



An
Bord
Pleanála

Inspector's Report

ABP-321999-25

Development

Construction of 76 dwellings, comprising of 42 apartments in 4 buildings ranging in height from 2-3 storeys and 34 houses, along with a Crèche and all associated site works. The effect of the proposed development will result in a modification to an extant permission under ref. RA/180561. Natura Impact Statement (NIS) was submitted on this application.

Location

Station Road, Dunboyne, Co. Meath

Planning Authority

Meath County Council

Planning Authority Reg. Ref.

2460468

Applicant(s)

Merville Homes Ltd.

Type of Application

Permission.

Planning Authority Decision

Grant

Type of Appeal

Third Party

Appellant(s)

Cathal Finn and Ellen Leonard.

Observer(s)

None.

Date of Site Inspection

29th May 2025.

Inspector

Lucy Roche

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	7
3.1. Decision	7
3.2. Planning Authority Reports	7
3.3. Prescribed Bodies	11
3.4. Third Party Observations	12
4.0 Planning History.....	12
5.0 Policy Context.....	12
6.0 The Appeal	16
6.1. Grounds of Appeal	16
6.2. Applicant Response	17
6.3. Planning Authority Response.....	18
6.4. Observations.....	19
6.5. Further Responses	19
7.0 Assessment.....	19
8.0 EIA Screening (Appendix A):	32
9.0 Water Framework Directive Screening (Appendix B).....	34
10.0 Appropriate Assessment Screening (Appendix C).....	35
11.0 Recommendation	36
12.0 Reasons and Considerations.....	36
13.0 Conditions	37
Appendix	

1.0 Site Location and Description

- 1.1. The application site is located to the south of Station Road on western outskirts of Dunboyne in County Meath. Station Road connects with Dunboyne Main Street, c700m to the west of the site. Dunboyne Train Station is c150m to the north-west of the site, on the opposite side of Station Road.
- 1.2. The site comprises an irregular shaped plot of greenfield land that borders the recently constructed and occupied Phase 1 Castle Farm development to the west, south and east. Phase 1 Castle Farm comprises c99 residential units in a mix of house, duplex and apartment units in buildings of two to three storeys. The site is accessed via the existing entrance and internal estate roads serving Phase 1 Castle Farm.
- 1.3. The site, in general, is relatively flat with a gradient of approximately 1:200 falling from north to south. Based on the existing topographic information presented, the highest point is 65.787m OD in the north-west corner of the site and the low point is 64.578m OD in the south-east corner of the site. There are several water courses in the area. The Loughsallagh Stream, bounds the site to the south and west. The Loughsallagh Stream flows in an easterly direction before joining with the Castle Stream c150m east of the site. The Castle Stream then joins with the Tolka River c. 0.4km downstream of the site.

2.0 Proposed Development

- 2.1. The proposal is for a residential scheme of 76 no. units and a crèche on a site of c2.14ha. The proposal comes forward as Phase 2 of the 'Castle Farm' development (Phase 1 constructed under MCC PI. Ref: RA/180561) and is intended to complete the overall development.
- 2.2. Housing Mix is detailed in Table 2.2 below. The proposed houses are comprised of detached, semi-detached and terraced houses in the form of 2, 3 and 4 bed units, with a total of 34 no. houses proposed. 42 no. 1, 2 and 3 bed apartments and duplex units are also proposed in four, 2 and 3 storey buildings (i.e. Blocks, H, K, L & M). The proposed Crèche is located on the ground floor of Block L. this facility in

intended to replace the Crèche permitted under Ref. RA/180561 (not constructed) and will serve both Phase 1 and 2 Castle Farm.

- 2.3. The proposed apartment units and Crèche (Blocks L and M) are to be in the western portion of the site, close to the entrance to Castel Farm and to the south of the existing three storey apartment blocks in Phase 1. The eastern portion of the site hosts the houses and duplex blocks (Blocks H and K). The western and eastern portions of the site are connected via landscaped open space along the southern boundary.
- 2.4. Significant further information in the form of a Natura Impact Statement was submitted in respect of this application. No significant changes to the design, layout, nature or quantum of development were introduced at RFI stage.
- 2.5. The following details are noted:

Table 2.1 - Development Details		
Site Area	C2.14ha	
Floor Area	Total	7,132.30 sq. m
	Residential	c.6808.30 sq. m
	Crèche	324 sq. m
No. Of Residential Units	76	
Housing Mix	42 apartment / duplex and 34 houses	
Density	48 units per ha (as stated)	
Height	2-3 storey	
Dual Aspect	100%	
Access	Access to the development will be via the constructed access road to Castle Farm, directly off Station Road	
Car Parking	121 no. spaces	

Cycle Parking	<i>95 no. spaces (resident and visitor spaces) for Blocks H, K, L, M. Dedicated bicycle parking for the Crèche staff is also provided to the south of Block L within the curtilage of that unit.</i>		
Open Space	Public	4,800sqm	22.27%
	Communal	277sqm	1.28%

2.8. The proposal comprises a mix of apartments, duplexes and houses as follows:

Table 2.2 Housing Mix					
Dwelling type	1 bed	2-bed	3-bed	4-bed	Total
House	-	10	20	4	34
Apartment	9	19	6	-	34
Duplex	5	3	-	-	8
Total No.	14	32	26	4	76
% Mix	19%	42%	34%	5%	100%

2.9. The application is accompanied by:

- Planning Statement
- Architectural Design Statement
- Appropriate Assessment Screening Report (updated at RFI Stage)
- Natura Impact Statement (submitted at RFI Stage)
- EIA Screening Report (submitted at RFI Stage)
- Ecological Impact Assessment (submitted at RFI Stage)
- Air Quality Impact Assessment (submitted at RFI Stage)
- Sunlight, Daylight and Shadow Assessment

- Construction and Environmental Management Plan
- Infrastructure Design Report
- Traffic and Transport Assessment
- Stage 2 Road Safety Audit (submitted at RFI Stage)
- Construction Traffic Management Plan
- Social Infrastructure Assessment
- A Building Lifecycle Report
- Flood Risk Assessment (updated at RFI Stage)
- Outdoor Lighting Report
- Acoustic Design statement (submitted at RFI stage)
- Housing Quality Assessment

3.0 Planning Authority Decision

3.1. Decision

Following an initial request for further information, Meath County Council decided to grant permission for the proposed development subject to 32 No. conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Initial report – August 2024

The initial report of the Local Authority Case Planner has regard to the locational context and planning history of the site, to relevant planning policy and to the third-party submissions and reports received.

- The assessment finds that the proposal for 76 no. residential units and creche accords with the zoning objectives for the area and with the Core Strategy. The proposal was considered acceptable in terms of density, site coverage, plot ratio and housing mix. No design issues were raised.

- The report identifies inconsistencies and issues of non-compliance in the Housing Quality Assessment Report / submitted drawings relating to the number / type of units proposed, floor areas, room sizes, private amenity space provision for apartments etc.
- In terms of separation distances, the report notes that the recommended 16m threshold was not met in all cases (House Type F and Block K) and that obscure glazing will be required to prevent overlooking of neighbouring properties. A daylight/sunlight assessment is also required.
- The removal of the Crèche permitted (under Ref. RA/180561) is acceptable subject to the completion of Block L and the proposed Crèche prior to the commencement of the other residential units on site – to ensure the needs of existing residents are met.
- The planning authority determined a need for a Stage 2 Appropriate Assessment (Natura Impact Statement) and EIA Screening having regard to the criteria set out in Schedule 7. The submission of an Ecological Impact Assessment Report was deemed necessary given the identification of a potential badger sett and potential suitable breeding grounds of amphibians within and immediately adjacent to the site boundary.
- The report concluded with a recommendation that further information be sought on 12 no items raised in the assessment of the application, in the reports received and in the third-party submissions.

Report on Further Information – February 2025

- The second and final report considers the applicants response to the further information request with regard to the third-party submissions and interdepartmental reports received.
- The Case Planner is satisfied that the proposal would generally accord with the Apartment Guidelines and would not have a detrimental impact upon the adjoining residences in terms of loss of daylight / sunlight. The applicant's proposal for the provision of bulky storage in Blocks L and K is considered acceptable.

- The Creche in terms of location, outdoor play area and parking provision is considered acceptable. The Case Planner is satisfied that the proposed creche generally meets the minimum floor space per child requirements as outlined in the 2001 Childcare Facilities Guidelines 2001, they recommend a condition requiring the applicant to confirm compliance with all space requirements as per Child Care Act 1991 (Early Years Services) Regulations 2016 regarding clear floor space and floorspace requirement of the Childcare Regulations. The case planner is satisfied that internal layout can be configured to provide food storage / prep areas. Block L and the Creche facility should be completed prior to the commencement of the other residential units on site under phase 2.
- Regarding the EclA, the Case Planner is satisfied, that subject to proposed mitigation, there would not be any significant effects on biodiversity, the ecology of the site or the surrounding area arising from the proposed development.
- Regarding EIA Screening Report submitted, the Case Planner is satisfied that sub threshold EIAR is not required.
- Regarding Appropriate Assessment and the NIS submitted, the Case Planner noted the mitigation measures outlined in section 4.4 relate to Water Quality Protection, and the implementation of a CEMP and Emergency Response Plan (ERP) and recommends a condition requiring mitigation measures to be fully implemented.
- Regarding flood risk, the Case Planer notes the issues raised by the Environment Section but is satisfied that the identified issues of concerns can be dealt with by way of redesign / condition.
- The report concludes with a recommendation to grant permission subject to 32 no. conditions.

3.2.2. Other Technical Reports

- ***Environment (Flooding and Surface Water):*** - Report of the 12th August 2024 requests further information on flooding and surface water drainage.

Report of 5th February 2025 recommends that permission be refused on flood related issues. The report also recommends conditions on surface water drainage.

- **Transportation:** - Report of 7th of August 2024 recommends further information on various issues. Report of 14th January 2025 cites No objection subject to condition.
- **Environmental Health Officer:** Report of 12th July 2024 makes recommendations on issues relating to the design and layout of the Crèche, landscaping, communal bin storage and school capacity. The report of 19th December 2024 raises concerns regarding the lack of food preparation and food storage facilities within the Crèche.
- **Broadband Officer:** - Report of 26th July 2024 recommends condition.
- **Housing:** - Part V Requirements to be met by the delivery of units on site

3.2.3. Conditions:

The decision of the planning authority included 32 no. conditions. The following of which are noted:

C. 5 (a) Prior to the commencement of any of the proposed development on site, the applicant shall submit a revised site-specific flood risk assessment and re-apply the Justification Test to the subject development that is to the written agreement of the Planning Authority. The applicant shall address the concerns raised by the Environment Department regarding the potential infilling and/or raising of existing ground levels within flood zones A & B and if required shall adjust the site layout accordingly to reduce the potential displacement of flood waters.

(b) Where the Planning Authority considers that the potential infilling and/or raising of existing ground levels within flood zones A & B would result in the displacement of flood waters as set out in item (a) above, the applicant shall submit a revised site layout, elevational plans and particulars which omits the affected portions of the development (e.g. affected residential units or ancillary site works etc) to the written satisfaction of the Planning Authority.

Any required and resultant changes to the house type design shall also be agreed in writing with the Planning Authority.

Reason: In the interest of flood risk prevention

- C. 10 The development shall be carried out on a phased basis. Prior to the commencement of development, the phasing scheme for the development inclusive of all associated infrastructure shall be submitted for the written agreement of the Planning Authority. The childcare facility shall be constructed in phase one. No development shall commence on any subsequent phase of the development authorised by this permission until the planning authority has certified in writing that the works in the previous phase have been completed to a satisfactory extent.

Reason: To ensure the timely and orderly development of the site for housing with the required supporting infrastructure.

- C.11 Prior to commencement of development, the applicant shall submit details to the Planning Authority for its prior written agreement, for the following:
- (a) Full details regarding the proposed childcare service to be provided within the childcare facility. Details shall incorporate all necessary information set out in the 2001 Childcare Guidelines and be fully compliant with all space requirement ratios as per Child Care Act 1991 (Early Years Services) Regulations 2016 regarding clear floor space. This shall be provided separately to furniture, fittings and equipment and ancillary areas. The applicant shall submit floor plans and elevations illustrating all minimum clear floorspace requirements, ancillary floorspace, outdoor play area; and any other details necessary to comply with the Section 28 Guidelines and Childcare Regulations.

Reason: To ensure orderly development of the site for housing with the required supporting infrastructure

3.3. Prescribed Bodies

- **DAA:** - No comment
- **Uisce Eireann:** - No objection in principle

- **DoHGLH:** - Recommends the inclusion of a condition on archaeological monitoring.

3.4. **Third Party Observations**

The planning authority received submissions from three parties during the course of their determination of the application. Submissions were received from existing residents of Castle Farm. The primary issues of concern are similar to those raised in the grounds of appeal and set out in Section 6.1 below.

4.0 **Planning History**

4.1. **Phase 1 Castle Farm:** MCC Ref: RA180561

Permission granted June 2019 for the construction of 99 no. dwellings and a Crèche on a site area of 2.6ha. The permitted single storey Crèche facility (not constructed) had a GFA of 117m² and was designed to cater for 26no. children.

This permission has expired. Expiry date as per MCC website was the 24th of July 2024.

4.2. **Other:**

- ABP-322483-25 (Lands to the North, adjacent to Train Station)
10-year Planning Permission sought for a Large-Scale Residential Development on a site approx. 21.9 ha. The proposal is for the construction of 853 no. residential units,
- MCC PI. Ref: 23849
10-year permission granted for large scale residential development of 716 no. units on a site area of 16.92ha.
Currently under construction.

5.0 **Policy Context**

5.1. **Meath County Development Plan 2021-2027, as varied**

5.1.1. The original Meath County Development Plan 2021-2027 (adopted on 22nd September 2021) has been superseded by the 'Consolidated' version of the Meath County Development Plan 2021-2027 which includes Variations 1 & 2 adopted on the 13th of May 2024 & Variation 3 adopted on the 27th of January 2025. Variation 3 updated the development plan to take account of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities published by the Department of Housing, Local Government and Heritage in January 2024 and issued under Section 28 of the Planning and Development Act 2000, as amended. Variation 3 was made after the lodgement of the planning application with Meath County Council.

5.1.2. The Consolidated MCDP Includes, in Volume 2, a written statement and maps for Dunboyne, Clonee and Pace. As per the details provided, Dunboyne, designated a 'Self-sustaining Growth Town' had a recorded population of 7,272 in 2016. The population of the settlement is expected to increase to 10,572 by 2027. The Core Strategy Housing Allocation for the settlement is 2,002 units.

5.1.3. Zoning: The application site is primarily located on "A2 New Residential", zoned lands, the objective is to provide for new residential communities with ancillary community facilities, neighbourhood facilities as considered appropriate. This is the primary zone to accommodate new residential development within the county. Residential development is deemed as a permitted use. A portion of the site running along the eastern and southern boundaries are zoned as "F1 Open Space" where the objective is to provide for and improve open spaces for active and passive recreational amenities.

5.1.4. Density: (Sections 3.8.10 and 11.5.3)

The Density Policy for Meath is set out in sections 3.8.10 and 11.5.3 of the consolidated MCDP. The density policy is informed by the Sustainable Residential Development and Compact Settlements Guidelines (2024) and the National Planning Framework, which supports higher densities in city and town centres and along public transport corridors through mechanisms such as reduced vacancy rates, infill development and the regeneration of centrally located lands.

The following policies and objectives are noted:

DM POL 5: To promote sustainable development, a range of densities appropriate to the scale of settlement, site location, availability of public transport and community facilities including open space will be encouraged.

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

In Suburban/Urban Extension areas Regional Growth Centres and Metropolitan towns densities of between 35-50 uph are encouraged with densities of up to 100 uph open for consideration at accessible suburban/urban extension.

5.1.5. Childcare: Sections 7.7.3.3 and 11.7.3 are relevant

5.1.6. Separation Distances: Section 11.5.7 is relevant. The following is noted:

DM OBJ 19: A minimum of 16 metres separation distance between opposing rear or side windows will apply in the case of apartments/duplex units up to three storeys in height.

The relaxation of any of the standards set out at DM OBJ 18-21 will be assessed on a case-by-case basis and should not be accepted as the Council setting a precedent for future development.

5.1.7. Parking: Chapter 11, Section 9 is relevant. The following is noted:

DM OBJ 89: Car parking shall be provided in accordance with Table 11.2 and associated guidance notes.

Table 11.2 Car Parking (extract)

Land Use	Car Spaces
Dwellings / apartments	Accessible locations: Maximum of 1.5 spaces per dwelling/unit Intermediate and peripheral locations: Maximum should be 2 per dwelling/unit

Crèches	1 per employee & dedicated set down area and 1 per 4 children plus dedicated set down area
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Guidance Note:

- *Residential car parking can be reduced at the discretion of the Council, where development is proposed in areas with good access to services and strong public transport links.*
- *Non-residential car parking standards are set down as “maxima” standards.*

5.2. National Policy and Guidelines

5.2.1. Regard is had to:

- National Planning Framework (Revised April 2025)
- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities
- The Planning System and Flood Risk Management - Guidelines for Planning Authorities (Nov 09)
- Childcare Facilities, Guidelines for Planning Authorities (2001). Note: these Guidelines recommend a benchmark provision of one childcare facility per 75 dwellings.

5.3. Natural Heritage Designations

5.4. The site is not within or directly adjacent to any designated site. A hydrological connection exists between the subject site and Natura Sites at Dublin Bay via the Loughshallagh Stream and the Tolka River. The closest designated site, the Rye Water Valley/Carton SAC is c5km to the southeast.

6.0 The Appeal

6.1. Grounds of Appeal

This is a third-party appeal lodged on behalf of Ellen Leonard and Cathal Finn, as residents of The Meadows Castle Farm, against the decision of Meath County Council to grant permission for Phase 2 Castle Farm. The grounds of appeal can be summarised as follows:

- The validity of the application is queried. It is contended that the development has not been properly advertised.
- The revisions proposed to the overall layout of the scheme significantly change the nature of the scheme as originally granted (MCC PI. Ref: RA/180561 - Phase 1). The appellants purchased their property based on the permitted lands and on the assumption that the permitted layout would not be significantly altered.
- Concerns are raised regarding the design and location of Block L (containing the Crèche facility) and its impact on the residential amenities of properties in the vicinity, including that of the appellant. The concerns raised include:
 - Inadequate separation distance from the two directly opposing houses resulting in overlooking, loss of privacy and overbearing.
 - Devaluation of property.
 - The suitability of locating a crèche within a three-storey apartment block is queried.
 - Uncertainty regarding the final size and design of the Crèche and the lack of food storage and preparation areas.
 - The design for Block L is inappropriate and not compatible with the already granted houses. It does not sufficiently reflect the character of the area.
 - Inadequate car parking provision and lack of set down area for the Crèche.
 - Concerns raised regarding the location of bin storage.

- Flooding: The decision of the planning authority to address the Flood issues raised by the Environment Section by way of condition (Condition 5) is raised as a concern. It is considered that the applicant's response to Condition 5 has the potential to result in significant changes to the layout of the development resulting in a degree of uncertainty for members of the public, contrary to the rights of third parties.

6.2. Applicant Response

The applicant's response to the third-party grounds of appeal can be summarised as follows:

- The planning application was deemed valid by the planning authority. The public notices accord with the requirements of the Planning and Development Regulations, 2001 as amended and the Development Management Guidelines.
- The previous permission for Phase 1 of Castle Farm, has expired. The current proposal is for a residential development (Phase 2) with a necessary and appropriate childcare facility.
- The subject lands have been zoned for residential development since 2021 which was approved via an appropriate public participation process. The appellants should have been aware that future development of the subject site was likely.
- The proposed scheme has been designed having regard to its impacts on adjoining residential amenity, the zoned status of the site, the pattern of development in the immediate environs and the need to provide for an efficient and sustainable use of zoned land.
- The separation distance between proposed Block L and the appellants home is consistent with the established pattern of development in the area. The Meath County Development Plan allows for a relaxation in standards relating to separation distances.

- The Sunlight, Daylight and Shadow Assessment submitted with the application confirms that there is no impact from Block L on the appellants property.
- The design of Block L is similar to the apartments already delivered within Phase 1.
- The proposed Crèche facility will replace the facility permitted for Phase 1. The proposed facility will cater for all the childcare requirements for Castle Farm (Phase 1 and 2). The facility is designed to cater for 50 no childcare place with ancillary space for sleep and food preparation. Its design is in keeping with the established pattern of development within Castle Farm.
- Appropriate car parking and set-down areas for the Crèche have been provided. It is conveniently located in terms of vehicular and pedestrian accessibility.
- On the issue of flooding and Condition 5 as attached to the planning authority grant of permission, the applicants have submitted proposed amendments to the scheme for consideration by the Board. As per the details submitted the proposed amendments are intended to address the areas of concern and to demonstrate no infilling and / or raising of existing ground levels within Flood Zones A and B. It is contended that the suggested works are not materially different to the details as submitted to the planning authority for permission and that they no not directly impact and of the proposed dwellings or access roads, nor the use or size of the proposed open space.

6.3. Planning Authority Response

- The planning authority considers the proposed scheme to be in accordance with national, regional and local planning policy with respect to residential development and the policies and objectives of the Meath County development Plan 2021-2027.
- The planning authority is satisfied that, subject to compliance with conditions, the proposed development would not seriously injure the visual or residential amenities of the area nor lead to a devaluation of adjacent property; would not

lead to a traffic hazard or traffic inconvenience and would not be likely to have significant effects on the environment or the ecology of the area.

- The planning authority requests that the Board uphold their decision to grant permission.

6.4. **Observations**

- None

6.5. **Further Responses**

None

7.0 **Assessment**

7.1. **Introduction**

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

- Preliminary Issues
- Zoning
- Density
- Design Quality
- Block L – Amenity Impacts
- Crèche
- Flooding

7.2. **Preliminary Issues**

7.2.1. The proposed scheme comprises 'Phase 2' of a residential development known as 'Castle Farm' in Dunboyne. Phase 1, comprising 99 residential units and a crèche (granted under MCC Ref: No. RA/180561), is now complete and occupied save for the crèche which was not constructed. The undeveloped lands associated with the permitted crèche have been included as part of this current application and are proposed for housing. A new larger Crèche facility, designed to cater for both Phase 1 and 2 Castle Farm, is proposed in a different location, close to the appellants property. It is the contention of the appellants that proposed development represents a material change to the development permitted under MCC Ref: No. RA/180561 and that this has not been adequately described in the public notices. It is further contended that the proposed changes infringe on the rights of persons who purchased houses in Phase 1 based on the permitted layout and on the assumption that the layout would not be significantly altered.

7.2.2. I note that the grant of permission under MCC Ref: RA/180561 has now expired and that the proposal currently before the Board comes forward as a stand-alone application not as an amendment to a previous grant of permission. The development description as set out in the notices clearly states that the proposed crèche facility will replace the crèche permitted under RA/180561. In my opinion, the description of the subject proposal, as set out in the notices, provides for a sufficient and reasonable explanation of the development proposed for the benefit / notification of third parties and I note that the planning authority, who have the responsibility in determining the adequacy (or otherwise) of the public notices and the subsequent validation (or not) of a planning application, were satisfied that the submitted documentation met the regulatory requirements. The following assessment represents my de novo consideration of all planning issues material to the proposed development.

7.3. **Principle of Development:**

7.3.1. The proposal is for 76 residential units and a Crèche. The application site is primarily on 'A2, New Residential', zoned lands, the objective for which is to provide for new residential communities with ancillary community facilities, neighbourhood facilities

as considered appropriate. This is the primary zone to accommodate new residential development in Meath. Residential and childcare are deemed 'permitted uses' within this zone. A portion of the site, running along the eastern and southern boundaries, is zoned as "F1 Open Space" where the objective is to provide for and improve open spaces for active and passive recreational amenities. Following consideration of the plans submitted, I am satisfied that the proposed residential units and Crèche are located within the 'A2' zoning and that the F1 zoned lands within the development site are intended for use as open space. The principle of development is therefore acceptable, subject to the detailed considerations below.

7.4. Density

- 7.4.1. The density policy set out in the Consolidated MCDP is informed by the Sustainable Residential Development and Compact Settlements Guidelines (2024) and the National Planning Framework, which support higher densities in city and town centres and along public transport corridors. Objective DM OBJ 14 encourages densities of between 35-50 dph in suburban/urban extension areas of Metropolitan Towns (of which Dunboyne is one) with densities of up to 100 dph open for consideration at accessible suburban/urban extension. The density of development proposed is stated as 48 units per hectare. This figure is based on the number of residential units proposed (76) and a net developable area of 1.69 hectares. The proposed density of 48 dph would fall within the acceptable density range at suburban and urban extension locations of Metropolitan Town and would be in keeping with the prevailing pattern and character of residential development in the vicinity. I have no objection to the density of development proposed.

7.5. Design Quality.

- 7.5.1. The proposed development provides for a mix of dwelling types in the form of houses, duplex units and apartments. The proposed houses are comprised of detached, semi-detached and terraced houses in the form of 2, 3 and 4 bed units, with a total of 34 no. houses proposed. 42 no. 1, 2 and 3 bed duplex/apartment units are also proposed in four blocks (Blocks H, K, L and M). The mix of units proposed is

set out in Table 2.2 above and on pages 6 to 8 of the applicant's response to the grounds of appeal.

- 7.5.2. As per the requirements of DM OBJ 13, a design statement has been submitted with the application. This document sets out the rationale for the design and layout of the proposed scheme. I note that the layout, design and material finish of the proposal has been informed by the existing Phase 1 development and that once complete, both phases would read as a single residential scheme. The higher density mixed use / apartment blocks (Blocks L and M) have been positioned at the western side of the development, close to the entrance Castle Farm. The arrangement of Block L and M mirrors that of the two existing apartment blocks (Blocks F and G) to the north. At the eastern side of the development, the scale changes to a mix of 2 and 3 storey houses and duplexes, which reflects the established pattern of development in this area of Castle Farm.
- 7.5.3. A Housing Quality Assessment was submitted with the application. This document sets out how the proposed residential units accord with relevant standards set out in MCDP and Section 28 Guidelines. I note that the planning authority in their initial assessment of the application identified a number of discrepancies in the information provided including some non-conformity issues relating to minimum area standards for aggregate bedroom and living areas, storage and private amenity space. These issues were clarified / addressed to the satisfaction of the planning authority at RFI stage with only minor amendments to the scheme. Notably, Blocks L and M were amended to accommodate bulky storage for the apartments.
- 7.5.4. All the residential units proposed within this scheme are either dual or triple aspect. Each housing unit is provided with an area of private open space in the form of rear or enclosed side gardens, ranging in size from 47sqm-123sqm. Private open space for the proposed apartment units is provided in the form of ground floor terraces and upper floor balconies. All private areas meet or exceed the relevant standard. Apartment / duplex units are also provided with a total of 458 sq. m of communal open space, this area exceeds the minimum required standard of 278 sq. m. The development provides approx. 0.48 ha of open space or approx. 22.27% of site area which exceeds the standard of rate of 15%. The primary area open space stretches

the southern end of the site so as to be in easy walking distance of all units and passively supervised. The open space design incorporates a children's play area, pedestrian routes and the enhancement of existing mature hedgerows. The layout of the buildings on site also allows for areas of larger lawn areas of open space for active amenity.

7.5.5. Overall, following consideration of the plans and particulars submitted with the application and appeal, I have no objection in principle to the development as presented in terms of its design, layout or housing mix and I would be satisfied that the development, if permitted, would provide for an adequate level of privacy and amenity for future occupants. I note that the appellants have raised concerns regarding the design, layout and intended use of Block L and its impact on the amenities of the area and the amenities of neighbouring properties to the east by way of overlooking / loss of privacy, overbearing and devaluation of property. I intend to address these concerns in more detail below.

7.6. **Block L – Amenity Impacts**

7.6.1. Block L comprises a three -storey mixed use building accommodating a Crèche at ground floor level and 8no apartments over the upper two floors. The building is shown to reach a parapet height of 10.35m above ground level. It is positioned at the southwestern end of the proposed development site between the proposed 3-storey apartment block (Block M) to the west and a row existing dwellings, No's 1 to 12 The Meadows, to the east. The design of the building incorporates a flat roof, fenestration to all elevations at all levels and projecting balconies to south and west elevations. I note that the building is similar in height, form, design and material finish to the two existing apartment buildings to the north (constructed under Phase 1 Castle Farm). In my opinion, Block L is suitably located within the proposed development site and in keeping with the established pattern and character of development in Castle Farm.

7.6.2. Separation distances of +18m are available between the side (east) elevation of Block L and the front (west) elevations of No's 10-12 The Meadows (which includes the appellants property). The appellants consider the proposed separation distances insufficient in terms of ensuring the protection of existing residential amenity. The

grounds of appeal refer to Objective DM OBJ 19 of the former MCDP, which required a minimum of 22 metres separation distance between opposing windows in the case of apartments/duplex units up to three storeys in height.

7.6.3. The Board will note that since the lodgement of the application, the MCDP 2021-2027 has been superseded by the updated Consolidated MCDP which incorporates Variation 3. Variation 3 (adopted 27th January 2025) updated the MCDP to take account of the policies and objectives set out in Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (SRDCS Guidelines) published by the Department of Housing, Local Government and Heritage in January 2024 and issued under Section 28 of the Planning and Development Act 2000. The updated Objective DM OBJ 19 stipulates a minimum separation distance of 16m between opposing rear or side windows in the case of apartments/ duplex units up to three storeys in height. This standard is in line with SPPR1 of the SRDCS Guidelines. It is of relevance to note that SPPR 1 states that there shall be no specified minimum separation distance at ground level or to the front of houses, duplex units and apartment units in statutory development plans and planning applications shall be determined on a case-by-case basis to prevent undue loss of privacy. In this instance, I am satisfied that the separation distances available, which exceed the recommended minimum standard, are sufficient to ensure that no significant impacts in terms of overlooking or overbearing occur. Further to the above, I note that the proposed arrangement between Block L and No's 10-12 The Meadows, is similar to the existing arrangement between the 3-storey apartment building to the north (Block G on the Site Layout Plan) and the neighbouring houses to the east, No's 30 to 32 The Meadows, where a separation distance of 18.8m is available.

7.6.4. A Sunlight, Daylight and Shadow Analysis for the development was submitted with the application at RFI stage. This document was prepared using the recognised methodology's set out in, 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice', Third Edition 2022, by P. J. Littlefair (BRE 209). The document considers (inter alia) the impact of proposed Block L on existing houses to the east, No's 10 to 12 Castle Farm Meadows (referenced in the document as Neighbouring Group 2). The assessment includes a Vertical Sky Component (VSC) analysis of all

existing windows to the front of No's 10-12 the Meadows to ascertain if these houses would retain sufficient access to the sky following construction. The analysis found that while windows would see a reduction in VSC, a VSC greater than 0.8 times the existing value would be retained in all cases, thus conforming to the BRE guideline levels. Tests were also carried out to establish any loss of sunlight to these windows over both the annual and winter periods. All windows tested showed compliance with the annual probable sunlight hours (APSH) and Winter probable sunlight hours (WPSH) requirements for sunlight. I am satisfied, on the basis of the information available, the proposed Block L would not unduly impact on the residential amenities of neighbouring properties by way of overshadowing or loss of light.

- 7.6.5. In conclusion, whilst I acknowledge that the development of this site as proposed would alter the outlook from neighbouring properties in The Meadows, the proposal would not give rise to significant impacts of overlooking, overbearing or loss of light. In my opinion Block L is suitably located within the proposed development site, confirms with the established pattern and character of development in Castle Farm and would not adversely affect the use or enjoyment of neighbouring properties in The Meadows. I note the concerns raised in the grounds of appeal in respect of the devaluation of neighbouring property. However, having regard to the assessment and conclusion set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

7.7. Crèche

- 7.7.1. The previous grant of permission for Phase 1 Castle Farm (MCC PI. Ref: RA/180561) included proposals for a single storey Crèche that was to have been constructed at the southeast corner of the site. The permitted structure had a stated floor area of 117 sq. m, catering for 26no. childcare places and was intended to satisfy the childcare needs of Phase 1 Castle Farm (99 residential units). The permitted Crèche was not constructed. Adequate childcare facilities are therefore required to cater for the demand of both Phase 1 and Phase 2 Castle Farm, totalling 175no. units. To meet this demand the applicant is proposing to construct a single

dedicated Crèche facility for Castle Farm on the basis that a single facility would be more viable than two smaller ones. I have no objection to the applicant's proposal in principle, subject to the facility being adequately sized to cater for both the existing and proposed residential units in Castle Farm. I would also consider it appropriate, in line with condition 11 of the planning authority's notification to grant permission, that the Crèche be provided in the early stages of construction to ensure that the existing childcare demand from Phase 1 residential units is met.

- 7.7.2. On the size of the Crèche, regard is had to the provisions of the 2001 Childcare Facilities Guidelines and the 2023 Apartment Guidelines, which indicate that the residential units in both phases of the Castle Farm development (excluding 1-bed units) generate a demand for 41 no. childcare places. The proposed Crèche, with a stated area of 324 sq. m can cater for 50 no. childcare places which is sufficient.
- 7.7.3. The Crèche is located at ground floor level within Block L, Block L also accommodates 8no. upper floor apartment units. The Appellants have queried the suitability of locating a childcare facility within a mixed-use building; however, I note that this arrangement is not uncommon, and is generally accepted as a means of ensuring a more efficient use of zoned and serviced lands.
- 7.7.4. The Crèche is to be served by a dedicated outdoor play area of c.305 sq. m to the rear (south). This space also accommodates dedicated ancillary storage areas for bins and staff bicycles. The location of the bin store is I consider unlikely to have any significant impact on the use of the play area or on the residential amenities of nearby properties. Parking / drop off areas for staff and customers is proposed to the front (north) of the building where a total of 44no parking spaces have been provided for both Block L and M. The parking arrangements for Block L and M and the Crèche (lack of sufficient parking / drop off areas) have been raised as a concern in the grounds of appeal. I will consider these issues in more detail in the following section of this report.
- 7.7.5. In terms of internal layout, I note that the Environmental Health Officer, in their report to the planning authority (19/12/24) raised concerns regarding the lack of food preparation and food storage areas within the crèche. The planning authority was

satisfied that this issue could be addressed by way of condition. In this regard, I refer the Board to Condition 11, as attached to the planning authority's decision, which requires full details of the proposed childcare service to be submitted for the written agreement of the planning authority prior to the commencement of development. Details for agreement include all necessary information set out in the 2001 Childcare Guidelines with full compliance with all space requirement ratios as per Child Care Act 1991 (Early Years Services) Regulations 2016 regarding clear floor space. I agree with the approach taken by the planning authority in this regard, as this allows the service provider (future operator of the Crèche) to engage directly with the planning authority and/or Local Authority Environmental Health Officer, regarding the operation for the Crèche. However, I note the party appellants are concerned that this arrangement leaves a degree of uncertainty regarding the final layout of the Crèche and its future capacity. In the first instance, I note that the capacity of the Crèche is dictated by its size and the floor area requirements set out in relevant / guidance and legislation. The proposed 324 sq. m Crèche has been shown to cater for 50 no. spaces. The applicant's response to Condition 11 is therefore unlikely to result in any significant increase in capacity. Regarding the provision of food preparation and storage areas I note that the applicants have submitted a revised floor plan to illustrate that such areas can be accommodated within the proposed Crèche without losing any dedicated childcare space. However, they consider that is ultimately is a matter for agreement with the planning authority and in accordance with Condition 11. The applicants note that in many childcare facilities, food is sourced from outside and delivered to the facility.

7.7.6. In my view, the proposed Crèche is adequately sized and conveniently located within Castle Farm to serve the needs of existing and future residents of the estate and the wider community (as necessary). I note that childcare facilities are a permitted use on residential zoned lands and that residential and childcare are generally compatible uses.

7.7.7. Therefore, subject to compliance with conditions I have no objection to this aspect of the proposed development.

7.8. Flooding

- 7.8.1. The proposal is for a residential scheme which is classified as a 'highly vulnerable development' under the Planning System and Flood Risk Management, Guidelines for Planning Authorities'. With reference to OPW CFRAM flood mapping and Meath County Council MapInfo flood mapping for the relevant area, the proposed development site is partially situated in Flood Zone A where the probability of flooding is greater than 1% from fluvial flooding, i.e. it is at high risk of flooding and Flood Zone B where the probability of flooding is between 0.1% and 1% from fluvial flooding; i.e. it is at medium risk of flooding.
- 7.8.2. A Site-Specific Flood Risk Assessment (SSFRA) was submitted with the application. This document was updated at RFI stage to include, inter alia, a Development Management Justification Test. The following assessment is informed by the updated SSFRA.
- 7.8.3. The SSFRA notes the main water courses in the area, the River Tolka, the Castle Stream and the Loughsallagh Stream and confirms a history of flooding in the Dunboyne area (pre-flood defence works). Modelling carried out as part of the SSFRA shows that there is some overlapping of the 1% AEP and 0.1% AEP flood extents within the site boundary but that this is limited to open space with no overlap with any building footprint or road network. The mitigation measures outlined in the SSFRA include a recommended minimum finished floor levels of between 65.05mOD to 64.96mOD depending on the location within the site. It is confirmed in the SSFRA that FFLs and road levels are higher than the minimum required levels. The SSFRA also confirms that public road (L2228) that provides access to the development resides wholly within Flood Zone C with no risk of flooding.
- 7.8.4. In terms of the Development Management Justification Test, the SSFRA notes that:
1. The Development Plan shows that the majority of the site is zoned as New Residential, with a small section of the site zoned as Open Space, coinciding with Flood Zone A/B. The development strategy has specifically employed the Sequential Approach and maintained water compatible uses within Flood Zone A/B, with no increase in ground levels.

2. (i) Hydraulic modelling indicates that the site is at some risk of flooding from the Loughsallagh Stream and from the Tolka/Castle Stream, the site is therefore within Flood Zone A, B and C. The area of the site in Flood Zone A/B is extremely limited and the development strategy follows the sequential approach with all highly vulnerable development and development access within Flood Zone C. There is no increase in flood risk elsewhere, no change to ground levels in Flood Zone A/B and no impact.

(ii) The proposed FFL of all buildings on site will be raised above the 1% AEP plus climate change flood level including 0.5m freeboard allowance.

(iii) Risk to properties on site has been minimised by setting the proposed FFLs to a minimum of the 1% AEP plus climate change flood level plus a freeboard of 0.5m, all roads have a freeboard of at least 0.35m. The proposed development will therefore be protected against the potential impacts from climate change. Stormwater exceedance is also managed appropriately. There are no local bridge blockage conditions that impact the site.

(iv) The proposed development will provide a consistent building design and environment, set back from the main road and allowing riparian space for the local watercourse and floodplain. Recommended minimum development levels from the FRA do not create issues with the overall planning and design of the buildings and the design will not negatively impact on the surrounding environment.

7.8.5. The conclusions of the SSFRA, as set out in Section 7 of the report. It is concluded that the development proposal is in compliance with the core principles of the Planning System and Flood Risk Management Guidelines and has been subject to a commensurate assessment of risk.

7.8.6. MCC's *Environment Flooding- Surface Water Section*, in their report to the planning authority (dated 05/02/2025) identified apparent discrepancies in the flood mapping submitted as part of the SSFRA. They note that the proposed development includes infilling of the existing flood plain along the eastern boundary, at the proposed attenuation systems and along the southern boundary where the proposed footpath is located. They state that infilling in these areas could result in the existing

floodplain ground levels being raised by 700mm in places with the potential to displace flood waters and increase flood risk elsewhere. Thus, they consider that that the proposal fails to satisfy part 2(i) of the Justification Test and they recommended that permission be refused on this basis. The lack of proposals for compensatory storage is also raised as an issue.

7.8.7. The planning authority in their assessment of the application had regard to the nature and scale of the development proposed and the extent of the subject site within Flood Zone A and B and considered that it would be unreasonable to refuse permission. The case planner was satisfied that suitable design solutions are available and that the outstanding concerns of the Environment Section could be addressed by way of condition (condition 5 of the PA decision relates). The third-party appellants disagree with the approach taken by the planning authority in this regard. They are concerned that compliance with the requirements of condition 5 has the potential to dramatically change the nature and layout of the development resulting in a degree of uncertainty for third parties. In their opinion the applicants should have been requested to show how the flooding issue can be resolved in advance, so that everyone can be satisfied firstly that there will be no flood risk due to the displacement of water and secondly that the revised layout will not interfere with the amenities of third parties.

7.8.8. The applicants have addressed the issue of flood risk in section 5.5 of their appeal response document and have included, for consideration by the Board, three amendments to the scheme to address the concerns raised and to demonstrate that no infilling and / or raising of existing ground levels within flood zones A and B is required. The proposed amendments are as follows:

- At the eastern boundary, a 600-750mm retaining wall is proposed along the road edge at the north-eastern corner of the site to maintain existing ground levels in the adjacent flood zone. It is to be a brick wall with bow top railing. The extent of the retaining wall is identified on drawing No. 230143-X-04-Z00-DTM-DR-DBFL-CE-1201 entitled 'roads Layout'.
- At the proposed attenuation system: - the attenuation system is proposed in an area of open space to the southeast corner of the site (outside but

adjacent to Flood Zones A and B). As per the details submitted, the attenuation system has a minimum cover above it which dictates the levels in this location. To achieve the existing ground levels within the flood zone areas adjacent to the attenuation system, landscaping is required to slope down from the top of the attenuation tank. The applicant contends that this proposal married with landscaping design proposals can be submitted for agreement with the Planning Authority prior to the commencement of development.

- Along the southern boundary: - A 600-900mm high retaining wall is proposed along the southern boundary of the two most southern houses, (House Type B) and extending westwards to the end of the adjoining internal access road. This retaining wall will allow for the retention of existing ground level in the adjacent flood zone. Lands to the south of the proposed retaining wall are laid out as open space with 3m wide footpath running through. It is contended that exact details of this boundary treatment can be agreed with the planning authority prior to the commencement of development.

7.8.9. The applicants suggest that the works outlined above are not materially different to the details as submitted to the planning authority, that they do not directly impact on any of the proposed dwellings or access road, nor reduce the site of the open space. They request that permission be granted subject to appropriate conditions.

7.8.10. I have considered the plans and particulars submitted with the application and appeal, including the reports of the planning authority and, I am satisfied, that all building footprints and roads (highly vulnerable development) are in Flood Zone C and that only areas of open space are within Flood Zones A/B. As noted by MCC's Environment Section, the development as presented to the planning authority does include some infilling of the existing flood plain along the eastern boundary; at the proposed attenuation systems and along the southern boundary where the proposed footpath is located. However, I am satisfied that the applicants have demonstrated in their appeal response that infill works in these areas can be avoided by way of design. The design amendments proposed (as set out above) are, I consider, minor in that they do not significantly alter the nature, scale, design or layout of the scheme. Some additional minor alterations to the design and layout of the adjoining areas of public open space and the landscaping design proposals for these areas

may be necessary to accommodate the proposed works. Should the Board be minded to grant permission for the proposed development I would recommend a condition requiring the submission of detailed design proposals for the proposed amendment works and any necessary alterations to the adjoining areas of open space, including any alterations to landscaping design for the areas, to accommodate same. Considering the above, I am satisfied condition 15 of the planning authority's notification of a grant of permission is no longer required.

7.8.11. In conclusion, I am satisfied, on the basis of the information available, that the flood risk to the proposed development site can be managed to an acceptable level, that the development of this site as proposed, would be unlikely to have a significant adverse impact the existing hydrological regime of the area, would be unlikely to exacerbate the risk of flooding elsewhere and would not result in an impedance or restriction of emergency vehicular access to or egress from the proposed development site. On this basis, I am satisfied that subject to condition, the proposal is acceptable from a flood risk perspective.

8.0 EIA Screening (Appendix A):

8.1. There are no activities listed within Part 1 of Schedule 5 of the Planning Regulations (as amended) which relate to the proposed development. It does not fall within the scope of activities listed in Part 1 of Schedule 5 and a mandatory EIA, as classified under Annex 1 is not required.

8.2. Item (10) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:

(b)(i): Construction of more than 500 dwelling units

(b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)

8.3. In the Instance, an Environmental Impact Assessment Report (EIAR) would be mandatory under Class 10 if the proposed development comprised the construction of more than 500 dwelling units or an urban development on an area greater than 10 hectares. The proposal is for the construction of 76 no. residential units and a Crèche facility on a 2.14ha site and is therefore significantly below the threshold for mandatory EIAR.

Sub-Threshold Screening for EIAR

8.4. EIA is required for development proposals of a class specified in Part 1 or 2 of Schedule 5 that are sub-threshold where the Board determines that the proposed development is likely to have a significant effect on the environment.

8.5. Schedule 7 of the Planning and Development Regulations 2001 (as amended) sets out the criteria for assessing whether or not a project will have 'likely' and 'significant' effects on the environment, in which case an EIA is also required. The criteria include, characteristics and location of proposed development, and characteristics of potential impacts. These criteria were considered for the proposed development under the topics recommended in EIAR guidance documents and concludes that the proposed development does not meet the criteria where a subthreshold EIA would be warranted.

8.6. I am therefore satisfied, having regard to: -

- The nature and scale of the proposed project which is below the thresholds in respect of Class 10(b)(i) and Class 10 (b)(iv) of the planning and Development Regulations 2001, as amended.
- The location of the site on zoned lands (new residential and open space) and other relevant policies and objectives in the Consolidated Meath County Development Plan 2021-2027 (as varied) and the results of the Strategic Environmental Assessment of this plan undertaken in accordance with the SEA Directive 21/42/ E
- The Greenfield nature of the site and its location in an outer suburban area which is served by public services and infrastructure.
- the pattern of existing and permitted development in the area.

- The location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)
- 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), and
- The criteria set out in schedule seven of the planning and development regulations 2001 as amended.
- The Appropriate Assessment Screening determination
- The features and measures proposed by the applicant that are envisaged to avoid or prevent what might otherwise be considered significant effects on the environment, and in particular the proposal to carry out the development in accordance with a detailed Construction Environmental Management Plan.

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

9.0 Water Framework Directive Screening (Appendix B)

- 9.1. The impact of the proposed development in terms of the WFD is set out in Appendix B to this report. The Loughshallagh stream passes along the southern bounds of the Site, within the site boundary. The Loughsallagh stream flows east for approximately 150m before joining the Dunboyne stream. Both the Loughsallagh and Dunboyne streams are considered tributaries of the Tolka River by the EPA and monitored as such (EPA, 2024). The Dunboyne stream then flows southeast for approximately 250m before joining the Tolka River. The Tolka River flows southeast for approximately 16km before discharging into the Tolka Estuary. Ultimately, this water body network discharges into the sea at Dublin Bay.
- 9.2. The Water Framework Directive (WFD) ecological status of the Loughsallagh (encompassed within the WFD River waterbody Tolka_030) is classified as ‘Poor’ quality for the 2016-2021 monitoring period and was ‘At Risk’ of failing to meet its

WFD objectives for the same period. Tolka River (Tolka_040) is classified as being of 'Poor' quality for the 2016-2021 monitoring period and was 'At Risk' of failing to meet its WFD objectives for the same period (EPA, 2024). Tolka Estuary that receives waters from the Tolka River is of 'Poor' ecological status and is also at risk of failing to meet its WFD objectives (EPA, 2024). The ultimate receiving waterbody in this network, Dublin Bay coastal waterbody, was of 'Good' ecological status for the 2016- 2021 monitoring period and was considered to be 'Not at Risk' of not meeting its WFD objectives. (EPA, 2024).

- 9.3. The proposal comprises a residential development of 76no. units and a creche. The project uses standard construction / pollution control methods, materials and equipment, and the process managed through the implementation of the CEMP and RWMP. A surface water management system including SuDS features is also proposed.
- 9.4. Further to the provisions of Appendix B I conclude that on the basis of objective information, the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 **Appropriate Assessment Screening (Appendix C)**

- 10.1. Having carried out Screening for Appropriate Assessment in accordance with Section 177U of the Planning and Development Act 2000 (as amended)(refer to Appropriate Assessment Screening Document in Appendix C) , I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the North Dublin Bay SAC, South Dublin Bay SAC (001266),North Bull Island SPA (004006), North-west Irish Sea cSPA (004236) and South Dublin Bay and River Tolka Estuary SPA (004024) or any other European site, in view of the Conservation Objectives of those site and Appropriate Assessment (and submission of a NIS) is not therefore required.
- 10.2. This determination is based on:

- Scientific information provided in the Screening report submitted with the application.
- The nature and scale of the development proposed.
- Distance from and weak connections to the European sites
- Standard best practice construction methods and pollution controls that would be employed regardless of proximity to a European site and effectiveness of same

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

10.3. In reaching the above conclusion regard was had to the assessment and conclusions of the planning authority, to the applicants AA screening report and NIS submitted at RFI stage and to the precautionary principle. While I accept that there is potential for contaminants to enter the Loughsallagh Stream during construction and operational phases, I am satisfied, given the nature and scale of the development proposed, the separation distances between the proposed development site and designated European sites and the dilution factor, that there is no risk that any pollutants generated at the site could reach designated European sites at perceptible concentrations. Consequently, the risk that pollutants from the site could cause significant negative impacts on any European site is negligible, even in a worst-case scenario and in the absence of standard management measures.

11.0 Recommendation

11.1. I recommend that permission be granted subject to condition as outlined below.

12.0 Reasons and Considerations

Having regard to the objectives of the Meath County Development Plan 2021-2027 (as varied), the nature, scale and design of the proposed development and the pattern of development in the vicinity, 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, would be acceptable in terms of the safety and convenience of pedestrians and road users and would not be

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

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 28th day of November 2024, and by the further plans and particulars received by An Bord Pleanála on the 31st day of March 2025, 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 mitigation measures identified in the Ecological Impact Assessment, Air Quality Impact Assessment Report, Environmental Impact Assessment Screening report and Construction Environmental Management Plan (CEMP) shall be implemented in full by the developer, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity and the protection of the environment and public health during construction and operational phases of development

3. The development hereby permitted shall contain 76 no. residential units. Each residential unit shall be used and occupied as a single unit for residential purposes and shall not be sub-divided or used for any commercial purpose (including short-term letting) without a separate planning permission.

Reason: In the interest of clarity and to ensure the maintenance of a residential community

4. The development shall be carried out on a phased basis. Prior to the commencement of development, the phasing scheme for the development inclusive of all associated infrastructure shall be submitted for the written agreement of the Planning Authority. The childcare facility shall be constructed in phase one. No development shall commence on any subsequent phase of the development authorised by this permission until the planning authority has certified in writing that the works in the previous phase have been completed to a satisfactory extent.

Reason: To ensure the timely and orderly development of the site for housing with the required supporting infrastructure

5. Prior to the commencement of any development on site, the applicant shall submit the to, and for the written agreement of the planning authority full details of all measures intended to avoid the infilling and/or raising of existing ground levels within flood zones A & B including details of any necessary alterations to the adjoining areas of public open and / or the landscaping design proposals for the areas concerned.

Reason: In the interest of flood risk prevention and proper planning and development

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

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

(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.

7. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of Section 94(4) and Section 96(2) and (3) (Part V) of the Planning and Development Act 2000- 2023 unless an exemption certificate shall have been applied for and been granted under Section 97 of said Act. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which Section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning & Development Act 2000 as amended and of the housing strategy in the development plan for the area.

8. Details of the materials, colours, and textures of all the external finishes to the proposed buildings shall be submitted to and agreed in writing with, the planning authority prior to commencement of development hereby permitted.

Reason: In the interest of the visual amenity and to ensure an appropriate high standard of development.

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

10. Prior to the commencement of development, the developer shall enter into a Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

11. Drainage arrangements including the attenuation and disposal of surface water shall comply with the requirements of the relevant Section of the Council for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

12. The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development.

Prior to the commencement of such works the archaeologist shall consult with and forward to the Local Authority archaeologist or the NMS as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation [preservation in-situ/excavation].

The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

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

13. 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 not conflict with the agreed landscaping scheme. 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.

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

Reason: In the interests of visual and residential amenity.

15. 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).

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

16. Prior to the commencement, details shall be agreed in writing with the Planning Authority, for in-building **telecommunications infrastructure** plans to deliver services to each unit in the development.

Reason: To facilitate all Licensed Operators in providing broadband services to each dwelling within the apartment development in compliance with S.I. 520/2023 European Union (in-Building Physical Infrastructure for High-Speed Electronic Communications) Regulations 2023.

17. Prior to the commencement of development, the applicant shall submit to and for the written agreement of the Planning Authority:

- (a) The detailed design of the signalised junction, including cycle facilities.
- (b) Proposals, including a revised site layout demonstrating a pedestrian entrance on the eastern boundary of the development.
- (c) Revised layout for the bicycle storage unit, demonstrating compliance with the requirements of the "Design Standards for New Apartments". The unit shall be 26 capable of storing cargo bicycles and bicycles with trailers, be of permanent construction (brick or block) providing protection from the weather and electronic locks.

Reason: In the interest of traffic safety and orderly development

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

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

19. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.

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

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

20. (a) Prior to the occupation of any residential unit hereby permitted, the applicant shall provide the public open space and landscaping as per the approved drawings and specifications. The open spaces shall be developed for, and devoted to, public use and shall be maintained as public open space by the developer until taken in charge by the local authority or management company.

(b) Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

(c) All hard and soft landscaping works shall be carried out in accordance with the approved details and the appropriate British Standard document or other recognised Code of Practice, unless otherwise agreed in writing with the Planning Authority.

(d) Final details of all boundary treatments shall be agreed in writing with the Planning Authority prior to commencement of development.

Reason: To ensure that the public open space, planting provision, boundary treatment, public art is provided in a timely manner and retained for the

benefit of the occupiers and to aid integration of the development into the local landscape as soon as possible.

21. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare 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) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. 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 proper planning and sustainable development.

22. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, within each house plot and for each apartment unit, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

23. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written

agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

24. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate details for the following: surface water run-off from the site, on-site road construction, and environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.

Reason: In the interest of environmental protection [residential amenities, public health and safety and environmental protection

25. The landscape plans submitted on the 28/11/24, **as amended by condition 5(c)** above shall be implemented in full in the course of the development hereby permitted unless otherwise agreed in writing with the Planning Authority. All planting comprised in the development shall be carried out in the first planting season following the completion of the development. Any failures shall be replaced until such time that the plantings are established.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

26. Prior to the commencement of any other site works all existing trees to be retained shall be fenced off. This must be at a distance of the crown spread (the outer drip-line of the tree) or half the tree height, whichever is the greater.

Fencing shall be at least 1.2m high cleft chestnut pale or chain link, well braced to resist impacts or similar to be agreed in writing with the planning authority. These works shall be undertaken before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within these areas shall not be altered, nor shall any excavation be made or any other works carried out, or fires lit without the prior written consent of the planning authority.

Reason: To ensure the protection of trees and other vegetation to be retained and to ensure the continuity of amenity afforded by existing trees.

27. 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.

28. The developer shall pay to the planning authority a financial contribution in respect of the re-opening of the Navan to Dublin Railway Line Phase 1- Clonsilla to Dunboyne (PACE) in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

29. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

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

Lucy Roche

Planning Inspector

9th June 2025

Appendix A – EIA Pre-screening and Screening Determination

Form 1 - EIA Pre-Screening

Case Reference	321999-25
Proposed Development Summary	Residential scheme – 76 no. units and Crèche
Development Address	Station Road, Dunboyne, Co. Meath
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (For the purposes of the Directive, “Project” means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a ‘Project’. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Class 10 Infrastructure</p> <p>Part (b)(i): Construction of more than 500 dwelling units</p> <p>Part 10(b)(iv): Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.</p>

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input checked="" type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ Date: _____

Form 3 - EIA Screening Determination Form

A. CASE DETAILS		
An Bord Pleanála Case Reference	321999-25	
Development Summary	Residential Scheme of 76 no. units and a Crèche with all ancillary site development / construction works	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	Schedule 7A information was requested by the PA at RFI Stage. It was concluded that a subthreshold EIAR was not required.
2. Has Schedule 7A information been submitted?	Yes	EIA screening report with schedule 7A information submitted at RFI stage
3. Has an AA screening report or NIS been submitted?	Yes	An Appropriate Assessment Screening Report (AASR) and NIS has been submitted.
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?	N/A	
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	<ul style="list-style-type: none"> • An Environmental Impact Assessment Screening Report which considers the EIA Directive • An Appropriate Assessment Screening Report and NIS which considers the Habitats Directive and Birds Directive • Ecological Impact Assessment

		<ul style="list-style-type: none">• Air Quality Impact Assessment• Sunlight, Daylight and Shadow Assessment• Construction and Environmental Management Plan (CEMP)• Traffic and Transport Assessment and Construction Traffic Management Plan• Social Infrastructure Assessment• A Building Lifecycle Report• Flood Risk Assessment• Acoustic Design statement (submitted at RFI stage)• The site is zoned under the Meath County Development Plan 2021-2027, as varied (MCDP). The MCDP was subject to: Strategic Flood Risk Assessment; Strategic Environmental Assessment Report (SEA) and Appropriate Assessment
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B. EXAMINATION	Yes/ No/ Uncertain	<p>Briefly describe the nature and extent and Mitigation Measures (where relevant)</p> <p>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)</p> <p>Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.</p>	<p>Is this likely to result in significant effects on the environment?</p> <p>Yes/ No/ Uncertain</p>
This screening examination should be read with, and in light of, the rest of the Inspector’s Report attached herewith			
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
<p>1.1 Is the project significantly different in character or scale to the existing surrounding or environment?</p>	No	<p>The project comprises the construction of a mid-scaled low/medium density residential scheme on zoned lands. The project comes forward as phase 2 of a larger residential development known as Castle Farm. Phase 1 Castle Farm comprising 99 residential units is now complete and occupied save for the Crèche. The Crèche proposed as part of this current application is in lieu of the one previously permitted. The proposed scheme is similar in terms height, density, form and design to the existing Phase 1 development.</p>	No

<p>1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</p>	<p>Yes</p>	<p>There will be some changes to the topography of the site during the construction phase of the project. The design of road levels and finished floor levels has been carried out in such a way as to minimize cut/fill type earthworks operations</p> <p>The project will change the land use at the site. the site is presently greenfield in nature and agricultural in use. The proposed residential land use will result in physical changes to the built environment at the site, involving the provision of houses, duplexes and apartments, a childcare facility and a series of open spaces, roads etc. Buildings ranging in height from two to three storeys. These physical changes are consistent with the existing character of the area.</p> <p>The Loughsallagh Stream traverses the site. adjoining lands are identified as being at risk of flooding. The proposed development will retain a 10m wide riparian buffer along the northern side of the stream for the majority of its length. Land uses in the area of the stream are restricted to open space.</p> <p>Accordingly, I do not consider that the physical changes arising from the project are likely to result in significant changes to the locality in terms of topography, lands use or water bodies.</p>	<p>No</p>
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<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>Yes</p>	<p>The use of Natural Resources (land, soil, water and biodiversity) is limited during both construction and operational phases.</p> <p>The project uses standard construction methods materials and equipment, and the process managed through the implementation of the CEMP and RWMP (required by condition).</p> <p>The project uses lands more efficiently and sustainability than at present (greenfield / agricultural use to residential). Otherwise, the operational phase of the project will not use natural resources in short supply.</p> <p>There is no proposed extraction of ground water. The development will connect to the public mains water and wastewater services and will require a connection agreement with Uisce Eireann. Uisce Eireann have cited no objection to the proposal.</p> <p>The project includes an energy efficient design, incorporates SuDS features and is in reasonably close proximity to several amenities and services in Dunboyne.</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>Yes</p>	<p>Construction phase activities would require the use of potentially harmful materials such as fuels and create waste for disposal. The use of such substances would be typical for construction sites.</p>	<p>No</p>

		<p>Noise and dust emissions during the construction phase are likely. These works would be managed through the implementation of the CEMP.</p> <p>Operational phase of the project does not involve the use, storage or production of any harmful substance. Conventional waste produced from residential and childcare activity will be managed through the implementation of a waste management plan (required by condition)</p> <p>Accordingly, I do not consider this aspect of the project likely to result in significant effects on the environment in terms of human health or the environment.</p>	
<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Yes</p>	<p>Conventional waste will be produced during both construction and operational phases and will be managed through the implementation of the CEMP and / or RWMP (required by condition).</p> <p>Operational phase of the project (i.e. the occupation of the residential units and childcare facility) will not produce or release any pollutant or hazardous material. Conventional operational waste will be managed through the implementation of a waste management plan (require by condition)</p> <p>Accordingly, I do not consider the project likely to result in a significant effect on the environment</p>	<p>No</p>

		from the production of solid waste, pollutants or hazardous / toxic / noxious substances.	
<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>	Yes	<p>During construction there is potential for the release of pollutants to enter ground and surface waters, notably the Loughsallagh Stream traverses the site.</p> <p>Standard construction methods, materials and equipment would be used and the process managed through the implementation of the CEMP and RWMP (required by condition).</p> <p>Operational phase impacts are addressed primarily through design, with a comprehensive surface water management system including infiltration and SuDS features. Final details of the surface water attenuation and drainage system for the site shall be submitted for agreement within the PA (condition required).</p> <p>Foul water is to be directed to the Ringsend Wastewater treatment system where it will be treated to EU standards prior to final discharge.</p> <p>Accordingly, as risks of contamination to ground or water bodies are mitigated and managed, I do not consider the project likely to result in a significant effect on the environment.</p>	No
<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	Yes	Noise and vibration impacts are likely during the construction phase. These works are short term in duration (24 – 36 months) and impacts arising	No

		<p>may be temporary, localized and managed through the implementation of the CEMP.</p> <p>The operational phase of the project will also likely result in noise and light impacts associated with the residential use and childcare service (Increased traffic generation; use of public, communal and private open spaces; operation of the childcare facility) which are considered to be typical of such mid-scale low to mid density schemes as proposed.</p> <p>An Acoustic Design Statement was submitted with the application. It concluded that 'based on the recommendations in this report it is predicted that the internal and external noise levels will achieve the targeted noise levels in line with BS 82233:2014 and ProPG 2017 guidance.'</p> <p>Accordingly I do not consider this aspect of the project likely to result in significant effects on the environment in terms of air quality (noise, vibration, light pollution etc)</p>	
<p>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p>Yes</p>	<p>The potential for water contamination, noise and dust emissions during the construction phase is lightly. Impacts would be temporary and localised in nature and the application of standard measures to control same (CEMP), would satisfactorily address potential risks on human health.</p>	<p>No</p>

		Operational phase of the project would not likely cause risks to human health through water contamination or air pollution due to the nature (residential / childcare uses) and design of the scheme, connection to public water service systems, scale of residential use /activities arising.	
1.9 Will there be any risk of major accidents that could affect human health or the environment?	yes	<p>The site is not located in an area which is anticipated to be at risk of foreseeable major disasters or accidents.</p> <p>A site-specific flood risk assessment has been completed for the Proposed Development. All proposed residential units and services roads are located within Flood Zone C. Lands along the southern boundary (adjoining the stream) are within Flood Zones A and B. These areas have been designed as open space. The SSFRA concludes that <i>'as a result of the mitigation details discussed above, it is concluded that the development proposal is in compliance with the core principles of the Planning System and Flood Risk Management Guidelines and has been subject to a commensurate assessment of risk.'</i></p> <p>The potential for the Proposed Development to result in any major accidents and /or disasters can be considered low.</p>	No
1.10 Will the project affect the social environment (population, employment)	Yes	The project increases localised, temporary employment activity at the site during the construction phase. Impacts arising will be	No

		<p>temporary, localised and addressed by the mitigation measures outlined in the CEMP.</p> <p>The operational phase of the project will result in an increase in population in Dunboyne. The childcare facility will cater for c. 50 children and associated staff members.</p> <p>The receiving area is a developing suburban location in relatively close proximity to education, amenities, services, public transport and has the capacity to accommodate the impacts associated with the population increase.</p> <p>Accordingly, I do not consider this aspect of the project likely to result in significant effects on social environment of the area</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>Yes</p>	<p>The site is zoned for residential development (A2 - new residential) and open space in the MCDP. The zonings at the site and in the vicinity effectively serve to facilitate the eastern expansion of Dunboyne. In this regard the project is part of a wider large-scale change planned for the area by the MCDP plan until 2027. However, as the project pertains to a green field zoned (without phasing restrictions) and serviced site. Its development is not restricted or curtailed at this time. The design and layout of the scheme has had regard the existing (Phase 1) Castle Farm development and will read as part of same.</p>	<p>No</p>

		I direct the Board to the response to Q:3.1 below in respect of considerations of cumulative effects of the project.	
2. Location of proposed development			
<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ul style="list-style-type: none"> - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA - Designated Nature Reserve - Designated refuge for flora or fauna - Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan 	No	<p>There are no designated sites on, in or adjoining the development site.</p> <p>No rare, threatened or legally protected species are known to occur on site.</p> <p>The project has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended. Having carried out screening for Appropriate Assessment of the project, it was concluded that a Stage 2 Appropriate Assessment (production of an NIS) is not necessary.</p>	No
<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	Yes	<p>The site is not under any wildlife or conservation designation.</p> <p>Bat activity was recorded on site; however, no potential roosting features were identified on site.</p> <p>An Ecological Impact Assessment Report (EclA) was carried out by Enviroguide (November, 2024) which concluded that provided the mitigation measures proposed within the EclA together with all best practice development standards as outlined in the CEMP are carried out in full, there</p>	No

		will be no significant negative impact to any KER (Key Ecological Receptor) habitat, species group or biodiversity as a result of the Proposed Development.	
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No	There are no known features of landscape, historic, archaeological, or cultural importance associated with the site. The report from DAU notes scale of the development and its location within an area of high archaeological potential. They recommend that a condition pertaining to Archaeological Monitoring be included in any grant of planning permission.	No
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?	Yes	<p>The Site is hydrologically linked to the Tolka river, which may support small populations of salmonids and lampreys as well as otter.</p> <p>During construction there is potential for the release of pollutants to enter the Loughsallagh Stream, a tributary of the Tolka River (c500m channel length).</p> <p>Standard construction methods, materials and equipment would be used and the process managed through the implementation of the CEMP and RWMP (required by condition).</p> <p>Operational phase impacts are addressed primarily through design, including a comprehensive surface water management system including SuDS features.</p>	No

<p>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?</p>	<p>Yes</p>	<p>The Loughsallagh Stream traverses the site. The Loughsallagh stream flows east for approximately 150m before joining the Dunboyne stream. The Dunboyne stream then flows southeast for approximately 300m before joining the Tolka River. The Tolka River flows southeast for approximately 15.7km before discharging into the Tolka Estuary. Ultimately, this water body network discharges into the sea at Dublin Bay, 7.5km further southeast and downstream of the Tolka Estuary.</p> <p>A range of mitigation measures are identified in the EclA and CEMP during the construction phase of the project to safeguard the quality of the surface water run-off, prevent pollution events to groundwater and mitigate against excessive siltation. Operational phase impacts are addressed primarily through design, including a comprehensive surface water management system including SuDS features.</p> <p>A site-specific flood risk assessment has been completed for the Proposed Development. All proposed residential units and services roads are located within Flood Zone C. Lands along the southern boundary (adjoining the stream) are within Flood Zones A and B. These areas have been designed as open space. The SSFRA concludes that <i>'as a result of the mitigation details</i></p>	<p>No</p>
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		<p><i>discussed above, it is concluded that the development proposal is in compliance with the core principles of the Planning System and Flood Risk Management Guidelines and has been subject to a commensurate assessment of risk.</i></p> <p>Accordingly, I do not consider this aspect of the project likely to result in a significant effect on the environment in terms of water.</p>	
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	No evidence of these risks.	No
2.7 Are there any key transport routes(eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No	The Traffic and Transport Assessment (TTA) submitted with the application indicates that the proposed development will not be a significant traffic generator and will not adversely impact the operation of the local road network.	No
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No	There are no sensitive land uses or community facilities (such as hospitals, schools etc) in proximity to the site and / or that could be significant affected by the project	No
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	Yes	<p>Approved planning consents in the vicinity of the site have been noted in the application documentation and associated assessments, including AA, EclA and EIASR.</p> <p>A potential overlap between the construction phase of the proposed development and the construction phase</p>	No

		of an off-site project. Each project permitted in the wider area is subject to planning conditions which include appropriate mitigation to minimise environmental impacts, subject to compliance with same no significant cumulative effects are anticipated.	
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?		No	No
3.3 Are there any other relevant considerations?		No	No
C. CONCLUSION			
No real likelihood of significant effects on the environment.	<input checked="" type="checkbox"/>	EIAR Not Required	
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	EIAR Required	
D. MAIN REASONS AND CONSIDERATIONS			

Having regard to:

1. The nature and scale of the proposed project which is below the thresholds in respect of Class 10(b)(i) and Class 10 (b)(iv) of the planning and Development Regulations 2001, as amended
2. The location of the site on zoned lands (new residential and open space) and other relevant policies and objectives in the Consolidated Meath County Development Plan 2021-2027 (as varied) and the results of the Strategic Environmental Assessment of this plan undertaken in accordance with the SEA Directive 21/42/ EC
3. The Greenfield nature of the site and its location in an outer suburban area which is served by public services and infrastructure
4. the pattern of existing and permitted development in the area
5. The location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)
6. 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), and
7. The criteria set out in schedule seven of the planning and development regulations 2001 as amended
8. The Appropriate Assessment Screening determination
9. The features and measures proposed by the applicant that are envisaged to avoid or prevent what might otherwise be considered significant effects on the environment, and in particular the proposal to carry out the development in accordance with a detailed Construction Environmental Management Plan.

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

Inspector _____

Date _____

Approved (DP/ADP) _____

Date _____

Appendix B – Water Framework Directive - Screening			
WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	321999-25	Townland, address	Station road, Dunboyne, Co. Meath
Description of project	Residential scheme – 76 no. units and Crèche on a site area of c.2.14ha with connections to Uisce Eireann Wastewater and Drinking water infrastructure.		
Brief site description, relevant to WFD Screening,	<p>The application site is located to the south of Station Road in western outskirts of Dunboyne town centre.</p> <p>The site, in general, is relatively flat with a gradient of approximately 1:200 falling from north to south. The highest point is 65.787m OD in the north-west corner of the site and the low point is 64.578m OD in the south-east corner of the site.</p> <p>There are a number of watercourses in the vicinity of the development. The Castle Stream tributary - Loughsallagh Stream - flows along the southern boundary of the site in an easterly direction, joining the Castle Stream 150m to the east. The Castle Stream then joins the River Tolka c. 0.3km further downstream.</p> <p>The sub-soil type on the site is predominantly alluvium undifferentiated gravelly, with some limestone sands and gravel in north corner of the site, as seen in Figure 2-4. The underlying bedrock is classified as the Lucan Formation which is described as dark limestone and shale. The associated groundwater vulnerability is Low across the site. No karst features have been identified at site or close to the site.</p> <p>A surface water drainage network constructed as a part of the previously permitted residential development (Planning Ref Reg: RA/180561) traverses the Proposed Development Site and discharges to the Loughsallagh stream, to the south of the Site.</p>		

	<p>With reference to OPW CFRAM flood mapping and Meath County Council MapInfo flood mapping for the relevant area, the proposed development site is partially situated in Flood Zone A where the probability of flooding is greater than 1% from fluvial flooding; i.e. it is at high risk of flooding and Flood Zone B where the probability of flooding is between 0.1% and 1% from fluvial flooding; i.e. it is at medium risk of flooding.</p>
Proposed surface water details	<p>It is proposed to discharge attenuated flows from the proposed development Site to the Loughsallagh stream running along the southern boundary of the Site.</p> <p>The surface water system designed for the site includes the following SuDS measures:</p> <ul style="list-style-type: none"> • Permeable paving is provided for parking areas. • Swales • Tree pits / raingarden will collect runoff from the adjacent roads and will reduce initial flow on the network as well as provide an additional element of attenuation. • Filter drains • Installation of a vortex flow control device (Hydrobrake or equivalent), limiting surface water discharge from the Site. • Surface water discharge will also pass via a Class 1 full retention fuel/oil separator
Proposed water supply source & available capacity	<p>Uisce Eireann mains water connection</p>
Proposed wastewater treatment system & available capacity, other issues	<p>Connection to public Mains. Foul water from the Site will eventually be treated at Ringsend Wastewater Treatment Plant (WwTP) prior to discharge into Dublin Bay. Confirmation of Feasibility without infrastructure upgrades was confirmed by Irish Water on the 17th of April 2024</p>

Others?	No
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Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
Surface Water - Stream	Within Site boundary	Loughsallagh Stream/Tolka_030 Tributary IE_EA_09T010800	Poor	At Risk	Nutrients, Organic	Yes – surface water discharge
Surface Water - Stream	c.150m southeast	Dunboyne Stream/Tolka_030 Tributary IE_EA_09T010800	Poor	At Risk	Nutrients, Organic	Downstream of Site
Surface Water - River	C0.5km	Tolka River (4th) (Tolka_040)	Poor	At Risk	Nutrients, Organic	Downstream of Site

		IE_EA_09T0 10800				
Coastal Water Bodies	c. 24.5km	Dublin Bay IE_EA_090_0000	Good	Not at Risk	N/A	Downstream of Site
Groundwater Bodies	Underlying site	Dublin IE_EA_G_00 8	Good	Review		Underlying GWB
Transitional Water Bodies	c. 17km	Tolka Estuary IE_EA_090_0200	Poor	At Risk	Nutrients	Downstream of Site

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Site Clearance / Construction	Surface water streams / river IE_EA_09T0 10800	Existing watercourse Loughsallagh Stream which connects to Tolka River	Deterioration of surface water quality from pollution of surface water run-off during site preparation and construction	Standard construction practice CEMP	No	Screened out

3.	Site Clearance / Construction	Dublin IE_EA_G_00 8	Drainage to ground	Reduction in groundwater quality from pollution of surface water run-off	Standard construction practice CEMP	No	Screened out
OPERATIONAL PHASE							
3.	Surface Water Run-off	IE_EA_09T0 10800	Run-off to watercourses/river	Spillages Deterioration of water quality	SUDs features	No	Screened out
4.	Discharges to Ground	Dublin IE_EA_G_00 8	Drainage	Spillages Deterioration of water quality	SUDs Features	No	Screened out
DECOMMISSIONING PHASE							
Decommissioning is not anticipated as this is a permanent residential development							

Appendix C – Appropriate Assessment (Screening)

Screening for Appropriate Assessment - Test for likely significant effects

Step 1: Description of the project and local site characteristics

Brief description of project	<p>Normal Planning appeal.</p> <p>The proposal is for a residential scheme of 76 no. units and comprises Phase 2 of the 'Castle Farm' residential development. Phase 1 being substantially completed and occupied.</p> <p>The proposal includes a childcare facility (c.324sq.m Crèche) that is intended to replace the Crèche permitted in Phase (under Ref. RA/180561).</p> <p>See Section 2 of Inspectors Report</p>
Brief description of development site characteristics and potential impact mechanisms	<p>The proposed development site has a stated area of 2.14ha. It comprises greenfield lands on station road in Dunboyne.</p> <p>The Loughshallagh stream passes along the southern bounds of the Site, within the Site boundary. The Loughsallagh stream flows east for approximately 150m before joining the Dunboyne stream. The Dunboyne stream then flows southeast for approximately 300m before joining the Tolka River. The Tolka River flows southeast for approximately 15.7km before discharging into the Tolka Estuary. Ultimately, this water body network discharges into the sea at Dublin Bay, 7.5km further southeast and downstream of the Tolka Estuary.</p>
Screening report	Yes – Updated at RFI Stage
Natura Impact Statement	Yes – submitted at RFI Stage

Relevant submissions		None		
Comments:				
<p>An appropriate Assessment Screening Report accompanied the application. The screening report concluded that the possibility of any likely significant effects on identified European sites may be excluded, and that Stage 2 of the Appropriate Assessment process and the preparation of an NIS is not required.</p> <p>The planning authority in screening for Appropriate Assessment considered the potential effects including direct, indirect and in-combination effects of the proposed development, individually or in combination with the permitted developments and cumulatively with other plans or projects on European Sites. They concluded that the proposed development (entire project), by itself or in combination with other plans and developments in the vicinity, primarily as a result of the pollutants entering the network via surface water during the construction and operational phases and the hydrological connection to the site via surface water drainage to watercourses adjoining the site which out falls to the River Tolka which in turn out falls to the marine environment at Dublin Bay effect the integrity of the North Dublin Bay SAC, South Dublin Bay SAC (001266), North Bull Island SPA (004006), North-west Irish Sea cSPA (004236) and South Dublin Bay and River Tolka Estuary SPA (004024) in the absence of mitigation measures. They concluded that a Stage 2 Appropriate Assessment (Natura Impact Statement) was required. An NIS was requested by way of further information. In response the applicants submitted a revised Appropriate Assessment Screening Report and NIS.</p>				
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
North Dublin Bay SAC (Site Code: 0206)	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide. • Annual vegetation of drift lines • Salicornia and other annuals colonising mud and sand 	c. 22km (channel length) southeast	A weak direct hydrological connection exists via surface water discharge from the Proposed Development to the Tolka River and downstream European sites.	Yes

	<ul style="list-style-type: none"> • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) • Mediterranean salt meadows (Juncetalia maritimi) • Embryonic shifting dunes • Shifting dunes along the shoreline with Ammophila arenaria (white dunes) • Fixed coastal dunes with herbaceous vegetation (grey dunes) • Humid dune slacks • Petalwort Petalophyllum ralfsii <p>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000206.pdf</p>		During operational phase, a weak indirect hydrological pathway exists via foul water discharge	
South Dublin Bay SAC (Site Code: 0210)	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide [1140] • Annual vegetation of drift lines [1210] • Salicornia and other annuals colonising mud and sand [1310] • Embryonic shifting dunes [2110] <p>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000210.pdf</p>	c. 23km (channel length) southeast	<p>A weak direct hydrological connection exists via surface water discharge from the Proposed Development to the Tolka River and downstream European sites.</p> <p>During operational phase, a weak indirect hydrological pathway exists via foul water discharge</p>	Yes
Rye Water Valley/Carton SAC (001398)	<ul style="list-style-type: none"> • Petrifying springs with tufa formation (Cratoneurion) [7220] • Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] • Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016] 	c. 6.3km southwest	none	No

	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO001398.pdf			
South Dublin Bay and Tolka Estuary SPA (Site Code: 4024)	<ul style="list-style-type: none"> • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] • Oystercatcher (<i>Haematopus ostralegus</i>) [A130] • Ringed Plover (<i>Charadrius hiaticula</i>) [A137] • Grey Plover (<i>Pluvialis squatarola</i>) [A141] • Knot (<i>Calidris canutus</i>) [A143] • Sanderling (<i>Calidris alba</i>) [A144] • Dunlin (<i>Calidris alpina</i>) [A149] • Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] • Redshank (<i>Tringa totanus</i>) [A162] • Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] • Roseate Tern (<i>Sterna dougallii</i>) [A192] • Common Tern (<i>Sterna hirundo</i>) [A193] • Arctic Tern (<i>Sterna paradisaea</i>) [A194] • Wetland and Waterbirds [A999] <p>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004024.pdf</p>	c. 23km (channel length) southeast	<p>A weak direct hydrological connection exists via surface water discharge from the Proposed Development to the Tolka River and downstream European sites.</p> <p>During operational phase, a weak indirect hydrological pathway exists via foul water discharge</p>	Yes
North Bull Island SPA (Site Code:4006)	<ul style="list-style-type: none"> • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] • Shelduck (<i>Tadorna tadorna</i>) [A048] • Teal (<i>Anas crecca</i>) [A052] • Pintail (<i>Anas acuta</i>) [A054] • Shoveler (<i>Anas clypeata</i>) [A056] 	c. 18.5km (channel length) southeast	A weak direct hydrological connection exists via surface water discharge from the Proposed Development to the Tolka River and downstream European sites.	Yes

	<ul style="list-style-type: none"> • Oystercatcher (Haematopus ostralegus) [A130] • Golden Plover (Pluvialis apricaria) [A140] • Grey Plover (Pluvialis squatarola) [A141] • Knot (Calidris canutus) [A143] • Sanderling (Calidris alba) [A144] • Dunlin (Calidris alpina) [A149] • Black-tailed Godwit (Limosa limosa) [A156] • Bar-tailed Godwit (Limosa lapponica) [A157] • Curlew (Numenius arquata) [A160] • Redshank (Tringa totanus) [A162] • Turnstone (Arenaria interpres) [A169] • Black-headed Gull (Chroicocephalus ridibundus) [A179] • Wetland and Waterbirds [A999] <p>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004006.pdf</p>		<p>During operational phase, a weak indirect hydrological pathway exists via foul water discharge</p>	
<p>North-West Irish Sea cSPA (Site Code: 4236)</p>	<ul style="list-style-type: none"> • Red-throated Diver (Gavia stellata) [A001] • Great Northern Diver (Gavia immer) [A003] • Fulmar (Fulmarus glacialis) [A009] • Manx Shearwater (Puffinus puffinus) [A013] • Cormorant (Phalacrocorax carbo) [A017] • Shag (Phalacrocorax aristotelis) [A018] • Common Scoter (Melanitta nigra) [A065] • Little Gull (Larus minutus) [A177] • Black-headed Gull (Chroicocephalus ridibundus) [A179] • Common Gull (Larus canus) [A182] 	<p>c. 24.5km (channel length) southeast</p>	<p>A weak direct hydrological connection exists via surface water discharge from the Proposed Development to the Tolka River and downstream European sites.</p> <p>During operational phase, a weak indirect hydrological pathway exists via foul water discharge</p>	<p>Yes</p>

	<ul style="list-style-type: none"> • Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] • Herring Gull (<i>Larus argentatus</i>) [A184] • Great Black-backed Gull (<i>Larus marinus</i>) [A187] • Kittiwake (<i>Rissa tridactyla</i>) [A188] • Roseate Tern (<i>Sterna dougallii</i>) [A192] • Common Tern (<i>Sterna hirundo</i>) [A193] • Arctic Tern (<i>Sterna paradisaea</i>) [A194] • Little Tern (<i>Sterna albifrons</i>) [A195] • Guillemot (<i>Uria aalge</i>) [A199] • Razorbill (<i>Alca torda</i>) [A200] • Puffin (<i>Fratercula arctica</i>) [A204] <p>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004236.pdf</p>			
<p>The Proposed Development is not directly connected with or necessary to the management of any European sites. a weak hydrological connection exists between the Proposed Development site and European sites in Dublin Bay via the Loughsallagh stream and Tolka River.</p> <p>During the Operational Phase there is an indirect hydrological pathway between the site and North Dublin Bay SAC (000206), South Dublin Bay SAC (000210), North Bull Island SPA (004006), South Dublin Bay and Tolka Estuary SPA (004024) and North-West Irish Sea cSPA (004236) via foul water drainage which discharges in Dublin Bay from Ringsend WwTP.</p> <p>No S-P-R exists between the proposed development and any other European site</p>				
<p>Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites</p> <p>AA Screening matrix</p>				

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<p>Site 1: North Dublin Bay SAC (Site Code: 0206)</p> <p>QI list</p> <ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide. • Annual vegetation of drift lines • Salicornia and other annuals colonising mud and sand • Atlantic salt meadows (Glaucopuccinellietalia maritimae) • Mediterranean salt meadows (Juncetalia maritimi) • Embryonic shifting dunes • Shifting dunes along the shoreline with Ammophila arenaria (white dunes) • Fixed coastal dunes with herbaceous vegetation (grey dunes) • Humid dune slacks • Petalwort Petalophyllum ralfsii 	<p><u>Direct:</u> No direct impacts and no risk of habitat loss, fragmentation or any other direct impact. Loss of grassland/ agricultural land.</p> <p><u>Indirect:</u></p> <p>Construction Phase (Estimated duration: 24-36 months)</p> <ul style="list-style-type: none"> • Construction related dust and Uncontrolled releases of silt, sediments and/or other pollutants to air due to earthworks; • Surface water run-off containing silt, sediments and/or other pollutants into surface and grounds waters • Waste generation during the Construction Phase comprising soils and construction wastes • dust and air emissions from construction traffic; <p>Operational Phase (Estimated duration: Indefinite)</p>	<p>The likelihood of pollutants in surface water runoff impacting European sites downstream of the Proposed Development is negligible given the separation distance and dilution factor.</p> <p>Any surface water pollutants entering the Loughsallagh stream via the existing surface water drainage network and discharge drain are also unlikely to impact downstream European sites due to slow flow of the stream and the intervening distance (min. 18.5km) to Dublin Bay.</p> <p>The Construction and Environmental Management Plan (CEMP) submitted as part of the application includes a suite of erosion and sediment prevention measures for the Construction Phase as per current best practice guidance for construction sites, further reducing the risk of pollutants reaching the surface waterbody network associated with the Site.</p> <p>During the Operational Phase, surface water will be conducted through a series of embedded SuDS measures before being discharged via an existing drain to the Loughsallagh stream. The embedded SuDS design includes filtration</p>

	<ul style="list-style-type: none"> • Surface water drainage from the Site of the Proposed Development; • Foul water from the Proposed Development. 	<p>devices such as filter drains and fuel/oil separators as well as water retention and attenuation measures such that surface water discharge will not exceed the baseline greenfield runoff rate. It is expected that upon settlement and interception of collected surface water from the Site, there will be no discharge of pollutants into the surface water network. Additionally, the nearest</p> <p>The proposed development will increase the loading to the Ringsend WWTP. Additional loading to this plant arising from the operation of the project is not significant. There is no evidence that pollution through nutrient input is affecting the conservation objectives of any of the Natura 2000 sites in Dublin Bay. No significant effects are likely to arise to Natura 2000 sites from this source.</p> <p>Therefore, there is no likelihood of significant impacts to downstream European sites arising from the Construction or Operational Phase of the Proposed Development</p>
Likelihood of significant effects from proposed development (alone):	No	
If No, is there likelihood of significant effects occurring in combination with other plans or projects?	Other plans and projects examined in the Screening Report. No other effects of magnitude that could add to other plans and projects	
	Impacts	Effects
South Dublin Bay SAC	As above	As above

<p>(Site Code: 0210)</p> <ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide [1140] • Annual vegetation of drift lines [1210] • Salicornia and other annuals colonising mud and sand [1310] • Embryonic shifting dunes [2110] 		
<p>Likelihood of significant effects from proposed development (alone):</p>	<p>No</p>	
<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</p>	<p>Other plans and projects examined in the Screening Report. No other effects of magnitude that could add to other plans and projects</p>	
	<p>Impacts</p>	<p>Effects</p>
<p>Site 3: South Dublin Bay and Tolka Estuary SPA (Site Code: 4024)</p> <p>QI list</p> <ul style="list-style-type: none"> • Light-bellied Brent Goose (Branta bernicla hrota) [A046] • Oystercatcher (Haematopus ostralegus) [A130] • Ringed Plover (Charadrius hiaticula) [A137] • Grey Plover (Pluvialis squatarola) [A141] • Knot (Calidris canutus) [A143] • Sanderling (Calidris alba) [A144] • Dunlin (Calidris alpina) [A149] • Bar-tailed Godwit (Limosa lapponica) [A157] • Redshank (Tringa totanus) [A162] 	<p><u>Direct:</u> None.</p> <p><u>Indirect:</u> As above</p>	<p>The Site of the Proposed Development does not provide any significant suitable ex-situ habitat for SCI species of the SPAs and no likely significant effects associated with disturbance or displacement of SCI species are likely to occur.</p> <p>The likelihood of pollutants in surface water runoff impacting European sites downstream of the Proposed Development is negligible given the separation distance and dilution factor.</p> <p>Any surface water pollutants entering the Loughsallagh stream via the existing surface water drainage network and discharge drain are also unlikely to impact downstream European sites due to slow flow of the stream and the intervening distance (min. 18.5km) to Dublin Bay.</p>

<ul style="list-style-type: none"> • Black-headed Gull (Chroicocephalus ridibundus) [A179] • Roseate Tern (Sterna dougallii) [A192] • Common Tern (Sterna hirundo) [A193] • Arctic Tern (Sterna paradisaea) [A194] • Wetland and Waterbirds [A999] 		<p>The Construction and Environmental Management Plan (CEMP) submitted as part of the application includes a suite of erosion and sediment prevention measures for the Construction Phase as per current best practice guidance for construction sites, further reducing the risk of pollutants reaching the surface waterbody network associated with the Site.</p> <p>During the Operational Phase, surface water will be conducted through a series of embedded SuDS measures before being discharged via an existing drain to the Loughsallagh stream. The embedded SuDS design includes filtration devices such as filter drains and fuel/oil separators as well as water retention and attenuation measures such that surface water discharge will not exceed the baseline greenfield runoff rate. It is expected that upon settlement and interception of collected surface water from the Site, there will be no discharge of pollutants into the surface water network. Additionally, the nearest</p> <p>The proposed development will increase the loading to the Ringsend WWTP. Additional loading to this plant arising from the operation of the project is not significant. There is no evidence that pollution through nutrient input is affecting the conservation objectives of any of the Natura 2000 sites in Dublin Bay. No</p>
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		significant effects are likely to arise to Natura 2000 sites from this source.
Likelihood of significant effects from proposed development (alone):	No	
If No, is there likelihood of significant effects occurring in combination with other plans or projects?	Other plans and projects examined in the Screening Report. No other effects of magnitude that could add to other plans and projects	
	Impacts	Effects
Site 4: North Bull Island SPA (Site Code:4006) QI list <ul style="list-style-type: none"> • Light-bellied Brent Goose (Branta bernicla hrota) [A046] • Shelduck (Tadorna tadorna) [A048] • Teal (Anas crecca) [A052] • Pintail (Anas acuta) [A054] • Shoveler (Anas clypeata) [A056] • Oystercatcher (Haematopus ostralegus) [A130] • Golden Plover (Pluvialis apricaria) [A140] • Grey Plover (Pluvialis squatarola) [A141] • Knot (Calidris canutus) [A143] • Sanderling (Calidris alba) [A144] • Dunlin (Calidris alpina) [A149] • Black-tailed Godwit (Limosa limosa) [A156] • Bar-tailed Godwit (Limosa lapponica) [A157] • Curlew (Numenius arquata) [A160] • Redshank (Tringa totanus) [A162] 	<u>Direct:</u> None <u>Indirect:</u> As above	As above

<ul style="list-style-type: none"> • Turnstone (<i>Arenaria interpres</i>) [A169] • Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] • Wetland and Waterbirds [A999] 		
Likelihood of significant effects from proposed development (alone):	No	
If No, is there likelihood of significant effects occurring in combination with other plans or projects?	Other plans and projects examined in the Screening Report. No other effects of magnitude that could add to other plans and projects	
	Impacts	Effects
Site 5: North-West Irish Sea cSPA (Site Code: 4236) QI list <ul style="list-style-type: none"> • Red-throated Diver (<i>Gavia stellata</i>) [A001] • Great Northern Diver (<i>Gavia immer</i>) [A003] • Fulmar (<i>Fulmarus glacialis</i>) [A009] • Manx Shearwater (<i>Puffinus puffinus</i>) [A013] • Cormorant (<i>Phalacrocorax carbo</i>) [A017] • Shag (<i>Phalacrocorax aristotelis</i>) [A018] • Common Scoter (<i>Melanitta nigra</i>) [A065] • Little Gull (<i>Larus minutus</i>) [A177] • Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] • Common Gull (<i>Larus canus</i>) [A182] • Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] • Herring Gull (<i>Larus argentatus</i>) [A184] 	<u>Direct:</u> None. <u>Indirect:</u> As above	As above

<ul style="list-style-type: none"> • Great Black-backed Gull (<i>Larus marinus</i>) [A187] • Kittiwake (<i>Rissa tridactyla</i>) [A188] • Roseate Tern (<i>Sterna dougallii</i>) [A192] • Common Tern (<i>Sterna hirundo</i>) [A193] • Arctic Tern (<i>Sterna paradisaea</i>) [A194] • Little Tern (<i>Sterna albifrons</i>) [A195] • Guillemot (<i>Uria aalge</i>) [A199] • Razorbill (<i>Alca torda</i>) [A200] • Puffin (<i>Fratercula arctica</i>) [A204] 		
Likelihood of significant effects from proposed development (alone):	No	
If No, is there likelihood of significant effects occurring in combination with other plans or projects?	Other plans and projects examined in the Screening Report. No other effects of magnitude that could add to other plans and projects	
<p>Further Commentary / discussion (only where necessary)</p> <p>Regard is had to the assessment and conclusions of the planning authority, to the applicants AA screening report and NIS submitted at RFI stage and to the precautionary principle.</p> <p>While I accept that there is potential for contaminants to enter the Loughsallagh stream during construction and operational phases, I am satisfied, given the nature and scale of the development proposed, the separation distances between the proposed development site and designated European sites and the dilution factor, that there is no risk that any pollutants generated at the site could reach designated European sites at perceptible concentrations. Consequently, the risk that pollutants from the site could cause significant negative impacts on any European site is negligible, even in a worst-case scenario and in the absence of standard management measures.</p>		

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development (alone or in combination with other plans and projects) would not result in likely significant effects on European sites. No further assessment is required for the project.

No mitigation measures are required to come to these conclusions.