Inspector's Report
ABP-322341-25

Development	construction of a mixed-use development comprising 322 dwellings, a community centre and sports hall, a neighbourhood centre and a district public park, a convenience anchor retail until and a creche together with all other associated site works. The application is available to view on Www.boynevillagelrd.ie
Location	townlands of Ferganstown, Ballymacon and Athlumney, Navan, Co. Meath.
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	24/60415
Applicant(s)	Albert Developments Ltd
Type of Application	Large - Scale Residential Development (LRD)
Planning Authority Decision	Grant

Type of Appeal	Third Party
Appellant(s)	Stephen Flanagan
Observer(s)	None
Date of Site Inspection	23rd June 2025
Inspector	I. McCormack

Table of Contents

1.0 Site Location and Description

1.1.1. The application site comprises 13.26ha and is located within Meath County Council Masterplan 12 lands located to the east of Navan town as a result the general area in the vicinity of the site has been the subject of a number of recent planning applications for residential development

1.1.2. The subject site is greenfield in nature and currently undeveloped and in agricultural use bounded by field hedgerows. The Navan to Drogheda commercial rail line is located to the north-west of the site. Low density residential development and a graveyard characterise the area to the north of the railway line proximate to the River Boyne. To the north-east and east of the site, the character is essentially rural, with the land in agricultural use. The area to the south of the site is characterised by low density residential development along two existing roads, the R153 (Navan-Kentstown Road) and Old Road. The southern portion of the site is adjoined by existing residential development at Old Manor and Tubberclaire Meadows. The site will be accessed from the east via the newly completed (LIHAF funded) LDR6 road. Note: the road is not yet shown on any aerial maps.

1.1.3. Navan town centre, which is located approximately 2.5km from the site, contains a wide range of facilities and services, including Navan Shopping Centre (containing Penny's, Dunne's Stores and Tesco), a cinema, banks, clothes shops, churches, libraries, restaurants and cafes. In addition, Our Lady's Hospital is located in Navan.

2.0 Proposed Development

2.1.1. In summary, the proposed LRD will comprise:

The applicant is seeking a 7-year planning permission for 322 no. dwellings, (212 no. houses & 110 no. duplex apartments/apartments) consisting of 177 no. 3-bedroom houses, 35 no. 4-bedroom houses, 26 no. apartments/duplex apartments (13 no. 2-bedroom apartments and 13 no. 3-bedroom duplex apartments), 35 no. 1-bedroom apartments and 49 no. 2-bedroom apartments in 3 no. separate blocks, a Community Centre & Sports Hall, creche, as well as a Neighbourhood Centre of c.2,002 sq. m (including an anchor retail unit 1,000 sq. m net, GP Surgery, Café, Pharmacy and Takeaway), access, infrastructure, car parking, open space, boundary treatments and all associated site development works.

The proposed development will provide c.3.72 hectares of open space which includes a District Park (c.1.65 ha), neighbourhood park of c.0.47 ha, western open space areas (0.89 ha) and a series of smaller open space areas'

2.2. Development Parameters:

<table>
<tr><th colspan="2">Proposed Development</th></tr>
<tr><td>Site Area</td><td>13.26ha.</td></tr>
<tr><td>Zoning</td><td>A2 – New Residential
C1 – Mixed Use
F1 - Open Space
E1 / E3 – Strategic Employment Zones
A2 Phasing -Residential Land Post 2027
(proposals relate to surface water connection only)</td></tr>
<tr><td>No. of Units</td><td>322 dwellings –
212 no. houses
110 no. duplex apartments/apartments</td></tr>
<tr><td>Unit Mix</td><td>177 no. 3-bedroom houses
35 no. 4-bedroom houses
26 no. apartments/duplex apartments
13 no. 2- bedroom apartments
13 no. 3-bedroom duplex apartments
35 no. 1-bedroom apartments
49 no. 2- bedroom apartments
<table><tr><th></th><th>1-bed</th><th>2-bed</th><th>3-bed</th><th>4-bed</th><th>Overall</th></tr><tr><td>Houses</td><td></td><td></td><td>177</td><td>35</td><td>212</td></tr><tr><td>Duplex Apartments</td><td></td><td>13</td><td>13</td><td></td><td>26</td></tr><tr><td>Apartments</td><td>35</td><td>49</td><td></td><td></td><td>84</td></tr><tr><td>Total</td><td>35</td><td>62</td><td>190</td><td>35</td><td>322</td></tr><tr><td>Overall Mix %</td><td>10.9%</td><td>19.2%</td><td>59%</td><td>10.9%</td><td>100%</td></tr></table></td></tr>
</table>

Building Height	2 and 3-storeys (houses and duplexes) 5 and 6-storeys (Apartments over Neighbourhood Centre and Community Centre)
Density	36.8 uph when considered in the context of overall MP12 lands. Phases 1a and 1b of the development result in a net density of 41uph.
Open Space	3.72 ha comprising: 1.65 ha. District Public Park, 1.62 open space and 0.45 landscaped public spaces 743 sq. m communal open space (518 sq. m required) 17.2% of A2 Zoned lands Phase 1B 28% of Gross Phase 1B site (including F1 zoned lands)
Creche	512 sq.m creche at ground floor of Block 2, capacity of 105.
Community Centre	1,778 sq. m. (Sports Hall c.837 sq. m.) & 4 no. community rooms c.432 sq. m.
Neighbourhood Centre	Convenience Retail unit (net floor space 1,000 sq. m [GFA 1,390 sq. m.]), takeaway, c. 82 sq. m, café, c. 210 sq. m, pharmacy c. 88 sq. m and General Practice Surgery c. 232 sq. m)
Car Parking	693
Cycle Parking	289

2.2.1. In addition to the standard plans and particulars, the application is accompanied by the documents and reports which include inter alia:

Planning Report and Statement of Consistency

Retail Impact Statement

Masterplan Document

Applicants Response to MCC Opinion

Social Infrastructure Assessment

EIAR Volume I NTS, EIAR Volume II Main Report, EIAR Volume III Appendices

Architectural Design Report

Building Lifecycle Report

Schedule of Accommodation and Housing Quality Assessment

Architectural Response to MCC Opinion

Engineering Services Report

Outline Construction Environmental Management Plan

Outline & Waste Management Plan

Engineering Drawings

Landscape Design Statement

Landscape Drawings

Tree Report

DMURS Report

Travel Plan

Appropriate Assessment Screening

Natural Impact Statement

Daylight and Sunlight Assessment Report

Verified Views and CGIs

Resource Waste Management Plan

Operational Waste Management Pla

Lighting Report, Lighting Drawing

Sustainability Report / Energy Statement

Utilities Report

Road Safety Audit

Road Safety Quality Audit

Site Specific Flood Risk Assessment

2.2.2. The Planning Authority requested further information on 1st August 2024 which sought clarification in relation to flooding, attenuation, badger conservation plan, revised Natura Impact Statement, third party submissions and readvertise notices accordingly.

3.0 Planning Authority Pre-Application Opinion

3.1.1. A Section 32 Consultation Meeting took place on the 8th November 2023 with representatives of the applicant and planning authority in attendance.

3.1.2. A Large-Scale Residential Development (LRD) Opinion issued on 5th December 2023. The Opinion noted that "Following consideration of the issues raised during the consultation process, the Planning Authority is of the opinion that the documentation submitted requires further consideration and/or amendment to constitute a reasonable basis for an application for permission for the proposed LRD under section 34 of the Act.". The opinion did note that the following needed to be addressed:

1. Screening for Appropriate Assessment and Natural Impact Statement (insufficient details provided).
2. Requirement to provide an EIAR.

The application includes a response to the LRD Opinion issued by Meath County Council and a response to the points of specific information requested. This is included in the documentation on file from the planning authority.

4.0 Planning Authority Decision

4.1. Decision

By Order dated 25th March 2025, Meath County Council issued notification of a decision to GRANT permission for the proposed development subject to 32 no. conditions.

4.2. **Planning Authority Reports**

4.2.1. **Planning Reports**

Planner Report

4.2.2. The report provides a summary of the proposed development, the LRD process and submissions received. The report reviews the characteristics of the site and the proposed development and various national policies and provisions of the development plan.

4.2.3. As noted above the Planning Authority requested further information on information on 1st August 2024 which sought clarification in relation to flooding, attenuation, badger conservation plan sett, revised Natura Impact Statement, third party submissions and readvertise notices accordingly. A response was received on 20th January 2025.

4.2.4. Following receipt of further information response, the PA concluded that:

- There is no objection to the principle of the development. The development of Navan, the County's Growth town identified in the RSES is an objective of Meath County Council (MCC).
- The application includes community and commercial facilities essential for future residents of the overall masterplan lands. The timely delivery of same is critical to the future success of the area.
- Having regard to the nature and scale of the proposed development, the suitability of the site, the pattern of development in the vicinity, national, regional and local planning policy in relation to urban housing, the proposed

development would not seriously injure the visual amenity of the area or the residential amenities of the properties in the vicinity and would not be likely to have significant effects on the environment of the ecology of the area.

The recommendation within the report of the Planning Officer reflects the decision of the Planning Authority.

4.2.5. The Planning Authority set out 32 conditions that they consider necessary to attach, the following of which are of note:

Condition 2 – stipulates 322 no. residential units.

Condition 3 – relates to 7-year permission.

Condition 4 – Phasing.

Condition 8 – Mitigation measures detailed in the submitted documents to be implemented in full.

Condition 9 – Recommendations of the NIS and CEMP to implemented in full.

Condition 14 – Section 47 re. first occupation by individual purchases.

Condition 18 – Section 47 re. surface water system revised to include discharge from the neighbouring Lagan Home's site to the east.

Condition 21 – Designated Community Liaison Officer.

Condition 27- Submission of a Badger Conservation Plan.

Conditions 28-32 – relate to contributions and bond.

4.3. **Other Technical Reports**

Environment (Surface Water) – No objection subject to conditions.

Transportation (26/02/2025) - No objection subject to conditions.

Public Lighting (report not dated) – Standards set out.

Broadband Officer (21/06/52024) - No objection subject to condition.

Housing (17th June 2024) - No objection subject to condition.

Archaeologist (17th June 2024) - No objection subject to condition.

4.4. **Prescribed Bodies**

The planning authority referred to the application to the following prescribed Bodies:

An Taisce (11th July 2024) – Includes comments regarding biodiversity management and public lighting.

Dept. Housing, Local Government and Heritage (8yth July 2024 & 6th March 2025) – Report dated 8/7/2024 stipulates a planning condition re. archaeology. Report dated 6/3/2025 stipulates the submission of a Badger Conservation Plan within 4 weeks of permission being finalised.

Uisce Eireann (11th July 2024) – No objection in principle.

Iarnród Eireann (25th June 2024) – A number of observations set out regarding proximity to the railway and railway security. No objection in principle.

4.5. **Third Party Observations**

4 no. observations were made to the Planning Authority. Issues raised in the submissions included inter alia the following:

- Site is outside of Navan and contrary to NPF and LDR 6 has not been constructed to Boyne Road.
- NIS required – site hydrologically linked to River Boyne/River Blackwater SAC/SPA.
- Impact on the delivery of adjoining development.
- Flood Risk.
- Impact on Biodiversity.
- Compliance with energy efficiency directive.

1 no. submission was received subsequent to response to further information relating to the disposal of surface water from the adjoining Lagan Homes lands via the site.

5.0 Planning History

Site

ABP 306687-20 – SHD Consultation

To the east of the site

MCC Reg. Ref. 211046 /ABP 312746-22 – Permission granted to Albert

Developments Ltd (applicant) for demolition of agricultural structures and construction of 98 no. residential units. This development has commenced on site.

To the north of the site

MCC Reg. Ref. 24/20066 – Permission granted for the development of a new wastewater pumping station that discharges to the inlet pipework of the Navan WWTP via two new rising main sewerage pipes. Other water and sewerage infrastructure will include the provision of a gravity sewer and a watermain from the roundabout on the LDR6 distributor road to the proposed pumping station.

MCC Reg. Ref. 22/1703 /ABP318533-23 -Permission granted for Phase 1 construction of 3 commercial high-bay warehouse units. Road and pedestrian access extending north from the LDR 6 distributor road, totem sign, illuminating sign and site development works. Relocation of overhead ESB power lines.

To the south of the site

MCC Reg. Ref. 25/60539 – Permission sought by Michael Smith for a large-scale residential development - the proposed development will consist of 223no. residential dwellings. Decision date 21st July 2025.

ABP Reg. Ref. 309332-21 (L.A. Dev. - AA Application) -Permission granted for 84-no. unit development. This development is complete.

MCC Reg. Ref 21/21 /ABP 311673-21 - Permission for Construction of 95 no. residential units. Development substantially complete.

6.0 Policy Context

6.1. Local

6.1.1. Meath County Development Plan 2021-2027

Zoning

The subject lands are primarily zoned 'A2 New Residential' in the Development Plan with an objective: 'To provide for new residential communities with ancillary community facilities, neighbourhood facilities as considered appropriate.'

In addition, the following land use zoning objectives are contained in the site area.

• C1 - Mixed Use Objective: To provide for and facilitate mixed residential and

employment generating uses.

• F-1 Open Space Objective: To provide for and improve open spaces for active and passive recreational amenities.

• E1 / E3 – Strategic Employment Zones (High Technology Uses) / Warehousing & Distribution (relating to adjoining LIHAF Road).

- E1 Objective: To facilitate opportunities for high end technology/manufacturing and major campus style office-based employment within high quality and accessible locations (relating to services within adjoining LIHAF Road).

- E3 Objective: To facilitate logistics, warehousing, distribution and supply chain management inclusive of related industry facilities which require food access to the major road network (relating to services within adjoining LIHAF Road).

Development Objectives – Masterplan MP12

The Development Plan identifies the subject site as within 'Masterplan 12' (MP12).

Chapter 2 -Core Strategy

Navan - *As the Key Town and the largest settlement in the County, it is important to have clarity and direction for the medium and long-term growth of the town. In addition, the delivery of a rail line to Navan is a cross-cutting theme of this Plan. It is therefore integral to have a development strategy that demonstrates the town has the capacity to support the population increase associated with a rail based settlement.'*

Section 2.10 Population and Household Distribution – sets out that development will be primarily concentrated in the Metropolitan Area (Dunboyne and Maynooth), the Regional Growth Centre of Drogheda and the Key Town of Navan, with more sustainable localised growth to take place in the remaining identified growth settlements.

Core Strategy Table 2.12 provides a housing allocation of 3,204 units to Navan over the plan period, equating to c.19% of planned housing growth within the county

Table 2.12 relates to the delivery on residential units as includes the following re. Navan:

Column A	B	C	D	E	F	G	H	I	J	K
Settlement	Population 2016	Projected population increase to 2027	Projected population 2027	Approximate households completed 2016-2019	Extant units not yet built	Household allocation 2020-2027[36]	Potential units to be delivered on infill/ brownfield lands[37]	Quantum of land zoned for residential use (ha)	Quantum of land zoned for existing residential use (ha)	Quantum of land zoned for mix of uses (ha)
Key Town										
Navan	30,173	5,900	36,073	781	924	3,204	1,936	79.84[38]	570.83	96.03

CS OBJ 9 - To prepare new local area plans for the following settlements within the lifetime of this Plan: Navan, Dunboyne, Ashbourne, Trim, Kells, Dunshaughlin, Ratoath, …..

CS OBJ 17 -To work closely with government departments and agencies to assist in the delivery of critical infrastructure that would facilitate the economic growth of the county with particular reference to the development of the rail to Navan.

Chapter 10 -Climate Change Strategy

Section 10.5.6 Residential - Building energy standards in residential buildings need to be improved with objectives and policies needed to promote and incentivise reduction and efficiency in residential electricity and energy usage. This section includes and mitigation strategy and assailed objectives and policies including:

INF POL 37 - To seek to improve the energy efficiency of the County's existing building stock in line with good architectural conservation practice and to promote energy efficiency and conservation in the design and development of all new buildings in the County, in accordance with the Building Regulations Part L (Conservation of Fuel and Energy).

6.1.2. Relevant policies include:

- CS POL 1: To promote and facilitate the development of sustainable communities in the County by managing the level of growth in each settlement to ensure future growth

is in accordance with the Core Strategy and County Settlement Hierarchy in order to deliver compact urban areas and sustainable rural communities.

CS OBJ 1: To secure the implementation of the Core Strategy and Settlement Strategy, in so far as practicable, by directing growth towards designated settlements, subject to the availability of infrastructure and services.

CS OBJ 4: To achieve more compact growth by promoting the development of infill and brownfield/ regeneration sites and the redevelopment of underutilised land within and close to the existing built-up footprint of existing settlements in preference to edge of centre locations.

SH POL 2: To promote the consolidation of existing settlements and the creation of compact urban forms through the utilisation of infill and brownfield lands in preference to edge of centre locations.

SH OBJ 9: To develop Navan and the Southern Environs of Drogheda as the primary development centres in Meath and to continue to promote Dunboyne as a key settlement in the Metropolitan Area of Dublin. The long-term growth of these settlements shall be based on principles of balanced and sustainable development that support a compact urban form and the integration of land use and transport.

SH POL 13: To require that all new residential developments shall be in accordance with the standards set out in the Development Management Standards and Land Use Zoning Objectives set out in Chapter 11 of this Plan, in so far as is practicable.

DM OBJ 6: Building design shall maximise natural ventilation, solar gain and daylight, where possible, all new and renovated developments.

DM OBJ 7: Sustainable Urban Drainage Systems (SuDS) measures are required to form part of the design of all developments.

DM OBJ 11: Existing trees and hedgerows of biodiversity and/or amenity value shall be retained, where possible.

DM POL 4: To require that all proposals for residential development demonstrate compliance with the Sustainable Residential Development in Urban Areas - Cities, Towns & Villages (2009) and the Urban Design Manual-A Best Practice Guide, 2009 or any updates thereof.

DM OBJ 13: A detailed Design Statement shall accompany all planning applications

for residential development on sites in excess of 0.2 hectares or for more than 10 residential units. The Design Statement shall:

- Provide a Site Analysis;
- Outline the design concept;
- Clearly demonstrate how the 12 Urban Design Criteria have been taken into account when designing schemes in urban area (as per the 'Urban Design Manual - A Best Practice Guide (2009)');
- Set out how the development meets the relevant Development Plan Objectives, Local Area Plan, Masterplan, Public Realm Strategy, etc;
- Provide site photographs;
- Provide an open space/landscape strategy which identifies any areas of ecological interest and sets out proposals for same; and
- Set out how energy efficiency measures have been incorporated into the project design process (Refer to DM POL 2).

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

- Residential Development Beside Rail Stations: 50 uph or above
- Regional Growth Centres/Key Towns: (Navan/Drogheda) - 35-45 uph
- Self-Sustaining Growth Towns: (Dunboyne, Ashbourne, Trim, Kells): greater than 35uph
- Self-Sustaining Towns: 25uph - 35uph
- Smaller Towns and Villages: 25uph - 35 uph
- Outer locations: 15uph – 25uph

DM OBJ 18: A minimum of 22 metres separation between directly opposing rear windows at first floor level in the case of detached, semi- detached, terraced units shall generally be observed.

DM OBJ 19: A minimum of 22 metres separation distance between opposing windows will apply in the case of apartments/duplex units up to three storeys in height.

DM OBJ 21: A minimum distance of 2.3 metres shall be provided between dwellings

for the full length of the flanks in all developments of detached, semi-detached and end of terrace houses.

DM POL 6: To require that the unit typologies proposed provide a sufficient unit mix which addresses wider demographic and household formation trends. The design statement required at DM OBJ 13 shall set out how the proposed scheme is compliant with same.

DM OBJ 24: To require the provision of EV charging points to serve residential development.

DM OBJ 26: Public open space shall be provided for residential development at a minimum rate of 15% of total site area. In all cases lands zoned F1 Open Space, G1 Community Infrastructure and H1 High Amenity cannot be included as part of the 15%. Each residential development proposal shall be accompanied by a statement setting out how the scheme complies with this requirement.

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

DM POL 9: To support the retention of field boundaries for their ecological/habitat significance, as demonstrated by a suitably qualified professional. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, mitigation by provision of the same boundary type will be required.

DM OBJ 28: To require that boundaries between the rear of existing and proposed dwellings shall be a minimum of 1.8 metres high and shall be constructed as capped, rendered concrete block or brick walls, to ensure privacy, security and permanency. Alternative durable materials will be considered.

DM OBJ 38: All proposals for residential developments above 75 units shall incorporate works of public art into the overall scheme or make a financial contribution to the Council to provide the piece of public art in order to enhance the amenities of the local environment (Refer to Chapter 7, Community Building Strategy).

DM POL 12: Apartment schemes shall generally be encouraged in appropriate, sustainable, locations, accessible to public transport in the following settlements:

Drogheda, Navan, Dunboyne, Kilcock, Maynooth, Ashbourne and Dunshaughlin.

DM OBJ 39: An appropriate mix of units shall be provided to cater for a variety of household types and tenures. Apartment development proposals will be assessed having regard to the following requirements:

- Aspect-dual aspect units are encouraged;
- Mix of units- to cater for different size households;
- Floor areas and room widths;
- Private and communal amenity space;
- Floor to ceiling height; • Car and bicycle parking;
- EV Charging points;
- Lift/ stair core access;
- Storage provision;
- Adaptability.

All planning applications for apartment development shall be accompanied by a statement which sets out how the scheme complies with this objective.

DM OBJ 68: Planning applications for childcare facilities shall be assessed for compliance with the following criteria:

- Suitability of the site for the type and size of facility proposed.
- Impact on residential amenity of surrounding residential development;
- Adequate availability of indoor and outdoor play space;
- Convenience to public transport nodes, pedestrian and cycling facilities;
- Local traffic conditions;
- Safe access and sufficient convenient off-street car parking and/or suitable drop-off and collection points for customers and staff;
- Number of such facilities in the area.

In this regard, the applicant shall submit a map showing the locations of childcare facilities within the vicinity of the subject site and demonstrate the need for an additional facility at that location.

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

Chapter 11 -Development Management Standards and Land Use Zoning Objectives

- Section 5 – Residential Development Standards.
- Section 11.15 relates to Masterplans.

Volume 2 – Written statement and Maps for Settlements

Volume 2 contains written statements and maps for each of the settlements, including Navan.

Section 3 includes the following vision for the town: - 'For Navan to continue to function and develop as a multi-modal Key town in Meath; an important employment centre for administrative, retail, health, and education services, where development in the town centre is balanced by investment in the business and industrial parks, which will enhance its attractiveness as a place to live, work, and invest and thereby support the creation of a sustainable community.'

There are 13 Master Plan areas identified in Navan. The purpose of a Master Plan is to ensure an integrated approach is taken to the phasing, management, and development of lands within the Master Plan Area. A planning application will not be considered in the absence of the Master Plan being agreed in writing with the Executive of the Planning Authority. The area subject to the appeal site is part of MP12

With respect to MP12 -

'Master Plan 12 relates to lands zoned for residential, mixed use, employment, community, and open space/recreational uses in the Athlumney/Farganstown area. A Master Plan shall be prepared for these lands that will ensure the delivery of a high quality, appropriately phased development including a suitable mix of house type, community, and employment uses. To ensure there is appropriate service provision in this part of the town, the development of these lands shall also include the provision of local services and facilities including a neighbourhood centre. The development of these lands shall provide for phased and integrated development including the delivery of the distributor road and local services and community facilities in tandem with residential development. The phasing of the development of the lands shall be agreed in writing with the Executive of the Planning Authority as part of the preparation of the

Master Plan.'

***The LRD Opinion requested the submission of an updated Master Plan. The Commission will note that a Master Plan was prepared and agreed with the Planning Authority in January 2020. This application includes a Masterplan that has been updated to reflect the wider strategic policies and new Meath Development Plan 2021-2027 as well as to provide updated detail on the planning applications made since its adoption. The updated Masterplan is dated June 2024. This Masterplan will provide a framework and means of guiding new development and services in a coherent and sustainable manner. This Masterplan provides an advisory and 'non-statutory' planning document, in compliance with the Meath County Development Plan.

The PA in their assessment state that the Masterplan addressees the site, planning, heritage, environmental and archaeological site context and provides a strategic vision and an urban design framework. In addition to details of phasing and implementation. The PA consider the updated Masterplan in compliance with the LRD opinion and note the updated Masterplan is currently undergoing SEA and AA Screening, to be agreed with the Executive of the Planning Authority.

6.1.3. **Other**

Navan 2050

Navan 2050 sets out a long-term vision outlining the actions required to realise the full economic and environmental potential of the town over the period. This Vision for Navan is a living document and sets out the strategic long-term plan for the town. The Statement highlights what differentiates Navan from other towns of its size and presents how the town can transform to become exemplary in its function as an environmentally sustainable and compact Key Town in the region through progressive forward planning and appropriate investment

6.2. **National**

6.2.1. National Planning Framework (2025)

The National Planning Framework 2025 sets out that the 'major policy emphasis on renewing and developing existing settlements established under the NPF 2018 will be continued, rather than allowing the continual expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages.'

Relevant Policy Objectives include:

- National Policy Objective 7: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.
- National Policy Objective 8: Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth.
- National Policy Objective 9: Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints and ensure compact and sequential patterns of growth.
- National Policy Objective 10: Deliver Transport Orientated Development (TOD) at scale at suitable locations, served by high-capacity public transport and located within or adjacent to the built-up footprint of the five cities or a metropolitan town and ensure compact and sequential patterns of growth.
- National Policy Objective 11: Planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Planning and Development Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.

Implements carbon budgets and sectoral emissions ceilings and sets a roadmap for taking decisive action to halve our emissions by 2030 and reach net zero no later than 2050. By 2030, the plan calls for a 40% reduction in emissions from residential buildings and a 50% reduction in transport emissions. The reduction in transport emissions includes a 20% reduction in total vehicle kilometres, a reduction in fuel usage, significant increases in sustainable transport trips, and improved modal share

6.2.2. Climate Action Plan, 2024 and 2025

Implements carbon budgets and sectoral emissions ceilings and sets a roadmap for taking decisive action to halve our emissions by 2030 and reach net zero no later than 2050. By 2030, the plan calls for a 40% reduction in emissions from residential buildings and a 50% reduction in transport emissions. The reduction in transport

emissions includes a 20% reduction in total vehicle kilometres, a reduction in fuel usage, significant increases in sustainable transport trips, and improved modal share.

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

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

6.3. **Section 28 Ministerial Guidelines**

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant Section 28 Ministerial Guidelines are:

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

Section 3.3 relates to **Settlements, Area Types and Density Ranges**

Table 3.3 - Areas and Density Ranges – Metropolitan Towns and Villages:

Metropolitan Towns (>1,500 population) – Suburban / Urban Extension -*Suburban areas are the low density car-orientated residential areas constructed at the edge of the town, while urban extension refers to greenfield lands at the edge of the existing built-up footprint that are zoned for residential or mixed-use (including residential) development. It is a policy and objective of these Guidelines that residential densities in the range 35 dph to 50 dph (net) shall generally be applied at suburban and edge locations of Metropolitan Towns, and that densities of up to 100 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations (as defined in Table 3.8).*

Section 3.4 relates to **Refining Density**

Section 4.0 relates to **Quality Urban Design and Placemaking**

Section 5.0 relates to **Development Standards for Housing**

- SPPR 1 - Separation Distances
- SPPR 2 - Minimum Private Open Space Standards for Houses
- Policy and Objective 5.1 - Public Open
- SPPR 3 - Car Parking

- SPPR 4 - Cycle Parking and Storage

6.4. **Other relevant Section 28 Guidelines**

- EPA - Guidelines on the information to be contained in Environmental Impact Assessment Reports (2022)
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009).
- Appropriate Assessment of Plans and Projects in Ireland – Guidelines for Planning Authorities (2009).
- Design Manual for Urban Roads and Streets (DMURS December 2013) (as updated) (Including Interim Advice note Covid-19 May 2020).
- Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme.
- Urban Development and Building Height, Guidelines for Planning Authorities (2018) (the 'Building Height Guidelines').
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023) (the 'Apartment Guidelines').

6.5. **Regional**

6.5.1. Regional Spatial and Economic Strategy (RSES) 2019 – 2031

Navan is identified as a 'key town' which are noted in Table 4.2 of the RSES as "Large economically active service and/or county towns that provide employment for their surrounding areas and with high-quality transport links and the capacity to act as growth drivers to complement the Regional Growth Centres."

6.6. **Other Guidance**

6.6.1. National Biodiversity Action Plan (NBPA) 2023-2030

The 4th NBAP strives for a "whole of government, whole of society" approach to the governance and conservation of biodiversity. The aim is to ensure that every citizen, community, business, local authority, semi-state and state agency has an awareness of biodiversity and its importance, and of the implications of its loss, while also

understanding how they can act to address the biodiversity emergency as part of a renewed national effort to “act for nature”.

This National Biodiversity Action Plan 2023-2030 builds upon the achievements of the previous Plan. It will continue to implement actions within the framework of five strategic objectives, while addressing new and emerging issues:

- Objective 1 - Adopt a Whole of Government, Whole of Society Approach to Biodiversity
- Objective 2 - Meet Urgent Conservation and Restoration Needs
- Objective 3 - Secure Nature’s Contribution to People
- Objective 4 - Enhance the Evidence Base for Action on Biodiversity
- Objective 5 - Strengthen Ireland’s Contribution to International Biodiversity Initiatives

6.7. **Natural Heritage Designations**

6.7.1. The site is not located within or adjacent to any Natura 2000 sites, the closest such sites being the River Boyne and River Blackwater SAC and SPA, which are within approx. 290m and 353m, to the north-west

7.0 The Appeal

7.1. **Grounds of Appeal -Stephen Flanagan**

A third-party appeal has been lodged only against the decision of Meath County Council to grant planning permission for the proposed development.

The following grounds of appeal are raised:

<u>Established Community</u>

- The appellant has raised concerns about the impact of the proposed development on his independent, local enterprise – Boyne Garden Sheds.
- The development will result in a negative impact on the established sense of community in the area.
- It is set out that the land was originally advertised as a future high-tech campus and rebranded as a housing solution.

- The extensive housing proposed is leading to the appellants property being boxed in and marginalised.

Flooding

- Concern raised about flooding – the additional surface water generated poses a serious and immediate threat. The width and depth of the channel in the Frankstown/Mill stream is inadequate to prevent flooding on the appellants site and other homes in the area.

Zoning

- Concern raised as regards zoning provisions of M12 and the impact on the appellants lands. In particular, the open space zoning provisions that cover a portion of the appellant's site which the appellant sets out indicates that elements of his buildings are to be demolished. It is the appellants contention that the unused dwellings on his property are not abandoned.

Compact Growth

- The development is contrary to the principles of compact growth and sequential development.
- Contrary to NPO 7

Building Energy and Climate Impacts

- It is argued that the few terraced homes, high prices and wasteful energy use to not adhere to NPO 7 (2025) and EU Directives regarding Energy Efficiency.
- Concerns raised as regard energy performance, design solutions proposed and associated emissions. It is noted that the EIAR ignores ground source heating and dismisses district heating.
- Concerns raised as regards carbon footprint and passive house standards.

Density/Housing Typology

- Low density design and compliance with 2024 Compact Settlement Guidelines which support the provision of public transport and be compatible with compact growth principles.
- Extensive use of semi-detached houses and opposed to terraced housing is

incompatible with energy and resource efficiency and inflating house prices.

Transportation

- There is no provision to bridge across the railway line to avail of public transport efficiency and viability and connections in accordance with DMURS

EIAR

- Concerns raised about the scope of the EIAR with respect to emissions and resource use.

The appeal also makes reference to a number of planning judgements in support of arguments made.

*The Commission will note that the tabulated/bulleted format of the appeal makes concerns challenging to decipher.

7.2. **First Party Response to Grounds of Appeal**

7.2.1. The first Party response to Grounds of Appeal can be summarised as follows:

Flooding

- A response from JBA Consulting and Nerick Ryan Associates Consulting Engineers accompanied this appeal response. In response it is set out that noting the SSFRA completed for the site, JBA can confirm that there is no increase in flood risk to the site itself or surrounding land/property as a result of the development. Any flood risk to the appellants property is pre-existing and not related to the LRD. The SSFRA is compliant with relevant policy. The site is located in Flood Zone C, as determined by a Stage 3 assessment.
- It is set out that the development will discharge less surface water in the millrace upstream of the factory than is currently being discharged from the site.

Sequential Development

- It is argued that the proposal is being brought forward on appropriately zoned lands in accordance with MP12 lands masterplan agreed with MCC and is directly sequential to the permitted residential development to the south of the LDR6. The extant MCDP 2021-2027 was subject to review and approval of Elected Members and the Office of the Planning Regulator.

Energy Requirements of the Buildings

- The energy requirements of the buildings and their construction is dealt with through the Building Regulations, which is a separate legislative code. Nevertheless the proposed dwellings are to achieve a Nearly zero energy building (NZEB) requirements and A3 rated BER in line with current Energy Performance of Buildings Directive.
- The buildings are designed in accordance with the Irish Building Regulations Technical Guidance Documents L-Conservation of Fuel and Energy-Dwellings and the operation of the buildings once occupied will generated negligible greenhouse gas emissions which will contribute to achieving Irelands targets for the reduction of greenhouse gas emissions by 2030.

Density

- It is set out that the density is within the ranges indicated in the Compact Settlement Guidelines 2024 and the mix proposed includes a range of apartments and duplexes an well as terrace housing all provide for a range of unit typologies in accordance with the Building Height Guidelines 2018.
- The proposed development will provide a suitable quantum of phased development within the key town of Navan.

EIAR

- The EIAR identified the direct, indirect, secondary and cumulative effects of the proposed development on the environments and that the effects of the proposed development on the environments, by itself and in combination with other plans and projects in the vicinity, would be acceptable.

Conclusion

It is set out that the site is compliant with national, regional and local planning policy to deliver a high quality mixed use development on appropriately zoned and serviced lands, within the context of a Masterplan for the area. The proposal makes optimal use of the LIHAF road (LDR6), which provides access to the site. This road has been completed with the purpose of providing key infrastructure to access new residential development communities.

7.3. **Planning Authority Response**

A response was received form the PA dated the 20th May 2025 requesting the Commission to uphold the decision of the PA. The Commission is requested to be mindful of the community and commercial facilities and the district park proposed as part of the development to be provided in tandem with the residential elements in order to deliver a sustainable community at this location.

7.4. **Observations**

None.

8.0 Assessment

8.1. **Introduction**

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

- Principle of Development - Zoning
- Compact Growth/Sequential Development
- Sustainable Development – Density, Housing Typology and Energy Efficient Design
- Flooding
- Other Matters

Proposed Development

8.1.2. The proposed development comprises the construction of a mixed-use development comprising 322 dwellings, a community centre and sports hall, a neighbourhood centre and a district public park, a convenience anchor retail until and a creche together with all other associated site works. The application does not include any demolition works.

8.1.3. The proposed community building comprises 1,778 sq. m community centre including a c.837 sq. m sports hall, ancillary changing rooms, 4 no. community rooms (and ancillary administration/office space rooms). The Neighbourhood Centre of c.2,002 sq. m includes an anchor retail unit 1,000 sq. m net, GP Surgery, Café, Pharmacy and Takeaway. The proposal also includes a creche of c.512 sq. m located at ground floor

of Block 2 and a district park of some 1.65 hectares, within walking distance of the residential Phase 1A and 1B.

Zoning

8.1.4. The Commission will note that the subject application comprises the first phase of development within the MP12 Masterplan lands and has been designed in accordance with the principles and layouts established in the masterplan, as previously agreed with Meath County Council in January 2020 and incorporated into section 6.0 Appendix 2 of the MCDP 2021-2027. The text of the Masterplan has been updated (2024) to reflect the wider strategic policies and new Meath Development Plan 2021-2027 as well as to provide updated detail on the planning applications made since its adoption. The PA assessment states that the updated Masterplan is currently undergoing SEA and AA Screening, to be agreed with the Executive of the Planning Authority. The PA assessment also states that the Masterplan (which accompanies this application) provides an appropriate framework and means of guiding new development and services in a coherent and sustainable manner and that the Masterplan provides an advisory and 'non-statutory' planning document, in compliance with the Meath County Development Plan.

8.1.5. As per the requirements of the MCDP 2021-2027 the masterplan (M12) seeks 'to ensure the delivery of a high quality, appropriately phased development including a suitable mix of house type, community, and employment uses. To ensure there is appropriate service provision in this part of the town, the development of these lands shall also include the provision of local services and facilities including a neighbourhood centre. The development of these lands shall provide for phased and integrated development including the delivery of the distributor road and local services and community facilities in tandem with residential development.' in addition to addressing phasing. The updated Masterplan reflects the site zonings as per the MCDP 2021-2027 and recent grant of planning permission on adjacent lands. The Commission will note that in addition to the current application the lands to the south are also the subject of a live planning application (MCC Reg. Ref.25/60539) for a large-scale residential development of 223no. residential dwellings. Decision date 21st July 2025.

8.1.6. The site is subject to multiple zonings, the primary being zoned 'A2' – 'New

Residential, in addition to ‘C1’ – ‘Mixed Use’ and ‘F1’ - Open Space.

8.1.7. ‘A2’ New Residential objective is to provide for ‘new residential communities with ancillary community facilities, neighbourhood facilities as considered appropriate’. According to the Development Plan, this is the primary zone to accommodate new residential development; noting that ‘Whilst residential zoned lands are primarily intended for residential accommodation, these lands may also include other uses that would support the establishment of residential communities.’ The proposed housing on A2 zoned lands is therefore consistent with this zoning provision.

8.1.8. The convenience retail elements is also located in ‘A2’ zoned land. The MCDP 2021-2027 establishes that *Convenience Outlet* is a permitted use on ‘A2’ zoned lands. In addition, the MCDP states that ‘Individual convenience stores in neighbourhood centres on A2 zoned lands should generally not exceed 1,000m² net retail floorspace unless otherwise identified in a Local Area Plan.’ The proposed convenience element is 1000sqm. The application was accompanied by a Retail Impact Assessment. The RIA sets out that in terms of future retail floorspace requirements, the potential convenience retail floorspace requirement for the County in 2026 is estimated to be c.26,909 sqm. The County Retail Strategy notes that the level of convenience retail floorspace with extant planning permission in Navan was c.8,621 sqm, as calculated in May 2019, which exceeds the maximum convenience retail floorspace designation for the town for the lifetime of the plan.

8.1.9. However, the RIA included a review of recent permissions granted for retail development and found that no recent permissions have been granted within the catchment area and therefore there is capacity within the catchment area. The PA in their assessment note that c. 1600 residential units are anticipated to be delivered in MP12 and it is essential that supporting facilities at a correct scale are provided. I would agree. In addition, the MCDP encourages the delivery of retail development in tandem with new residential communities, with provision for Neighbourhood Centre sized convenience floorspace of up to 1,000 sq. m (net). As such, it is considered that the proposed development is in compliance with the sequential test as it relates to the inclusion of a Neighbourhood Centre objective in the agreed MP12 lands, as well as the urban design benefits of its location within the subject site. I am satisfied that the proposed convenience store is acceptable on the ‘A2’ zoned land at this location. The

proposed development does not represent a scale or format of development which could materially impact on the vitality and viability existing retail offer in the catchment.

8.1.10. As regards, 'C1' Mixed Use zoned lands the MCDP 2021-2027 objective seeks to 'provide for and facilitate mixed residential and employment generating uses.' The MCDP states that in order to achieve balanced development, the percentage of residential development in 'C1' zones shall generally not exceed 50 % of the quantum of a development site. The gross floor area of the residential component of the development provided on the 'C1' zoned lands is 1,932 sq.m (Block 4). The proposed community centre and retail unit areas within the 'C1' zoned lands comprises a gross floor area of 1,778sqm. Based on a net site area of 11,978 sq.m this results in 16% of the development site area comprising residential. As such, the applicant sets out that the proposed development is considered to be in compliance with the C1 land use zoning objective as per the County Development Plan. I would agree.

8.1.11. The PA in their assessment and in their observation to the Commission note the importance of developing the proposed community and commercial uses in tandem with the residential elements of the scheme in order to support a sustainable community. It is intended to deliver the scheme over 7 phases. In brief, phase 1 provides for 85 units, phase 2 will include the development of the district park, phase 3 provides for 58 no. units, phase 4 will provide for the community and commercial uses in addition to 60 no. units, phase 5 provides for 72 no. units, phase 6 provides for 43 no. units and phase 7 provides 4 no. units. I am satisfied that the proposed phasing in generally acceptable and provides for the community and commercial uses at a suitable stage of site development. In the event the Commission is minded to grant planning permission full details of the phasing including specific timelines can be attached by way of condition.

8.1.12. The Commission will note the third party concerns raised as regards the zoning provisions of M12 and the impact on the appellants lands, in particular, the open space zoning provisions that cover a portion of the appellant's site and which the appellant sets out indicates that elements of his buildings are to be demolished. It is the appellants contention that the unused dwellings on his property are not abandoned. While I note the concerns raised by the appellant, the Commission will note that the appellants lands are not subject of this application and are removed from the site. Furthermore, the application of zoning is not a matter for the Commission, the zoning

designation was subject the development plan review process as adopted by the Elected Members of Meath County Council and in any case the designation of the 'open space' zoning does not dictate the demolition of any third party's properties. Similarly, the established or not of the 'abandonment' of structures on the appellants land is not relevant to the application currently being proposed and therefore not a matter for the Commission.

Conclusion

8.1.13. The development of the site is guided by the zoning principles of the Meath County Development Plan 2021-2027 and the MP12 Masterplan previously agreed in 2020 and updated in 2024 to reflect the Development Plan. I am satisfied that the proposed development is consistent with the land use zoning objectives of the MCDP 2021-2027 and acceptable in principle subject to detailed consideration below.

The Commission will not also that the Planning Authority raised no concerns in terms of residential mix, floor areas, privacy, aspect, natural light and ventilation, private open space and amenity spaces and consider these would be acceptable and in accordance with Development Plan standards and the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2023 and the Compact Settlement Guidelines 2024. These were not matters raised in the appeal.

8.2. **Compact Growth/Sequential Development**

8.2.1. The third party has raised concerns with respect to proposed development of a greenfield site removed from the town centre and the provisions of the NPF as regards compliance with compact growth and sequential development.

8.2.2. The first party contend that the proposed development of 322 no. residential units in the MP12 lands, on appropriately zoned and serviced Tier 1 lands that are subject to an overall masterplan in the County Plan is in accordance with the Core Strategy and Settlement Strategy and is directly sequential to the permitted residential development to the south of the LDR6 and that the extant MCDP 2021-2027 was subject to review and approval of Elected Members and the Office of the Planning Regulator.

8.2.3. The National Planning Framework (2025) , National Policy Objective 7 sets a target to 'deliver at least 40% of all new homes nationally, within the built-up footprint of existing

settlements and ensure compact and sequential patterns of growth.'. The subject site is 2.5km form Navan town centre and the M12 masterplan lands are sequentially located adjacent to the existing built up footprint of Navan. Furthermore, National Policy Objective 11 states that 'planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Planning and Development Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.' In this context, the Commission will note that the subject lands have been zoned as part of the MCDP 2021-2027.

8.2.4. The MCDP 2021-2027 establishes that Navan's designation in the RSES as a Key Town presents a unique opportunity for the town to grow on a sustainable platform of regeneration assisted by multi-modal access and consistent with the RSES, Navan is identified as a Key Town in the Settlement Hierarchy of the County Development Plan. This is the highest tier of the Settlement Hierarchy. Key towns are described as 'Large economically active service and/or county towns that provide employment for their surrounding areas and with high-quality transport links and the capacity to act as growth drivers to complement the Regional Growth Centres.'

8.2.5. As regards the population growth of Navan, table 2.12 of the MCDP details the population projections and household allocation for each settlement. Table 2.12 provides a housing allocation of 3,204 units to Navan over the plan period, equating to c.19% of planned housing growth within the county**.** The proposed development comprises 322 no. units and will contribute towards the overall target (c.10%) for Navan town. In addition, the scheme provides a significant element of commercial and community uses which will enhance vitality and viability of the scheme and the amenities of the future residents. Policy CS POL 1 of the MCDP seeks to 'promote and facilitate the development of sustainable communities in the County by managing the level of growth in each settlement to ensure future growth is in accordance with the Core Strategy and County Settlement Hierarchy in order to deliver compact urban areas and sustainable rural communities.' I am satisfied that the quantum of housing proposed and mix of uses proposed is in accordance with the principle of Policy CS POL 1 and the principle of 'sustainable communities'.

8.2.6. With respect to sequential development and compact growth, the site is 2.5km from Navan town centre. I refer the Commission to section 5.*0 Land Use Strategy* for Navan as set out in Appendix 2 of the MCDP, the Commission will note that section 5.0 states that 'residential growth will focus on the delivery of high-quality developments rather than the 'household target' as specified in the Core Strategy. Section 5.1 establishes that the development of the remaining residential lands in the town is closely linked to the delivery of distributor roads. As part of the growth strategy for the town some of these lands have been phased based on a residential evaluation and prioritisation of lands. The MCDP establishes as noted above that Navan, the Southern Environs of Drogheda and Dunboyne are strategically located settlements and 'have the potential to make a significant contribution to the delivery of housing in the County in the medium term with a substantial quantity of "ready to go" serviced lands available for development. The Plan states that an example of such lands is in the 'Ferganstown area of Navan where LIHAF funding will support the delivery of up to 1,600 residential units in the long-term.' The subject lands are located within the Ferganstown area of Navan and will be serviced by the LIHAF Road (LDR6), which has been constructed to facilitate the development of the MP12 lands and is therefore consistent with section 5.*0 Land Use Strategy* for Navan.

8.2.7. I am satisfied that the site is immediate to the established built up area of Navan. In addition, as set out above, the site benefits from recent infrastructural improvements including the LDR6 road which includes footpaths and cycle lanes and service infrastructure. The M12 masterplan sets out a phasing scheme for the development of the masterplan lands. The subject site is identified as Phase 1-B. By way of information for the Commission Phase 1 related to the delivery of LDR6 Road (LIHAF), Phase 1-A relates to other residential development some of which has been completed the remainder is under construction. The subject site is the next phase -Phase 1-B.

8.2.8. Therefore, having regard to Navan's Key Town designation and the projective population growth, it is inevitable that the growth of the town will result in the development of greenfield sites such as this and while the NPF and indeed the Development Plan promote compact growth and the development of infill and brownfield sites (CS OBJ 4 & SH POL 2), it is acknowledged that not all development can be accommodated on such sites. However, having regard to the planned development of these lands namely M12 masterplan provisions, the already

established pattern of development on the M12 masterplan lands and the location of the M12 lands immediate t the existing built-up area of Navan, I am satisfied that the site is sequentially located in accordance with the provision of compact growth and consistent with policy SH OBJ 9 'to develop Navan and the Southern Environs of Drogheda as the primary development centres in Meath ….. The long-term growth of these settlements shall be based on principles of balanced and sustainable development that support a compact urban form and the integration of land use and transport.'

8.2.9. I am further satisfied that this is consistent with Section 3.3.3 Key Towns and Large Towns (5,000+ population) of the Compact Settlement Guidelines 2024 which sets out that the strategy for Key Towns and Large Towns is to support consolidation within and close to the existing built-up footprint and a key priority for the growth of Key Towns and Large Towns is to 'deliver sequential and sustainable urban extension at locations that are closest to the urban core and are integrated into, or can be integrated into, the existing built up footprint of the settlement.'

Conclusion

8.2.10. Objective NAV OBJ 2 of Appendix 2 of the MCDP seeks to 'continue to support the implementation of the Active Land Management Strategy in Navan.' The subject lands from part of a wider master planned area adjacent to the built up area of Navan town and has been subject to the provision of significant infrastructure development to facilitate development including residential among other uses. The site is part of the planned expansion of Navan in accordance with the provision of the core strategy of the MCDP 2021-2027 and has been zoned accordingly. The MCDP sets out that the success by the Council in obtaining LIHAF funding for the construction of a Distributor Road at Ferganstown provides an opportunity to deliver residential development and release strategically important employment and enterprise lands in this part of the town. Therefore, I am satisfied that the site is in accordance with the sequential development of the town and combined with the development of infill and brownfield sites within the town will assist in the compact growth of the town in a planned and sustainable manner consistent with the projected population growth of the town in accordance with National Policy Objective 11.

8.3. **Sustainable Development - Density, Housing Typology and Energy Efficient Design**

8.3.1. The third party argues that the proposed development is not in compliance with density requirements as set out in the Compact Settlement Guidelines which support higher density development that will support the provision of public transport. Similarly, it is argued that the proposed semi-detached typology and building design including heating systems are not suitably energy efficient with respect to achieving climate targets.

Density

8.3.2. Section 3.8.10 *Densities* of the MCDP sets out that 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. This is reinforced in Chapter 11 *Development Management* of the MCDP section 11.5.3 Density. Objective DM OBJ 14 states that 'The following net densities shall be encouraged when considering planning applications for residential development:

Key Towns and Large Towns (5000+ population)

Centre and Urban Neighbourhoods	40-100 uph
Suburban/Urban Extension	30-50 uph Up to 80 uph open for consideration at accessible suburban/urban extension

The Commission will note that DM OBJ 14 is consentient with Table 3.5 - Areas and Density Ranges Key Towns and Large Towns (5,000+ population) of the Compact Settlement Guidelines 2024.

8.3.3. The net density of the development is 36.8uph which when considered in the context of the overall MP12 lands, Phases 1A and 1B results is a net density of 41uph. When the C1 mixed use area is included the net density is 34.6uph. The net area excludes the District Park as well as the Link Street as per Table 1 Appendix A of the Compact Settlement Guidelines. The proposed density is therefore consistent of the MCDP 2021-2027 and the Compact Settlement Guidelines 2024, in addition to the already established density of residential development emerging on the overall masterplan lands.

8.3.4. As regards the third party reference to public transport and density, I draw the Commission's attention to section 3.4 *Refining Density* of the Compact Settlement Guidelines 2024 and Step 1: *Consideration of Proximity and Accessibility to Services and Public Transport* which states that 'while densities within the ranges set out will be acceptable, planning authorities should encourage densities at or above the mid-density range at the most central and accessible locations in each area, densities closer to the mid-range at intermediate locations and densities below the mid-density range at peripheral locations. Densities above the ranges are 'open for consideration' at accessible suburban and urban extension locations to the maximum set out in Section 3.3.' As established in section 8.2 above, the site is located adjacent to the built up area of Navan and therefore constitutes suburban/urban expansion lands. As such the density at 34.36/36.8uph/41uph is within the density range defined in the MCDP and the Guidelines.

8.3.5. In this case the site at 2.5km from the town centre and the median mid-range density proposed is consistent with section 3.4 of the Guidelines and acceptable in my opinion, having regard to the developing local infrastructure including the LDR 6 (LIHAF Road) with associated pedestrian, cycle lanes and bus stops all of which accommodate sustainable connections to the town centre. In addition, I note Bus Eireann operate a town bus services in Navan with existing bus stops c. 300m from the southern boundary of the site on Athlumney Road (www.buseireann.ie reviewed 30/6/2025). In the context of the standards set in the MCDP and the Compact Settlement Guidelines 2024, I am satisfied that the density is acceptable.

8.3.6. In my opinion, the proposed density would be acceptable having regard to prevailing and evolving residential development in the area, the need to balance the design with the characteristics of the site including the provision of community and commercial uses and the location of the site with direct access off the LDR6 with enhanced bus, pedestrian, cycle enhancing the accessibility of the site.

Housing Typologies

8.3.7. Linked to the provision of sustainable development the third party raised concerns with respect to housing typology, in particular, the proposed semi-detached units, resultant density and energy requirements.

8.3.8. Consistent with the NPF the Compact Settlement Guidelines advocate a tiered approach to residential density with highest residential densities at the most central and accessible urban location. As such any increase in residential density must be viewed in the context of the site including the original rural character of the area and associated pattern of development and the emerging character of the masterplan area and the appropriate integration of any new development. The proposed development provides for a mix of residential typologies including apartments, duplex units and a range of house types including semi-detached and terraced units. the new district park in addition to the community and commercial uses proposed.

8.3.9. Section 3.8.9 *Design Criteria for Residential Development* of the MCDP sets out that new developments should include a suitable mixture of house types that will support the creation of a sustainable community. Policy SH POL 4 seeks 'to promote social integration and the provision of a range of dwelling types in residential developments that would encourage a mix of tenure, particularly in any State funded house building programmes.' and Policy SH POL 5 seeks 'to secure a mix of housing types and sizes, including single storey properties, particularly in larger developments to meet the needs of different categories of households.'.

8.3.10. A range of unit types are proposed as part of this development including apartments and houses. It is the first party's contention that the proposed development provides for a range of unit types which will allow for a new mixed community through providing a choice of housing, suitable to all age groups and persons at different stages of the life cycle. The first party contend that the housing mix is consistent with the MCDP (Policy SH POL 5 and Policy DM POL 6) and SPPR4 of the Building Height Guidelines (2018) and avoids a mono-type building typology and Par 1.8 of the Apartment Guidelines 2023 'for a range of household types and tenures.' Proposed units to be provided on site include houses, apartments and duplex units and will include 1-, 2-, 3- and 4-bedroom units. In the context of the site, I consider the proposed development provides an appropriate mix of housing typology and while I note the third party's preamble refers to the impact of the character of the area and while I consider this statement contrary to the arguments made with respect to density, typology and energy efficiency, I am satisfied that the scheme is of a nature and scale that reflects an appropriate transition with respect to integrating into the character of the area with the higher density elements of the scheme removed from the established generally

two-storey suburban and standalone detached properties that characterise the area. The site comprises open agricultural land which is not subject to any special designations for protection of the landscape. I note the PA raised no concerns with respect to visual amenity impacts and the housing mix and typology proposed.

8.3.11. In addition owing to the mixed use scheme proposed, I am satisfied that the proposed development is in accordance with section 3.8.7.1 *Live Work Communities* of the MCDP which promotes an integrated approach to settlement growth which includes the location of employment close to residential areas and services such as schools and shops. Ferganstown in Navan is one of two locations in the County where the Council is supporting the delivery of the 'live work' community model.

8.3.12. With respect to the appellants comments regarding housing typology inflating house prices for locals in Navan. This is not a matter for the Commission.

Energy Efficiency

8.3.13. The third party has raised a number of concerns with respect to the energy of efficiency of the building design and heating systems. In response to the appeal, the first party set out and I would agree that the energy requirements of the buildings and their construction are dealt with through Building Regulations, which is a separate and independent legislative code to planning.

8.3.14. However, in the context of MCDP 2021-2027, Section 10.5.6 *Residential* of Chapter 10 Climate Change Strategy sets out that greenhouse gas emissions produced by the residential sector predominantly arise from the activities and processes necessary for heating homes and for producing electricity. Direct residential consumption of primary oils (natural gas, heating oil, coal, kerosene, peat etc.) make up a significant proportion of overall emissions, but CO2 emissions associated with the generation of electric power for household use, including electricity-related losses are also very high. The CDP notes that building energy standards in residential buildings need to be improved with objectives and policies needed to promote and incentivise reduction and efficiency in residential electricity and energy usage. The MCDP seeks to 'promote and facilitate energy efficient building design, environmentally sustainable layout and locations' and includes among other, policy INF POL 39 -to encourage the attainment of high standards of energy efficiency and environmental sustainability in development

and to support the development of sustainable buildings that achieve certification under the Home Performance Index.

8.3.15. The Commission will note that the application was accompanied by a Sustainability Report/Energy Statement. This statement sets out that the design team plan to achieve building envelope and HVAC performance that is an improvement on the statutory requirements contained in the Irish Building Regulations by using the latest and greatest technologies and design practices. The design team will achieve TGD Part L 2022 Nearly Zero Energy Buildings (NZEB) for the proposed development. A preliminary DEAP analysis has been undertaken on the residential units within the development to inform the design strategy, demonstrate compliance with the domestic Building Regulations Part L and to ensure that the targeted Building Energy Ratings (BERs) of A3 (or better) will be achieved. A Thermal Dynamic Simulation Model of the community centre and sports hall has been constructed to demonstrate compliance with the non-domestic Building Regulations Part L and to ensure that the targeted BER of a A3 (or better) will be achieved using the SEAI-approved NEAP methodology. This simulation model will be used to generate heating loads in an energy-conscious manner and will also be used to inform key decisions in the building design such as the fabric performance metrics. NZEB will be achieved for these areas.

8.3.16. Regarding reference made in the appeal to heating systems, the first party set out that the proposed development will avail of Air Source Heat Pumps in houses, Exhaust Air Heat Pumps for apartments and VRV Systems for communal spaces. This approach will ensure that the development is provided with low-emission heating systems but also future-proofed to avail of the benefit of future electrical grid improvements. While Centralised District Heating and Gas Boilers with Solar PV are both tried and tested technologies, they have a significant disadvantage in that they both use fossil fuel natural gas and have relatively high CO2 emissions per kWh of heat produced. This is not ideal and is not future-proofed.

8.3.17. In summary, I am satisfied that the proposed development is designed in accordance with the Irish Building Regulations Technical Guidance Document L-Conservation of Fuel & Energy -Dwellings and this is consistent with best practice and will contribute the achieving targets for the reduction in greenhouse gas emissions and is therefore consistent with the Climate Action Plan 2025.

Conclusion

8.3.18. I consider the provision of a residential development consistent with the concept of urban sustainability and provides for land uses and densities that vary across the site providing a diversity in scale of building and activity type that respect the established character of the area while ensuring the provision of services and amenities that cater of the proposed new community. The development is located on lands where a Masterplan has been prepared and where objective NAV OBJ 9 of the Development Plan seeks to 'support the delivery of a 'live work' community at Ferganstown and Nevinstown as recommended in the Meath Economic Development Strategy 2014-22'. On this basis I am satisfied that the development complies with the overarching principles of sustainable development which seek to provide communities which can accommodate a range of activities and services in line with the objectives of the National Planning Framework, the RSES and County Development Plan. I am further satisfied that the proposed development has been designed with regard to relevant best practice building standards consistent with Ireland's transition a low-carbon society.

8.4. **Flooding**

8.4.1. The primary concern raised by the third party was flooding. The third party argues that the application does not adequately assess the flood risk. The appeal makes reference to a number of national policies regarding flood risk, the protection of water quality and SUDs.

8.4.2. The main hydrological feature in the area is the Boyne River. A small stream known as the Ferganstown/Ballymacon Stream (also referred to in the documentation as Millrace Stream) runs along the southern site boundary. This stream continues along the third class road for c. 225m before flowing in a north to north-westerly direction, where it forms a mill race, before discharging to the River Boyne c. 430m northwest of the subject site. The Millrace is part of the Arterial Drainage Scheme, and its total area draining to Boyne River is 9.1km2. The Ferganstown/Ballymacon Stream/Millrace flows from south east to north west passing the southern boundary of the site There are also a number of local drainage ditches traversing the site which discharge into the Stream. These are not identified as watercourses on the EPA mapping and so are considered drainage ditches. A portion of the southwest corner of the southern site

boundary along Old Athlumney Road is located in a flood zoned and zoned F1 -Open Space. The CFRAM mapping shows that the site is located in Flood Zone C with low probability of fluvial flooding. The is consistent with the SFRA for the Development Plan.

8.4.3. The Commission will note that the application was accompanied by a Site Specific Flood Risk Assessment (SSFRA), in addition the first party appeal responses sets out a detailed response to the issues raised by the third party.

8.4.4. In the first instance, I note the SSFRA was prepared in accordance with the MCDP and the Flood Risk Management Guidelines and the flood model is based on the Stage 3 FRA approach and covers all lands within the redline boundary and an appropriate length of the watercourse both up and downstream, this is consistent with standard practice. With regards to reference in the appeal to FSR (Flood Studies Report) method, JBA Consulting clarify in the first party response to the appeal that the SSFRA did not use the FSR method and refer to the flow estimations clearly set out in the response to the further information issued by MCC, the FSU (Flood Studies Update) method was utilised as this supersedes the FSR method. I have no concerns in this regard.

8.4.5. The SSFRA determined that the site is located in Flood Zone C; at low probability of flooding and stormwater management will ensure that the development will not increase the risk of flood elsewhere.

8.4.6. As regards climate change risks the SSFRA sets out that the site has been assessed in accordance with the Mid-Range Future Scenario (MRFS) which is a 20% increase in fluvial flows and the High-End Future Scenario (HEFS) which is a 30% increase in fluvial flows. These climate change scenarios were tested in conjunction with the 1% AEP flood event. Flood risk to properties on site has been minimised by setting the proposed FFLs above the 1% AEP plus climate change flood level plus a freeboard of 300mm. The proposed development will therefore be protected against the potential impacts from climate change. Stormwater exceedance is also managed appropriately.

8.4.7. The SSFRA notes that the site remains at a low risk of flooding in the climate change scenarios, with the exception of the local drainage ditches where backflow is estimated from the Millrace. The exception is along two of the drainage channels running east/west and north-west/south-east through the site and discharging in the Millrace.

There is backflow estimated from the Millrace along these ditches in the 1% and 0.1% AEP events. It is stated that as with the existing scenario, these flood extents are limited to the drainage ditch channels and do not spill out into the wider floodplain. Upstream of the fluvial flood extents, the drainage ditches will be taken into account as part of the surface water network design. As this section of the site is within Flood Zone B, the Justification Test has been applied. The Commission will note that subsequent to a further information request by MCC further details were submitted including updated critical flows for the relevant watercourse and updated modelling for existing and proposed scenarios. Flood mapping was updated and the justification test was reapplied demonstrating to the satisfaction of the MCC flood risk on site. There is negligible encroachment of the flood zones within the site which are managed with riparian buffer zones.

8.4.8. The scheme provides for two culverts on the Ferganstown/Ballymacon Stream on the southern boundary (Old Athlumney Road) one for vehicular access the other for pedestrian. A third culvert was discounted as this was assessed to increase the risk of flood elsewhere. The risk of blockage of the proposed crossing and the existing culverts has also been assessed and the hydraulic model confirms the proposed site is not at risk from blockage. This is aided by the proposal to provide for two no. culverts at 3m and 14m respectively rather than one long 120m culvert. It is considered that this solution reduces the safety risks and potential for blockages. I would agree.

8.4.9. In addition 10m riparian corridor is provide along the Ferganstown/Ballymacon Stream along the southern site boundary. Development Plan Objective INF OBJ 38 requires a 10-metre-wide riparian buffer strip measured from the top of the bank either side of all watercourses in urban areas. A buffer strip of 10m from the watercourse is clearly marked on the application drawings and I am satisfied that the development complies with the requirement of the Development Plan in relation to a riparian buffer strip.

Surface Water

8.4.10. Surface water design has been carried out in accordance with the SUDs Manual and the Greater Dublin Strategic Drainage System (GDSDS). SUDs features proposed include permeable paving, infiltration blankets, underground attenuation storage, detention basin/attenuation pond, oil interceptors etc. These features have been designed to reduce the volume of surface water entering the stream and to remove

pollutants. To protect against the potential failure of the stormwater system a threshold of 150mm is provided between the kerb and footpath immediately outside the buildings. The slope of the hard standing roads and footpaths also directs surface water away from the buildings in a surface water exceedance event.

8.4.11. Given the size and topography of the proposed development, the site has been divided into several zones for surface water collection and attenuation purposes. It is proposed to provide a piped surface water network with detention basins and ponds to provide attenuation storage within each of these areas prior to discharging to the Ferganstown and Ballymacon stream and eventually to the river Boyne.

8.4.12. Regarding concerns raised about surface water road drainage being discharged to the Stream, all surface water falling onto roads within the proposed site will be attenuated and discharged at greenfield run-off rates. In addition, the first party appeal response clarifies that the implementation of SUD's will ensure that the development will discharge less surface water into the Millrace upstream of the third party's factory than is currently being discharged. The first party contend that any flood risk to the third party's land/property is pre-existing and not related to the proposed development.

8.4.13. With respect to the concerns raised that mitigation measures only protect for increased runoff at rainfall levels less than 75mm in a 12-hour period. The first party set out that the surface water model includes a 1 in 100 year storm with a 7 day duration based in Met Eireann rainfall data for the site. I further note that surface water discharge rates will be controlled by a Hydrobrake flow control device, with a combination of above ground ponds, low flow channels and swales provided to store runoff from a 1 in 100-year return period event.

8.4.14. All field drains and water courses within the area currently flow to the River Boyne. The River Boyne will remain the eventual recipient of excess surface water. The development on the Athlumney lands will discharge to the Ferganstown and Ballymacon stream that runs through these lands and connects to the River Boyne. Existing field drains on the lands will generally be maintained or diverted to the Ferganstown/Ballymacon Stream /Millrace. The proposal will entail the provision of a range of SUDS and attenuation measures to ensure that there is no impact to adjacent lands. I refer the Commission to section 11.8 bellow.

8.4.15. The Commission will note that the surface water design is required to accommodate discharge from the neighbouring Lagan Homes site (condition no. 18 of MCC recommendation relates). In the event the Commission is minded to grant, I recommend a condition be included in any grant of planning permission to address same.

Conclusion

8.4.16. I have reviewed the information submitted with the appeal and the application and I am satisfied that the implementation of the surface water management system proposed would not increase the flood risk to the adjoining lands. I note that the PA had no objection to the drainage system proposed which was designed in consultation with the PA and subject to their requirements.

I also note that a SSFRA was carried out for the development in accordance with the requirements of the SFRA for the Development Plan and the OPW guidelines and the requirements of the National Planning Framework in recognising the links and addressing on-going challenges between development activity and water quality and I am satisfied that the development is consistent with National Policy Objective 77 – 'integrating sustainable water management solutions, such as Sustainable Urban Drainage (SUDS), non-porous surfacing and green roofs, and nature based solutions, to create safe places' and National Policy Objective 78 'to promote sustainable development by ensuring flooding and flood risk management informs place-making by: • Avoiding inappropriate development in areas at risk of flooding that do not pass the Justification Test, in accordance with the Guidelines on the Planning System and Flood Risk Management; • Taking account of the potential impacts of climate change on flooding and flood risk, in line with national policy regarding climate adaptation'.

8.5. **Other Matters**

Transportation/Connections

8.5.1. As regards the third party reference to the continuation of the LDR6 and the provision of a bridge over the rail line connecting the lands to the north/northeast of the site. The appellant contends that the Boyne Road is isolated with not even a pedestrian connection and that this is not in compliance with DMURS.

8.5.2. The Commission will note that the LDR 6 will provide access to the Masterplan lands and is substantially completed. A future connection to the Boyne Road to the north is indicated in the Development Plan and the Masterplan prepared for the area. I note this connection does not exist and is outside the scope of this appeal. However, I am satiated that the successful delivery of the development is not predicated on this connection and the existing road layout and sustainable transport connections have been adequately provided for via the lands to the south the site. I further note that the Traffic and Transportation Report submitted with the application sets out that the development would not prejudice options for the extension of LDR6 northward to Boyne Road.

8.5.3. In addition, the layout of Phase 1 incorporating this Phase 1B development is consistent with the general principles and guidance of the Design Manual for Urban Roads and Streets (DMURS) 2019 and the Cycle Design Manual 2023 and a central walk east-west and north-south through the middle of the Phase 1 will provide pedestrian and cycle permeability with the adjoining lands including the neighbourhood centre, LDR6, residential lands north and south, the park to the north and the Old Athlumney Road to the south. The alignment of the pedestrian connections in the Phase 1 has regard to the orientation of streets set out in Masterplan 12 and provides accessibility and connections within and onward of the site.

8.5.4. I am satisfied that the proposed site is adequately served as regards connections, permeability, access and transport facilities in accordance with Development Plan policy and do not require an additional connection at this point in the development of the Master Plan lands due to the level of proposed development.

9.0 Water Framework Directive

9.1.1. The impact of the proposed development in terms of the WFD is set out in Appendix B of this report.

9.1.2. The site is located in the Boyne Catchment (Catchment I.D 07) and in the Boyne_SC_110 Sub-catchment (Sub-catchment I.D.07_1) (EPA, 2024). The Ferganstown and Ballymacon Stream (EU Code: IE_EA_07B041900) is located along the south and west boundaries of the Site and flows northwest to the River Boyne (EU Code: IE_EA_07B041900) 285m west of the Site. This river discharges to the Irish

Sea via the Boyne Estuary (EU Code: IE_EA_010_0100) 28km northeast of the Site (EPA, 2024).

9.1.3. Both the Ferganstown and Ballymacon Stream and River Boyne are currently under review as to whether they will meet their Water Framework Directive (WFD) objectives and were designated a “Moderate” ecological status during the most recent 2016-2021 survey period (EPA, 2024). The EPA water quality monitoring data for the stations on the River Boyne located closest to the site is summarised in table 1 below:

EPA Monitoring Station name	Station Code	Location from Site	Distance from Site	Assigned Q value
2km d/s Navan (LHS)	RS07B041900	North downstream	550m	3-4 “Moderate”
Slane Rd Br Navan	RS07B011800	West upstream	1.34km	3 “Poor”

Source: Accompanying EIAR

The reported Q-value results indicate that water quality in the River Boyne in the vicinity of the Site is poor to moderate.

9.1.4. The site is situated on the Trim (EU Code: IE_EA_G_002) groundwater body. The bedrock aquifer identified beneath the Site is mapped as “Locally Important Aquifer - Bedrock which is Generally Moderately Productive” (Lm) (GSI, 2023). The Groundwater Vulnerability Rating assigned to groundwater beneath the site is mapped as “High” (H) (GSI, 2024). As no construction will take place below the groundwater table, there is no requirement to lower the groundwater table by pumping, and no discharge of dewatering effluent to surface water is proposed from site. Discharge of storm water run-off to the surface drainage network will be attenuated to green field runoff rates and pre-treated to allow settlement of suspended solids and retention of hydrocarbons. Therefore, the risk of impacting the surface water drainage network is low.

9.1.5. No pressures have been identified (www.catcements.ie). In any case, mitigation measures associated with the proposed development should ensure that the underlying groundwater will continue to be of a high quality and will therefore not impact on the quality of downgradient surface water bodies, where it provides groundwater baseflow. Residual Impacts such as loss of agricultural land / earthworks haulage & the risk of contamination of surface water are deemed to be of minor risk, as the proposal for apartment type residential accommodation and housing would not

be seen as a potential high-risk development, post construction. As surface water drainage design has been carried out in accordance with the GDSDS, and SUDS methodologies are being implemented as part of a water quality treatment train approach (run-off from the development's impermeable areas is designed to be collected via a new stormwater network which incorporates attenuation storage systems and SuDS features such as permeable paving, infiltration blankets, underground attenuation storage, detention basin/attenuation pond, oil interceptors etc to improve water quality in accordance with the principles of SuDS design with imperceptible effects on the water and hydrogeological environment arising from the operational phase. General pollution prevention measures are set out in the Outline CEMP accompanying this application.

9.1.6. The proposed development includes the provision of standard practice construction and operational measures. Therefore, in accordance with Appendix B of this report, I conclude on the basis of objective information, the proposed development will not result in a risk of deterioration on any waterbody (rivers, lakes, groundwaters, transitional and coastal) either qualitatively our quantitatively or on a temporary basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 Appropriate Assessment

10.1. Introduction

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

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

• Screening the need for appropriate assessment

• The Natura Impact Statement and associated documents

• Appropriate assessment of implications of the proposed development on the integrity of each European site.

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

The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

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

10.3. Screening the need for Appropriate Assessment

An AA Screening exercise has been completed (see Appendix 1 of this report for further details). In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information, it has been determined that the likelihood of the proposed development having a significant effect 'alone' on the qualifying interests of:

• River Boyne and River Blackwater SAC (002299)

• River Boyne and River Blackwater SPA (004232)

cannot be excluded. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is required on the basis of the effects of the project 'alone

This determination is based on:

• Objective information presented in the applicant's reports;

• The zone of influence of potential impacts;

• The potential for construction-related impacts on downstream water quality within the European Sites and related impacts on habitat loss and/or alteration; habitat / species fragmentation; disturbance / displacement of species; and changes in population density;

• The application of the precautionary approach;

• Proximity to European Sites and the potential for pathways to same; and

• The nature and extent of predicted impacts, which could affect the conservation objectives of the European Sites. The possibility of significant effects on other European sites has been excluded on the basis of objective information.

The following European sites have been screened out for the need for appropriate assessment:

• Boyne Coast and Estuary SAC (001957)

• Boyne Estuary SPA (004080)

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

10.4. The Natura Impact Statement (NIS)

The application included an NIS prepared by Enviroguide Consulting which examines and assesses potential adverse effects of the proposed development on the River Boyne and River Blackwater SAC (002299) and the River Boyne and River Blackwater SPA (004232). Section 1.2 of the NIS outlines the qualifications and experience of the consultants, and I am satisfied that it has been prepared by competent experts. Section 2 of the NIS takes full account of the legislative and policy context. Section 3 (Methodology) outlines that the NIS has been prepared in accordance with relevant guidance.

10.4.1. A desktop study was carried out to collate and review available information, datasets and documentation sources relevant for the completion of the NIS. The desktop study, completed in May 2024, relied mainly on sources from the NPWS, the EPA, and the GSI. A range of field surveys were completed between 2019 and 2022, including ecological, habitat, invasive flora, bat survey, bat activity survey, birds survey, barn owl survey, mammal survey and amphibian survey (Table 1 of NIS).

10.4.2. The applicant's NIS was prepared in line with current best practice and includes an assessment of the direct and indirect effects on habitats and species, as well as an assessment of the cumulative impact of other plans and projects. It concluded that, beyond reasonable scientific doubt, once the avoidance and mitigation measures are implemented, the proposed development will have no significant adverse effects on the QIs, SCIs and on the integrity and extent of the River Boyne and River Blackwater

SAC (002299) and the River Boyne and River Blackwater SPA (004232). Accordingly, it concluded that the proposed development will not adversely affect the integrity of any relevant European site.

Having reviewed the documents, submissions and consultations included within the application and appeal file, I am satisfied that the information allows for a complete assessment of any adverse effects of the development, on the conservation objectives of the following European sites alone, or in combination with other plans and projects:

• River Boyne and River Blackwater SAC (002299)

• River Boyne and River Blackwater SPA (004232)

10.5. **Appropriate Assessment of implications of the proposed development**

10.5.1. A description of the European Sites, their Conservation Objectives and Qualifying Interests/Special Conservation Interests has been set out in the NIS and is summarised in Appendix 1 of this report as part of my assessment. I have also examined the Natura 2000 data forms as relevant and the Conservation Objectives supporting documents for these sites available through the NPWS website (www.npws.ie).

10.5.2. While the AA Screening exercise has acknowledged the potential source-pathway-receptor (SPR) hydrological link with the European Sites, section 4.4 of the NIS outlines a more detailed examination of the potential for impacts on the individual QIs/SCIs of each European Site (Table 6 of the NIS). Table 2 below summarises the information considered for the Appropriate Assessment and the site integrity test. This information has been compiled from the information contained in the NIS as well as information from the NPWS.

Table 2 – AA summary matrix for River Boyne and River Blackwater SAC and SPA

River Boyne and River Blackwater SAC (Site code 002299)			
		Summary of Appropriate Assessment	
Special Conservation Interest (SCI)	**Conservation Objectives**	**Potential Adverse Effects**	**Mitigation Measures**

Lampetra fluviatilis (River Lamprey) [1099] Salmo salar (Salmon) [1106] Lutra lutra (Otter) [1355]	To restore the favourable conservation conditions of the SCI – To restore the favourable conservation conditions of the SCI – To maintain the favourable conservation condition of the SCI	Deterioration of water quality from pollution of surface and/or ground water during the construction and operational phases. Pollution from concrete or oil/fuels, chemical alteration (owners allowing their dogs to swim in the River Boyne, flea/tick treatments and dog foul) could result in changes to water quality and vegetation Disturbance of QI/SCI species of designated sites by noise/vibrations emanating from the site. Disturbance of the QI species of the designated site by excessive light shining from the proposed development	Mitigation measures are listed in Table 6 and Section 4.5 of the NIS and in the Outline Construction & Environmental Management Plan which accompanied the application. The measures are designed to protect water quality during the construction and operational phases. They include standard measures such as good construction practice in accordance with relevant guidelines and site-specific measures such as the installation of silt traps, stockpiling materials away from drains and appropriate storage of chemicals. Post construction measures require the treatment of surface waters with sediment and oil interceptor traps prior to discharge. Public signage is also a recommended mitigation measure re. management of dogs. The measures designed to limit noise/vibrations include appropriate noise reduction measures including siting of plant as far away from sensitive

			receptors as permitted and monitoring typical levels of noise during critical periods and at sensitive locations. Light will be switched off during non-working houses during construction and lighting should be directed away from the Ballymacon and Ferganstown Stream in order to maintain a dark corridor. As the use of lighting cannot be avoided during Operation, to avoid disturbance to foraging otter using the Ferganstown and Ballymacon Stream lighting should be directed away from the Ferganstown and Ballymacon Stream and light spill outside of the site's boundaries should be minimised through the implementation of an appropriate lighting scheme for the site.
Overall Conclusion – Integrity Test The applicant determined that following the implementation of mitigation measures, the construction and operation of the proposed development alone or in combination with other plans and projects will not adversely affect the integrity of this European site. In-combination effects were considered in the AA screening report by reviewing recent planning applications in the area. The developments listed were within a 500m radius and it was determined that, it is determined there is no potential for in-combination effects between the Proposed Development and the			

development reviewed. I have reviewed the mitigation measures proposed for the subject development and I am satisfied that impacts from the development in terms of pollution from surface water runoff containing silt, sediment, hydrocarbons or other pollutants, noise and vibration and lighting would be unlikely following the implementation of the mitigation measures proposed.			
River Boyne and River Blackwater SPA (Site code 004232)			
Special Conservation Interest (SCI)	Conservation Objectives	Potential Adverse Effects	Mitigation Measures
Kingfisher (Alcedo atthis) [A229]	To maintain or restore the favourable conservation condition of the Special Conservation Interest for the SPA	Deterioration of water quality from pollution of surface and/or ground water during the construction and operational phases Pollution from concrete or oil/fuels, chemical alteration (owners allowing their dogs to swim in the River Boyne, flea/tick treatments and dog foul) could result in changes to water quality and vegetation Disturbance of QI/SCI species of designated sites by	Mitigation measures are listed in Table 6 and Section 4.5 of the NIS and in the Outline Construction & Environmental Management Plan which accompanied the application. The measures are designed to protect water quality during the construction and operational phases. They include standard measures such as good construction practice in accordance with relevant guidelines and site-specific measures such as the installation of silt traps, stockpiling materials away from drains and appropriate storage of chemicals. Post construction measures require the treatment of surface waters with sediment and oil interceptor traps prior to

		noise/vibrations emanating from the site.	discharge. Public signage is also a recommended mitigation measure re. management of dogs. The measures designed to limit noise/vibrations include appropriate noise reduction measures including siting of plant as far away from sensitive

Overall Conclusion – Integrity Test

The applicant determined that following the implementation of mitigation measures the construction and operation of this proposed development alone or in combination with other plans and projects will not adversely affect the integrity of this European site. I have reviewed the mitigation measures proposed for the subject development and I am satisfied that impacts from the development in terms of pollution from surface water runoff containing silt, sediment, hydrocarbons or other pollutants, noise and vibration, which could impact on the foraging potential for the SCI would be unlikely following the implementation of the mitigation measures proposed.

In addition to mitigation, I note Section 4.6 Monitoring of the NIS includes the following:

<u>Construction Phase</u>

During the Construction Phase, the following monitoring will be carried out by the construction contractor to ensure the implemented mitigation measures are maintained effectively:

- Surface/groundwater protection measures (Mitigation 1) will be checked weekly by the site contractor to ensure they remain effective, and more often during moderate to heavy rainfall events as appropriate.

<u>Operational Phase</u>

During the Operational Phase, the following monitoring is recommended to ensure the implemented mitigation measures have been effective:

- Checks will be carried out to ensure that the public signage as outlined in the NIS has been installed.

10.6. **Appropriate Assessment Conclusion**

10.6.1. In screening the need for Appropriate Assessment, it was determined that the proposal for an apartment development had the potential to result in significant effects on the River Boyne and River Blackwater SAC and on the River Boyne and River Blackwater SPA and that Appropriate Assessment was required in view of the conservation objectives of those sites.

10.6.2. Following a detailed examination and evaluation of the NIS, all associated material submitted with the planning appeal as relevant to the Appropriate Assessment process, and taking into account submissions of third parties, I am satisfied that the design of the proposed development, combined with the proposed mitigation measures to address impacts from surface water runoff pollution during the construction and operational phase would prevent adverse effects on the integrity of River Boyne and River Blackwater SAC and on the River Boyne and River Blackwater SPA.

10.6.3. This conclusion is based on:

- A full assessment of the wastewater treatment system proposed and the characteristics of the site.
- Detailed assessment of all aspects of the proposed development that could result in significant effects or adverse effects on European Sites within a zone of influence of the development site.
- Consideration of the conservation objectives and conservation status of qualifying interest species and habitats.
- A full assessment of risks to special conservation interest bird species and qualifying interest habitats and species.
- Application of mitigation measures designed to avoid adverse effects on site integrity and likely effectiveness of same.
- Consideration and assessment of in-combination effects with other plans and projects.

11.0 Environmental Impact Assessment (EIA)

11.1. Statutory Provisions

11.1.1. The proposed development mainly involves the construction of 322 no. dwellings, (212 no. houses & 110 no. duplex apartments/apartments) consisting of 177 no. 3- bedroom houses, 35 no. 4-bedroom houses, 26 no. apartments/duplex apartments (13 no. 2-bedroom apartments and 13 no. 3-bedroom duplex apartments), 35 no. 1-bedroom apartments and 49 no. 2- bedroom apartments in 3 no. separate blocks, a Community Centre & Sports Hall, creche, as well as a Neighbourhood Centre of c. 2,002 sq. m (including an anchor retail unit 1,000 sq. m net, GP Surgery, Café, Pharmacy and Takeaway), access, infrastructure, car parking, open space, boundary treatments and all associated site development works. The site has a stated overall gross area of 13.26 hectares.

11.1.2. Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended and section 172(1)(a) of the Planning and Development Act 2000, as amended, provides that an Environmental Impact Assessment (EIA) is required for projects that involve:

i) Construction of more than 500 dwelling units

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.

11.1.3. The application site has an overall area of 13.26 hectares within a built-up area and therefore requires EIA. (I note the Section 1. 4 Screening – Requirement For EIA refers to 10.70ha. site area, Section 2.3 Description of the Physical Characteristics of the 'Whole Proposed Development' refers to 13.26ha.)

11.2. EIA Structure

11.2.1. This section of the report comprises the environmental impact assessment of the proposed development in accordance with the Planning and Development Act 2000 (as amended) and the associated Regulations, which incorporate the European directives on environmental impact assessment (Directive 2011/92/EU as amended by 2014/52/EU). It firstly assesses compliance with the requirements of Article 94 and Schedule 6 of the Planning and Development Regulations, 2001. It then provides an

examination, analysis and evaluation of the development and an assessment of the likely direct and indirect significant effects of it on defined environmental parameters, having regard to the EIAR and relevant supplementary information. The assessment also provides a reasoned conclusion and allows for integration of the reasoned conclusions into the Commission's decision, should they agree with the recommendation made.

11.3. Issues raised in respect of EIA

11.3.1. Any issues raised in third-party submissions, planning authority reports, and prescribed body submissions are considered later in this report under each relevant environmental parameter.

11.4. Compliance with the Requirements of Article 94 and Schedule 6 of the Regulations 2001

11.4.1. The following table outlines my assessment of compliance with the requirements of Article 94 and Schedule 6 of the Regulations.

Table 3 - Requirements of Article 94 and Schedule 6 of the Regulations

Article 94 (a) Information to be contained in an EIAR (Schedule 6, paragraph 1)	
Requirements	Assessment
A description of the proposed development comprising information on the site, design, size and other relevant features of the proposed development (including the additional information referred to under section 94(b)).	Chapter 2 of the EIAR sets out the description of the site, design and scale of development, considers all relevant phases from construction through to existence and operation together with a description and evaluation of the reasonable alternatives studied by the developer including alternative locations, designs and processes considered; and a justification for the option chosen taking into account the effects of the project on the environment. The description is adequate to enable a decision on EIA.
A description of the likely significant effects on the	Chapters 3-16 of the EIAR describe the likely significant direct, indirect, and cumulative effects on the

environment of the proposed development (including the additional information referred to under section 94(b).	environment, including the factors to be considered under Article 3 of Directive 2014/52/EU. I am satisfied that the assessment of significant effects is comprehensive and robust and enables decision making.
A description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment of the development (including the additional information referred to under section 94(b).	Each of the individual sections in the EIAR outlines the proposed avoidance, remedial & mitigation measures. They include 'designed in' measures and measures to address potential adverse effects at construction and operational stages, including a Preliminary Construction and Management Plan (PCMP) and Construction Traffic Management Plan (CTMP). The mitigation measures comprise standard good practices and site-specific measures and are generally capable of offsetting any significant adverse effects identified in the EIAR.
A description of the reasonable alternatives studied by the person or persons who prepared the EIAR, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the proposed development on the environment (including the additional information referred to under section 94(b).	As noted above Chapter 2 of the EIAR outlines the consideration of alternatives. Alternative locations are not considered given that the site is the only zoned land in the ownership of the applicant and the MCDP has already been subject to SEA. The 'do nothing' alternative is not considered and alternative uses were not considered owing to the zoning. The EIAR outlines how several different design layouts were considered throughout the process and the final scheme design has been informed by the pre-application meetings with the Planning Authority and with the Commission (previous SHD pre-application proposal). It is set out that the current proposals provide the optimal form of development on this MP12 Masterplan lands and help deliver a development that provides residential units and supporting infrastructure in a high-quality development,

	whilst protecting the amenities of neighbouring properties and providing for a reduction in negative environmental impacts vis a vis the alternative layouts and designs. I am satisfied, therefore, that the applicant has studied reasonable alternatives and has outlined the main reasons for opting for the current proposal before the Commission and in doing so the applicant has taken into account the potential impacts on the environment.
Article 94(b) Additional information, relevant to the specific characteristics of the development and to the environmental features likely to be affected (Schedule 6, Paragraph 2).	
A description of the baseline environment and likely evolution in the absence of the development.	Each of the EIAR sections includes a detailed description of the baseline/receiving environment which enables a comparison with the predicted impacts of the proposed development. I acknowledge that a significant duration of time has elapsed since the baseline assessments were carried out, but I am satisfied that they are still relevant and adequate for the purposes of this assessment. The receiving environment and adjoining context has remained relatively untouched in the intervening period.
A description of the forecasting methods or evidence used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required	The EIAR outlines the methodology employed, consultations carried out, desk/field studies carried out, and any difficulties encountered. I am satisfied that the forecasting methods are adequate, as will be discussed throughout this assessment.

information, and the main uncertainties involved.	
A description of the expected significant adverse effects on the environment of the proposed development deriving from its vulnerability to risks of major accidents and/or disasters which are relevant to it.	The EIAR acknowledges the need to consider major accidents and/or disasters. Where relevant, an assessment of adverse effects has been included. In addition to each chapter, Chapter 14 – Risk Management addresses the potential risks of major accidents or disasters relating to the proposed development during the construction and operational phases. Having regard to the nature, scale, and location of the project, I consider the approach to be reasonable.
Article 94 (c) A summary of the information in non-technical language.	This information has been submitted. I have read this document, and I am satisfied that it is concise and comprehensive and is written in a language that is easily understood by a lay member of the public.
Article 94 (d) Sources used for the description and the assessments used in the report	The sources used to inform the description, and the assessment of the potential environmental impact are set out in each section, including references. I consider the sources relied upon are appropriate and sufficient.
Article 94 (e) A list of the experts who contributed to the preparation of the report	Table 1.10 (Chapter 1) of the EIAR outlines the EIAR Team, including the qualifications, experience, and expertise of the contributors.

Consultations

11.4.2. The application has been submitted in accordance with legislative requirements in respect of public notices. Submissions received from statutory bodies and third parties are considered in this report, in advance of decision making. I am satisfied, therefore, that appropriate consultations have been carried out and that third parties have had the opportunity to comment on the proposed development in advance of decision making.

11.4.3. The application was accompanied by surveys undertaken in support of the application. I am satisfied that the survey work carried out as part of the EIAR is acceptable. I am satisfied there is sufficient information on file to allow the application to be determined and that documentation submitted by the applicant including documentation submitted in response to further information request and matters relating to emissions and resources as raised by the third party, provided information which is reasonable and sufficient to allow a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment.

11.4.4. Having regard to the foregoing, I am satisfied that the information contained in the EIAR, and supplementary information provided by the developer is sufficient to comply with article 94 of the Planning and Development Regulations, 2001. Matters of detail are considered in my assessment of likely significant effects, below.

Assessment of the likely significant direct and indirect effects

11.4.5. Details of significant direct and indirect effects arising from the proposed development are outlined in Chapters 3-16. This section of the report sets out an assessment of the likely environmental effects of the proposed development under the environmental factors as set out in Section 171A of the Planning and Development Act 2000. It includes an examination, analysis and evaluation of the application documents, including the EIAR and submissions received and identifies, describes and assesses the likely direct and indirect significant effects (including cumulative effects) of the development on these environmental parameters and the interactions of these effects.

11.5. **Population and Human Health**

Issues Raised

11.5.1. The submission from the third party raised concerns around the sustainability of the development including the scope of the EIAR with respect to emissions and resource use.

Examination, analysis and evaluation of the EIAR

11.5.2. Chapter 3 of the EIAR deals with Population and Human Health and outlines a detailed description of the existing environment and context. Section 3.3 outlines the existing environment is considered under the following headings: • Economic Activity • Social

Patterns; • Land Use and Settlement Patterns; • Employment; and • Health & Safety. Section 3.5 outlines the potential impacts of the proposed development. It includes numerous references to other EIAR topics, and these effects will be addressed in more detail in the relevant sections of this report. The main construction effects are predicted to be related to traffic, visual impact, impact/disruption to local services/infrastructure, water pollution, air quality and noise and vibration. The operational phase is predicted to result in several significant long-term positive impacts relating to housing supply, services and amenities and employment.

11.5.3. Section 3.6 sets out that the potential cumulative impacts. The cumulative impact of the proposed development, along with other permitted and existing developments in the vicinity, will be a further increase in the population of the wider area. This impact is likely to be long term and positive, having regard to the zoning objective for the subject lands, and their strategic location in close proximity to Navan town centre and the high level of demand for new housing in the area. With regard to human health, the cumulative impact of the proposed development in conjunction with other nearby developments and the ongoing development on the subject site will provide for the introduction of high-quality new housing stock in the area with a high level of accessibility and amenity. The EIAR acknowledges that there are numerous inter-related environmental topics described throughout the EIAR document which are also of relevance to Population and Human Health. Issues such as the potential likely and significant impacts of the proposed development on landscape and visual impact, biodiversity, archaeology, architectural and cultural heritage, air quality and climate, noise and vibration, water, land and soils, material assets including traffic and transport impacts, residential amenity etc. are of intrinsic direct and indirect consequence to human health. The Commission will note that Chapter 7 (Air Quality) states that the operational phases of the subject development and other permitted residential developments in the local area will not generate cumulative air emissions that will have an adverse impact on local ambient air quality. Chapter 8 (Noise and Vibration) states that once the subject development is completed and if the lands to the east and west are developed there will be no residual adverse noise impact on the receiving environment associated with their operation. Increased traffic movements associated with both developments will generate a long-term, not significant impact on the local noise climate during peak hour times

11.5.4. Section 3.8 outlines avoidance, remedial & mitigation measures. The construction stage measures are based on the OCEMP provisions including a dust minimisation, noise/vibration control, water protection, traffic management, and a monitoring regime. The operational stage measures relate to the proposed replacement landscaping and the improvement of walking, cycling including compliance with DMURS. The EIAR predicts that there will be positive residual impacts in the creation of a new community with improved services and sustainable transport options, as well as the consolidation of the existing townscape. The EIAR also considers the potential cumulative impacts of other projects in the area. Subject to implementation of the appropriate best practice measures, no significant cumulative impacts are predicted. The operational phase is not predicted to generate cumulative human health impacts and positive impacts are predicted in relation to townscape character and the delivery of much needed residential development and other services/amenities such as, connections, open space, creche etc.

Assessment: Direct, Indirect, and Cumulative Effects

11.5.5. I have acknowledged the identified impacts and the associated mitigation measures, as well as the potential for interactive impacts with other factors as discussed in Chapter 15 Interactions and Chapter 16 Mitigation Strategies of this EIA. I also acknowledge the potential impacts identified in Chapter 7 (Air Quality and Climate) and Chapter 8 (Noise and Vibration) and the potential interaction with population and human health. I consider that the predicted impacts and the associated mitigation measures are adequate to prevent any unacceptable impacts.

Conclusion: Direct, Indirect, and Cumulative Effects

11.5.6. I consider that the main significant direct, indirect, and cumulative effects on Population and Human Health are, and will be mitigated as follows:

- Construction-related disturbance including noise/vibration, dust, and traffic, which would be mitigated by construction management measures including the agreement of a Construction Environmental Management Plan and a Traffic Management Plan.
- Positive socioeconomic effects at operational stage through the availability of additional housing, employment, services and amenities, open space and recreational improvements.

- The proposal will provide much needed residential accommodation and accords with National Policy on delivering Sustainable Residential Communities and is considered a positive permanent slight impact

11.6. **Biodiversity**

Issues Raised

11.6.1. Dept. recommend Badger Conservation Plan.

Examination, analysis and evaluation of the EIAR

11.6.2. Chapter 4 of the EIAR deals with Biodiversity. It highlights that the potential impact on European sites is set out in the accompanying AA Screening Report and I have addressed this in section 10 of my report. Desk studies were carried out to obtain relevant existing biodiversity information within the Zone of Influences (ZOI). The assessment also extended beyond the immediate development area to include those species and habitats that are likely to be impacted upon by the proposed residential development. Field surveys were carried out as outlined in Table 4.1 of Chapter 4 as set out below. All surveys were carried out in the appropriate seasons.

Table 3 – Field Surveys

Survey	Surveyor	Dates
Preliminary Habitat and Invasive Flora Survey	Enviroguide Consulting (SOB)	28th of October 2022
Updated Habitat Baseline Survey	Enviroguide Consulting (SOB)	14th of July 2023
Invasive Flora Survey	Enviroguide Consulting (SOB)	28th of October 2022 14th of July 2023
Bat Survey	Enviroguide Consulting (SOB)	Bat activity surveys: 21st of September 2022 4th of October Daytime inspections: 21st of September 2022 14th of July 2023
Bat Activity Survey	Wildlife Surveys Ireland (BK)	9th of May 2021 18th of September 2019
Bird Scoping Survey	Enviroguide Consulting (SOB)	21st of September 2022 28th of October 2022
Barn Owl Survey	BirdWatch Ireland (JL)	2nd of July 2020
Mammal Survey	Enviroguide Consulting (SOB)	28th of October 2022 4th of November 2022 21st of June – 26th of June 2023
Amphibian Survey	Enviroguide Consulting (SOB)	28th of October 2022
Ecological Impact Assessment and associated ecological surveys	OPENFIELD Ecological Services (PF)	1st of October 2019 5th of June 2020 27th of November 2020

In addition to the above and subsequent to RFI from MCC a Badger Report (Conservation Plan) was submitted on 20th January 2025.

11.6.3. I note the timeline of surveys carried out ranges from 2019-2023 and based on the documentation submitted and the pattern of development immediate to the site in the intervening period, I am satisfied that the surveys submitted are acceptable. I am satisfied that the surveys carried out are comprehensive and in line with best practice.

11.6.4. The EIAR establishes the potential zone of influence (ZOI) and notes that the ZOI will vary with different ecological features, depending on their sensitivities to an environmental change. Where there was a potential for the ZOI to be influenced by drainage connections, natural biodiversity corridors e.g. rivers or woodland these were also take into account and the assessment was extended. It is considered that the potential ZOI extends beyond the site outline via the watercourse on site and the proposed foul and surface water drainage strategy.

Designated Sites - I refer the Commission to Section 10.0 and Appendix A of this report.

Hydrology/Hydrogeology - I refer the Commission to section 9.0 and Appendix 2 of this assessment. The Commission will not that the Ferganstown and Ballymacon Stream (EU Code: IE_EA_07B041900) is located along the south and west boundaries of the Site and flows northwest to the River Boyne (EU Code: IE_EA_07B041900) 285m west of the Site. This river discharges to the Irish Sea via the Boyne Estuary (EU Code: IE_EA_010_0100) 28km northeast of the site (EPA, 2024).

Overview: The predominant habitat on site is Improved Agricultural Grassland (GA1) with dock dandelion, nettle clover Trosebay willowherb, buttercup and cocksfoot observed throughout this habitat. A field Arable Crop (BC1) habitat was recorded within the central and west areas of the Site, separated from the south and north grasslands by mature Treeline (WL2) habitat comprised of ash, elder, sweet briar, and bramble, with ivy cover throughout. The remaining fields are separated and bordered by Hedgerow (WL1) habitat, primarily consisting of hawthorn, along with the shrub and tree species observed within the treeline. A Drainage Ditch (FW4) was recorded beneath the hedgerow along the south of the site. Buildings and Artificial Surfaces (BL3) habitat was recorded on site in the form of the newly constructed roundabout on

the LDR 6 road to the north of the site. Spoil and Bare Ground Habitat (ED2) was present within the southeast of the site as an access pathway extending southwards.

Trees & Hedgerows: A hedgerow assessment of the site was conducted by Enviroguide on the 14th of July 2023. In addition, there was a Tree Survey undertaken by CSR, included in the application, (updated in February 2024). A total of six individual trees, two three groups and seven hedgerows group were recorded as part of the survey. The trees present on the site were determined to be of limited individual value, ranging from low to moderate classification, and located within the field boundary hedgerows. The Tree Report sets out that the proposed scheme necessitates the removal of a number of primarily low to moderate quality trees as well a number of mature hedgerows, however a significant level of proposed new tree planting will assist in mitigating against the proposed losses. The internal hedgerow and treeline habitat on site will be removed to facilitate the proposed development. the removal of these habitats is considered to have negative, permanent, moderate impacts on the local ecology during the construction phase of the proposed development.

Of note, the landscaping strategy seeks to develop a new native tree belt along the northern edge of the development to create a green buffer to the distributor road and connect and enhance the existing wider green network and provides for formal pocket parks within the parcels of housing to ensure that all residents are within a short walk of public open space and play facilities. Attenuation ponds will be included within the neighbourhood and district parks of the Proposed Development, creating freshwater habitats. Semi-mature woodland and parkland tree planting and shrub planting, including species listed in the All-Ireland Pollinator Planting Code (NBDC, 2022). Whilst I note the loss of trees and hedgerow, in the context of the comprehensive development on the site, I do not consider the proposed losses to be significant and combined the landscaping measures proposed a part of the development, I am satisfied that the development is acceptable.

Birds: A total of 77 bird species have been recorded within the N86 10 km grid square. Of these, 24 are amber listed birds and ten are red listed birds as identified on the Birds of Conservational Concern in Ireland (BoCCI) (Gilbert et al. 2021). During the site walkovers carried out in October and November 2022 and July 2023, 20 species of birds were recorded (theses are listed in table 4.9 of the EIAR). Additionally, a barn

owl (Tyto alba) breeding habitat assessment was carried out in July 2020 and it was determined the derelict agricultural shed adjacent to the central area of the site (located in Phase 1A outside of this project site) did not hold potential breeding features for barn owls. However, barn owl was also noted on site by Wildlife Surveys Ireland during the bat surveys in September 2021. The site of the proposed development does not offer significant ex-situ habitat for wintering bird species as it is comprised primarily of grassland habitat of varying sward height, is subject to disturbance due to adjacent construction works to the south of the site, and the and the abundance of similar habitats within the landscape surrounding the site.

There will be some loss of breeding habitat for birds at the site through the removal of the treeline habitat on site, and disturbance of species during the Construction Phase is possible. This could have a negative, permanent, moderate impact on breeding birds in the locality. The increased lighting, noise and dust levels associated with the Construction Phase of the proposed development may have the potential to cause negative, short-term, slight impacts to local bird populations through disturbance.

However, it should be noted that no significant impacts on birds are anticipated during the Operational Phase. The proposed planting included as part of the landscaping to take place on site will offer potential commuting, foraging, and nesting habitat for local birds. As such, the likely impact is considered positive, permanent, slight at a local level due to habitat loss.

Terrestrial Ecology*:* In total, 12 mammal species (nine native and three non-native or invasive) were recorded within the grid squares which encompass the Site. Mammal trails were recorded throughout the grassland habitat on site. Evidence of badger was recorded on site in the form of large mammal trails, latrines, snuffles holes and sett entrances. A sett was recorded on site also. It is presumed this is the sett that was identified during the previous surveys carried out by Wildlife Surveys Ireland in February 2020 and May 2021. Snuffle holes were recorded along the margins of the bare ground access road close to the sett, and latrines were observed along the hedgerow and drainage ditch within the north of the Site. An adult badger was recorded commuting along the treeline several times and carrying fresh bedding from a hay pile deposited in the northern area of the treeline to another suspected entrance further south along the treeline. Badgers are protected species under national and international legislation in Ireland, and no actions may be carried out that may impact

badger without a suitable licence/consent being received from the NPWS. The treeline in which the badger sett is currently located will be removed to facilitate the proposed development. In the absence of mitigation, excavation of badger setts could lead to death or injury of badgers and would represent a negative, permanent, significant effect at a local scale. Any vegetation clearance within the predetermined buffer zones of the active badger sett entrances would represent a negative, permanent, significant impact on badger in the absence of mitigation. A Badger (Conservation Plan) Report was submitted following a request for further information and the PA (consistent with the recommendation of the Dept) in their recommendation to grant planning permission included a condition requiring a detailed site specific Badger Conservation Plan be submitted within 4 week of the final grant (condition no. 27) to include the appropriate exclusion zone and artificial sett. In the event the Commission is minded to grant planning permission, I recommend this condition is included in any grant of permission.

A fox (Vulpes vulpes) was observed mousing (pouncing from above to hunt rodents) within the south field of the Site. Fox scat was also observed throughout the Site. The habitats available at the Site also have the potential to support pygmy shrew (Sorex minutus), hedgehog (Erinaceus europaeus), and Irish hare (Lepus timidus subsp. hibernicus). It should be noted that significant dialogue has gone into retaining biodiversity corridors on site and minimising light spill info open space areas, hedgerows and treelines on site. Landscaping on site will improve the biodiversity value of the site. Additionally, all vegetation clearance will be carried out in sections working in a consistent direction to prevent entrapment of protected fauna potentially present (e.g., hedgehog, pygmy shrew, common frog, and common lizard). A phased cutting approach under the supervision of a suitably qualified ecologist will be used to allow wildlife (small mammals, amphibians and reptiles) to move away from any suitable habitat that will be removed.

Amphibians and reptiles. Frogs and reptiles were not observed on site. However, frogs are likely to occur on site. The common lizard may occur on site but was not observed. There is potential for the works to impact on the habitats on site that could potentially support frogs either by direct destruction of the habitats or by onsite pollution or silt ingress. Avoidance, mitigation, compensation and enhancement measures are set out in section 4.6 of the EIAR. No significant effects on amphibians within the drainage

ditches, Ferganstown and Ballymacon Stream or River Boyne are anticipated during the Operational Phase. SUDS measures, including permeable paving, detention basins and ponds, swales, and bio-retention areas, have been incorporated into the design to treat and minimise surface water runoff from the Site. Therefore, the potential impact to amphibians on site or within Ferganstown and Ballymacon Stream or River Boyne during the Operational Phase of the Development via water quality deterioration is considered to be neutral.

Biodiversity enhancement measures include proposed attenuation ponds for amphibian and reptile use by providing suitable refuge and hibernacula adjacent to these ponds. It is recommended that 2-3 areas of hibernacula are provided at each pond at areas furthest removed from traffic and likely human activity, and where the location would provide potential links to the nearby hedgerows and trees.

Bats The treelines and hedgerows running through the Site represent high value foraging and commuting habitat within the context of the Site and surrounding lands. As such it is considered likely that the Site and the habitats connected to the Site via ecological corridors of linear vegetation may support regularly occurring populations of the more common Irish bat species. Moderate to high levels of bat activity were recorded on site on the 9th of May 2021, with bats foraging around the agricultural shed and along the hedgerows, particularly where they intersect close to the shed. No bats were recorded roosting within the shed (the Commission will note that the shed is part of the adjoining development site currently under construction MCC Reg. Ref. 211046 /ABP 312746-22). Three bat species were recorded commuting through and foraging on site, namely common pipistrelle, soprano pipistrelle, and lesser noctule. Common pipistrelle and soprano pipistrelle were recorded foraging around shed, and lesser noctule was recorded less frequently. Over 500 bat passes were recorded within the area surrounding the shed. Three bat species were recorded commuting through and foraging on site, namely common pipistrelle, soprano pipistrelle, and lesser noctule. No confirmed bat roosts were noted during the survey works.

There will be a loss of foraging, commuting and potential roosting habitat for local bats through the removal of the treeline and hedgerow habitats on site. These habitat features provide important feeding resources and navigational features for common pipistrelle and soprano pipistrelle, species that tend to avoid crossing open areas (Marnell, Kelleher & Mullen, 2022). Linear vegetation also acts as windbreaks where

insects tend to congregate, thus providing a food source for bats. The central treeline and hedgerows link the lands to the west and north of the site, in what is an agricultural landscape with very limited tree cover. As such, the loss of this treeline and hedgerow will result in a negative, permanent, significant effect on bats a local scale in the absence of mitigation/compensation. The increased lighting, noise and dust levels associated with the Construction Phase of the Proposed Development may have the potential to cause negative, short-term, slight impacts to local bat populations through disturbance. Avoidance, mitigation, compensation and enhancement measures are set out in section 4.6. With the implementation of appropriate mitigation measures no significant impacts on are likely.

Invasive Species. No invasive species were recorded during the field surveys. Best practice site hygiene and biosecurity measures will be in place to avoid the potential introduction of invasive floral species at the Site during construction works.

11.6.5. Table 4.14 of the EIAR gives a summary of the best practice development standards and mitigation measures to be implemented during the Construction Phase of the Proposed Development. Section 4.6.3 relates to Operational mitigation measures. With the implementation of appropriate mitigation measures no significant impacts on are likely. The risk of a major accident and/or disaster on site is considered extremely low but suitable mitigation measures have been included to address any such events. I refer the Commission to Table 4.17 of the EIAR which sets out a summary of potential impacts on KER(s), mitigation proposed and residual impacts.

11.6.6. With regard to potential cumulative effects, the EIAR outlines that a Strategic Environmental Assessment (SEA) and Natura Impact Report (NIR) was prepared as part of the MCDP, which assessed the potential to adversely affect the integrity of Natura 2000 sites and biodiversity in general. Developments permitted in the area have also been outlined. The EIAR does not identify the potential for any significant cumulative impacts on biodiversity.

Assessment: Direct, Indirect, and Cumulative Effects

11.6.7. I would concur with the EIAR that no significant effects are likely from any cumulative impacts.

Conclusion: Direct, Indirect, and Cumulative Effects

11.6.8. I consider that the main significant direct, indirect, and cumulative effects on Biodiversity are, and will be mitigated as follows:

- Construction stage loss and/or damage of habitat which will be mitigated by the protection of existing habitats, the carrying out of new planting.
- Construction and operational impacts on water quality which will be mitigated by an Environmental Management Plan including the preparation and the implementation of detailed measures to be implemented on the site as well as the construction methods for construction activities, appropriate supervision of works and operational surface water drainage system.
- Disturbance and displacement of fauna at construction and operational stage, which will be mitigated by a Construction and Environmental Management Plan, lighting design, existing and proposed landscaping, the appropriate timing of works.
- The protection of the Badger will be facilitated through the inclusion of a condition stipulating an appropriate Badger Conservation Plan be submitted and agreed prior to the commencement of any development works on site.
- Provided all recommended measures are implemented in full and remain effective throughout the lifetime of the proposed development, no significant negative residual impacts on the local ecology, or on any designated nature conservation sites, will occur as a result of the proposed development.

11.7. **Land & Soils**

Issues Raised

11.7.1. None.

Examination, analysis and evaluation of the EIAR

11.7.2. Chapter 5 of the EIAR deals with land, soils, and geology and has been prepared having regard to the Institute of Geologists of Ireland (IGI) guidance/methodology, EPA water quality monitoring data in the area; EPA Geoportal website; and Site Investigations.

Topsoil & Soil - The results of site investigation works for the site indicate that brown, sandy clayey topsoil was present in all 14 trial pits (TPs) excavated across the site to a maximum depth of 0.4m below ground level. According to the GSI web mapping the

quaternary sediments consist of till derived from Limestones.

Bedrock Geology – A review of the GSI database for the subject lands gives the bedrock classification a Dark Limestone & Shale of the LUCAN formation. This bedrock formation is commonly known as the "Calp" Limestone Formation, and consists of dark grey to black, fine-grained, occasionally cherty, micritic limestones that weather paler, usually to pale grey, and limestones.

Radon - The EPA's Radon Map shows that the site is not located in a High Radon area. In the vicinity of the site according to the EPA, about 1 in 10 homes in this area is likely to have high radon levels.

Hydrogeological - The site is located within the catchment of the river Boyne. Several small ditches drain the site and feed into the Ferganstown and Ballymacon stream to the south which discharges into the river Boyne. The site investigation shows that topsoil is generally underlain by a layer of clayey sand or sandy clay overlying clay with occasional seams of sands & gravels. Though groundwater was not encountered in trial pits excavated at higher elevations of the site, it was encountered at relatively shallow depths at some trial pits excavated at lower areas of the site adjacent to field drains and the Millrace. Based on site topography and surface water drainage flows, groundwater flow is likely to be from northeast – south west towards the Millrace and River Boyne.

11.7.3. I refer the Commission to section 9.0 above. As no construction will take place below the groundwater table, there is no requirement to lower the groundwater table by pumping, and no discharge of dewatering effluent to surface water is proposed from site. Discharge of storm water run-off to the surface drainage network will be attenuated to green field runoff rates and pre-treated to allow settlement of suspended solids and retention of hydrocarbons. Therefore, the risk of impacting the surface water drainage network is low.

Contaminated Land - The site is to be developed on greenfield agricultural land. There was no contamination identified in the site investigation report.

11.7.4. It is anticipated that the main development characteristics effecting soils and geology comprise the following:

• General construction activities across most of the site.

• Excavations to facilitate construction of foundations, road construction, landscaping features and installation of services including drainage, utilities, stormwater storage and SUDS features.

• Changes to ground levels across the site to facilitate final development levels.

• Disposal of excavated soil off-site.

• Importation of construction materials to the site including incorporating same below the ground.

• Land take of c. 13.26 hectares from agricultural to a residential scheme, including houses, open space, roads and ancillary infrastructure.

• Removal of topsoil and subsoil to allow road construction, foundation excavation, services installation.

• It is estimated that approximately 62,500m³ of cut and 25,000m³ of fill (generally comprising normal stone material used in the construction of roads, footpaths and buildings) will be required across the development. Cut material will be reused on site where possible for landscaping in order to minimise the volume of material that needs to be removed from site.

11.7.5. The predicted impact at construction phase is limited to stripping of topsoil, excavation of subsoil layers, excavation of bedrock, construction traffic, accidental spills and leaks. Proposed development levels are designed to minimise cut/fill type earthworks and volume of material to be disposed off-site where possible. Stripping of topsoil will result in exposure of the underlying subsoil layers to the effects of weather and construction traffic and may result in subsoil erosion and generation of sediment laden runoff which will have a temporary negative not significant effect due to the temporary exposure of sub soil layers during. Table 5.2 relates to *Preliminary Estimated Excavated Topsoil Volumes*. Approximately 12,900m3 (generally 0.3-0.4m depth of topsoil across the site) of topsoil will be excavated from the existing ground level. Topsoil for re-use will be stored in stockpiles for its protection and retained for future use in landscaping works. Approximately 60,000m³ of sub-soil (clay, sand, gravel) will also be excavated to facilitate construction of buildings, roads, parking, footpaths etc. and the installation of underground services. It is intended that most of the excavated material will be stored on site for re-use in landscaping with excess material removed

from site by lorries under license to a registered landfill in consultation with the Local Authority. These activities will generate associated construction traffic on the road network.

11.7.6. Potential accidental spills and leaks could cause contamination of the existing topsoil, subsoils or bedrock or groundwater underlying the site. There is a potential risk of localised contamination of the groundwater due to construction activities i.e. from accidental spillages, leaks etc. resulting in a potential Permanent Negative effect on the groundwater (in the absence of mitigation).

11.7.7. An Outline Construction Environmental Management Plan (OCMP) is included with the planning application. This plan will be developed further by the contractor into a Construction and Environment Management Plan for the construction phase. The OCMP includes a range of site specific measures including the following mitigation measures in relation to soils, and these should be reflected in the CEMP at construction stage. The impacts on the underlying bedrock geology arising from the construction phase will be imperceptible. The greatest impact will be to the soils from the construction activity as soil levels will be altered throughout. However final landscaping should reduce and address these impacts The implementation of the construction phase mitigation measures highlighted in section 5.6 will ensure that the soils geology and hydrogeological environment is not adversely impacted during normal and/ or emergency conditions during the operational phase.

11.7.8. The construction stage mitigation measures include appropriately designed site services / drainage / sewers will protect the soils and geology from risk of contamination arising from the development such as light liquids separator or SuDS treatment train approach, protected storage of stockpiled material; management of ground water during excavation; measures employed to prevent spillages from concrete delivery trucks and associated works; and provision of a designated fuel transfer area. No significant effects are predicted during the operational phase. With the implementation of the proposed mitigation measures, no significant construction effects are anticipated.

Assessment: Direct, Indirect, and Cumulative Effects

11.7.9. In relation to land as a resource, I have considered the principle and density of the proposed development in section 8 of this report, and I am satisfied that the proposal would make efficient use of the land resource.

I would also accept that the loss of soil and geology is an inevitable aspect of such planned urban development, and I am satisfied that appropriate mitigation measures have been incorporated to prevent any unacceptable impacts. Suitable measures will protect against the potential for dust/dirt pollution and nuisance; groundwater flooding and/or contamination; and soil contamination associated with construction fuels and other pollutants.

Conclusion: Direct, Indirect, and Cumulative Effects

11.7.10. I consider that the main significant direct, indirect, and cumulative effects on Land, Soil, and Geology are, and will be mitigated as follows:

- The loss of land, soil, and geology which would be acceptable given the proposed delivery of appropriate development and improved amenities in accordance with the proper planning and sustainable development of the area.
- Construction stage impacts relating to dust/dirt pollution, groundwater interference, and soil contamination, which would be mitigated by the Construction and Environmental Management Plan and other measures proposed in the EIAR.

11.8. **Water and Hydrology**

Issues Raised

11.8.1. Flooding was raised as a concerns by the third party.

Examination, analysis and evaluation of the EIAR

11.8.2. Chapter 6 of the EIAR assesses the potential impact on the drainage and water supply material assets, as well as identifying proposed mitigation measures to minimise any impacts.

11.8.3. The methodology for assessment is described as well as the receiving environment including existing infrastructure and utilities services are described. An Engineering Report was submitted with the application which addresses the impact of the development on the public water, foul water and drainage systems and the Site-

Specific Flood Risk Assessment was also submitted. This should be read in conjunction with section 8.4 and 9.0 of this report.

11.8.4. The subject lands currently falls from east to west, with an average topographical level varying from 52 mAOD down to 44mAOD. As noted the nearest surface water body is a small stream (referred to as the Ferganstown and Ballymacon stream with EPA Code 07F17) which flows in a westerly direction along the third class road that forms the southernmost boundary of the subject site (known also as the Old Road, Athlumney). This stream continues along the third class road for c. 225m before flowing in a north to north-westerly direction, where it forms a mill race, before discharging to the River Boyne c. 430m northwest of the subject site. While the subject lands have no formal watercourses traversing them, there are local drainage ditches which have served the subject lands. These land drains ultimately discharge to the mill race c. 200m west southwest of the subject site. It is along this drainage ditch that attenuated storm water will discharge to the mill race.

11.8.5. The potential construction stage impacts are identified as including, topsoil stripping and cut/fill earthworks activities may cause an elevated silt load to the adjacent watercourses, hydrocarbons may be released into networks from accidental spills, excavation of soil and sub-soil layers may reduce the ability of the lands to recharge groundwater. Surface water runoff during the construction phase may contain increased silt levels (e.g. runoff across areas stripped of topsoil) or become polluted by construction activities. This has the potential to result in increased silt and pollutant levels into existing nearby watercourse. In the absence of mitigation, it is likely that this activity would have a slight, adverse, temporary, residual impact on the watercourse.

11.8.6. Bedrock beneath the site has been classified as a Locally Important Bedrock Aquifer, which is generally moderately productive. This indicates possible well yields of between 100m³ and 400m³ per day. Given the presence of low to moderate permeability subsoils beneath the site to a proven depth of 18m below ground level immediately adjacent to the site, and the presence of an underlying locally important bedrock aquifer, the site has been categorised as a Type A Hydrogeological environment (i.e. passive geological/hydrogeological environment) (IGI, 2013). As no construction will take place below the groundwater table, there is no requirement to lower the groundwater table by pumping, and no discharge of dewatering effluent to

surface water is proposed from site. Discharge of storm water run-off to the surface drainage network will be attenuated to green field runoff rates and pre-treated to allow settlement of suspended solids and retention of hydrocarbons. Therefore, the risk of impacting the surface water drainage network is low.

11.8.7. As part of the construction works, the proposed development will require the local land drains be removed as the site is developed. The sites proposed storm water drainage system has been designed to drain into the existing mill race stream. As per the requirements of the Greater Dublin Strategic Drainage Study all new developments are to limit the run-off from post development sites to pre-development rates. In addition, storm water flows being restricted provision must be made through the use of sustainable urban drainage systems to provide sufficient capacity to retain on site the predicated storm water flows generated by an extreme storm event, (a 1-in- 100 year storm event increased by 20% for the predicted effects of climate change). Given the adherence to SuDS principles, there is no anticipated cumulative effect. Similarly, interaction between hydrology and the proposed foul or potable water supply is not applicable or controlled. As such, there is no anticipated cumulative effect.

11.8.8. I refer the Commission to section commencing 8.4 as regards Flood Risk analysis. In summary, following the Site Specific Flood Risk Assessment, it has been determined that all buildings within the proposed development are to be located within Flood Zone 'C' with low probability of flooding with an adequate freeboard above predicted flood levels.

11.8.9. A wide range of mitigation measures have been specified for the construction and operational phases of the project. These mitigation methods seek to ensure that construction and operational discharges are controlled to prevent potential pollution impacts to all receiving surface water systems and their downstream catchment areas. Consequently, the mitigation measures detailed in section 6.6 are also intended to prevent potential impacts to the ecosystem of the Ferganstown and Ballymacon stream / Millrace stream. The watercourses will be protected during the operational phase through the implementation of sustainable drainage systems (SuDS) on site. Works will be in accordance with the requirements of the Office of Public Works (OPW) and Inland Fisheries Ireland (IFI).

11.8.10. The construction stage mitigation measures refer to the OCEMP and best practices to avoid water pollution, and water quality will be monitored throughout. The operational measures relate to the monitoring of the drainage system. After the implementation of mitigation measures, no significant water impacts are predicted.

Assessment: Direct, Indirect, and Cumulative Effects

11.8.11. The surface water drainage network, attenuation storage and site levels are designed to accommodate a 100-year storm event (provision for 20% climate change included). Floor levels of houses are set above the 100-year flood levels by a minimum of 0.5m. For storms in excess of 100 years, the development has been designed to provide overland flood routes along the various development roads towards the surface water drainage outfalls and existing roads. This overland flood route also reduces the development's vulnerability to climate change.

I have considered the construction stage mitigation measures, and I am satisfied that they are suitably designed to address the potential risk of pollutant releases to the groundwater and surface water network. At operational stage, I am satisfied that there will be no significant discharge to groundwater and that the surface water discharge to the existing network will be designed in accordance with best practice requirements to satisfactorily address potential impacts.

Conclusion: Direct, Indirect, and Cumulative Effects

11.8.12. I consider that the main significant direct, indirect, and cumulative effects on Water are, and will be mitigated as follows:

- Construction stage impacts on groundwater and surface water quality, which will be mitigated by standard good practice construction stage measures including a Construction Environmental Management Plan.
- Operational stage surface water discharges, which will be mitigated by the implementation of suitably designed Sustainable Urban Drainage System (SuDS) measures.

11.9. Air Quality and Climate

Issues Raised

11.9.1. The third party raised concerns with respect to emissions and resource use.

Examination, analysis and evaluation of the EIAR

11.9.2. Chapter 7 of the EIAR assesses air quality and climate impacts. The methodology is set out in section 7.2. The air quality assessment has been carried out following procedures described in the publications by the EPA (2015; 2022) and using the Guidance on the Assessment of Dust from Demolition and Construction (Institute of Air Quality Management 2024) among others. Climate assessment has been carried out with regard to inter alia, Climate Action and Low Carbon Development (Amendment) Act 2021 (the 2021 Climate Act) (No. 32 of 2021) (Government of Ireland, 2021), Climate Action Plan 2024 (Government of Ireland, 2023), Meath Climate Action Plan 2024-2029 (Feb 2024), Guidance on Integrating Climate Change and Biodiversity into Environmental Impact Assessment (European Commission, 2013 and including UK Design Manual for Roads and Bridges (DMRB) Volume 11 Environmental Assessment, Section 3 Environmental Assessment Techniques, Part 14 LA 114 Climate (UK Highways Agency, 2019). This approach is considered best practice in the absence of Irish guidance and can be applied to any development that causes a change in traffic.

11.9.3. In terms of air monitoring and assessment, the proposed development site in Navan is within Zone C (EPA, 2022). The long-term monitoring data has been used to determine background concentrations for the key pollutants in the region of the proposed development. The background concentration accounts for all non-traffic derived emissions (e.g. natural sources, industry, home heating etc.). The ambient air quality data collected and reviewed for the purpose of this study focused on the principal substances (dust, vehicle exhaust emissions and boiler emissions) which may be released from the site during the construction and operation phases and which may exert an influence on local air quality.

11.9.4. In terms of receptor sensitivity to dust soiling, the EIAR states that there are a number of high sensitivity residential properties within 20m of the western site boundary. In addition to sensitivity to dust soiling, the IAQM guidelines also outline the assessment criteria for determining the sensitivity of the area to human health impacts. The criteria take into consideration the current annual mean PM_{10} concentration, receptor sensitivity based on type and the number of receptors affected within various distance bands from the construction works. The air quality in Navan may be characterised as good, with concentrations SO_2, NO_2, PM_{10} and $PM_{2.5}$ below their associated limit

values (Table 7.2 EIAR). A conservative estimate of the current annual mean PM_{10} concentration in the vicinity of the proposed development is 14.2 µg/m3. Based on the IAQM criteria, the worst case sensitivity of the area to human health impacts is considered low.

Air Quality

11.9.5. During the construction stage the greatest potential impact on air quality is from construction dust emissions and the potential for nuisance dust. While construction dust tends to be deposited within 350m of a construction site, the majority of the deposition occurs within the first 50m. The extent of any dust generation depends on the nature of the dust (soils, peat, sands, gravels, silts etc.) and the nature of the construction activity. In addition, the potential for dust dispersion and deposition depends on local meteorological factors such as rainfall, wind speed and wind direction. Meteorological data for the closest synoptic meteorological station to the site which is at Dublin Airport c. 35km south east of the site indicates that the prevailing wind direction in the Navan area, is from the West and Southwest and blows Northeast across the proposed development. The mean annual wind speed in the Dublin area between 1991 - 2022 is 5.4 m/s.

11.9.6. The development of the site will be conducted in the following phased stages:

• Enabling works - Site set up and Site clearance

• Construction works including site infrastructure, houses, apartment buildings and landscaping

There is no demolition required for the proposed development and therefore no impact is predicted.

Enabling Works -Site Set-Up and Clearance - Site clearance and ground excavation works will be undertaken in separate phases and these activities have the potential to generate fugitive windblown dust emissions rising from the operation of mechanical plant. It is estimated that there will be a maximum of 40 no. 2-way HGV movement per day associated with site clearance works for each phase of development. This relatively small volume of truck movements will have a negligible impact on local ambient air quality. In general, site clearance works would occur for an approximate 2 - 3 month period.

Building and Site Infrastructure Construction Works - During the construction phase

there will be extensive site works, involving construction machinery, construction activities on site which have the potential to generate fugitive windblown dust emissions. The dust emission magnitude from earthworks associated with the proposed development works can be classified as high given the large site area of 121,735m^2. The total building volume to be constructed will be between >100,000 m3. Dust emission magnitude from trackout can be classified as high under IAQM guidance as there are likely to be on average > 50 HGV movements per day during the construction period of the development. Each of the above are deemed to generated high risk to human health. The dust emission magnitude is described below for each of the major dust generating activities. Table 7.9 of the EIAR as follows:

Table 7.9: Dust Risk Assessment to Define Site-Specific Mitigation Measures

Sensitivity of Area	Dust Emission Magnitude			
High	Demolition	Earthworks	Construction	Trackout
Soiling	NA	High Risk	High Risk	High Risk
Human Health	NA	High Risk	High Risk	High Risk
Ecology	NA	High Risk	High Risk	High Risk

Note Demolition works are not required for the development

Overall, in order to ensure that no dust nuisance occurs during the earthworks, construction and trackout activities, a range of dust mitigation measures associated with a high risk of dust impacts will be implemented. In the absence of mitigation dust soiling impacts from demolition and construction works are predicted to be short-term, localised, negative and light.

There is also the potential for traffic emissions to impact air quality in the short-term over the construction phase. Particularly due to the increase in HGVs accessing the site. In the absence of mitigation, emissions to air from operational traffic is predicted to have a negative, imperceptible, and long-term effect on air quality.

Climate

While there is the potential for a number of greenhouse gas emissions to atmosphere during the construction of the development. Construction vehicles, generators etc., may give rise to CO2 and N2O emissions. Embodied Carbon is the amount of carbon emitted during the construction of a building. The extraction of raw materials, the manufacturing of materials, transportation and installation can all produce carbon emissions. Using the ECOM Embedded Carbon Calculation Tool the estimated construction phase embodied carbon will be 68,733 kg CO2e. The impact on Climate associated with the construction phase in the absence of mitigation will have a negative, not significant, long-term effect.

11.9.7. The construction stage mitigation measures including dust mitigation measures which include that a dust management and monitoring (OCEMP in Appendix D and Dust Management Plan in Appendix C of the EIAR), efficient use of vehicle engines; and minimisation of waste site-specific Resource and Construction Waste Management Plan which defines how the reuse and recycling of materials shall be maximised. The operational mitigation will be achieved by design including Energy Efficiency - All proposals for development shall seek to meet the highest standards of sustainable design and construction with regard to the optimum use of sustainable building design criteria such as passive solar principles and also green building materials. All buildings will have a minimum Building Energy Rating of A3. Following the implementation of these measures, any residual impacts are predicted to be imperceptible. The proposed development will be designed to include best practice climate mitigation measures to reduce the impacts on Climate. The predicted impact with mitigation relating to Greenhouse Gas emissions will result in a negative, imperceptible, long-term effect.

11.9.8. According to the IAQM guidance (2014) should the construction phase of the proposed development coincide with the construction phase of any other developments within 500m then there is the potential for cumulative construction dust related impacts to nearby sensitive receptors. However, provided the mitigation measures outlined in Section 7.6.1, are implemented throughout the construction phase of the proposed development significant cumulative dust impacts are not predicted resulting in a negative, not significant and short-term effect. The cumulative impact on air quality during the operational phase of the proposed development and other developments when operational will result in a negative, imperceptible and long-term effect.

11.9.9. Nothing the concerns raised by the third party as regards emissions, I note section 7.10 of the EIAR concludes that best practice mitigation measures will be implemented for the construction phase of the proposed development which will focus on the pro-active control of dust and other air pollutants to minimise generation of emissions at source. The mitigation measures that will be put in place during construction of the proposed development will ensure that the impact of the development complies with all EU ambient air quality legislative limit values which are based on the protection of human health. Therefore, the impact of construction air emissions on human health will result in a neutral, imperceptible, and short-term effect.

11.9.10. Having regard to concerns raised by the third party with regards emissions and resource uses (by reference to heating system design and why ground source heating not proposed or district heating) as discussed in section 8.3 above. The Commission will note that the EIAR acknowledges that the principal forms of air emissions relate to discharges from motor vehicles and heating appliances. With regard to heating appliances, the emission of nitrogen oxides and carbon monoxide will be minimised by the use of modern, efficient heating appliances and as a result, the potential impact is estimated to be negligible. Exhaust gases from motor vehicles will arise from car parking areas and will be discharged directly to the atmosphere. Car parking for motor vehicles is provided at surface level. Operational phase traffic emissions and building emissions as a result of the proposed development are compliant with all National and EU ambient air quality limit values which are designed for the protection of human health. The impact of operational phase air emissions on human health will result in a neutral, imperceptible, and long-term effect.

Assessment: Direct, Indirect, and Cumulative Effects

11.9.11. I would accept that the main air impacts will be restricted to construction-related dust and that this is unlikely to be significant when the proposed Waste Management measures and other mitigation measures are implemented. I would also accept that traffic-related emissions at the construction and operational stages are unlikely to be significant; that the building design strategy will avoid any significant effects on air or climate; and that there would be no unacceptable climate-related flood risk to the site or adjoining lands.

Conclusion: Direct, Indirect, and Cumulative Effects

11.9.12. When the mitigation measures detailed in Section 7.8.1 of the EIAR Volume II are implemented, the impact of the proposed development on local air quality will have a negative, not significant and short-term effect. Emissions from vehicle movements associated with the development will not exceed air quality standards., The predicted operational phase impact to air quality with mitigation as a result of increased traffic will result in a negative, not significant and long-term effect. Emissions of air pollutants during the operational phase are predicted to be significantly below the ambient air quality standards limit values which are based on the protection of human health. The

predicted impacts on human health with mitigation will result in a neutral, not significant and long-term effect.

11.9.13. I consider that the main significant direct, indirect, and cumulative effects on Air and Climate are, and will be mitigated as follows:

- Construction stage dust emissions, which will be mitigated by a Dust Management Plan and standard good practice construction stage measures outlined in the Construction Environmental Management Plan.
- Impact on Climate will be mitigated through appropriate design measures including energy efficient buildings.

11.10. **Noise and Vibration**

Issues Raised

11.10.1. None.

Examination, analysis and evaluation of the EIAR

11.10.2. Chapter 8 of the EIAR deals with noise and vibration. The methodology for assessment is described. There is no published statutory Irish guidance relating to the maximum permissible noise level that may be generated during the construction phase of a project. Local authorities normally control construction activities by imposing limits on the hours of operation and may consider noise limits at their discretion. In the absence of specific noise limits, appropriate criteria relating to permissible construction noise levels for a development of this scale may be found in the British Standard BS 5228-1:2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 1: Noise.

11.10.3. Baseline noise data in the vicinity of the closest residential receptors to the proposed development site boundaries has been obtained from noise monitoring surveys conducted during April 2024. The baseline monitoring locations were selected in accordance with ISO 1996,2, 2017: Acoustics – Description, Measurement and Assessment of environmental noise and the 2016 EPA publication, “Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4) and included locations in proximity to existing residential dwellings adjacent to the development areas and within the site itself to assess the inward impact of local road traffic noise within the site. Based on the recorded baseline noise surveys

conducted in the vicinity of the proposed development site it may be concluded that the existing ambient noise levels are low at the closest existing and proposed residential receptors. I refer the Commission to section 8.3 of the EIAR.

11.10.4. During the construction phase the main site activities likely to generate noise will include site clearance, building construction and landscaping works.

Enabling Works - Works activities associated with the 'Site set up' will be undertaken prior to construction works commencing. The setting up of the site shall involve the construction of site security hoarding and site compounds, site offices, materials and waste storage areas and staff welfare facilities. These short-term activities will have a minimal potential to generate excessive noise levels.

Construction Works - The closest residential properties to the proposed development site are located at distances ranging from approximately 10m-50m. Construction noise calculations have therefore been conducted both at distances of 10m to 50m from the works for the Site Clearance and Main Construction phases, representing the nearest existing residential receptors to the works located to the south and southwest of the site.

Tables 8.10 and 8.11 of the EIAR detail assumed plant items during the key phases of construction with the associated source reference from BS 5228: 2009+A1 2014 as follows:

Table 8.10: Indicative construction noise predictions associated with Site Enabling works

Plant Item	BS 5228 Reference	Calculated sound pressure levels L_{Aeq} dB at distances from receptors	
		10	**50**
Generator (enclosed)	C.4 Ref 84	68	54
Compressor (enclosed)	D.6 Ref 19	71	57
Tracked Excavator	C.2 Ref 3	76	62
Wheeled Excavator	C.2 Ref 26	77	63
HGV	C.4 Ref 19	75	61
Dozer	C.2 Ref 11	79	65
Combined $L_{Aeq,period}$	-	**73**	**56**

Table 8.11: Indicative construction noise predictions associated with building construction works

Plant Item	BS 5228 Reference	Calculated sound pressure levels L_{Aeq} dB at distances from receptors	
		10	**50**
Generator (enclosed)	C.4 Ref 84	68	54
Compressor(enclosed)	D.6 Ref 19	71	57
Tracked Excavator	C.2 Ref 3	76	62
Wheeled Excavator	C.2 Ref 26	77	63
HGV	C.4 Ref 19	75	61
Concrete / Steel Cutting Equipment	Various	82	68
Dump truck	C.2 Ref 30	77	63
Combined $L_{Aeq,period}$		**72**	**54**

The results of the assessment indicate at distances of greater than 10m from the works site provided all mitigation measures including site hoarding are implemented, the construction day time noise limit of 75dB LAeq, 11hr can be complied with during both enabling and construction works. It is also important to note that the impact due to construction activities will be transient in nature and the noise levels detailed represent worst case scenarios when all items of plant are operating simultaneously without noise mitigation measures in place. A negative, slight to moderate and short-term effect is predicted at the closest residential receptors during the construction phase.

Construction Traffic Noise - The maximum predicted LAeq, period values as a result of the HGV traffic movements at the nearest noise sensitive receptors located along the haul route roads is predicted to be 51 dBA, LAeq, period. It is not expected that the predicted short-term increase in HGV movements associated with the construction phase of the development will have an adverse impact on the existing noise climate of the wider area or on local receptors. The noise impact associated with construction traffic on public roads will result in a negative, slight, and short-term effect at the closest residential receptors during the construction phase.

Vibration - The nearest off-site residential receptors will be c. 10m from construction works. Depending on the methods of construction, there is the possibility of construction related vibration impacts on human beings as a result of ground preparation and concrete foundation activities. However, such sources of vibration shall be temporary and intermittent. The vibration impact associated with construction works will result in a negative, slight, and short-term effect at the closest residential receptors during the construction phase.

11.10.5. During the operational phase of the development, the key sources of noise will relate to building services plant and additional vehicular traffic on public roads.

Traffic - A Traffic Impact Assessment relating to the proposed development has been prepared. The split in am and pm peak traffic movements will not result in an adverse impact on local air quality at any local junction and it is predicted that the impact of car engine exhaust emissions will have a negligible impact on local ambient air quality. The maximum increase at any junction as a result of the fully operational development will be 14.7% on the R153 Kentstown Road (West) AM Peak and 14.3% on the R153 Kentstown (West) PM Peak. The UK Design Manual for Roads and Bridges (DMRB,

Volume 11, Section 3, Part 7) states that it takes a 25% increase or a 20% decrease in traffic flows in order to get a 1dBA change in traffic noise levels. On this basis, the traffic flow increases associated with the development for all year scenarios will result in a negligible increase of +1dBA on existing ambient noise levels at existing residential receptors at the R153 Kentstown Junction. There will be no increase in noise levels at other analysed local junctions. The noise impact associated with traffic on public roads will result in a negative, slight, and long-term effect at the closest residential receptors during the operational phase. Similarly, internal residential traffic movements will result in a negative, slight, and long-term effect at the closest residential receptors during the operational phase,

Vibration - The Commission will note that the only source of vibration predicted, once the development has been constructed and is operational, is vibration associated with internal road traffic movements and as such would be significantly lower than those levels required to lead to disturbance of occupiers or to cause cosmetic or structural damage to buildings.

Pump Station - The development will include a temporary foul water pump station located in the eastern area of the site c. 50m from the closest residential receptors. A typical well maintained underground pump station of this nature would generate sound pressure levels between 60 – 65dB(A). With regard to the sound attenuation provided by its subterranean location and the distance between the pump station and the closest residential units, it is predicted that the noise level experienced at the residential units would be <15 dB(A).

Mechanical and Electrical Sources - Once operational, there will be building services plant items required to serve the development. These will typically be limited to heating and cooling plant and extract units, depending on the building design and user requirements. While it is stated that the location or type of building services plant has not yet been established; therefore, it is not possible to calculate noise levels to the surrounding environment. In this instance, is it best practice to set appropriate noise limits that will inform the detailed design during the selection and layout of building services for the development. The cumulative operational noise level from building services plant at the nearest noise sensitive location within the development (e.g. apartments, etc.) will be designed/attenuated to meet the relevant BS 4142 noise criteria for day and night-time periods as set out in this assessment.

Potential Inward Noise impacts on the proposed development - The inward noise impact from the rail line located c. 300m north of the site has been considered as a noise source that could have the potential to have an existing or future negative noise impact on the development. The calculated LAeq, 18hr train noise level is 56dB(A). The inward noise impact of the limited number of existing daily train movements (4 no.) on the closest residential units does not exceed the existing baseline noise levels at this location. Should train movements increase in the future to double the existing movements to 8 movements per day the resultant LAeq, 18hr train noise level would be 59dB(A). The inward noise impact associated with train movements results in a negative, slight and long-term effect.

11.10.6. Assuming the above developed mitigation measures are properly incorporated into the development design, the magnitude of noise impact would be considered both minimal and minimised as far as practicable.

Assessment: Direct, Indirect, and Cumulative Effects

11.10.7. The cumulative impact has been considered in the context of other housing developments in the Navan area at the time this application was made. In terms of construction noise, given the layout of the nearby receptors in comparison with the proposed construction sites, it is expected that the construction noise from the proposed development will dominate the noise levels at the local residential receptors and there is unlikely to be any significant cumulative construction noise effect given the distance to the other identified developments.

I have considered the construction stage mitigation measures, and I am satisfied that they are suitably designed to address the noise and vibration potential. Having regard to third party concerns raised, I acknowledge that there will be impacts on some adjacent residential properties. However, these are temporary in nature and any inconvenience will be short lived. On balance, I am satisfied that the proposed mitigation measures are acceptable and through suitable conditions impacts would be avoided, managed and mitigated. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of noise or vibration.

Conclusion: Direct, Indirect, and Cumulative Effects

11.10.8. I consider that the main significant direct, indirect, and cumulative effects on Nosie and Vibration are, and will be mitigated as follows:

- Construction stage, which will be mitigated by standard good practice construction stage measures including a Construction & Environmental Management Plan.
- Operational stage noise from the plant will be mitigated by the design of the building, noise barriers and landscaping.

11.11. **Landscape and Visual Impact**

Issues Raised

11.11.1. The third party submission made reference to impact on the character of the area.

Examination, analysis and evaluation of the EIAR

11.11.2. Chapter 6 assesses the potential effects on the landscape and visual impact. The methodology for assessment is described and the receiving environment is described. The environmental impacts from the proposed development are detailed in the EIAR. The Landscape and Visual Impact Assessment (LVIA) was informed by a desktop study and a survey of the site and its receiving environment in January 2024.

11.11.3. The site is an irregularly shaped greenfield land parcel at the eastern edge of Navan of lands the subject of a wider masterplan area. The highest point of the site is located on the eastern boundary, close to the existing barn shed on-site, at a level of 51.95m AOD. The land might be best described as gently rolling and gradually sloping towards the western boundary and the north-western boundary. The only significant feature is the raised railway embankment. The lands are not recorded as a high value landscape. The site falls within a Landscape Character Area designated as the 'Central Lowlands'. The MCDP identifies Protected Views in the town and the county, however there are no protected views affected by the development. At the local level the proposed development's receiving environment can be considered peri-urban in character. It retains certain 'rural elements and characteristics' (the agricultural fields that make up the site) but is heavily influenced by the planned expansion of the masterplan lands.

11.11.4. The subject sites falls within 'Central Lowlands Landscape Character Area' which is categorised to have 'High' Landscape Value, 'Moderate' Sensitivity and of 'regional

Importance as per the Landscape Character Assessment. The subject sites is situated close to the 'Boyne Valley Landscape Character Area' which is categorised to have 'Very High' Landscape Value, 'High' Sensitivity and of 'International' Importance as per the Landscape Character Assessment

11.11.5. The Development Plan does not identify any protected structures on-site or in the immediate surroundings of the site. The site does not fall within an Architectural Conservation Area or in the vicinity of one. The Boyne valley has long attracted human settlement, evidence for which dates to pre-historic eras. However, there is no evidence or records of settlement on the subject site and no part of the site falls is identified to be part of an area designated as 'zone of archaeological importance'. The Athlumney Castle and Church Graveyard is about 1.3km to the west of the site. The Castle and the remains are not visible from the site.

11.11.6. A series of 12 viewpoints have been prepared to assess the visual amenity impact of the proposed development (including proposed landscaping) from a variety of locations in the wider landscape. At local level the proposed residential development will constitute a significant intervention in the local setting replacing existing vacant field with a large residential development. However, in most cases the impact on local views is significantly mitigated by existing/planned development and vegetation. Immediate to the site, particularly from the adjoining residential development to the south, the visual change will be significant but ameliorated by the quality of the building design and landscaping. Within the wider landscape, views of the proposed development site are generally constrained by a combination of established development and existing mature vegetation. Where views of the proposed development are significant the design qualities associated with the proposed development in terms of positioning and heights of buildings and landscape treatments, will serve to reduce the impact.

11.11.7. The proposed development is expected to have a temporary adverse effect on the visual resource during construction. Upon operation and into the future, the development is expected to have a neutral and in places beneficial long term / permanent effect on the visual resource. A summary of the visual effects is set out in table 9.8 of the EIAR as follows:

Table 9.8: Summary of Visual Effects

VP No.	Location	Sensitivity	Degree of Change	Significance and Term			Cumulative
				Short	Medium	Long	
1	Looking east/south-east from the Level Crossing, Boyne Road	Low	Medium	Slight and Adverse	Slight & Neutral		No Effect
2	Looking east from Ballis Manor, abutting western boundary	Medium	Negligible	Not Significant and Neutral			No Effect
3	Looking north-east from Tubberclaire Meadows, abutting the south-western boundary	High	Low	Slight and Neutral			Slight
4	Looking east from Tubberclaire Meadows, abutting the south-western boundary	High	Medium	Slight-Moderate and Neutral			Slight
5	Looking north-east from Old Road, southern boundary	Medium	Low	Slight and Neutral			No Effect
6	Looking north-west from Old Road, in front two detached houses	Medium	Medium	Moderate and Neutral			No Effect
7	Junction of R153 and Metges Rd	Low	Negligible	Imperceptible and Neutral			No Effect
8	One-off Housing, looking west from the farm lane	Medium	Low	Slight and Neutral			No Effect
9	Eastern corner of the application site boundary	Low	Medium	Slight and Neutral			High & Beneficial
10	Northern corner of the application site boundary	Low	Very High	Moderate and Beneficial			No Effect
11	View from Glenveigh Residential Neighbourhood	High	Negligible	Slight and Neutral			No Effect
12	St Mary's Cemetery, north west of railway line	Negligible	Low	Slight/Not Significant and Neutral			No Effect

11.11.8. Construction is expected to be phased over four years. During the construction stage of development any development on a large greenfield site would naturally result in significant visual impact and material change to the landscape character of the site. The construction phase of the development would be visually unappealing during the initial stages and as the development progresses the visual impacts would be lessened. The landscape sensitivity of the receiving environment is 'Medium'. The magnitude of change during construction phase would be "High". This would change

the character of the landscape and generate a landscape effect that would be ‘significant’. Qualitatively, it is expected that all construction works would have an Adverse landscape impact. Although valued features would be protected, the works would change the lands until they are re-made into the proposed neighbourhood. However such impact as temporary. Mitigation measures to the construction phase will be dealt with in the construction management plan.

11.11.9. On completion the residential development will significantly alter the landscape from a vacant agricultural site to a large mixed residential estate. The character of the area will change from semi-rural to urban and which will integrate with the adjoining suburban areas existing and planned. The extensive planting of additional trees and shrubs throughout the site where possible will reduce the visual mass of the buildings, soften, and partially screens the development over time from various viewpoints, as identified in the assessment, thereby minimising the visual impacts. Landscape works are proposed to reduce and offset of any impacts generated due to the proposed development, where possible. The planting of substantial numbers of new trees and other planting in the open spaces, the site boundaries, and internal roads, both native and ornamental varieties, will enhance the overall appearance of the new development and compensate for the removal of hedgerows and trees where needed for the construction works and increase the overall landscape capacity of the site to accommodate development. The development and landscaping will create new vertical emphasis throughout the currently vacant site. The provision of streets and open spaces will create a variety of views into and across the development.

Assessment: Direct, Indirect, and Cumulative Effects

11.11.10. I have considered the impact of the development in relation to landscape and visual impact and I have had regard to the urban design and placemaking aspects of the proposed development. From an environmental impact perspective, I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of the layout and design of the proposed scheme. I am, therefore, satisfied that the proposed development would have an acceptable direct, indirect, and cumulative effects on the landscape and on visual impact.

Conclusion: Direct, Indirect, and Cumulative Effects

11.11.11. I consider that the main significant direct, indirect, and cumulative effects on Landscape are, and will be mitigated as follows:

- Changes to the landscape character associated with the development of this greenfield site, which will be mitigated by the design and layout of the proposed development, including the retention of existing vegetation and the provision of additional landscaping and open spaces.

11.12. **Material Assets – Traffic and Transportation**

Issues

11.12.1. None

Examination, analysis and evaluation of the EIAR

11.12.2. Chapter 10 of the EIAR considers the impact of the development on the traffic and transport environment. The methodology is set out in section 10.3. A Traffic and Transport Assessment accompanied this application.

11.12.3. LDR6 is the Local Distributor Road that will serve as the primary collector/distributor road through the Masterplan 12 lands. This distributor road has a 7.3m wide single carriageway; together with segregated cycle lanes and footways on both sides. LDR6 starts at a signal junction on the R153 Kentstown Road and heading northwest is provided with 3 no. roundabouts; the first of which forms a junction with the existing Old Athlumney Road with the other two roundabouts providing access to zoned lands on both sides of the LDR6, via general access roads. As set out in Masterplan 12, these general access roads will be 'Link Road' standard and will all have similar cross sections consisting of a maximum 6.0m wide single carriageway; generally flanked with 2.0m wide footways on both sides.

11.12.4. The minor access roads linking LDR6 into residential areas have been designed to support a lower speed limit of 30kph in accordance with the principles of DMURS. These roads will include for a maximum 5.5m wide single carriageway; with 2.0m wide verge; and 2.0m footway on at least one side of the road. Save for the high trafficked sections close to LDR6 Dedicated cycle lanes will not be provided on internal residential streets as traffic volumes will be low which should contribute toward a safe environment in which to share road space with other road users.

11.12.5. The Design Manual for Urban Roads and Streets (DMURS) 2019 sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. It also outlines practical design measures to encourage more sustainable travel patterns in urban areas. The road hierarchy within Phase 1 including the integration of Phase 1A has been developed in compliance with DMURS principles. Where cul-de-sacs are u are used pedestrian and cycle links have been accommodated where possible in the interest of permeability.

11.12.6. All construction activities will be governed be governed by a Construction Traffic Management Plan (CTMP), the details of which will be agreed with the local road's authority prior to the commencement of construction activities on site. The Planning Authority is familiar with the traffic generation characteristics associated with general construction with the recent construction of LDR6. The existing road network serving Masterplan 12 and the internal road network have been designed to accommodate this type of traffic and the levels of construction activity forecast. Impacts arising from construction traffic will be managed and mitigated through the agreement of suitable haul routes. There is no significant construction traffic impact arising in residential areas.

11.12.7. At operational stage The capacity of a road network is dictated by the operation of the links and junctions within that network. Capacity assessments of the key junctions in the vicinity of the site are modelled for base and future year scenarios in order to provide a comparative basis upon which to evaluate the incremental impact of the proposed Phase 1B development and to appraise the overall performance of the road network under future assumed network traffic flow criteria. In order to prepare a traffic network model various base assumptions are made with respect to the future growth of traffic on the receiving road network

Traffic Growth - For the purposes of the traffic assessment traffic generation arising directly from the proposed development has been assumed not to grow over time. Background traffic flows on the public road network have been assumed to grow in accordance with the latest growth factors published by the Transport Infrastructure Ireland (TII) in May 2019 in the document 'Project Appraisal Guidelines: Unit 5.3 Travel Demand Projections'. Central growth factors have been used in the derivation of the future traffic flows from the surveyed 2023 flows. The TII forecast central growth factors assume traffic growth of 1.73% per annum between 2016 and 2030 and 0.7%

per annum thereafter for HGV traffic the corresponding growth factors are 3.65% and 1.86%. Existing traffic flows are as surveyed and will be used as a base for comparison of the analyses for future year junction performance.

Section 10.4.7 of the EAIR provides the baseline traffic flow data on the receiving road identified by Meath County Council as within the appropriate scope of the traffic assessments. Section 10.5.3 sets out the principles and methodology of forecasting the traffic generation of the proposed development and the cumulative traffic generation arising from the development of the Masterplan 12 lands. These assessments do not make specific discounts to traffic forecasts based upon the aspiration of the Masterplan for a sustainable live work community. For the purposes of traffic capacity assessments the proposed development and the development of Masterplan 12 are assumed to be traditional, and the traffic forecasts use the database method and are based upon survey of existing sites. With the aid of industry standard capacity assessment software

Section 10.6 examines the impact of the proposed development and cumulative impact of Masterplan 12 on the operation of the LDR6 and connected infrastructure at Boyne Road, Old Athlumney Road and Kentstown Road. Future network assessments also account for network traffic growth on the receiving local and regional road network at the central rates published by Transport Infrastructure Ireland. These growth forecasts of network traffic generally corresponding to economic growth and account for general development traffic and thus contribute to a robust cumulative impact assessment. The proposed development connects directly to LDR6 which is built expressly for the purposes of accommodating the traffic arising from the proposed development and the development of Masterplan 12. The capacity assessments of Section 10.6 show that the connecting roundabouts on LDR6 will operate well within capacity when subject to traffic arising from the proposed development. The roundabouts are shown to operate satisfactorily when the Masterplan 12 lands are fully developed.

There are two principal connections to LDR6; the Boyne Road to the north and the Kentstown Road to the south, both of which are proposed to be signal controlled junctions. The capacity of both junctions was analysed as standalone junctions using standard modelling software. The model was developed for the ‘Do Something’ scenario for both junctions to determine the level of capacity available in various future

scenarios. A 'Do Nothing' scenario was not tested for these junctions as construction of LDR6 is incomplete and in any case even when LDR6 is constructed in 2021 there will be no generator of traffic on this distributor road until Masterplan 12 developments are permitted and constructed. The results of the traffic modelling analysis undertaken for the key internal junctions and the signal junction on the Boyne Road and Kentstown Road show that all junctions will operate well within capacity for the morning and evening peak hours for all scenario years assessed with no significant queueing or delay.

The main corridor upon which the new traffic generated by the proposed Phase 1B development will have an impact is the LDR6, R153 Kentstown Road and Boyne Road. The scope of future year assessments focuses on the operation of the future R153 Kentstown Road signal controlled junction, future Old Athlumney Road/LDR6 Roundabout and the two development access roundabouts on the LDR6 to the north hereafter referred to as the LDR6 Northern and Southern Roundabouts. The purpose of LDR6 is primarily to facilitate development and the assessments aim to show that the infrastructure provided by LDR6 is suitable to accommodate the forecast traffic arising from the proposed Phase 1B development and from the development of the Masterplan 12 lands served by LDR6. The LDR6 infrastructure is currently serves no development so no assessments have been carried out for the without development scenario. A series of traffic scenarios have been assessed that consider traffic flows with the proposed Phase 1B development in place and further assessments consider a 2041 scenario in which the Masterplan 12 lands are fully developed and occupied. The various future traffic flow scenarios have been assessed for the Opening Year 2026, Opening Year +5yrs and the Design Year of 2041. The TRL suite of programs assesses network performance in the identified peak hours

Public Transport: Three bus stops will be provided along each side of the LDR6. These bus stops maximise the future catchment area by ensuring that residents and neighbourhood centre patrons within Masterplan 12 will be within a five minute walk of the bus stop.

Car Parking – Section 10.7 of the EIAR relates to car parking provision. Car parking is provided as follows:

Table 10.29: Relevant Car Parking Standard and Guidance – Phase 1 Masterplan

Unit Type		Standards		No. Units GFA	Requirement		
		Meath CDP	DHPLG		Meath CDP		DHPLG
Apartments	1-bed	2/unit	1/unit + 1 visitor space per 3-4 units	47	94	214	107 Resident 27-36 Visitor
	2-bed	2/unit		60	120		
	3-bed	2/unit		Nil	0		
Duplex	2-bed	2/unit		30	60	120	60 Resident 15-20 Visitor
	3-bed	2/unit		30	60		
Houses	3-bed	2/unit	NA	217	434	506	NA
	4-bed	2/unit		36	72		
Creche		1/employee + 1/ 5 children	NA	10 Staff + 105 Child	31	31	NA
Anchor Retail		1/20 sq.m	NA	1,367m²	68	68	NA

Unit Type	Standards		No. Units GFA	Requirement		
	Meath CDP	DHPLG		Meath CDP		DHPLG
Takeaway	1/5 sq.m	NA	82m²	5	5	NA
Pharmacy	1/20 sq.m	NA	88m²	4	4	NA
Café	1/5 sq.m	NA	233m²	25	25	NA
GP Surgery	2 per room	NA	293m²	8	8	NA
Community Centre	1/5 sq.m	NA	1,798m²	360	360	NA

The Commission will not that the Department of Housing, planning and Local Government (DHPLG) "Sustainable Urban Housing: Design Standards for New Apartments" suggests a provision of 134 no. spaces (107 no. for residents and 27 -36 no. for visitors). The guiding principle for infrastructure delivery is to ensure the delivery of sustainable living and working communities with an emphasis on the provision of the necessary infrastructure in tandem with the delivery of residential units. On the basis that Phase 1 Masterplan and Masterplan 12 envisage a community that will include for both living and working with a reduced need to travel so a total of 144 no. parking spaces are allocated to serve the apartments and duplex units. The first party set out that the provision is modestly above that set out in the Sustainable Urban Housing: Design Standards for New Apartments. In the context of the site at 2.5km form the town centre, I am satisfied this the car parking provision is acceptable. The scheme also provides for disabled and bicycle parking.

11.12.8. The proposed mitigation measures include best practice measures for construction stage. The design of the site layout, roads and accesses in accordance with the relevant guidelines and codes of practice is likely to mitigate any potential impacts during the operational phase of the development. With the combination of the public bus service options and car reduction measures such as cycle lanes as they become

widely used, the volumes of traffic on the surrounding network, generated from the proposed development, will have a minimal effect on the overall traffic volumes. The volumes of traffic generated from the currently proposed development will have a negligible effect on the highway network traffic volumes and can be considered within the norms for suburban/urban developments.

11.12.9. The proposed development incorporates a significant number of interconnected walking and cycling routes for commuting, circulating within the development and leisure. Internal routes connect to local amenities and the neighbourhood centre and to surrounding developments and the greater travel network of Navan town. These facilities will provide attractive and safe routes for residents which will encourage residents and visitors to travel by more sustainable modes

11.12.10. The implementation and performance of mobility management planning initiatives including any ongoing revisions or new initiatives will be monitored and evaluated throughout the Operational Phase. A Mobility Management Plan (MMP) has been prepared and will be implemented for all residents and particularly the residents of the apartment units. Notwithstanding that the commercial elements of the development are part of the overall Masterplan 12 live work sustainable community model and are expressly provided to reduce the need to travel by car the principles of the MMP will extend to staff associated with the operation of the commercial elements albeit that the majority of staff is expected to be living in the local community. In co-ordination with the objectives of the sustainable community model the MMP ultimately seeks to encourage sustainable travel practices for all journeys to and from the proposed development. As part of the MMP process, post occupancy surveys are to be carried out in order to determine the success of the measures and initiatives as set out in the proposed MMP document. The information obtained from the monitoring surveys will be used to identify ways in which the MMP measures and initiatives

Assessment: Direct, Indirect, and Cumulative Effects

11.12.11. The assessment is predicated on the zoned land designation that has already been subject to SEA as regards the capacity of the area to accommodate the increased demand.

11.12.12. The cumulative impact has been considered in the context of other housing and infrastructure developments in the Navan area at the time this application was made.

The vehicle trips associated with this committed development were retrieved from the Traffic and Transport Assessment submitted as part of the development's planning application. These vehicle trips were included in the subject development's Traffic Model in order to assess the impact of the development on the surrounding network in addition to the subject development's impact.

Conclusion: Direct, Indirect, and Cumulative Effects

11.12.13. I consider that the main significant direct, indirect, and cumulative effects on Traffic and Transport will be mitigated as follows:

- The Construction & Environmental Management Plan (a preliminary CEMP accompanies the application) and the associated Construction Traffic Management Plan (CTMP) in addition to the Resource (Construction) Waste Management Plan for the development will incorporate a range of integrated control measures and associated management initiatives with the objective of mitigating the impact of the proposed developments on-site construction activities.
- A Mobility Management Plan has been prepared for the proposed development which includes mitigation measures to reduce usage of private cars and increase the use by residents and patrons within the development of more sustainable modes of travel, such as including good cycle parking provision, will further promote the greater use of sustainable travel modes. Successful implementation of the Mobility Management Plan measures included will reduce the vehicular trip generation from the proposed development.
- Mobility Management has been provided for in the development master planning, and the development will be dominated by sustainable transport modes. The capacities of the existing vehicular, public transport and pedestrian / cycle networks have been assessed and have been found to be more than capable of accommodating the additional movements associated with the proposed development.

I have considered all of the written submissions made in relation to Traffic and Transportation. I note the reports of the planning authority raised no objection in principle. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the

proposed development would not have any unacceptable direct or indirect impacts in terms of Roads and Traffic.

11.13. **Material Assets – Waste**

Issues Raised

11.13.1. The third party raised concerns with respect to resource management.

Examination, analysis and evaluation of the EIAR

11.13.2. Chapter 11 of the EIAR deals with Resources and Waste Management. The methodology for assessment is described as well as the receiving environment.

Waste Management*:* Prior to the commencement of construction works a Waste Classification Report will be prepared in accordance with the EPA (2018) Waste Classification Guidance – List of Waste & Determining if Waste is Hazardous or Non-Hazardous by utilising the results of laboratory analysis and the Haz Waste Online Classification Tool. Soils will then be classified as an appropriate Waste Category. Construction wastes including soils arising from bulk excavation works can be accepted at a range of licenced facilities within approximately 30km of the subject site including Integrated materials Solutions, The Naul, Co. Dublin. All waste generated during the construction phase will be segregated onsite to enable ease in re-use and recycling, wherever appropriate. In general, the priority of the plan shall be to promote recycling, reuse and recovery of waste and diversion from landfill wherever possible. Based on the combined building area contained in the Schedule of Accommodation for the development of c.37,237m2 , it has been calculated that up to c. 4133 tonnes of construction waste may be produced.

11.13.3. If the material that requires removal from site is deemed to be a waste, removal and reuse / recycling / recovery / disposal of the material will be carried out in accordance with the Waste Management Act 1996 (as amended), the Waste Management (Collection Permit) Regulations 2007 (as amended) and the Waste Management (Facility Permit & Registration) Regulations 2007 (as amended).

11.13.4. Provided the mitigation measures detailed in section 11.7 are implemented, and a high rate of re-use, recycling and recovery is achieved, the likely effect of the Construction and operational phases on the environment will be neutral and im-perceptible in the long term. Other developments in the area will be required to manage waste in

compliance with national and local legislation, policies and plans which will mitigate against any potential cumulative effects associated with waste generation and waste management.

Resource Management – Noting the third party concerns with respect to resource management, I refer the Commission to section 11.7.2.2 Resource Management of the EIAT. Measures outlined includes - materials shall be ordered on an "as needed" basis to prevent over supply and preventing damage to bulk orders stored on-site, top soil that is stripped shall be retained for landscaping purposes and broken concrete blocks and excess aggregate materials shall be segregated and stored off-site for use as hard standing material on future projects. This will result in the following positive impacts:

- Reduction in the requirement for virgin aggregate materials from quarries
- Reduction in energy required to extract, process and transport virgin aggregates
- Reduced HGV movements associated with the delivery of imported aggregates to the site
- Reduction in the amount of landfill space required to accept C&D waste

Assessment: Direct, Indirect, and Cumulative Effects

11.13.5. No cumulative impacts will arise that would result in significant effects on the environment.

Conclusion: Direct, Indirect, and Cumulative Effects

11.13.6. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of Resources and Waste Management.

- The proposed development shall be designed, constructed, and operated in accordance with regard to Irelands national waste strategy contained in the National Waste Management Plan for a Circular Economy 2024-2030.

- The construction phase of the development shall be managed in accordance with a Resource and Waste Management Plan which will defines how the segregation of construction wastes will allow for the maximum potential for recycling, re-use or recovery and to minimise the volume of waste sent for disposal.
- The operational phase of the development shall be managed in accordance with an Operational Waste Management Plan The development shall be designed and managed to provide residents with the required waste management infrastructure to minimise the generation of un-segregated domestic waste and maximise the potential for segregating and recycling domestic waste fractions.

11.14. **Material Assets - Utilities**

Issues Raised

11.14.1. A submission from Uisce Eireann outlines no objection to the development.

Examination, analysis and evaluation of the EIAR

11.14.2. Chapter 12 of the EIAR deals with Material-Utilities and Infrastructure. The methodology for assessment is described as well as the receiving environment including existing infrastructure and utilities services are described. An Engineering Report was submitted with the application which addresses the impact of the development on the public water, foul water and drainage systems.

Project Area - The subject site, of approximately 13.26 hectares is located on lands to the east of Navan town centre. The subject lands amount to a section of a larger 135 hectares site, which is the subject of a masterplan (MP12). The reservation for the Drogheda-Navan railway line is to the north of the Masterplan lands and there are agricultural lands to the east. In addition, road LDR6, a LIHAF funded road is complete to the north of the site by Meath County Council.

Transport Infrastructure: I have addressed this in section 11.12 above.

Foul Water: It is stated that Irish Water records indicate an existing 600mm wastewater sewer located to the southeast of the subject lands on the Kentstown Road. This sewer drains to the northwest into an existing Irish Water wastewater pumping station before ultimate treatment at the regional Wastewater treatment plant in Navan. Irish Water has confirmed that there is adequate capacity in existing infrastructure to cater for the proposed development. A 1.2km long section of the LDR6

has recently been constructed adjacent to the subject lands by Meath County Council. The road stretches from the Kentstown Road towards the Boyne Road stopping east of the railway line. The section of completed road has been serviced with wastewater infrastructure to service the proposed development and adjoining developments including a 110mm rising main which shall be used to convey wastewater uphill from a temporary Wastewater Pump Station (WWPS) on the subject lands to a 225mm wastewater gravity sewer which feeds into the 600mm sewer on the Kentstown Road. Irish Water records also show an existing 250mm foul sewer on the Boyne Road north west of the subject site which drains north toward the Wastewater Treatment Works (WWTW) at Farganstown.

A Statement of Design Acceptance has also been received from Irish Water for the proposed development and is included with the planning application

Surface Water: The management of surface water for the proposed development has been designed to comply with the policies and guidelines outlined in the Greater Dublin Strategic Drainage Study (GDSDS) and with the requirements of Meath County Council. A new surface water drainage system will collect runoff from roads and roofs together with any additional runoff from landscape areas which does not percolate to ground. Given the size and topography of the proposed development, the site has been divided into several zones for surface water collection and attenuation purposes. It is proposed to provide a piped surface water network with detention basins and ponds to provide attenuation storage within each of these areas prior to discharging to the Millrace / Farganstown Stream and eventually to the river Boyne.

The proposed development includes a number of SUDs features including, tree pits, bio-retention areas and attenuation ponds. Surface water runoff from the development will be attenuated to greenfield runoff rates in accordance with the Greater Dublin Strategic Drainage Study (GDSDS). Surface water runoff from the site's road network will be directed to the proposed pipe network via conventional road gullies where there are no adjacent open green areas. The proposed SuDS elements noted above have been designed to facilitate infiltration / percolation and groundwater recharge. This infiltration has not been included in the attenuation storage calculations. This will result in additional storage being available in extreme events.

There is no public surface water sewer in the area.

Water Supply: Potable water services are also under the administrative control of Irish Water. Records from Irish Water show existing 180mm watermains (O/D) in the Kentstown Road and the Boyne Road. The new LDR6 has been serviced with potable water infrastructure including a 180mm watermain and a 500mm watermain. It is intended that these services will continue to the Boyne Road and connect with existing services when the LDR 6 is completed. The proposed development shall be serviced by the existing 180mm watermain.

Electricity Supply: The site is served by existing ESB infrastructure. The Utilities Report Statement submitted with the application confirms that new infrastructure connections have been considered in the design of the proposed development and there are no known issues with local infrastructure to supply the new development at this time. New integrated ESB sub-stations shall be provided for the Neighbourhood and Community Centres and 3 No. additional ESB sub-station (630Kva) units are proposed within the footprint of the development. The ESB will be the final arbiters of the electrical configuration within the site. The existing ESB network maps indicate an existing 10 kV Medium Voltage overhead electricity line traversing the proposed site. This overhead line may need to be diverted for the development. The ESB planners will review the capacity of the existing electrical infrastructure and advise the extent of upgrade works to comply with their infrastructural requirements. In the event the Commission is minded to grant planning permission, I recommend this matter be clarified by way of condition.

Construction related activities will require temporary connection to the local electrical supply network. The potential impact from the construction phase of the proposed development on the local electrical supply network is likely to be short-term and negligible.

Information and Communications Technology (ICT): The Utilities Report submitted details that the subject site is served by existing ICT (internet and phone) services from various providers including EIR. The Energy Statement sets out that EIR will provide agreement of the most appropriate connection points following connection application. The potential impact from the operational phase on the electricity supply network is likely to be long term and negligible.

Assessment: Direct, Indirect, and Cumulative Effects

11.14.3. In the absence of mitigation, potential impacts associated with the construction phase of the proposed development would be expected to include potential disruption to local natural and human material assets resulting in both short-term and long-term impacts. The implementation of the mitigation measures set out in this Chapter and other Chapters of the EIAR document will ensure that there will not be any significant residual impact during the construction phase. Therefore, impacts are likely to be temporary and neutral.

11.14.4. At operational stage the proposed development will have a positive impact on the existing urban environment by creating high quality residential units to cater for the needs of a growing population and responding to a significant housing need and demand in the locality and the region, while occupying a presently underutilised site at an appropriate location for sustainable development. The proposed development is unlikely to have any significant impact on the local water or wastewater capacity, traffic or electricity supply and the overall impact with respect to these utilities can be described as long-term and neutral.

11.14.5. The final connection details are subject to agreement with the relevant provider. The connections would be conducted in parallel with other services. The implementation of mitigation measures within each chapter will ensure that the residual impacts on the material assets during the operational phase will be neutral, not significant and long term. The overall impact associated with land use and property for the operational phase will be a localised, positive, imperceptible and long term.

11.14.6. No cumulative impacts will arise that would result in significant effects on the environment.

Conclusion: Direct, Indirect, and Cumulative Effects

11.14.7. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of Material Assets.

11.15. **Cultural Heritage**

Issues Raised

11.15.1. None

Examination, analysis and evaluation of the EIAR

11.15.2. Chapter 13 of the submitted EIAR addresses archaeology, architectural and cultural heritage.

Archaeology - The site contains no recorded monuments. There are four recorded monuments located within c. 1 km of the site. The nearest monument to the site is an enclosure ME025-053 - located c. 0.6 km to the northwest of the site. The study area is also located c. 1.8 km east- of the zone of archaeological potential for Navan town ME025-044.

Test Trenching

The site was subject to test trenching on two occasions in 2024. Below is a summary and an outline of the findings:

1) Test Trenching

A total of 17 trenches, measuring 770 linear metres in total were investigated. Test trenches targeted archaeological anomalies identified during the geophysical survey (20R0115). Archaeological features were identified. These included two burnt mounds and a pit as well as two possible kilns or pits.

- Archaeological Area 1 (AA1; Burnt Mound Spread/fulacht fiadh and pit/kiln). Features of archaeological significance were identified in Trenches 8 and 9; the trenches were extended in order to assess the extent of the features present. A burnt mound spread/fulacht fiadh measuring c. 4.4m by 2.8m was identified, with an associated pit or kiln measuring 0.75m by 0.7m to the west also being recorded.

- Archaeological Area 2 (AA2; possible pit/kiln) A feature of archaeological significance was identified in Trench 8. A small area of in situ burning representing a possible kiln or pit measuring 1m by 0.6m was recorded.

- Archaeological Area 3 (AA3; large pit) A feature of archaeological significance was identified in Trench 7; the trench was extended to assess the extent of the feature present. A large pit measuring c. 1.4m by 0.8m and c. 0.18m in depth where sectioned was recorded.

Preservation in situ (avoidance) was not feasible; hence, preservation by record was recommended. The recommendations included topsoil stripping of areas measuring 20m by 15m (AA1), 10m by 10m (AA2) and 10m by 10m (AA3) and that the features identified and any associated features exposed be fully excavated by hand and preserved by record. This was since carried out under licence 23E1013. Furthermore, monitoring of topsoil stripping was also recommended to mitigate the impact on any further unknown, isolated features if present.

2) Test Trenching

Over 4,500 linear metres of test trench was excavated. Trial trenching to a level of 12% of the site was achieved in order to fully assess the archaeological potential of the site, targeting the geophysical anomalies identified (20R0115). Topsoil measuring between 0.3 and 0.8m was removed onto the natural subsoil level. Some small, isolated features of archaeological significance were exposed. These included:

- An oval pit, north to south aligned, measuring 1.2 by 0.8m, exposed within the western extent of Test Trench 3 and filled with burnt stone and charcoal.

- A sub-circular pit, north to south aligned, measuring 0.9m by 0.85m and 0.1m in depth where sectioned, exposed within the western extent of Test Trench 3 and filled with burnt stone and charcoal,

- A cereal drying kiln, figure of eight-shaped, northwest to southeast aligned, measuring 1.5m by 0.8m, exposed in Trench 95, filled with charcoal and charcoal-rich material.

The features exposed have no surface expression. As preservation in situ (avoidance) is not possible, preservation by record is recommended. The topsoil should be stripped under archaeological supervision from the three areas measuring 10m by 10m around the features exposed (a kiln and two pits) and the features identified should be fully excavated by hand and thus preserved by record. If required, the areas are to be extended should any additional features be found with a minimum 5m buffer zone between the archaeological feature and the edge of the stripped area. This is to be carried out under licence prior to works in these areas commencing. The remaining portion of the site where no features were exposed does not require any further mitigation.

The construction of the development and any groundworks associated would involve the total removal of the three features identified under licence 23E0553 and any previously unknown features within the area assessed under licence 23E1013 and as such have a negative/adverse profound effect. Following the successful implementation of the archaeological mitigation measures presented in Section 13.7.1.1 and prior to the construction phase, it is predicted that no further direct effects on the identified archaeological sites within the proposed development site will arise during the operational phase. The direct effects during the operational stage are imperceptible. There will be no direct impact on recorded or previously unrecorded archaeological remains.

Architectural Heritage - There are no Protected Structures nor architectural heritage structures within the proposed development area and none in the Athlumney townland, the two nearest such structures are located in Ferganstown and Balllymacon townland and consist of; Rowley Lock (RPS Id. MH025-112), a late 18th -century lock bridge and house and; Babe's Bridge (RPS Id. MH025- 113), a 14th -century bridge on the River Boyne, both are located on or near the River Boyne. While the site of the no longer standing Ferganstown House (NIAH Site ID 5759), is located c. 0.7 km to the northeast of the proposed development and the nearest standing architectural heritage structure is Railway Bridge (NIAH, Reg. No. 14010061) over the Athlumney Road and located c. 1.2 km to the south-west. These will not be impacted upon by the proposed development. There will be no impact on Architectural Heritage.

Cultural Heritage - The north part of the site is located within the townland of Ferganstown and Ballymacon, while the south part is within the townland of Athlumney. The townland boundary traverses the site and is roughly east-west aligned within the site. It appears that the minor, east part of this boundary had hedges removed, however a bank is still visible. Also, further to the southeast the majority of the townland boundary still has mature hedge row growing. The proposed development will impact on the townland boundary, preservation by record is required. This should entail a written and photographic record of the boundary. The indirect effects during the operational stage are imperceptible. There will be no indirect effect on cultural heritage.

11.15.3. Table 13.5 of the EIAR sets out a summary of predicted impacts on cultural heritage assets within study area and mitigation measures as follows:

Table 13.5: Summary of predicted impacts on cultural heritage assets within study area and mitigation measures

Asset Designation	*Description*	*Value*	*Magnitude of Impact*	*Construction Phase: Duration, Type, Quality & Significance of Impacts (if any)*	*Operational Phase: Duration, Type, Quality & Significance of Impacts (if any)*	*Mitigation Measures*	*Monitoring of mitigation*
Townland Boundary	Field boundary consisting of bank and hedge which also represents the townland boundary	Low	High	Permanent moderate impact	N/A	Photographic and written record of the townland boundary in order to preserve it by record	N/A
Buried archaeological features	Features present	High	High	Permanent moderate/significant impact	N/A	Preservation by record (excavation) of features identified in the area measuring 10.4ha that was subject to investigations under licence 23E0553	N/A
Potential buried archaeological features	Potential for previously unknown features to be present	Medium	High	Permanent moderate/significant impact	N/A	Monitoring of the area measuring 3.07ha that was subject to investigations under licence 23E1013	N/A

Conclusion: Direct, Indirect, and Cumulative Effects

11.15.4. From an environmental viewpoint, I am satisfied that Cultural Heritage – Archaeology and Built Heritage has been appropriately addressed in terms of the application and subject to compliance with section 13.7 Avoidance, Remedial, And Mitigation Measures of this chapter and condition requiring an archaeologist supervise all ground works associated with the development, I am satisfied that no significant adverse direct, indirect or cumulative effects are likely to arise.

11.16. **Risk Management for Major Accidents and/or Disasters**

Issues Raised

11.16.1. None

Examination, analysis and evaluation of the EIAR

11.16.2. Chapter 14 of the EIAR deals with Major Accidents and/or Disasters This chapter of the EIAR sets out the assessment of the vulnerability of the proposed development to risks of major accidents and/or disasters.

11.16.3.

11.16.4. Section 14.2.2 relates to Hazard Identification. The site is not in an area prone to natural disasters. Risks were reviewed through the identification of plausible risks in consultation with relevant specialists. Therefore, the risks identified below are considered the most relevant potential risks:

Category	Risk Factor Type	Likelihood
Weather	Storms, snow	3
Hydrological	Risk from flooding	1
Excavation work	Collapse	3
Road	Traffic accident	4
Industrial accident	General housebuilding construction	1
Explosion	General Construction materials no explosive products used.	1
Fire	Hot works close to timber frame structures.	3
Building Collapse	Structural failure during construction.	1
Hazardous substance escape	General housebuilding construction products.	2
Pollution	Construction	3

Table 14.2 categorises each of the potential risks by their 'risk score.' A corresponding risk matrix is provided in Table 14.3 which is colour coded, the red zone represents 'high risk scenarios', the amber zone represents 'medium risk scenarios' and green represents 'low risk scenarios'. No plausible potential risks were identified which would result in the proposed development causing a major accident or disaster on or outside of the proposed development.

11.16.5. The EIAR notes that design criteria of the buildings are in accordance with all relevant building and fire safety standards. In line with building regulations and health and safety laws, appropriate fire detection and abatement systems will be installed throughout the site.

11.16.6. Seveso and EPA licenced sites are heavily regulated by the relevant enforcement agencies. The surrounding context consists of a mix of residential and agricultural lands. It does not include any man-made industrial processes (including SEVESO II Directive sites (96/82/EC & 2003/105/EC) which might result in a risk to human health and safety. From a review of the Meath County Council Development Plan maps there are no SEVESO Site as defined by the Health and Safety Authority, on the subject site of the proposed development. As a result, the likelihood of major accidents and/or disasters is considered 'extremely unlikely'. The completed risk assessment determined that all potential risks were considered 'Low Risk Scenarios'.

11.16.7. All potential risks, direct and indirect, identified during the construction phase were determined to be 'medium risk scenarios'. A detailed CEMP will be prepared by the contractor and implemented throughout the works. The CEMP will be a live document and continuously updated to ensure that potential risks of major accidents and/or disasters are identified, avoided, and mitigated as necessary.

11.16.8. The site is not located in close proximity to any Upper or Lower Tier Seveso Sites. The

design has considered the potential for flooding, road accidents, invasive species or fire within the design methodology. From this, it is considered that the vulnerability of the proposed development to major accidents and/or disasters is not significant.

Assessment: Direct, Indirect, and Cumulative Effects

11.16.9. No cumulative impacts will arise that would result in significant effects on the environment.

The main risks arise during the construction period. The construction phase of the proposed development may give rise to short-term impacts associated with construction traffic, migration of surface contaminants, dust, noise, and littering. Secondary impacts may include resulting increased traffic arising from hauling building materials to and from the proposed development site which are likely to affect population and human health distant from the proposed development site, including adjacent to aggregate sources and landfill sites**.** Construction impacts are likely to be short term and are dealt with separately in the relevant chapters of this EIAR document and will be subject to control through an Outline Construction and Environmental Management Plan (contained in Appendix D Volume III of the EIAR). The construction methods employed, and the hours of construction proposed will be designed to minimise potential impacts. The development will comply with all Health & Safety Regulations during the construction of the project. Where possible, potential risks will be omitted from the design so that the impact on the construction phase will be reduced. Geographically widespread environmental consequences are not anticipated

Conclusion: Direct, Indirect, and Cumulative Effects

11.16.10. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that there are no identified incidents or examples of major accidents and or natural disasters that present a sufficient combination of risk and consequence that would be likely to lead to significant residual impacts or environmental effects.

11.17. **Interactions**

11.17.1. Chapter 15 addresses interactions and highlights those interactions which are considered to potentially be of a significant nature. The interactions are summarised

in the following table as presented in the EIAR:

Table 15.1 of the EIAR - *Table of interactions between the environmental factors:*

Table 15.1: Matrix of Summary of interactions between the environmental factors

Interaction	Population & Human Health	Biodiversity	Land and Soils	Water	Air Quality/Climate	Noise/Vibration	Landscape and Visual	MA-Traffic	MA-Waste/Utilities	Cultural Heritage	Risk Mgmt
Population & Human Health		×	×	×	✓	✓	✓	×	✓	×	✓
Biodiversity	×		✓	✓	×	×	×	×	✓	×	×
Land and Soils	×	✓		✓	✓	×	×	×	✓	✓	×
Water	✓	×	✓		×	×	×	×	✓	×	×
Air Quality/Climate	✓	✓	×	✓		×	×	✓	×	×	×
Noise/Vibration	✓	✓	×	×	×		×	✓	×	×	×
Landscape and Visual	✓	✓	×	×	×	✓		×	×	×	×
MA-Traffic	✓	×	✓	×	✓	✓	×		×	×	✓
MA-Waste/Utilities	✓	✓	✓	✓	✓	✓	×	✓		×	×
Cultural Heritage	×	×	×	×	×	×	×	×	×		×
Risk Mgmt	✓	×	✓	✓	✓	✓	×	✓	×	×	

✓ Interaction × No Interaction

Overall, the interactions between the proposed development and the various environmental factors are generally considered to be not significant or negative but short-term in duration. Mitigation measures are proposed throughout this EIA Report to minimise any potentially negative impacts.

Examination, analysis and evaluation of the EIAR

11.17.2. The EIAR considers the potential for interactions between environmental factors as part of the assessment in each Chapter, and these are consolidated in Chapter 15 of the EIAR. The potential for interactions is summarised in table ref. 14.1 above.

Assessment: Direct, Indirect, and Cumulative Effects

11.17.3. Having regard to the foregoing assessment, I am satisfied that the potential for any significant adverse impact has been appropriate mitigated through the measures identified in each Chapter of the EIAR. I consider that the EIAR has adequately identified the potential for interactive impacts with other environmental factors, I am

satisfied that the proposed mitigation measures will similarly ensure that there will be no unacceptable interactive impacts.

Conclusion: Direct, Indirect, and Cumulative Effects

11.17.4. I am satisfied that the potential for interactive impacts has been adequately considered and identified. I consider that, subject to the proposed mitigation measures and the recommended conditions of any permission, there would be no significant direct, indirect, or cumulative interactive effects as a result of the proposed development.

11.18. **Cumulative Impacts**

11.18.1. Each individual chapter provides an assessment of the cumulative impact of the development.

11.18.2. The proposed development could occur in tandem with the development of other sites that are zoned in the area. Such development would be unlikely to differ from that envisaged under the County Development Plan which has been subject to Strategic Environment Assessment. Its scale may be limited by the provisions of those plans and its form and character would be similar to the development proposed in this application. The proposed development is not likely to give rise to environmental effects that were not envisaged in the Meath County Development Plan that was subject to SEA. It is, therefore, concluded that the cumulation of effects from the planned and permitted development and that currently proposed would not be likely to give rise to significant effects on the environment other than those that have been described in the EIAR and considered in this EIA.

11.19. **Schedule of Mitigation Measures**

11.19.1. Chapter 16 provides a summary of mitigation and monitoring measures.

11.20. **Reasoned Conclusion on the Significant Effects**

11.20.1. The EIAR has considered that the main significant direct and indirect effects of the proposed development on the environment would be primarily mitigated by environmental management measures, as appropriate. The assessments provided in the individual EIAR chapters are satisfactory to enable the likely significant environmental effects arising as a consequence of the proposed development to be satisfactorily identified, described and assessed. The environmental impacts identified are not significant and would not justify refusing permission for the proposed

development or require substantial amendments to it.

- Population and Human Health: Construction-related disturbance including noise/vibration, dust, and traffic, which would be mitigated by construction management measures including the agreement of a Construction Environmental Management Plan, a Dust Minimisation Plan and a Traffic Management Plan.
- Population and Human Health: Positive socioeconomic effects at operational stage through the availability of additional housing, village centre and employment space, together with the provision of additional services, amenities, open space, recreational improvements, and sustainable transport options.
- Biodiversity: Construction stage loss and/or damage of habitat which will be mitigated by the protection of existing habitats, the carrying out of new planting, and biosecurity protocols.
- Biodiversity: Potential construction and operational impacts on water quality which will be mitigated by a Construction and Environmental Management Plan and the operational surface water drainage system.
- Biodiversity: Disturbance and displacement of fauna at construction and operational stage, which will be mitigated by a Construction and Environmental Management Plan, lighting design, existing and proposed landscaping, the appropriate timing of works, and the installation of bat boxes and artificial badger sett.
- Land & Soil: Loss of land, soil, and geology, which would be replaced by appropriate development and improved amenities in accordance with the proper planning and sustainable development of the area.
- Land & Soil: Construction stage impacts relating to dust/dirt pollution, groundwater interference, and soil contamination, which would be mitigated by the Construction and Environmental Management Plan and other measures proposed in the EIAR.
- Water: Impacts on groundwater and surface water quality, which will be mitigated by standard good practice construction stage measures including a Construction Environmental Management Plan, and by the implementation of suitably designed drainage infrastructure and Sustainable Urban Drainage System (SuDS) measures.
- Air Quality and Climate: Construction stage dust emissions, which will be mitigated by a Dust Management Plan and standard good practice construction stage

measures outlined in a Construction Environmental Management Plan, the implementation of the site-specific Resource and Construction Waste Management Plan and the energy efficient building design to meet the highest standards of sustainable design and construction with regard to the optimum use of sustainable building design criteria such as passive solar principles and also green building materials.

- Traffic and Transportation: Impacts mitigated by the management of construction traffic by way of Construction and Environmental Management Plans. Operational traffic impacts on the capacity of the road network which will be mitigated by traffic management measures at existing and proposed junctions, proposals to improve active/sustainable travel options; and the implementation of a Mobility Management Plan
- Material Assets: Services, Infrastructure and Utilities. An upgrade of utilities and telecommunications will have a long-term positive impact for the site and the surrounding area.
- Landscape: Changes to landscape character which will be mitigated by the design and layout of the proposal, including the retention of existing vegetation and the provision of additional landscaping and open space.
- Archaeology and Architectural Heritage: Construction and operational impacts would be mitigated by archaeological supervision, landscaping and design. Given the location of the site within the urban area no significant adverse direct, indirect or cumulative effects are likely to arise.

Having regard to the foregoing, I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative effects on the environment

12.0 Recommendation

12.1.1. Having regard to the land use zonings ‘A2’ – ‘New Residential, in addition to ‘C1’ – ‘Mixed Use’ and ‘F1’ - Open Space and the location of the site within the M2 Masterplan lands and the provision of the Meath County Development Plan 2021-2027 in this regard and having regard to the scale, design, layout and density of the proposed development, and to the nature and pattern of existing and emerging development in the vicinity, I am satisfied that the development would not seriously injure the residential or visual amenities of the area or of property/land in the vicinity, would be consistent with national and local planning policy and would be acceptable

in terms of design, scale, height, mix and quantum of development, would not have a detrimental impact on residential amenities of existing properties and would be acceptable in terms of pedestrian and traffic safety, I also consider that the development would not subject future occupiers to flood risk or increase the risk of flood elsewhere.

On the basis of the above planning assessment, the Water Framework Assessment, Appropriate Assessment and the Environmental Impact Assessment, I recommend that, subject to the conditions outlined below permission should be granted for the proposed development in accordance with the recommended Commission Order in section 13 and the reasons and considerations contained therein.

13.0 Recommended Commission Order

Planning and Development Acts 2000 to 2020 as amended.

Planning Authority: Meath Conty Council

Planning Register Reference Number: 2460415

Appeals by 1) Stephen Flanagan against the decision made on the 25th March 2025 to grant permission to Albert Development Ltd. for the proposed Large Scale Residential Development application.

Location: Within the townlands of 'Ferganstown, and Ballymacon' and 'Athlumney', Navan, Co. Meath.

Proposed Development:

Development of a Large-scale Residential Development (LRD) will consist of:

the construction of a mixed-use development comprising 322 no. dwellings, a Community Centre and Sports Hall, a Neighbourhood Centre, and a district public park as follows:

A) 212 no. houses consisting of 177 no. 3-bedroom houses and 35 no. 4-bedroom houses (all houses 2-storeys except House Types F1, F2, F3 [corner], E1, E2, and E3 [corner] – (with variations to finishes);

B) 26 no. duplex units comprising 13 no. 2-bedroom units and 13 no. 3-bedroom units (in 2 no. 3-storey blocks [with 8 no. duplex units abutting Apartment Block 2 in a 3-storey configuration];

C) 84 no. apartments across 3 no. apartment buildings (Block 2 [5-storeys] comprises

24 no. apartments consisting of 12 no. 1-bedroom apartments and 12 no. 2-bedroom apartments), Block 3 [5-storeys above neighbourhood centre – 6-storeys in total] comprising 36 no. apartments consisting of 14 no. 1- bedroom apartments and 22 no. 2-bedroom apartments and Block 4 [4-storeys above community centre – 5-storeys in total] comprising 24 no. apartments consisting of 9 no. 1-bedroom apartments and 15 no. 2-bedroom apartments (all apartments with balconies).

D) Series of landscaped/Public Open Space areas of c.3.72 hectares including playground areas and a Public Park of c.1.65 ha of open space as well as additional communal open space for the apartments and duplex apartments;

E) Provision of a c. 512 sq. m creche at ground floor of Block 2 as well as a 1,778 sq.m. Community Centre and Sports Hall (including a c.837 sqm sports hall [double height] ancillary changing rooms, 4 no. community rooms and ancillary administration/office space rooms/ESB Substation);

F) Provision of a convenience anchor retail unit (net floor space 1,000 sq. m [GFA 1,390 sq. m.]), takeaway, c. 82 sq. m, café, c. 210 sq. m, pharmacy c. 88 sq. m and General Practice Surgery c. 232 sq. m) as well as ESB substation and bins, all accommodated within the ground floor level of the neighbourhood centre to the north-west of the site;

G) 693 no. car parking spaces, 289 no. bicycle parking spaces throughout the development;

H) Provision of a temporary foul water pumping station (and associated storage) located within the district public park to service the scheme;

I) Provision of surface water attenuation measures as well as all ancillary site development works (reprofiling of site and field drain diversions as required)

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

Matters Considered

In making its decision, the Commission had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations

received by it in accordance with statutory provisions.

Reasons and Considerations

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

(a) the location of the site in an area where residential, community including gym and childcare uses, commercial uses and open spaces development is permitted under the land use zonings 'A2' – 'New Residential, in addition to 'C1' – 'Mixed Use' and 'F1' - Open Space and the location of the Meath County Development Plan 2021-2027.

(b) the policies and objectives of the Meath County Plan 2021-2027;

(c) The nature, scale and design of the proposed development and the availability in the area of infrastructure;

(d) The planning history;

(e) The pattern of existing and permitted development in the area;

(f) The provisions of Housing for All, A New Housing Plan for Ireland 2021;

(g) The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities prepared by the Department of Housing, Local Government and Heritage, 2024

(h) Urban Development and Building Heights Guidelines for Planning Authorities, prepared by the Department of Housing, Planning and Local Government in December 2018;

(i) The Sustainable Urban Housing: Design Standards for New Apartments issued by the Department of the Environment, Community and Local Government 2023;

(j) Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2013;

(k) The provisions of the Climate Action Plan 2025;

(l) National Biodiversity Action Plan (NBPA) 2023-2030;

(m) The policies and objectives set out in the National Planning Framework;

(n) The provisions of the Eastern and Midland Regional Assembly Regional Spatial

and Economic Strategy 2019-2031, which supports compact sustainable growth and accelerated housing delivery integrated with enabling infrastructure;

(o) The Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices), 2009;

(p) The grounds of appeal received;

(q) The observations received;

(r) The submission from the Planning Authority,

it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature, scale, and location of the proposed development, the nature of the receiving environment, the distances to the nearest European sites and the hydrological pathway considerations, the Appropriate Assessment documentation submitted with the application, the submissions and observations on file, the reports of the planning authority, and the Planning Inspector's report. In completing the screening exercise, the Commission agreed with and adopted the report of the Planning Inspector in that the likelihood of the proposed development having a significant effect 'alone' on the qualifying interests of the River Boyne and River Blackwater SPA (004232) and the River Boyne and River Blackwater SAC (002299) cannot be excluded, and that Appropriate Assessment (Stage 2) is, therefore, required.

Appropriate Assessment: Stage 2

The Commission considered the Natura Impact Statement and all other relevant

submissions and carried out an appropriate assessment of the implications of the proposed development for the River Boyne and River Blackwater SPA (004232) and the River Boyne and River Blackwater SAC (002299) in view of the sites' Conservation Objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the sites' Conservation Objectives using the best available scientific knowledge in the field. In completing the assessment, the Commission considered, in particular, the following:

• The site-specific Conservation Objectives for these European Sites,

• The current conservation status, threats and pressures of the qualifying interest features,

• The likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects, particularly the potential construction stage water quality impacts on the Ferganstown and Ballymacon Stream and Mill race, and the downstream European Sites within the River Boyne and River Blackwater.

• Submissions from observers, prescribed bodies and the reports of the Planning Authority, and

• The avoidance, mitigation, and monitoring measures which are included as part of the current proposal.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the River Boyne and River Blackwater SPA (004232) and the River Boyne and River Blackwater SAC (002299). The Commission identified that the main likely impacts arising from the proposed development on the European Sites would arise from construction stage water quality impacts and related impacts on habitat loss and/or alteration; habitat / species fragmentation; disturbance / displacement of species; and changes in population density. Having regard to these potential impacts and the avoidance, mitigation, and monitoring measures as set out in the Natura Impact Statement, the Commission concluded that the proposed development, subject to the identified mitigation measures, would not adversely affect any of the habitats or species within the relevant

European sites. In the overall conclusion, the Commission was satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the sites' conversation objectives and there is no reasonable scientific doubt as to the absence of such effects

Environmental Impact Assessment

The Commission completed an environmental impact assessment of the proposed development, taking into account:

(a) The nature, scale, location, and extent of the proposed development;

(b) The Environmental Impact Assessment Report and associated documentation submitted with the application;

(c) The content of the appeal, the reports of the planning authority, and the submissions received from third parties and prescribed bodies; and

(d) The report of the Planning Inspector.

Reasoned Conclusions on the Significant Effects:

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Commission is satisfied that the information contained in the Environmental Impact Assessment Report complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. The Commission agreed with the summary and examination, set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the planning application. The Commission is satisfied that the Inspector's report sets out how these were addressed in the assessment and recommendation, including environmental conditions, and these are incorporated into the Commission's decision

The Commission considered and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated, as follows:

- Population and Human Health: Construction-related disturbance including

noise/vibration, dust, and traffic, which would be mitigated by construction management measures including the agreement of a Construction Environmental Management Plan, a Dust Minimisation Plan and a Traffic Management Plan.

- Population and Human Health: Positive socioeconomic effects at operational stage through the availability of additional housing, village centre and employment space, together with the provision of additional services, amenities, open space, recreational improvements, and sustainable transport options.
- Biodiversity: Construction stage loss and/or damage of habitat which will be mitigated by the protection of existing habitats, the carrying out of new planting, and biosecurity protocols.
- Biodiversity: Potential construction and operational impacts on water quality which will be mitigated by a Construction and Environmental Management Plan and the operational surface water drainage system.
- Biodiversity: Disturbance and displacement of fauna at construction and operational stage, which will be mitigated by a Construction and Environmental Management Plan, lighting design, existing and proposed landscaping, the appropriate timing of works, and the installation of bat boxes and artificial badger sett.
- Land & Soil: Loss of land, soil, and geology, which would be replaced by appropriate development and improved amenities in accordance with the proper planning and sustainable development of the area.
- Land & Soil: Construction stage impacts relating to dust/dirt pollution, groundwater interference, and soil contamination, which would be mitigated by the Construction and Environmental Management Plan and other measures proposed in the EIAR.
- Water: Impacts on groundwater and surface water quality, which will be mitigated by standard good practice construction stage measures including a Construction Environmental Management Plan, and by the implementation of suitably designed drainage infrastructure and Sustainable Urban Drainage System (SuDS) measures.
- Air Quality and Climate: Construction stage dust emissions, which will be mitigated by a Dust Management Plan and standard good practice construction stage measures outlined in a Construction Environmental Management Plan, the implementation of the site-specific Resource and Construction Waste

Management Plan and the energy efficient building design to meet the highest standards of sustainable design and construction with regard to the optimum use of sustainable building design criteria such as passive solar principles and also green building materials.

- Traffic and Transportation: Impacts mitigated by the management of construction traffic by way of Construction and Environmental Management Plans. Operational traffic impacts on the capacity of the road network which will be mitigated by traffic management measures at existing and proposed junctions, proposals to improve active/sustainable travel options; and the implementation of a Mobility Management Plan
- Material Assets: Services, Infrastructure and Utilities. An upgrade of utilities and telecommunications will have a long-term positive impact for the site and the surrounding area.
- Landscape: Changes to landscape character which will be mitigated by the design and layout of the proposal, including the retention of existing vegetation and the provision of additional landscaping and open space.
- Archaeology and Architectural Heritage: Construction and operational impacts would be mitigated by archaeological supervision, landscaping and design. Given the location of the site within the urban area no significant adverse direct, indirect or cumulative effects are likely to arise.

The Commission is, therefore, satisfied that subject to the implementation of the proposed mitigation measures as set out in the Environmental Impact Assessment Report, and compliance with the conditions set out below, that the proposed development would not have any unacceptable direct, indirect, or cumulative effects on the environment.

Conclusions on Proper Planning and Sustainable Development:

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the Meath County Development Plan 2021-2027 and would constitute an acceptable density of development at this location which would be served by an appropriate level of public transport, social and community infrastructure, would provide an acceptable form of residential amenity for future occupants, would not seriously injure the visual

amenities of the area or the amenities of property in the vicinity, would be acceptable in terms of urban design, height and scale of development, would be acceptable in terms of traffic safety and convenience, would not be at risk of flooding or increasing the risk of flooding to other lands, and would be capable of being adequately served by wastewater, surface water, and water supply infrastructure. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

14.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 7th of June 2024 as amended by the further plans and particulars submitted on 20th January 2025 and 29th January 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 period during which the development hereby permitted may be carried out shall be seven years from the date of this order.

   Reason: Having regard to the nature and scale of the development, the Commission considers it appropriate to specify a period of validity of this permission in excess of five years.

3. The developer shall ensure that all mitigation measures set out in the Environmental Impact Assessment Report and Natura Impact Statement submitted with the application, shall be implemented in full, 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 during the construction and operational phases of the development

4. The development shall be carried out on a phased basis, in accordance with a phasing scheme (to include specific timeline for the delivery of the community

centre/neighbour centre and district park) which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development.

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

5. 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.

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

6. Details of management, signage, waste management and hours of operation of the proposed Community Centre and Sports Hall, Neighbourhood Centre and Creche shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

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

7. (1)The developer shall employ a suitably qualified archaeologist to co-ordinate the archaeological mitigation measures proposed in the Archaeological Impact Assessment Report to include the excavation of the archaeological features identified to date (to be carried out in advance of any construction works) and archaeological monitoring under licence of all groundworks in the designated area.
   (2) Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Department with regard to any necessary mitigating action (e.g. preservation in situ, or excavation) and should facilitate the archaeologist in recording any material found.
   (3) The Planning Authority and the Department shall be furnished with a report describing the results of the archaeological testing and subsequent monitoring.
   Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

8. Within four weeks of the date of planning permission a Badger Conservation Plan

shall be submitted to the Planning Authority for its written agreement as follows:

a) The plan shall provide for the immediate resurvey of the development site and surrounding lands for badger setts, and the construction on the development site a son as possible of an artificial badger sett at the previously selected location;

b) This plan shall provide the clear demarcation on the ground of a 50m exclusion zoned of machinery around the existing main sett on the site, this machinery exclusion zoned shall be maintained until the badgers from the main sett are themselves excluded from the sett.

c) The plan shall provide a clear methodology and timetable for the works proposed to encourage the badgers to move from the main sett on the development site to the artificial sett including the laying of a bait trail from the main to the artificial sett and provision made for the option of trapping the badgers from the main sett to remove them to the artificial sett.

If the construction programme for the principal elements of the proposed development result in the main sett being cut off from the artificial sett and open country before the badgers from the main sett have established themselves in the artificial sett or a neighbouring alternative sett, and their exclusion from the main sett becomes necessary for other development works to proceed; this plan to be implemented in full and a report on its implementation to be submitted to the Planning Authority on the successful removal of the badgers from the main sett on the development site within one year of the granting of planning permission whichever is sooner.

Reason: To avoid the proposed development causing detrimental effects to fauna and natural habitats.

9. Proposals for an estate/street name, house numbering scheme, neighbourhood centre/community centre 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 numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the

development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

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

10. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths, kerbs, and the underground car parks 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). Details of all locations and materials to be used shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

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

11. A minimum of 10% of the proposed car parking spaces shall be provided with electric vehicle charging stations or points. The remaining car parking spaces shall be fitted with ducting for electric connection points to allow for future fitout of charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

    Reason: In the interest of sustainable transport

12. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall be consistent with the biodiversity mitigation measures outlined in Environment Impact Statement. Such lighting shall be provided prior to the making available for occupation of any residential unit.

    Reason: In the interest of amenity and public safety.

13. (a) 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. All existing over ground cables shall be relocated underground as part of the site development works.

(b) The developer shall comply with the requirements of ESB networks regarding the 10 kV Medium Voltage overhead electricity line traversing the proposed site. Any works to this overhead line shall be agreed in writing in advance of any development works commencing on site.

Reason: In the interests of visual and residential amenity.

14. Drainage arrangements including the attenuation and disposal of surface water (inclusive of the adjoining Lagan Homes site), shall comply with the requirements of the Planning Authority for such works and services.

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

15. Prior to the commencement of development, the developer shall enter into 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 and wastewater facilities

16. a) The landscaping shall be carried out within the first planting season following substantial completion of external construction works.

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

Reason: In the interest of residential and visual amenity.

17. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials 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 and the amenities

of properties in the vicinity

18. 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

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

    a. Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;

    b. Location of areas for construction site offices and staff facilities;

    c. Details of site security fencing and hoardings;

    d. Details of on-site car parking facilities for site workers;

    e. Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;

    f. Measures to obviate queuing of construction traffic on the adjoining road network;

    g. Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

    h. Alternative arrangements to be put in place for pedestrians and vehicles in the

case of the closure of any public road or footpath during the course of site development works;

i. Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

j. Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;

k. Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;

l. Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

m. A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.

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

20. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

21. a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, 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 development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

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

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

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

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

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

23. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the transfer of land in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on the land in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended,

unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

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

24. 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 Coimisiún Pleanála for determination.

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

25. 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 Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

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

I confirm that this report represents my professional planning assessment, judgement and opinion of 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.

Irené McCormack
Senior Planning Inspector
15th July 2025

Appendix A – Appropriate Assessment Screening Determination

Screening for Appropriate Assessment Screening Determination
1: Description of the project I have considered the Boyne Valley Woods LRD in light of the requirements of S177U of the Planning and Development Act 2000 as amended. A full description of the development is set out in Section 1.3 of the Screening Report submitted by the applicant. The development involves the construction of Phase 1B development which will consist of the construction of a mixed-use development comprising 322 no. dwellings, a Community Centre and Sports Hall, a Neighbourhood Centre, and a district public park 3 no. commercial high-bay warehouses with car and bicycle parking, access roads, drainage, landscaping and all associated works. The subject site is a greenfield site on the outskirts of Navan. It is within a Masterplan area (MP 12) with some ongoing residential development on sites to the south of the subject site. The development would be served by the public mains and wastewater system. The subject site is not located within, or directly adjacent to, any Natura 2000 sites. The closest European sites to the development are the, • River Boyne and River Blackwater SAC (Site Code 002299) at a distance of c. 275m northwest of the site, and the, • River Boyne and River Blackwater SPA (Site Code 004232) approximately 345m to the northwest of the site.
2. Potential impact mechanisms from the project <u>Zone of Influence</u> **All of the European sites present in the vicinity of the proposed development and the QIs of the European sites in the vicinity of the proposed development are provided in Table 5.** In carrying out my assessment I have had regard to the nature and scale of the project, the distance from the site to Natura 2000 sites, and any potential pathways which may exist from the development site to a Natura 2000 site, aided in part by the EPA Appropriate Assessment Tool (www.epa.ie), as well as by the information on file, and I have also visited the site.

The applicant has applied the source-pathway-receptor model in determining possible impacts and effects of the apartment development. The proposed development will not result in any direct effects on any European Site.

There is a potential for indirect impacts during the construction and operational phase through uncontrolled surface water runoff discharging to existing surface water drainage network which flows to the Ferganstown & Ballymacon Stream/ Millrace and on to the River Boyne.

During the construction and operational phase potential impacts would be limited to pollution entering the watercourse on the site and travelling downstream to the river Boyne. This could occur from,

• Surface water runoff which has been contaminated with dust, silt, cement or other contaminants entering the watercourse / stream and travelling downstream to the river Boyne.

• Spills from plant or machinery and/or from the storage of construction materials, oils fuels and chemicals entering the stream on the site.

• Runoff from topsoil stored on the site could enter the stream and cause pollution.

Where an ecological / hydrological pathway exists, indirect impacts could negatively affect qualifying interests, species and habitats, that rely on water quality.

3. European Sites at risk

Using the source-pathway-receptor model, an indirect hydrological pathway exists between the subject site and the River Boyne and River Blackwater SAC and SPA via the Ferganstown & Ballymacon Stream which drains the surrounding field network and flows to the river Boyne.

The potential for significant impacts from the development on the Boyne Estuary SPA and the Boyne Coast and Estuary SAC has been excluded on the basis of the relatively small scale of the project and the hydrological distance between the subject sites and the European sites at c. 24km.

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

Effect mechanism	**Impact pathway/Zone of influence**	**European Site(s)**	**Qualifying interest features at risk**
Deterioration of water quality through contaminated surface water runoff from silt, hydrocarbons and/or oil during	Discharges via Ferganstown & Ballymacon Stream (Millstream)	River Boyne and River Blackwater SAC	Alkine FENS [7230], Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion

the construction and operational stage.			albae) [91E0] Lampetra fluviatilis (River Lamprey) [1099] Salmo salar (Salmon) [1106] Lutra lutra (Otter) [1355]
Deterioration of water quality in the SPA from uncontrolled polluted surface water runoff.	Discharges via Ferganstown & Ballymacon Stream (Millstream)	River Boyne and River Blackwater SPA	Kingfisher (Alcedo atthis) [A229]

The River Boyne and River Blackwater SPA (004232) is a long, linear site that comprises stretches of the river Boyne and several of its tributaries. Most of the site is in Co. Meath, but it extends also into Co's Cavan, Louth and Westmeath. The site is a Special Protection Area (SPA) under the E.U. Birds Directive of special conservation interest for the Kingfisher. A survey in 2010 recorded 19 pairs of Kingfisher (based on 15 probable and 4 possible territories) in the River Boyne and River Blackwater SPA.

The River Boyne and River Blackwater SAC (002299) comprises the freshwater element of the river Boyne as far as the Boyne Aqueduct, the Blackwater as far as Lough Ramor and the Boyne tributaries including the Deel, Stoneyford and Tremblestown Rivers. The main areas of alkaline fen in this site are concentrated in the vicinity of Lough Shesk, Freehan Lough and Newtown Lough, (to the east of Navan). Wet woodland fringes many stretches of the Boye with notable occurrences on a chain of small islands c. 2.5km to the west of Drogheda. The dominant habitat along the edges of the river is freshwater marsh with a secondary habitat of wet grassland. Along much of the Boyne and along tributary stretches are found areas of mature deciduous woodland on the steeper slopes above the floodplain marsh or wet woodland vegetation. Many of these are planted in origin. Other habitats present along the Boyne and Blackwater include lowland dry grassland, improved grassland, reed swamp, weedy waste ground, scrub, hedge, drainage ditch and canal.

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

www.npws.ie/protected-sites

4.. Likely significant effects on the European site(s) 'alone'

Taking account of baseline conditions and the effects of ongoing operational plans and projects, this section considers whether there is a likely significant effect 'alone'.

Taking account of the characteristics of the proposed development in terms of its location and the scale of works, the following issues are considered for examination in terms of implications for likely significant effects on River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA relate to:

- Changes in water quality and resource as a result of surface water/groundwater discharge

Table 2: Could the project undermine the conservation objectives 'alone'					
River Boyne and River Blackwater SAC	**To maintain or restore the favourable conservation condition of the Qualifying Interests**	**Could the conservation objectives be undermined (Y/N)?**			
		Deterioration of water quality through pollution	**Effect B**	**Effect C**	**Effect D**
Alkaline fens [7230]	Maintain	N			
Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]	Restore	N			
Lampetra fluviatilis (River Lamprey) [1099]	Restore	Y			
Salmo salar (Salmon) [1106]	Restore	Y			
Lutra lutra (Otter) [1355]	Maintain	Y			
River Boyne and River Blackwater SPA					
Kingfisher (Alcedo atthis) [A229]	Maintain or Restore	Y			

Assessment of Likely Significant Effects

Habitat Loss and Alteration

The proposed development is not within any European site boundaries and is thus not expected to lead to direct removal of habitats or alteration of same. This is due to the nearest linked priority habitat of alluvial forests [91e0] being located approximately 24.5km hydrologically downstream of the site. there is a closer priority habitat, namely alkaline fens [7230] located a shorter distance of 14.0km away than the previously mentioned habitat, however there are no pathways between the site and this alkaline fen [7230] habitat. Habitat loss or alteration may occur as a result of potential changes in water quality due to an increase in contaminants and nutrients that may reduce the oxygen levels available in the water and suffocate local flora.

Habitat / Species Fragmentation

River Lamprey – The river lamprey is known to predominately occupy the lower reaches of the River Boyne (NPWS, 2014) as in the case of Irish rivers in general. However, due to the hydrological connection between the River Boyne near the Site and the Lower River Boyne, it has been determined that the Site may have an impact on the river lamprey due to pollution arising from the proposed development hydrologically or hydrogeologically, which may cause the river lampreys to fragment in search for unpolluted water.

Salmon – Salmon are known to occupy almost the entirety of the River Boyne system (NPWS, 2014) which indicates that there will be salmon present in the vicinity of the proposed development, depending on the time of year. Salmon are likely to use the tributaries and headwaters (NPWS, 2014) in order to spawn, whereas the main behaviour exhibited by this species while in the vicinity of the Site will be migration. The proposed development has the potential to affect the River Boyne and River Blackwater SAC (002299) hydrologically and hydrogeologically. Surface water impacts have the potential to affect the salmon in the nearby River Boyne and may cause the species to fragment and move elsewhere due to pollution arising from the proposed development hydrologically or hydrogeologically, causing them to move elsewhere in order to find cleaner water.

Otter – The otter is known to occupy the whole of the River Boyne system and as such, will likely be present within the environs of the proposed development. Hydrological/hydrogeological impacts arising from the Proposed Development have the potential of reaching the River Boyne and River Blackwater SAC (002299) where siltation and pollution may cause small aquatic species such as trout and amphibians to move elsewhere. If there is a shortage of forage for otters in the area, they will move elsewhere as they are a highly mobile species. Otters may also travel within the bounds of the proposed development, particularly during breeding season where they may encounter disturbance caused by humans/vehicles during Construction and Operational Phase.

Kingfisher –The kingfisher relies on mainly aquatic species in order to feed, which may include sticklebacks, minnows and macroinvertebrates (mainly Gammaridae). If the Proposed Development has an impact on aquatic species within the nearby River Boyne and River Blackwater SPA (004232), kingfishers may find it more favourable to move to an area with a higher concentration of aquatic species to feed on. The kingfisher also has the potential to use the Ballymacon and Ferganstown Stream within the Site as an ex-situ site. Any development related disturbance may cause them to travel elsewhere. Therefore, it has been determined that the proposed development may have the potential to cause fragmentation on the kingfisher within the River Boyne and River Blackwater SPA (004232).

Changes in Water Quality and Resource

Salmon –The potential to alter the water quality of the River Boyne which may cause disturbance to the salmon as a result of changes in water quality due to pollution entering the River Boyne and River Blackwater SAC (002299) as a result of the proposed development. This may have a negative effect on the salmon QI species of the River Boyne and River Blackwater SAC (002299).

River Lamprey –One of the threats to the river lamprey as listed in the river lamprey online information document (IFI, 2024) includes pollution. The proposed development has the potential to disturb the river lamprey through releases of pollution hydrologically/hydrogeologically.

Otter – As noted above, otters will be affected indirectly by potential hydrological/hydrogeological impacts arising from the proposed development and altering the water quality. This may cause the prey of the otters in the locality to decline, potentially causing otters to commute elsewhere in the search for a viable food source. Changes in water quality have the potential to impact the otter.

Kingfisher -Changes in water quality may cause the prey of the kingfisher to decline causing this species to search elsewhere for prey during construction and operational phases of the development may have a negative effect on the kingfisher SCI species of the River Boyne and River Blackwater SAC (002299) indirectly by potentially affecting the kingfisher's prey availability.

Disturbance and / or Displacement of Species

The listed QI/SCI species of the River Boyne and River Blackwater SAC (002299) and River Boyne and River Blackwater SPA (004232), namely otter and kingfisher, have the potential to be disturbed and displaced by the Proposed Development. During Construction and Operational Phases, otters and kingfishers have the potential to travel up the Ballymacon and Ferganstown Stream where they have the potential to access the Site of the Proposed Development. Anthropogenic impacts arising from humans and machinery have the potential to disturb these species, potentially causing them to travel elsewhere as a result.

Changes in Population Density

The Proposed Development has a potential hydrological and hydrogeological pathway between itself and the nearby River Boyne and River Blackwater SAC (002299) and River Boyne and River Blackwater SPA (004232) and therefore has the potential to cause impacts on the water quality of the River Boyne. However, if this occurs it is likely to be quite localised and weak due to the dilution effect of the river. However noting the *Habitat / Species Fragmentation* section above, it has been determined that impacts occurring on the River Boyne and River Blackwater SAC (002299) and River Boyne and River Blackwater SPA (004232) as a result of the proposed may have the potential to cause changes in the population of certain QI/SCI species of these European sites.

Conclusion

- River Boyne and River Blackwater SPA

The Kingfisher is listed as the only Special Conservation Interest (SCI) for the River Boyne and River Blackwater SPA. As the Kingfisher is a piscivorous bird species, there is a potential for significant impacts on foraging activity via contaminated surface water drainage. Silt laden or contaminated surface water from the site has the potential to negatively impact the fish populations of downstream watercourses and therefore to impact the feeding opportunities for Kingfisher. In the absence of mitigation measures, significant effects on the SCI for this SPA are likely.

- River Boyne and River Blackwater SAC

There is an indirect hydrological pathway from the subject site to the SAC via the Ferganstown & Ballymacon Stream. This stream is located running along the southern site boundary and flows to the river Boyne. Given the nature and scale of the development, the presence of a pathway and the proximity of the SAC, there is a potential for significant effects on the following qualifying interests of the SAC.

• River Lamprey (Lampetra fluviatilis [1099])

• Salmon (Salmo salar [1106])

• Otter (Lutra lutra (Otter) [1355])

The potential for significant effects on the following qualifying interests has been excluded due to the distance between the sites,

• Alluvial forests with Alnus glutinosa and Fraxinus excelsior ((Alno-Padion, Alnion incanae, Salicion albae) [91E0]) and,

• Alkaline fens [7230]

In the absence of mitigation measures significant effects are likely via dust silt and contaminated surface water runoff. Mitigation measures are required to ensure that all surface water discharged to the stream is clean and uncontaminated. I conclude that the proposed development would have a likely significant effect 'alone' on the Special Conservation Interests of the River Lamprey (Lampetra fluviatilis [1099]), Salmon (Salmo salar [1106]) and Otter (Lutra lutra (Otter) [1355]) of the River Boyne and River Blackwater SAC and the River Boyne and River Blackwater SPA from effects associated with the uncontrolled discharge of pollutants in surface waters. An appropriate assessment is required on the basis of the effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at this time.

Overall Conclusion- Screening Determination

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information I conclude that the proposed development would have a likely significant effect 'alone' on the Special Conservation Interests of the River Boyne and River Blackwater SAC and the River Boyne and River Blackwater SPA from effects associated with the uncontrolled discharge of pollutants in surface waters. It is therefore determined that Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000, is required on the basis of the effects of the project 'alone'.

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

Appendix B - Water Framework Directive Screening Determination

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	**322341-25**	**Townland, address**	townlands of Ferganstown, Ballymacon and Athlumney, Navan, Co. Meath
Description of project		construction of a mixed-use development comprising 322 dwellings, a community centre and sports hall, a neighbourhood centre and a district public park, a convenience anchor retail until and a creche together with all other associated site works	
Brief site description, relevant to WFD Screening,		The proposed development is located on lands to the east of Navan town centre. The subject lands amount to a section of a larger 135 hectares site, which is the subject of a masterplan development proposal. The topography of the site slopes gently from east to west towards the River Boyne, which is located c. 450m to the west northwest of the site. Several small ditches drain the site and feed into the Farganstown/ Ballymacon Stream/Millrace the south which discharges into the river Boyne.	
Proposed surface water details		All field drains and water courses within the area currently flow to the River Boyne. The River Boyne will remain the eventual recipient of excess surface water. The development on the Athlumney lands will discharge to the Ferganstown/Ballymacon Stream /Millrace	

	that runs through these lands and connects to the River Boyne. Existing field drains on the lands will generally be maintained or diverted to the Ferganstown/Ballymacon Stream /Millrace . The proposal will entail the provision of a range of SUDS and attenuation measures to ensure that there is no impact to adjacent lands.
Proposed water supply source & available capacity	Existing water mains in the area of the development include a 150 mm diameter main in the Kentstown Road and a 100mm diameter mains in the old Athlumney Road and a 150mm main in the Boyne Road. Water supply for the development will comply with all the Irish Water details and specifications. Irish Water have issued a Confirmation of Feasibility and a Statement of Design Acceptance for the proposed development.
Proposed wastewater treatment system & available capacity, other issues	There is existing spare capacity in the foul and water supply system to cater for both Phase 1A & Phase 1B of the Boyne Village development. Later phases of the Boyne Village development may demand an upgrading of both the distributor network and wastewater treatment plant at Ferganstown. The Foul gravity system has been designed to cater for the foul discharge from the overall Masterplan Phase 1 development (Phases 1A & 1B) and also the discharge from the future development of the lands to the east of Phase 1, up to the LDR 6. It is noted planning application (MCC 2460066), was granted by Meath County Council for a new wastewater pumping station to the north of the site.

Others?	The Site Specific Flood Risk Assessment identified no hazards to development on the site. I consider the proposed site services and surface water proposals satisfactory in this regard. I am also satisfied that there is no potential flood risk in the vicinity of the proposed site.

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

Waterbody Name	Water body; EU code	Location from Site	Distance from Site	WFD water body status (2016-2021)	WFD 3rd cycle Risk Status	Hydraulic Connection to the Site
Surface Water Bodies						
Ferganstown and	IE_EA_07B041900	Abutting the south and west	N/A	Moderate	Review	Surface water drainage from the Site
Ballymacon Stream		boundaries of the Site				
River Boyne	IE_EA_07B041900	Northeast	285m	Moderate	Review	Downstream of the Site via the Ferganstown and Ballymacon Stream
Transitional Water Bodies						
Boyne Estuary	IE_EA_010_0100	Northeast	28km	Moderate	At Risk	Downstream of the River Boyne
Groundwater Bodies						
Trim	IE_EA_G_002	N/A	N/A	Good	At Risk	Underlying groundwater-body

Step 3: 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 / demolition	IE_EA_07 B0 41900 IE_EA_07 B0 41900	Surface water runoff Pathway exists via Stream	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice CEMP	No	Screened out
2.	Watercourse Culvert	IE_EA_07 B0 41900	Watercourse located to the south of site	Silt Loss	Standard construction practice CEMP	No	Screened Out

	3	Groundwater	IE_EA_G_002	Pathway exists via drainage characteristics – percolation		Standard construction practice CEMP	No	Screened out Given the presence of up to 18m of overburden in the immediate vicinity of the site, and the proven depth of up to 2.8 m of overburden beneath the site, there is a low risk that bedrock groundwater will be impacted as a result of construction activities on the site.
	OPERATIONAL PHASE							
	3.	Surface water run-off	IE_EA_07 B0 41900	Existing drainage Stream and watercourse	Hydrocarbon spillage	SUDs features	No	Screened out

	4.	Discharges to ground	IE_EA_G_00 2	Pathway exists via drainage characteristics	Contamination risks arising from development use / leaking pipes / contaminated surface water runoff.	SUDs features	No	Screened out	
	DECOMMISSIONING PHASE								
5.		NA	NA	NA	NA	NA	NA	NA	