Woods.
- Concern that part of the open space in Foxlodge Woods will be included in the open space calculations for the proposed development.

- Concern about the number of one and two bedroom units in this development.
- Insufficient car parking to serve the proposed development.
- Query over engagement with the Gardaí over the proposed development.
- Query over the provision of a waste management plan or pest control plan having regard to the demolition of structures on site.
- Concern about capacity shortages in the public water supply and foul drainage systems.
- Concern about the capacity for local schools to cater for demand. Existing schools in the area are oversubscribed at present.
- Request that permission be refused for the proposed development.

8.0 **Assessment**

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

- Principle of Development
- Impact on the Character of the Area
- Impact on Residential Amenity
- Traffic, Transport and Car Parking
- Water Infrastructure and Flood Risk
- Other Matters

Note: I will be assessing the development as revised by the further information response received by the Planning Authority on the 17th of October 2024 and as per their grant of permission. This permitted 130 residential units, a childcare facility, road realignments/ upgrades and all associated works. I have provided a full breakdown of the revised details in Tables 1, 2 and 3 of this report.

8.2. **Principle of Development**

8.2.1. The Planning Authority had no issue in relation to the proposed residential development on this site. The site is located within the Ratoath 'Settlement Boundary' and is located on lands zoned A2 – New Residential and which permits in

principle residential development. The appellants/ observers concern related to impact on residential amenity, traffic, public safety and environmental issues including impact on high amenity lands in the area.

- 8.2.2. As reported, the lands are zoned for residential development and the development whilst located on the edge of the settlement, is within walking distance of the centre where the retail/ services area is. Ratoath is characterised by a number of roundabouts with housing located in estates around the edge of the centre. Other than a large area of land to the south/ south east of Ratoath, there are not any large tracts of A2 zoned lands allowing for new residential development, this site is therefore important in meeting the housing needs of the area over the lifetime of the development plan. The development of this site will not have an adverse impact on adjoining lands in terms of their natural heritage and their amenity. The development is confined to the lands indicated in the submitted plans and does not have associated impact on the adjoining lands.
- 8.2.3. I am therefore satisfied that the nature of the development is acceptable in principle in terms of the Meath County Development Plan 2021 – 2027.

8.3. Impact on the Character of the Area

- 8.3.1. No specific issues were raised by third parties about the character of the development other than a comment on the number of one/ two bedroom units proposed here and the inclusion of existing open space in Foxlodge in the open space calculation for this development. The Planning Authority approved permission subject to conditions; condition no. 7 provided for some revisions to the internal layout/ elevational treatment of a number of houses.
- 8.3.2. The proposed development provides for 130 units on a development site area of 3.66 hectares which provides for a density of 35.5 dwelling per hectare (dph). The Planning Authority consider this site to be located within a 'Suburban/ Urban Extension' with a density range of 30 dph to 50 dph, in accordance with the Compact Settlement Guidelines, to be acceptable. The proposed development providing for a density of 35.5 dph is within the acceptable range and I therefore consider the density to be appropriate to this location. The density of development is acceptable in terms of the Meath County Development Plan 2021 – 2027 and the Compact Settlement Guidelines.

- 8.3.3. As part of the development, two existing houses and agricultural buildings are to be demolished. Comment was made by third parties that these houses could be retained, and I note that Policy RD POL 32 of the CDP opposes the demolition of traditional or vernacular rural houses. I note that the larger of the two houses, was only granted permission in May 2013 and constructed sometime after. Considering the location of these units and the agricultural structures, retaining them would result in an inefficient development of this site. I am satisfied that their loss is acceptable in terms of the more efficient development of this zoned/ serviced land, providing for much needed housing in an accessible location. These houses are not listed on the record of protected structures, are not within an architectural conservation area and do not have a vernacular character worthy of preservation or retaining as part of this development. The demolition of these houses does not give rise to a material contravention of the Meath County Development Plan 2021 – 2027.
- 8.3.4. The proposed layout is generally acceptable, considering the constraints of the site. There is one vehicular access proposed to the site, from the realigned Ballybin Road, and the internal layout consists of a large loop with a network of cul-de-sacs to the northern part of the site. The units to the east of the Ballybin Road are served by their own access. Pedestrian access and permeability are good with connections proposed to the south and north west of the site and allowance made for other connections to the east of the site. The proposed housing units are in the form of terraces and semi-detached pairs.
- 8.3.5. The proposed maisonettes and duplexes are provided to the east and south of the site. The duplex units 001 to 012 and the childcare facility address the main access to the site, and this will provide for a suitable scale of development at the entrance to the scheme. This is a welcome change from the entrance arrangement to a number of housing developments in Ratoath with a landscape area at the entrance which only has a visual function and requires regular maintenance. The proposal provides for an appropriate form of urban development at the site entrance, with the creche and duplex units addressing the new Ballybin Road at the entry point. The applicant has provided adequate photomontages/ Visual Impact Report to demonstrate that the development will integrate with the existing area, and I consider that the proposed scheme has achieved good integration.

8.3.6. The proposed houses will be two storey units, except for those to the east of the realigned Ballybin Road, which will be three storeys as will the duplex units at the site entrance. Material finishes include a mix of brick and render; final details can be agreed with the Planning Authority in the event that permission is to be granted. The character areas are defined by the proposed brick use and I consider this to be acceptable and has regard to existing/ similar development adjoining the subject site.

8.3.7. The proposed development provides for 0.58 hectares, or 16% of the total site area as public open space. Section 11.5.11 of the Meath County Development Plan 2021 – 2027 under Objective DM OBJ 26 requires a minimum of 15% of the site area to be for open space. I am satisfied that the applicant has demonstrated compliance.

8.3.8. **Conclusion on Impact on the Character of the Area:** I am satisfied that the proposed development will integrate with the existing character of the area and will not have an adverse impact on the visual amenity or the established character of this part of Ratoath.

8.4. **Impact on Residential Amenity**

8.4.1. Concern was expressed by third parties about potential overlooking, loss of light/ overshadowing, impact on amenity space and potential anti-social activity. The Planning Authority raised no issues of concern in relation to these issues.

8.4.2. **Impact on Third Parties:** I do not foresee that there will be significant overlooking from the proposed development on properties to the west on 'The Road, Fox Lodge'. Houses 035 to 061 are provided with rear gardens in excess of 12m and separation distances with the houses to the west are at least 21.7m, which is acceptable in terms of the Compact Settlement Guidelines which seek a minimum of 16m between opposing windows at first floor level under SPPR1. Units 062 and 104 have their side elevations facing onto the development to the west and therefore there are no direct overlooking issues; separation distances in excess of 16m are maintained here. The single storey house to the east of the site will not be significantly overlooked by adjoining units with separation distances in excess of that required under SPPR1 provided.

8.4.3. The applicant has proposed a line of trees/ shrubs along the western boundary which would provide for additional screening. I agree with the comments made by

third parties that as these trees are located within the landholding of individual homeowners, there can be certainty as to who will maintain these trees and residents may even decide to remove them at any stage. However, they do provide for a level of amenity for future residents and whilst I would not consider them to provide for long term screening, they would be a feature of this development, and I consider should be retained as part of the development for their amenity value.

8.4.4. The applicant has also revised elements of the development through the further information response from those originally proposed. The two storey maisonette units to the north of the site are replaced with single storey units on a staggered building line; issues of overlooking will no longer apply here.

8.4.5. Considering the two-storey character of the development, the layout and the separation distance to existing houses, I would have no concern regarding overshadowing leading to a significant reduction in residential amenity. The houses to the west of the site are provided with east facing rear gardens and considering the proposed separation distances to the rear of the subject houses, existing houses will receive adequate daylight/ sunlight to their rear gardens. The submitted Sunlight, Daylight & Shadow Assessment, received by the Planning Authority on the 17th of October 2024, assessed the impact of the development in accordance with 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice - Third Edition (BRE 2022)'. The impact on daylight in accordance with the Vertical Sky Component Test, the impact on sunlight in terms of Annual Probable Sunlight Hours (APSH)/ Winter Probable Sunlight Hours (WPSH), and the impact to existing amenity space including gardens was tested in accordance with Sunlight on the Ground SOG (Shadow). All recommended targets in accordance with BRE 2022 were met and I am satisfied that overshadowing of existing houses and loss of sunlight to private amenity spaces/ gardens, will not have an adverse impact on the amenity value of these.

8.4.6. The proposed development has included a part of the open space associated with Fox Lodge within the red line boundary; this was raised as an issue of concern by third parties. I have no objection to this element of the proposed development. Section 11.5.30 of the CDP refers to 'Safe and Secure Design' and includes 'Maximising passive surveillance of streets, open spaces, play area and surface parking'. The applicant proposes to provide for an area of open space here that will

integrate with that in Fox Lodge and in addition to footpaths providing good permeability between the housing developments, there is an increased area of open space for all residents to enjoy, with good passive surveillance. Reference was made to concern about the proposed play space here and I consider that the final details can be agreed with the Planning Authority, though I consider it appropriate that play equipment be provided here.

- 8.4.7. Comments were made about concern about anti-social behaviour and lack of consultation with An Garda Síochána about permeability between the proposed and existing residential areas. No issues of concern were expressed directly by An Garda Síochána and the Planning Authority did not raise any issues of concern. The link between the subject site and Fox Lodge will benefit the residents of the existing development as it will provide for between connections to proposed childcare and existing schools in the area.
- 8.4.8. Proposed Residential Amenity: The proposed houses are provided within adequate room sizes; storages areas and they are also provided with adequate private amenity space with suitable rear garden depths. The development was revised by way of further information and revisions were made to the layout and the number of units was revised down from 141 to 130 units. The proposed units demonstrate compliance with the requirements of the Meath County Development Plan 2021 – 2027 under Section 11.5.8 and the Compact Settlement Guidelines.
- 8.4.9. Childcare: The development was revised by way of the further information response to include the provision of a childcare facility. This has a floor area of 259sq m and can accommodate approximately 48 children, though this figure is dependent on the age of children/ service provided for. The facility also provides for 212sq m of outdoor play area. The CDP under Policy DM POL 25 requires developments to be in accordance with the Childcare Guidelines, 2001.
- 8.4.10. In the interest of clarity, I have summarised the requirements for childcare provision for this development as follows:

	2001 Childcare Guidelines	2020 Apartment Guidelines – without 1 bed	2023 Apartment Guidelines – without 1 bed and only 50% of 2 bed apartment units
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Number of proposed Units	130	110	84
1 Facility with capacity for 20 children for every 75 units	35	29	23

8.4.11. As can be seen above, a facility with capacity for 48 children will meet the needs generated by this development and will also be able to cater for demand from outside of the subject site. The Social Infrastructure Audit submitted with the original application to the Planning Authority found that the proposed development would only generate a low demand for childcare, however, following the further information request, a facility is now proposed.

8.4.12. I note that third party submissions referred to the childcare facility and welcomed its inclusion into the development. I am satisfied that the proposed facility is adequate to serve this development, and I welcome that additional capacity is proposed that will serve the wider Ratoath area. I note that the Planning Authority included a phasing that this facility be provided prior to the commencement of the 75th unit on site; I consider that a similar condition is acceptable. The design of the proposed childcare facility is of a good quality, providing for appropriate elevational treatment, and will provide for a suitable landmark on entry to this residential development.

8.4.13. I have already commented on the alterations to the open space in Fox Lodge that would allow for a larger open space area and high quality permeability between the two residential developments. I consider this to be a good example of appropriate integration and the provision of a larger area of open space with good quality passive surveillance should ensure that this space is well used. Final details can be agreed with the Planning Authority, if the Board is of a mind to grant permission.

8.4.14. **Conclusion on Impact on Residential Amenity:** I am satisfied that the proposed development will provide for a high quality of residential amenity for future occupants of these dwellings. The dwellings are of a high standard and the site is provided with a mix of open space areas that all residents can benefit from including

those living in adjoining residential schemes. Appropriate connections are provided to enable access to these areas of open space.

- 8.4.15. I am satisfied that existing residents will not suffer from excessive overlooking leading to a loss of privacy and any loss of daylight/ sunlight would be imperceptible. The proposed development demonstrates compliance with the Meath County Development Plan 2021 – 2027 and Section 28 Guidelines such as the Childcare Guidelines and the Compact Settlement Guidelines.

8.5. Traffic, Transport and Car Parking

- 8.5.1. The issues of traffic congestion, road safety and impact on public transport were all raised as issues of concern by third parties. It was stated that Ratoath currently suffers from traffic congestion and the revised road alignment may not resolve the current issues and may cause further traffic congestion and potential road safety issues. I will consider these issues under separate headings. Full regard has been had to the Design Manual for Urban Roads and Streets (DMURS) with specific reference to the revised junction layout, crossing points and internal road layout.

- 8.5.2. **Revised Road Layout:** The proposed development includes a significant amount of work to the road network to the south – Main Street/ R125 and the Ballybin Road to the east. Included in these works are the replacement of an existing roundabout with a four arm fully signalised junction, the provision of a new section of the Ballybin Road from the new junction and which heads northwards to reconnect with the existing Ballybin Road, and the realignment of existing roads to connect into the new junction. The section of the Ballybin Road to be replaced with the new alignment will be converted for use as a pedestrian/ cycleway and which will connect into the proposed Meath County Council Ratoath Pedestrian and Cycle Scheme. The new section of the Ballybin Road will provide for access to the subject site (east and west of the Ballybin Road) and also will also maintain access to existing houses on this road.

- 8.5.3. Meath County Council Transportation Department raised no issues of concern about this road network and the revised junction layout subject to conditions. Recommended conditions would be standard for a development of this nature, I note in particular that the synchronisation of the proposed junction traffic lights with

existing traffic lights be undertaken. Other works to be in accordance with the requirements of Meath County Council.

8.5.4. I consider the revisions to the road network to be of benefit to the wider area as the existing road network is complicated by the design of the roundabout which has four roads entering it but not evenly in terms of location and traffic movements, which results in congestion on the connecting roads. The Ballybin Road does not at present connect into the roundabout and this in turn causes congestion to the eastern side of the roundabout. The revised layout rationalises the layout and although it is accepted in the submitted reports that the junction will be operating over capacity, that is the case at present and the proposed residential development will not adversely affect traffic volumes in the area, and in particular at the new signalised junction.

8.5.5. Third parties have requested that road improvements be extended further along the Ballybin Road. Whilst this would be desirable, that would be outside of the scope of works that the applicant would be expected to provide. There is no objective or requirement in the CDP for such specific improvement works. The revisions to the Ballybin Road provide for improved carriageway width and alignment but also include cycle and footpaths on both sides of the road. The signalised junction includes pedestrian/ cycle crossing facilities on all four arms of the junction which is a significant improvement over the current situation. The existing road will be converted into a shared pedestrian/ cycle greenway, which will provide for additional pedestrian/ cycle infrastructure within Ratoath.

8.5.6. Overall, I am satisfied that the revised road layout is acceptable, will reduce traffic congestion in the wider area and significantly improves pedestrian/ cyclist safety. The removal of the roundabout and rationalisation of the road layout in the area will significantly improve road safety and allow for proper pedestrian/ cyclist crossing points to be integrated into the traffic signalling system. The realigned Ballybin Road will directly connect into the new signalised junction, whereas at present it does not connect into the roundabout, resulting in congestion and potential traffic safety issues. It also requires drivers to have to navigate a number of junctions whereas the new layout requires only one junction to be accessed/ crossed.

- 8.5.7. The details provided with the application indicate that the applicant will undertake these works as part of the development of this site. Works to the public road will be undertaken in accordance with the requirements of Meath County Council. Final details can be agreed with the Planning Authority, if the Board is of a mind to grant permission.
- 8.5.8. Pedestrians/ cyclists will also benefit from the conversion of the former Ballybin Road to be a shared route.
- 8.5.9. **Revised Bus Stop:** As part of the development, the bus stop and layby to the north of Main Street/ west of the Ballybin roundabout is to be removed and located further to the west of the site. Concern was raised about impact on traffic and also an impact on residential amenity through overlooking from double decker buses that are in use on bus routes serving Ratoath. The Meath County Council Transportation Department reported that the proposed in-line bus stops are unacceptable and should be revised to be off-line. No detail is provided as to what the issue is.
- 8.5.10. As reported, I am satisfied that the revision to the local road network including the signalisation of the junction will benefit the wider area in terms of movement and safety. The relocation of the bus stop is a side effect and one that is difficult to address to the satisfaction of all. Buses will now stop at an inline bus stop with no layby provided. This is a standard layout for urban bus stops, and whilst issues of safety were raised, with car drivers potentially trying to pass a bus, that is an issue of safety for car drivers rather than the bus. The revised layout does not allow for the provision of a layby as this would result in the further loss of trees on the southern boundary which was raised as an issue of concern by third parties.
- 8.5.11. The proposed bus stop meets requirements as per the Cycle Design Manual/ NTA Bus Stop details and is located in a position that will be accessible to residents of Fox Lodge Woods and those of the proposed development. The issue of overlooking from the upper deck of buses is noted, however there is a good level of screening between the roadside edge and the houses to the north. I would categorise the issue of overlooking as perceived, and which is harder to quantify. However, the proposed bus stop is on a public road and subject to meeting all safety requirements it is considered to be in an appropriate location. Final details can be agreed with the Planning Authority, if the Board is of a mind to grant permission.

8.5.12. **Internal Road Network/ Car Parking:** No specific issues of concern were raised by third parties about the proposed road layout, and Meath County Council have reported that the submitted layout is acceptable to them. Appropriate traffic calming measures are provided throughout the submitted subject site area, including appropriate street width, raised platforms and build outs. Access to the residential development is from the realigned road to the east of the subject site.

8.5.13. I note concern was raised about the layout of the site to the north/ north west where a connection to Fox Lodge Woods is proposed. There are no safety issues here and this link is for pedestrians and cyclists only and will be for the benefit of residents in the existing housing development as they access lands to the south/ education facilities easier through this proposed link. The proposed development makes passive provision for connections to adjoining lands if required in the future.

8.5.14. No issues of concern arise in relation to car parking provision, all houses are provided with in-curtilage parking and adequate visitor parking is also provided throughout the site. I am satisfied that the development complies with the requirements of Section 9 – Parking Standards of the Meath County Development Plan 2021 – 2027 and in particular Table 11.2.

8.5.15. **Conclusion on Traffic, Transport and Car Parking:** I am satisfied that the proposed road layouts, internal and local road network, are acceptable and appropriate for this site. Meath County Council raised no issues of concern in their assessment with conditions included in their grant of permission. The realigned road/ signalised junction will benefit the wider area and allow for easier access to/ from Ratoath. Whilst the junction may operate over capacity, this is not unusual for a location such as this, especially where there are congestion issues in the peaks due to the volume of cars utilising this junction.

8.6. **Water Infrastructure and Flood Risk**

8.6.1. Concern was expressed in the third party observations about the impact of the development on existing water supply/ foul drainage provision in the area. The issue of flooding was raised through the appeals and also raised in the submitted observations. The applicant has provided suitable information in the form of an Infrastructure Design Report and specifically in relation to Flooding through a Site Specific Flood Risk Assessment.

- 8.6.2. **Water Supply:** No issues of concern were raised by Uisce Éireann who reported that the proposed water connection can be made without the need for infrastructure upgrades in the area. I note that the Water Capacity Register for Ratoath indicates a green listing with capacity available to meet 2033 population targets with a level of service improvement required.
- 8.6.3. **Foul Drainage:** Uisce Éireann report that a connection is feasible subject to listed upgrades. These include the provision of 365m of gravity network extension and the applicant may have to contribute to the upgrade of the Moulden Bridge Wastewater Pumping Station. Wastewater capacity for Ratoath is indicated as green with capacity available and upgrade works underway. Policy INF POL 11 of the CDP states 'To liaise and work in conjunction with Irish Water during the lifetime of the Plan in the provision, upgrading or extension of wastewater collection and treatment systems in the County to serve existing and planned future populations and enterprise in accordance with the requirements of the Core and Settlement Strategies.' I note this policy, but no specific reference is made to the Moulden Bridge pumping station in the CDP.
- 8.6.4. **Surface Water Drainage:** The Meath County Council Environment Flooding-Surface Water Section reported no objection subject to conditions in relation to aspects of the surface water drainage proposal including details on the functionality of the public open space for recreational use where they also function for surface water drainage.
- 8.6.5. **Flood Risk:** The applicant has provided a Site Specific Flood Risk Assessment, dated June 2024, in support of their application. In summary the proposed residential development is in Flood Zone C and small parts of the realigned road are in Zones A and B. This is clearly demonstrated on the Meath County Council Development Plan 2021 – 2027 Strategic Flood Risk Assessment map. The residential section of the site is designated as highly vulnerable development. Through its location in Flood Zone C there is no requirement for the preparation of a justification test and no further consideration is required in accordance with the Flood Risk Guidelines. The elements of the development in Flood Zones A and B will not impact on adjoining lands or increase flood risk on adjoining lands.

8.6.6. **Conclusion on Water Infrastructure and Flood Risk:** The applicant has provided adequate information to address the requirements of Meath County Council in relation to water supply, drainage and flood risk. As per Uisce Éireann report, water and foul drainage is available to serve the development. The proposed houses are not in a flood risk area and identified areas within Flood Zones A and B will not give rise to increased flooding on adjoining lands. I am satisfied that issues raised by third parties are addressed through the submitted information.

8.7. Other Issues

8.7.1. Ecological Impact Assessment (EclA): An Ecological Impact Assessment has been undertaken and submitted in support of this application. This report is dated July 2024, with field surveys undertaken in September 2023, March 2024 and June 2024. Surveys/ assessments considered habitats, flora, invasive alien species, rare/ protected plants, hedgerows and Fauna. Bat surveys were undertaken in September 2023 and March 2024. Static detector monitoring was undertaken in April and in June 2024.

8.7.2. A description of the proposed development is given in given in Section 2, the methodology is provided in Section 3 and 'Ecological Baseline Conditions' are outlined in Section 4. Details of Bats found on site are provided in Section 4.5.2 and details of Birds found on this site are provided in Section 4.5.3. Mammal details are under Section 4.5.4. No common frog, reptiles, fish or molluscs were found on site. Frog and fish may be found along/ in the Ratoath Stream.

8.7.3. Section 5 provides the Ecological Impact Assessment, and a number of Key Ecological Receptors (KERs) were identified for consideration. Details of 'Avoidance and Mitigation Embedded in Project Design' are provided in section 5.1 and further summarised in Table 10 of the applicant's report. Impacts on habitats are assessed for the construction and operational phases of the development. Section 5.5 provides details on the 'Potential for In-Combination Effects' having regard to plans/ projects and planning permissions in the area.

8.7.4. 'Avoidance, Mitigation, Compensation and Enhancement Measures' are provided in Section 6. Mitigation measures refer to surface water protection measures, silt and sediment control measures, reduction of noise, reduction of dust, tree protection, biosecurity measures, lighting, vegetation clearance, bird/ bat protection during tree

felling, and construction management for mammals. In relation to biosecurity, appropriate management will be put in place for the removal of butterfly bush and cotoneaster on site. For the operational phase, measures will ensure that mammal habitat connectivity is retained/ protected, bat/ bird boxes will be put in place, and prepare/ implement a Hedgerow and Woodland Management Plan (HWMP). Biodiversity enhancement will also be implemented as appropriate. Section 7 details appropriate monitoring measures to be put in place and these are summarised in Table 13. of the applicant's report. Section 8 considers Residual Impacts, and these are summarised in Table 14. The report concludes: 'It is considered that, provided the mitigation measures proposed are carried out in full, there will be no likely significant adverse effects on any valued habitats, designated sites or individual or group of species as a result of the Proposed Development. The Proposed Development is considered to result in an overall neutral impact to the Site in the long term.'

8.7.5. **Conclusion on EcIA:** The submitted report is noted, and I consider it to be comprehensive and it has full regard to flora and fauna that may be found in this area, identifies impacts from the development and provides for suitable mitigation measures. As reported, the site is under grass and is characterised by a number of trees on the boundary and within the site. The lands are zoned for residential development and the site is suitably serviced for such uses. No adverse impacts to bats, birds or mammals are foreseen. Subject to the implementation of suitable mitigation and monitoring, no adverse effects to any flora or fauna are foreseen.

8.7.6. **Tree Removal:** Third party comments referenced concern about the extent of tree removal proposed on site. Comment was made about the level of screening from trees on site and I have already commented on this aspect of the development. I note Policy HER POL 37 of the CDP which seeks 'To encourage the retention of hedgerows and other distinctive boundary treatments in rural areas and prevent loss and fragmentation, where practically possible. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, mitigation by provision of the same type of boundary will be required' and HER POL 40 which seeks 'To protect and encourage the effective management of native and semi-natural woodlands, groups of trees and individual trees and to encourage the retention of

mature trees and the use of tree surgery rather than felling, where possible, when undertaking, approving or authorising development.'

- 8.7.7. Details are provided in the submitted Arboricultural Report, and I note from this report that many of the trees are of non-native types. Drawing No. L1-100 clearly indicates which trees are to be retained and which are to be removed on site. Drawings Ref. 230815-P-10-01 and 230815-P-10-02 locate those to be removed. A total of 83 trees and 5 tree/ hedgerow groups are to be removed and another 5 tree/ hedgerow groups are to be partially removed. The majority of the trees are of low/ poor quality with limited public amenity value. There is only one tree of high value, which is to be retained, and four trees are assessed to be of moderate value. The applicant makes clear in their submitted reports why trees are to be removed, and, in most cases, it is to facilitate the development of this site. Suitable tree protection measures are outlined in the applicant's report as appropriate/ necessary.
- 8.7.8. The trees to the south/ south east of the site have a level of protection indicated in the Meath Development Plan with a map based objective 'To promote the preservation of individual trees or groups of trees as identified on the Heritage Map and to manage these trees in line with arboricultural best practices.'
- 8.7.9. **Conclusion on Tree Removal:** I am satisfied that the trees to be removed are necessary in order to facilitate this development. The majority of the trees to the southern boundary are to be retained and care is taken to ensure their continued protection during the construction phase of this development.
- 8.7.10. **Archaeology:** The applicant has provided an Archaeological Assessment in support of their application. In summary there are no recorded archaeological sites within the subject lands, though there are two recorded archaeological sites within a 500m study area. These are a field system (ME044-034015-) and a section of the Zone of Archaeological Potential associated with Ratoath. The applicant's report found that the lands may have a moderate archaeological potential and in the absence of appropriate mitigation measures there would be potential for direct and indirect impacts to recorded and unrecorded archaeological heritage resources. The applicant's report recommends that 'a programme of licenced archaeological testing of greenfield areas' be undertaken. A 'Geophysical Survey Report' has also been included with the application and it concludes that the site investigation 'did not

identify any anomalies of clear archaeological potential'. The Planning Authority have included a suitable condition in relation to archaeological protection in their grant of permission.

8.7.11. Conclusion on Archaeology: I note the report of the applicant and that of the Planning Authority and consider that a condition should be included in the event that permission is to be granted for this development. Final details can be agreed with the Planning Authority, if the Board is of a mind to grant permission.

9.0 AA Screening

Appropriate Assessment Conclusion:

The proposed residential development on lands to the north of Main Street/ R125 and to the west of the Ballybin Road, Ratoath, Co. Meath have been considered in light of the assessment requirements of Sections 177U and 177V 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 the Malahide Estuary SAC (000205), Malahide Estuary SPA (004025), and the North-West Irish Sea SPA (004236). Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of the site in light of its conservation objectives.

Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Malahide Estuary SAC (000205), Malahide Estuary SPA (004025), and the North-West Irish Sea SPA (004236) subject to the implantation in full of appropriate mitigation measures.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and monitoring in relation to the Conservation Objectives of Malahide Estuary SAC, Malahide Estuary SPA and the North West Irish Sea SPA.
- Detailed assessment of in combination effects with other plans and projects including historical projects, plans and current proposals.

- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Malahide Estuary SAC, Malahide Estuary SPA and the North West Irish Sea SPA.

I have had full consideration of the information, assessment and conclusions contained within the NIS. I have also had full regard to National Guidance and the information available on the National Parks and Wildlife Service (NPWS) website in relation to the identified designated Natura 2000 sites. I consider it reasonable to conclude that on the basis of the information submitted in the NIS report, including the recommended mitigation measures, and submitted in support of this application, that the proposed development, individually or in combination with other plans or projects would not be likely to adversely affect the integrity of Malahide Estuary SAC (000205), Malahide Estuary SPA (004025), and the North-West Irish Sea SPA (004236).

10.0 Environmental Impact Assessment (EIA)

10.1.1. An Environmental Impact Assessment Screening Report was 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.

10.1.2. 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 5.48 hectares. The proposed development is sub-threshold for mandatory EIA as the site area is less than 10 hectares. The works to the road network are sub threshold in terms of length under the Roads Act and provide for realignment of existing roads which would not be subject to EIA. 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.

10.1.3. Having regard to: -

- a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(i) and 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- b) the nature and scale of the proposed development, which is below the threshold in respect of subsection (1)(a)(iii) of section 50 of the Roads Act, as amended,
- c) The existing use on the site and pattern of development in surrounding area,
- d) The availability of mains water and wastewater services to serve the proposed development,
- e) The location of the development outside of any sensitive lands,
- f) 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),
- g) The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001 as amended, and
- h) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment,

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

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

11.0 Recommendation

Having regard to the above assessment, I recommend that permission is GRANTED for the Large-Scale Residential Development (LRD) on lands to the north of Main Street/ R125 and to the west of the Ballybin Road, Ratoath, County Meath, as revised by the applicant through the further information details submitted to the

Planning Authority on the 17th of October 2024, for the reasons and considerations as follows.

12.0 Reasons and Considerations

Having regard to the provisions of Meath County Development Plan 2021 - 2027, and the A2 zoning for residential purposes, to the location of the site and to the nature, form, scale, and design of the proposed development, 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 of 130 residential units and childcare facility, also includes an upgrade of part of the local road network including the realignment of a roundabout junction to a signalised priority junction, provision of a new section of the Ballybin Road and conversion of part of the former Ballybin Road to use as a pedestrian/cyclist greenway, provision of open space, pedestrian connections to adjoining lands, as well as all associated site works.

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

13.0 Recommended Draft Order

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 1st of July 2024, revised by way of a further information submission on the 17th of October 2024, and appealed to An Bord Pleanála on the 23rd of January 2025.

Proposed Development:

- The demolition of two habitable houses and an agricultural building located on the site.
- The provision of 130 residential units.
- The provision of a childcare facility.

- Realignment of a roundabout junction to a signalised priority junction, with associated upgrades between the junction and connecting roads.
- Provision of a new section of the Ballybin Road which will connect directly to the realigned and signalised junction.
- Conversion of part of the former Ballybin Road to use as a pedestrian/ cyclist greenway.
- All services and utility connections.
- All associated, necessary, site works.

Decision:

- Grant permission for the above proposed development as revised by the details submitted to the Planning Authority on the 17th of October 2024 based on the reasons and considerations set out below.

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 submissions and observations received by it in accordance with statutory provisions.

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

- (i) the provisions, objectives and policies of the Meath County Development Plan 2021 - 2027,
- (ii) The zoning objective A2 – New Residential with an 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.’
- (iii) to Housing for All issued by the Department of Housing, Local Government and Heritage, 2021,

- (iv) the Guidelines for Planning Authorities on Sustainable Residential Development and Compact Settlements, issued by the Department of Housing, Local Government and Heritage in January 2024,
- (v) Childcare Facilities Guidelines for Planning Authorities, Department of Housing and Local Government, 2001.
- (vi) Design Manual for Urban Roads and Streets (DMURS) 2019 as updated
- (vii) The Planning System and Flood Risk Management including the associated Technical Appendices (DEHLG/ OPW, 2009)
- (viii) Permeability Best Practice Guide – National Transport Authority.
- (ix) The Climate Action Plan 2025
- (x) National Biodiversity Action Plan 2023 - 2030

(xi) the availability in the area of a wide range of social, community and transport infrastructure necessary to serve this development,

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

(xiii) Submission and Observations received, and

(xiv) the Inspectors Report

it is considered that, subject to compliance with the conditions set out below, the development as revised by the details submitted to the Planning Authority on the 17th of October 2024 would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would ensure the appropriate redevelopment of a greenfield site for residential development in an area with demand for such accommodation, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian/ cyclist and vehicular safety and convenience. The development as revised would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment (AA):

- The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature and scale of the development as revised by the details

submitted on the 4th of June 2024, on serviced lands, the nature of the receiving environment which comprises a site in an established urban area, the distances to the nearest European sites, and the hydrological pathway considerations, submissions on file, the information submitted as part of the applicant's Appropriate Assessment Screening Report documentation and the Inspector's report.

- Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the Malahide Estuary SAC (000205), Malahide Estuary SPA (004025), and the North-West Irish Sea SPA (004236). Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of the site in light of its conservation objectives.
- Following an Appropriate Assessment, it was ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Malahide Estuary SAC (000205), Malahide Estuary SPA (004025), and the North-West Irish Sea SPA (004236) subject to the implantation in full of appropriate mitigation measures.

This conclusion is based on:

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

Environmental Impact Assessment (EIA):

The Board completed an environmental impact assessment screening of the proposed development and considered that the Environment Impact Assessment Screening Report submitted by the applicant, which contains information set out in

Schedule 7A to the Planning & Development Regulations, 2001 (as amended), identifies and describes adequately the effects of the proposed development on the environment.

Having regard to:

- a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(i) and 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- b) the nature and scale of the proposed development, which is below the threshold in respect of subsection (1)(a)(iii) of section 50 of the Roads Act, as amended,
- c) The existing use on the site and pattern of development in surrounding area,
- d) The availability of mains water and wastewater services to serve the proposed development,
- e) The location of the development outside of any sensitive lands,
- f) 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),
- g) The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001 as amended, and
- h) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment,

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

Conclusions on Proper Planning and Sustainable Development:

The Board considered that, subject to compliance with the conditions set out below, the proposed development as revised would constitute an acceptable scale and density of development at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in

terms of urban design, height, and quantum of development, as well as 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.

14.0 Conditions:

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and modified by a further information response made to Meath County Council on the 17th of October 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. The number of residential units permitted by this grant of permission is 130 in total, in addition to a childcare facility, upgraded local road network/ junction improvements and all associated site works.

Reason: In the interest of clarity.

3. The mitigation and monitoring measures outlined in the plans and particulars, including the Environmental Impact Assessment Screening Report and the Natura Impact Statement submitted with this application shall be carried out in full, except where otherwise required by conditions attached to this permission.

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

4. The mitigation and monitoring measures outlined in the plans and particulars, within the Ecological Impact Assessment (EclA) and Arborist Report submitted with

this application shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment.

5. (a) The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of any development. The first phase shall consist of not more than 74 dwelling units and shall include the construction and operation of the childcare facility, together with all associated site development works. Prior to commencement of any development on the overall site, details of the first phase shall be submitted to, and agreed in writing with, the Planning Authority.

(b) Work on any subsequent phases shall not commence until such time as the written agreement of the Planning Authority is given to commence the next phase. Details of further phases shall be as 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.

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

Reason: In the interest of visual amenity.

7. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Local Authority for such works and services. Prior to the commencement of development the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3

Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

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

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

Reason: In the interest of public health.

9. Details of the upgrade works to the public road network shall be submitted and agreed in writing with the Planning Authority prior to the commencement of development. These works include road realignment, revised road geometry, footpath/ cycle path provision, crossing provision, bus stop relocation, junction provision, signalisation of the former roundabout junction, signage and lining and conversion of the proposed redundant section of the Ballybin Road to a cycle/ pedestrian greenway.

Reason: In the interest of proper road infrastructure provision.

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

(b) Footpaths shall be dished at road junctions in accordance with the requirements of the Planning Authority. Details of all locations and materials to be used shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.

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

11. All roads, cycleways and footpath shown to adjoining lands shall be constructed up to the boundaries to provide access to adjoining lands with no obstruction including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001 as amended. These areas shall be shown in a revised taking in charge drawing which shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development.

Reason: In the interest of permeability and proper planning and sustainable development.

12. Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of trees within the site area. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interest of amenity and public safety.

13. All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground.

Reason: In the interests of visual and residential amenity.

14. The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy.

Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record and/or monitoring may be required. Any further archaeological mitigation requirements specified by the Planning Authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the Planning Authority. The Planning Authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation of places, caves, sites, features or other objects of archaeological interest.

15. All rear gardens shall be bounded by brick/ concrete block walls, or concrete post and concrete panel fencing and which shall be a minimum of 1.8m in height except where they form a boundary with public open space or roads and the walls/ fences shall be 2m in height. Boundary treatment to be suitably capped.

Reason: In the interests of residential and visual amenity.

16. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) A plan to scale of not less than [1:500] showing –
 - (i) Existing trees, hedgerows shrubs, specifying which are proposed for retention as features of the site landscaping
 - (ii) The measures to be put in place for the protection of these landscape features during the construction period
 - (iii) The species, variety, number, size and locations of all proposed trees and

shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder,

(iv) Details of screen planting which shall not include cupressocyparis x leylandii

(v) Details of roadside/street planting

(vi) Hard landscaping works, specifying surfacing materials, furniture including play equipment and finished levels.

(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment

(c) A timescale for implementation including details of phasing

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

Reason: In the interest of residential and visual amenity.

17. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

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

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

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

19. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times

will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

20. 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 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.

21. (a) Prior to the commencement of any house or duplex unit 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 or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit 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.

22. 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 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 of the development.

23. The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any

applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Paul O'Brien

Inspectorate

22nd April 2025

Appendix 1: Screening for Appropriate Assessment

Description of the Project:

- 14.1 I have considered the proposed Large-Scale Residential Development (LRD) for the construction of 141 residential dwellings, reconfiguration of the road layout and all associated site works, in light of the requirements of S177U of the Planning and Development Act 2000 as amended. Following the receipt of further information, the number of units was reduced to 130 and a childcare facility was proposed.
- 14.2 The subject site with a stated area of 5.48 hectares is located to the north of Main Street and to the west of the Ballybin Road, Ratoath, Co. Meath. Two houses and an agricultural building are on site and are proposed for demolition. The rest of the site contains large fields and is under grass. Vehicular access to the site is from the Ballybin Road to the west and off a large roundabout to the south of the site. The site boundary is primarily in the form of hedgerows and trees. Adjoining lands consist of residential development and fields in agricultural use.
- 14.3 The nearest European Designated Site is Malahide Estuary SPA (Site Code 004025) and which is approximately 17km to the east of the subject site.
- 14.4 The Applicant submitted an Appropriate Assessment Screening Report dated June 2024. In response to further information request issued by the Planning Authority a revised AA Screening Report, dated October 2024 was submitted and a Natura Impact Statement was also submitted. I will assess the information provided by the Applicant dated October 2024.

Potential Impact Mechanisms from the Project

- 14.5 The following impacts could occur because of this development:

Construction Phase:

- Uncontrolled releases of dust, sediments and/or other pollutants to air due to earthworks.
- Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies or surface water network.
- Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater.

- Waste generation during the construction phase comprising soils and construction wastes.
- Spread of invasive species.
- Increased noise, dust and/or vibrations arising from construction activity.
- Increased dust and air emissions arising from construction traffic.
- Increased lighting in the vicinity arising from construction activity.
- Increased human presence and activity arising from construction activity.

Operational Phase:

- Hydraulic/organic overloading of Ringsend WwTP leading to the release of untreated sewage into the River Liffey and associated downstream European sites.
- Surface water drainage from the Site of the Proposed Development.
- Increased local flooding caused by overloading the drainage system.
- Increased lighting at the Site and in the vicinity emitted from the Proposed Development.
- Increased human presence and activity at the Site and in the vicinity as a result of the Proposed Development.
- Loss of ex-situ habitat for SCI species of European sites.

Likely significant effects on European Sites –

14.6 The site is hydrologically connected via the Ratoath Stream (Broadmeadow Stream), and has a hydrogeological connection to the following designated sites:

- Malahide Estuary SAC (000205).
- Malahide Estuary SPA (004025).
- North West Irish Sea SPA (004236).

14.7 The subject site has an indirect hydrological connection to the following designated sites, via the treatment of wastewater at the Ringsend Wastewater Treatment Plan:

- South Dublin Bay SAC (000210),
- North Dublin Bay SAC (000206),
- South Dublin Bay and River Tolka Estuary SPA (004024)

- North Bull Island SPA (004006)
- North-West Irish Sea SPA (004236)

14.8 Dust may be generated during the construction phase, which may be deposited into the Ratoath Stream and monitoring may be required to determine the levels of dust generated. Although the likelihood of significant effects is low, the volume generated cannot be determined at this stage. Therefore, there are indirect air and land pathways between the subject site and the following designated sites:

- Malahide Estuary SAC (000205).
- Malahide Estuary SPA (004025).
- North West Irish Sea SPA (004236).

The AA Screening Report has screened out all other potential direct and indirect pathways such as a direct pathway for dust and noise, light pollution, indirect pathway through the site not being suitable for ex-situ habitat due to distance/ quality, and human activity again due to distance. I consider this to be acceptable.

A total of four impacts have been identified that may have effects on the Conservation Objectives of designated sites, as follows:

Construction/ Operational Phase: Hydrological Connection – Effect A

Construction Phase: Hydrogeological Connection – Effect B

Construction Phase: Indirect connection through dust deposition – Effect C

Operational Phase: Indirect Hydrological connection through foul drainage treatment at Ringsend WwTP – Effect D

14.9 The following table identifies European Sites that may be at risk of impact due to the proposed development, full details of the qualifying features at risk are provided in Table 2 of the applicant's report:

Table 1 – European Sites at risk of impacts of the proposed development

Effect Mechanism	Impact Pathway/ Zone of Influence	European Site	Qualifying features at risk

<p>Effect 1: Direct hydrological pathway (surface water runoff via Ratoath Stream)</p> <p>Effect 2: Direct hydrogeological pathway (groundwater contamination and interception via Ratoath Stream)</p> <p>Effect 3: Indirect air and land pathway (dust via Ratoath Stream)</p>	16.1 km to the east.	Malahide Estuary SAC (000205)	Mudflats, sandflats and Dunes
The potential for a hydrogeological connection between the Proposed Development and this designated site exists but can be screened out at this stage due to distance and dilution effect.	18.3 km to the east.	Rogerstown Estuary SAC (000208)	Estuaries, mudflats, sandflats, salt meadows and dunes.
Effect 4: Indirect Hydrological connection through foul drainage treatment at Ringsend WwTP.	24.5km to southeast	South Dublin Bay SAC (000210)	Mudflats, sandflats, vegetation and dunes.
Effect 4: Indirect Hydrological connection through foul drainage treatment at Ringsend WwTP.	24km to southeast	North Dublin Bay SAC (000206)	Mudflats, sandflats, vegetation and dunes.
Effect 1: Direct hydrological pathway (surface water runoff via Ratoath Stream)	16.1km to east	Malahide Estuary SPA (004025)	Seabirds and wetlands.

<p>Effect 2: Direct hydrogeological pathway (groundwater contamination and interception via Ratoath Stream)</p> <p>Effect 3: Indirect air and land pathway (dust via Ratoath Stream)</p>			
<p>The potential for a hydrogeological connection between the Proposed Development and this designated site exists but can be screened out at this stage due to distance and dilution effect.</p>	<p>18.3km to east.</p>	<p>Rogerstown Estuary SPA (004015)</p>	<p>Seabirds, waterbirds and wetlands.</p>
<p>Effect 1: Direct hydrological pathway (surface water runoff via Ratoath Stream)</p> <p>Effect 2: Direct hydrogeological pathway (groundwater contamination and interception via Ratoath Stream)</p> <p>Effect 3: Indirect air and land pathway (dust via Ratoath Stream)</p> <p>Effect 4: Indirect Hydrological connection through foul</p>	<p>22.2km to east.</p>	<p>North-West Irish Sea cSPA (004236)</p>	<p>Seabirds.</p>

drainage treatment at Ringsend WwTP.			
Effect 4: Indirect Hydrological connection through foul drainage treatment at Ringsend WwTP.	24.5km to southeast	South Dublin Bay and River Tolka Estuary SPA (004024)	Seabirds, waterbirds and wetlands.
Effect 4: Indirect Hydrological connection through foul drainage treatment at Ringsend WwTP.	24km to southeast	North Bull Island SPA (004006)	Seabirds, waterbirds and wetlands.

All other European sites, including the North West Irish Sea SPA, can be excluded from further assessment due to distance, nature of development and lack of ecological connection between the designated site and the subject lands. The subject development lands are not within any European site boundaries and there will be no direct loss or alteration of habitats within European sites.

Likely significant effects on the European sites ‘alone’ –

14.10 This section of the assessment considers if there are significant effects alone and whether it is possible that the conservation objects might be undermined from the effects of only this project.

The following table provides the relevant information:

Table 2 – Could the project undermine the Conservation Objectives ‘alone’

European Site	Conservation Objective	Could the Conservation Objectives be undermined?			
		Effect 1	Effect 2	Effect 3	Effect 4

<p>Malahide Estuary SAC (000205)</p>	<p>1. To maintain the favourable conservation condition of:</p> <ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide • Salicornia and other annuals colonising mud and sand • Mediterranean salt meadows <p>2. To restore the favourable conservation condition of:</p> <ul style="list-style-type: none"> • Atlantic salt meadows • Shifting dunes along the shoreline with <i>Ammophila arenaria</i> • Fixed coastal dunes with herbaceous vegetation 	Y	N	Y	N
Reason:	<p>COs will not be undermined due to the separation distance, dilution effect and all foul/ surface water will be treated at the Ringsend WWTP prior to licenced discharge to Dublin Bay. Pollutants may enter the Ratoath Stream and in turn could change water quality and resources within the designated site. There is an indirect air and land pathway, by silt/ sediment and dust via Ratoath Stream, which cannot be screened out as it is not possible to provide a direct measurement through an AA screening.</p>				

Malahide Estuary SPA (004205)	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in North Dublin Bay SAC.	Y	N	Y	N
Reason:	COs will not be undermined due to the separation distance, dilution effect and all foul/ surface water will be treated at the Pollutants may enter the Ratoath Stream and in turn could change water quality and resources within the designated site. There is an indirect air and land pathway, by silt/ sediment and dust via Ratoath Stream, which cannot be screened out as it is not possible to provide a direct measurement through an AA screening.				
North Dublin Bay SAC (000206)	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in North Dublin Bay SAC.	N	N	N	N
Reason:	COs will not be undermined due to the separation distance, dilution effect and all foul/ surface water will be treated at the Ringsend WWTP prior to licenced discharge to Dublin Bay. Standard construction measures will prevent any pollution risks and surface water will be treated to an extent through the proposed SUDs measures on site.				
South Dublin Bay SAC (000210)	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in South Dublin Bay SAC.	N	N	N	N

Reason:	COs will not be undermined due to the separation distance, dilution effect and all foul/ surface water will be treated at the Ringsend WWTP prior to licenced discharge to Dublin Bay. Standard construction measures will prevent any pollution risks and surface water will be treated to an extent through the proposed SUDs measures on site.				
South Dublin Bay and River Tolka Estuary SPA (004024)	Objective 1: To maintain the favourable conservation condition of the non-breeding waterbird Special Conservation Interest species listed for North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA.	N	N	N	N
	Objective 2: To maintain the favourable conservation condition of the wetland habitat at North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA as a resource for the regularly-occurring migratory waterbirds that utilise these areas.	N	N	N	N
Reason:	COs will not be undermined due to the separation distance, dilution effect and all foul/ surface water will be treated at the Ringsend WWTP prior to licenced discharge to Dublin Bay. Standard construction measures will prevent any pollution risks and surface water will be treated to an extent through the proposed SUDs measures on site.				

North Bull Island SPA (004006)	Objective 1: To maintain the favourable conservation condition of the non-breeding waterbird Special Conservation Interest species listed for North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA.	N	N	N	N
	Objective 2: To maintain the favourable conservation condition of the wetland habitat at North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA as a resource for the regularly-occurring migratory waterbirds that utilise these areas.	N	N	N	N
Reason:	COs will not be undermined due to the separation distance, dilution effect and all foul/ surface water will be treated at the Ringsend WWTP prior to licenced discharge to Dublin Bay. Standard construction measures will prevent any pollution risks and surface water will be treated to an extent through the proposed SUDs measures on site.				
North-West Irish Sea SPA (004236)	To maintain the favourable conservation condition of identified Qis.	Y	N	N	N
Reason:	Pollutants may enter the Ratoath Stream and in turn could change water quality and resources within the designated site. There is an indirect air and land pathway, by silt/ sediment and dust via Ratoath Stream, which cannot be screened out as it is				

	not possible to provide a direct measurement through an AA screening.
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I conclude that the proposed development would have a likely significant effect 'alone' on QIs associated with the Malahide Estuary SAC and Malahide Estuary SPA due to potential for dust, silt and sediment to reach these site via the Ratoath Stream. The Malahide Estuary SAC, Malahide Estuary SPA and North West Irish Sea SPA could be significantly effected due to potential impact on water quality/ resource during the construction and operational phases of this development, with materials transport by the Ratoath Stream. An Appropriate Assessment is required on the basis of the effects of the project 'alone'. Further assessment in-combination with other plans and other projects is not required at this time.

Appendix 2: Stage 2 – Appropriate Assessment

The applicant has provided a Natura Impact Statement (NIS), dated October 2024, in accordance with the requirements of the Stage 2 Appropriate Assessment process. A detailed list of supporting documentation is provided in the submitted Natura Impact Statement.

I am satisfied that the submitted NIS is in accordance with current guidance/ legislation/ best practice and the information included within the report in relation to baseline conditions and potential impacts are clearly set out and supported with sound scientific information and knowledge. The NIS examines and assesses the potential adverse effects of the proposed development on Malahide Estuary SAC, Malahide Estuary SPA and the North West Irish Sea SPA, where it has been established that there is a possibility for significant effects on the European sites, in the absence of mitigation as a result of hydrological impacts. As reported in the Appropriate Assessment Screening, all other European designated sites can be excluded from the need for further assessment.

Table 4 of the applicant's NIS report provides details of the 'Granted and Pending Development Applications within 500m of the Proposed Development.' and which refers to development in the adjoining area of the subject site and other relevant noticeable development that may have a potential in-combination effect. The applicant reports that a potential pathway has been considered during the construction phase and a precautionary approach has been taken in relation to development along the Ratoath Stream. The combination of development along this stream could result in an overall reduction in water quality in the absence of appropriate mitigation measures.

Section 4.6 of the applicants NIS provides details on the 'Avoidance and Mitigation Measures' to be used on site. Primary concern relates to the construction phase and the implementation of a Construction Management Plan (CMP) is the key requirement here. No specific concerns arise at operational phase, with embedded design features provided to reduce any potential for water quality reduction. I have provided the following table to list the QIs that may be affected and also a summary

of the applicant's suggested mitigation measures, as per Section 4.6.2 of their submitted report:

Malahide Estuary SAC (000205)			
Qualifying Feature	Pathway	Effect	Mitigation Measures (summarised – fully detailed in applicant's report).
Mudflats, sandflats and Dunes	Hydrological through the Ratoath Stream. Water quality may be impacted and dust/ silt and sediment could be transport from the development site to the designated European site.	Potential for contaminants including dust, silt, soil, hydrocarbons and cement to enter the surface water drainage network and discharge to	<p>Construction Phase:</p> <p>Mitigation 1: Water Quality</p> <ul style="list-style-type: none"> • Project ecologist employed to oversee enabling/ construction work. • Mitigation measures to be outlined in CEMP and CMP. • Personnel on site to be suitably trained. • Standard mitigation measures and best practice to be deployed on site. • Storage of materials in accordance with best practice. • Careful control of fuels/ oils. • Control of concrete use on site. • Suitable maintenance of plant and vehicles on site.

			<ul style="list-style-type: none"> • Roads to be constructed above flood levels. • Provision of suitable spill/emergency response plans. • Suitable waste storage and disposal measures. <p>Mitigation 2: Buffer Zones</p> <ul style="list-style-type: none"> • Buffer zones to be provided to prevent silt/dust and sediment entering the Ratoath Stream. • Fencing with dust netting to secure the site. • Control of access to Ratoath Stream. • Provision of a minimum of 3m buffer zone between the active construction area and any watercourses in the area. <p>Mitigation 3: Dust Control</p> <ul style="list-style-type: none"> • Control of excavation works – restricted on windy days, street sweeper to clean the road and hard surface
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			<p>areas. Control of material storage on site.</p> <ul style="list-style-type: none"> • Use of water spray as necessary. • Use of misting on site.
Malahide Estuary SPA (004025)			
Qualifying Feature	Pathway	Effect	Mitigation Measures (summarised – fully detailed in applicant's report.
Seabirds and wetlands.	Hydrological through the Ratoath Stream. Water quality may be impacted and dust/ silt and sediment could be transport from the development site to the designated European site.	Potential for contaminants including dust, silt, soil, hydrocarbons and cement to enter the surface water drainage network and discharge to	<p>Construction Phase:</p> <p>Mitigation 1: Water Quality</p> <ul style="list-style-type: none"> • Project ecologist employed to oversee enabling/ construction work. • Mitigation measures to be outlined in CEMP and CMP. • Personnel on site to be suitably trained. • Standard mitigation measures and best practice to be deployed on site. • Storage of materials in accordance with best practice. • Careful control of fuels/ oils. • Control of concrete use on site.

			<ul style="list-style-type: none"> • Suitable maintenance of plant and vehicles on site. • Roads to be constructed above flood levels. • Provision of suitable spill/emergency response plans. • Suitable waste storage and disposal measures. <p>Mitigation 2: Buffer Zones</p> <ul style="list-style-type: none"> • Buffer zones to be provided to prevent silt/dust and sediment entering the Ratoath Stream. • Fencing with dust netting to secure the site. • Control of access to Ratoath Stream. • Provision of a minimum of 3m buffer zone between the active construction area and any watercourses in the area. <p>Mitigation 3: Dust Control</p> <ul style="list-style-type: none"> • Control of excavation works – restricted on windy days, street
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			<p>sweeper to clean the road and hard surface areas. Control of material storage on site.</p> <ul style="list-style-type: none"> • Use of water spray as necessary. • Use of misting on site.
North West Irish Sea SPA (004236)			
Qualifying Feature	Pathway	Effect	Mitigation Measures (summarised – fully detailed in applicant's report.
Seabirds.	Hydrological through the Ratoath Stream. Water quality may be impacted and dust/ silt and sediment could be transport from the development site to the designated European site.	Potential for contaminants including dust, silt, soil, hydrocarbons and cement to enter the surface water drainage network and discharge to	<p>Construction Phase:</p> <p>Mitigation 1: Water Quality</p> <ul style="list-style-type: none"> • Project ecologist employed to oversee enabling/ construction work. • Mitigation measures to be outlined in CEMP and CMP. • Personnel on site to be suitably trained. • Standard mitigation measures and best practice to be deployed on site. • Storage of materials in accordance with best practice. • Careful control of fuels/ oils.

			<ul style="list-style-type: none"> • Control of concrete use on site. • Suitable maintenance of plant and vehicles on site. • Roads to be constructed above flood levels. • Provision of suitable spill/emergency response plans. • Suitable waste storage and disposal measures. <p>Mitigation 2: Buffer Zones</p> <ul style="list-style-type: none"> • Buffer zones to be provided to prevent silt/dust and sediment entering the Ratoath Stream. • Fencing with dust netting to secure the site. • Control of access to Ratoath Stream. • Provision of a minimum of 3m buffer zone between the active construction area and any watercourses in the area. <p>Mitigation 3: Dust Control</p>
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			<ul style="list-style-type: none"> • Control of excavation works – restricted on windy days, street sweeper to clean the road and hard surface areas. Control of material storage on site. • Use of water spray as necessary. • Use of misting on site.
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There is no potential for significant effects on the Conservation Objective attributes and targets of the other qualifying features within the SAC and the SPA.

Potential impacts on the designated sites have been identified in the applicant's report. Where significant effects are identified, suitable mitigation measures and avoidance measures have been identified to overcome such issues. The NIS concludes 'As a result of the complete, precise and definitive findings in of this NIS, it has been concluded, beyond reasonable scientific doubt, that the Proposed Development will have no adverse effects on the integrity and extent of Malahide Estuary SAC (000205), Malahide Estuary SPA (004025), and the North-West Irish Sea SPA (004236). Accordingly, the Proposed Development will not adversely affect the integrity of any relevant European site.'

NIS Assessment:

I have relied on the following guidance: Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities, DoEHLG (2009); 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, EC (2002); Managing Natura 2000 sites, The provisions of Article 6 of the Habitats Directive 92/43/EEC, EC (2018).

The Malahide Estuary SAC (000205), Malahide Estuary SPA (004025), and the North-West Irish Sea SPA (004236) are subject to appropriate assessment. A description of the sites and their Conservation Objectives and Qualifying Interests are set out in the submitted NIS and have already been outlined in this report as part of my assessment. I have also examined the Natura 2000 data forms as relevant and the Conservation Objectives supporting documents for these sites available through the NPWS website.

Aspects of the Development that could adversely affect the designated sites: The main aspects of the development that could impact the conservation objectives of the European sites are through habitat loss by deterioration of water quality by pollution and disposition of silt/ sediment and dust during the construction phase and transported from the development site to the designated European site by way of the Ratoath Stream.

Mitigation: A range of mitigation measures are provided in the NIS, and these are noted. These refer to the construction phase of the development as provided in the applicant's report. The connection of the site to designated sites by the Ratoath Stream rightly requires a degree of caution to be deployed throughout the construction and operational phases.

Overall, I consider that the proposed mitigation measures are clearly described, and precise, and definitive conclusions can be reached in terms of avoidance of adverse effects on the integrity of designated European sites based on the outlined mitigation measures. I consider that the mitigation measures are necessary having regard to the proximity of the site to the Malahide Estuary SAC (000205), Malahide Estuary SPA (004025), and the North-West Irish Sea SPA (004236). Overall, the measures proposed are effective, reflecting current best practice, and can be secured over the short and medium term and the method of implementation will be through a detailed management plan and appropriate monitoring through the construction and operational phases of the development.

Appropriate Assessment Conclusion:

The proposed residential development on lands to the north of Main Street/ R125 and to the west of the Ballybin Road, Ratoath, Co. Meath have been considered in light of the assessment requirements of Sections 177U and 177V 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 the Malahide Estuary SAC (000205), Malahide Estuary SPA (004025), and the North-West Irish Sea SPA (004236). Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of the site in light of its conservation objectives.

Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Malahide Estuary SAC (000205), Malahide Estuary SPA (004025), and the North-West Irish Sea SPA (004236) subject to the implantation in full of appropriate mitigation measures.

This conclusion is based on:

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

I have had full consideration of the information, assessment and conclusions contained within the NIS. I have also had full regard to National Guidance and the information available on the National Parks and Wildlife Service (NPWS) website in relation to the identified designated Natura 2000 sites. I consider it reasonable to

conclude that on the basis of the information submitted in the NIS report, including the recommended mitigation measures, and submitted in support of this application, that the proposed development, individually or in combination with other plans or projects would not be likely to adversely affect the integrity of Malahide Estuary SAC, Malahide Estuary SPA and the North West Irish Sea SPA.

Appendix 3: Form 1 – EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321753-25		
Proposed Development Summary	<p>Demolition of two houses and an agricultural shed and the construction of 117 houses and 24 maisonettes, provision of open space, internal roads, car/ bicycle parking and all associated site works. Also includes works to adjoining roads/ junction layouts. All on a site area of 5.48 hectares.</p> <p>In response to a further information request issued by Meath County Council, the development was revised to provide for the demolition of two houses and an agricultural shed, and the construction of 130 residential units, provision of open space, internal roads, car/ bicycle parking and all associated site works. Also includes works to adjoining roads/ junction layouts on a site of 5.48 hectares.</p> <p>Note: The following pre-screening is a revision to that made on the 13th of March 2025.</p>		
Development Address	Main Street/ R125 and Ballybin Road, Ratoath, 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	√
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	√	Class 10. Infrastructure Projects – (b)(i) Construction of more than 500 dwelling units (iv) Urban Development Class 14. Works of Demolition	Proceed to Q3.

		<p>Also note Subsection (1)(a)(iii) of section 50 of the Roads Act –</p> <p>(a) The construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be 8 kilometres or more in length in a rural area or 500 metres or more in length in an urban area;</p> <p>(b) the construction of a new bridge or tunnel which would be 100 metres or more in length.</p>	
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
No	√		
No	√	<p>Class 10. Infrastructure Projects –</p> <p>(b)(i) Construction of more than 500 dwelling units: 130 units proposed – below threshold.</p> <p>(b)(iv) Urban Development – Site area is 5.48 hectares, not in a business district and site is below the 10 hectares threshold for a built up area.</p> <p>Class 14. Works of Demolition – Two houses and an agricultural building to be demolished – not likely to have a significant effect on the environment due to minor scale of demolition.</p> <p>Subsection (1)(a)(iii) of section 50 of the Roads Act –</p> <p>(a) The construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be 8 kilometres or more in length in a rural area or 500</p>	Proceed to Q4

		metres or more in length in an urban area – Not a four lane road and does not meet or exceed 500 m. (b) the construction of a new bridge or tunnel which would be 100 metres or more in length – No bridge or tunnel of 100 m proposed.	
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	√	<p>Class 10. Infrastructure Projects –</p> <p>(b)(i) Construction of more than 500 dwelling units: 130 units proposed – below threshold.</p> <p>(b)(iv) Urban Development – Site area is 5.48 hectares, not in a business district and site is below the 10 hectares threshold for a built up area.</p> <p>Class 14. Works of Demolition – Two houses and an agricultural building to be demolished – not likely to have a significant effect on the environment due to minor scale of demolition.</p> <p>Subsection (1)(a)(iii) of section 50 of the Roads Act –</p> <p>(a) The construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be 8 kilometres or more in length in a rural area or 500 metres or more in length in an urban area – Not a four lane road and does not meet or exceed 500 m.</p> <p>(b) the construction of a new bridge or tunnel which would be 100 metres or more in length – No bridge or tunnel of 100 m proposed.</p>	

5. Has Schedule 7A information been submitted?		
No		
Yes	√	Screening Determination required

Inspector: _____ Date: _____

Appendix 4: EIA Screening Determination:

A. CASE DETAILS		
An Bord Pleanála Case Reference	ABP-321753-25	
Development Summary	<p>Demolition of two houses and an agricultural shed and the construction of 117 houses and 24 maisonettes, provision of open space, internal roads, car/ bicycle parking and all associated site works. Also includes works to adjoining roads/ junction layouts. All on a site area of 5.48 hectares.</p> <p>In response to a further information request issued by Meath County Council, the development was revised to provide for the demolition of two houses and an agricultural shed, and the construction of 130 residential units, provision of open space, internal roads, car/ bicycle parking and all associated site works. Also includes works to adjoining roads/ junction layouts on a site of 5.48 hectares.</p> <p>Note: The following pre-screening is a revision to that made on the 13th of March 2025.</p>	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	Below threshold and therefore no need for an EIA in this case.
2. Has Schedule 7A information been submitted?	Yes	Environmental Impact Assessment Screening Report – Dated June 2024 and a revised EIA Screening Report – dated October 2024, submitted in

		response to a Further Information Request issued by the Planning Authority.
3. Has an AA screening report or NIS been submitted?	Yes	AA Screening and NIS have been submitted. Natura Impact Statement – Dated October 2024 Appropriate Assessment Screening – Dated October 2024
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	
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	Yes	Ecological Impact Assessment Report – Dated October 2024 Arboricultural Report – Dated June 2024 and revised dated October 2024.

B. EXAMINATION	Where relevant, briefly describe the characteristics of impacts (ie the nature and extent) and any Mitigation Measures proposed to avoid or prevent a significant effect (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)		
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	The development proposes the provision of residential development within the urban area of Ratoath. The development would not be out of character with such existing uses.	No.
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	The proposed development will result in the construction of residential development on lands that are zoned for residential development.	No.

<p>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?</p>	<p>Construction materials will be typical of such an urban development. The loss of natural resources or local biodiversity as a result of the development of the site are not regarded as significant in nature.</p>	<p>No.</p>
<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>Construction activities will require the use of potentially harmful materials, such as fuels, hydraulic oils and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and the implementation of the submitted Construction Management Plan will 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</p>	<p>Construction activities will require the use of</p>	<p>No.</p>

<p>/ toxic / noxious substances?</p>	<p>potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and implementation of a Construction Management Plan will satisfactorily mitigate potential impacts. Operational waste will be managed via a Waste Management Plan. Significant operational impacts are not anticipated.</p>	
<p>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>No significant risk identified subject to the implementation of appropriate mitigation measures. The operation of the Construction</p>	<p>No.</p>

	<p>Management Plan will satisfactorily mitigate emissions from spillages during construction. The operational development will connect to mains services. Surface water drainage will be separate to foul services within the site. No significant emissions during operation are anticipated.</p>	
<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature and their impacts may be suitably mitigated by the operation of a Construction Management Plan. Management of the scheme in accordance with an agreed Management Plan will</p>	<p>No.</p>

	mitigate potential operational impacts.	
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of the submitted Construction Management Plan would satisfactorily address potential impacts on human health. No significant operational impacts are anticipated.	No.
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No significant risk having regard to the nature and scale of development. Any risk arising from construction will be localised and temporary in nature. The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location.	No.

<p>1.10 Will the project affect the social environment (population, employment)</p>	<p>The development of this site as proposed will result in a change of use and an increased population at this location. This is not regarded as significant given the urban location of the site and surrounding pattern of land uses, which are characterised by residential development. Employment will be generated during the construction phase.</p>	<p>No.</p>
<p>1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?</p>	<p>There are other similar developments in the area which have been granted permission/ are constructed.</p>	<p>No</p>
<p>2. Location of proposed development</p>		
<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: a) European site (SAC/ SPA/ pSAC/ pSPA) b) NHA/ pNHA c) Designated Nature Reserve</p>	<p>No European sites located on or adjacent to the site. An Appropriate Assessment Screening/ NIS was provided in support of</p>	<p>No.</p>

<p>d) Designated refuge for flora or fauna</p> <p>e) Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</p>	<p>the application. No adverse effects are foreseen subject to implementation of recommended mitigation measures.</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 significantly affected by the project?</p>	<p>The submitted AA could not exclude that the proposed development would have a significant effect on three European Sites – Malahide Estuary SAC and SPA, and the North West Irish Sea SPA. NIS was submitted and mitigation measures were proposed to the satisfaction of the Planning Authority.</p>	<p>No.</p>
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p>There is archaeology in the area as described in the Archaeology Assessment and appropriate measures are provided to address this.</p>	<p>No.</p>

2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	There are no such features that arise in this location.	No.
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?	None on site. A site-specific flood risk assessment was prepared, and no issues of concern were identified. The site is located within Flood Zone C.	No.
2.6 Is the location susceptible to subsidence, landslides or erosion?	No such impacts are foreseen.	No.
2.7 Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	The access to the site will be from the R125 and full details are provided in the submitted Infrastructure Design Report.	No.
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be significantly affected by the project?	None identified.	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	Some cumulative traffic impacts may	No.

during the construction/ operation phase?	arise during construction and operational stages, though construction traffic would be subject to a construction traffic management plan.	
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No trans-boundary effects arise as a result of the proposed development.	No.
3.3 Are there any other relevant considerations?	No.	No.
C. CONCLUSION		
No real likelihood of significant effects on the environment.	<div style="border: 1px solid black; text-align: center; width: 50px; height: 30px; margin: 0 auto;">√</div>	EIAR Not Required
Real likelihood of significant effects on the environment.	<div style="border: 1px solid black; text-align: center; width: 50px; height: 30px; margin: 0 auto;"></div>	EIAR Required
D. MAIN REASONS AND CONSIDERATIONS		
<p>Having regard to: -</p> <p>a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(i) and 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,</p> <p>b) the nature and scale of the proposed development, which is below the threshold in respect of subsection (1)(a)(iii) of section 50 of the Roads Act, as amended,</p> <p>c) The existing use on the site and pattern of development in surrounding area,</p> <p>d) The availability of mains water and wastewater services to serve the proposed development,</p> <p>e) The location of the development outside of any sensitive lands,</p>		

- f) 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),
- g) The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001 as amended, and
- h) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment,

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

Inspector _____

Date _____

Approved (DP/ADP) _____

Date _____