



An  
Coimisiún  
Pleanála

## Inspector's Report PL-500678-MH-26

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<b>Development</b>	The construction of a new single storey building of 257 sqm comprising a retail unit (67 sqm) and a café unit (190 sqm), external screened bin store, external signage and all associated site and landscaping works. Significant further information/revised plans submitted on this application.
<b>Location</b>	Cluain Adain, Clonmagadden, Navan, Co. Meath.
<b>Planning Authority</b>	Meath County Council
<b>Planning Authority Reg. Ref.</b>	2560482
<b>Applicant(s)</b>	Newkey Homes (Navan) Limited
<b>Type of Application</b>	Planning Permission
<b>Planning Authority Decision</b>	Grant permission
<b>Type of Appeal</b>	Third Party Normal Planning Appeals
<b>Appellant(s)</b>	John Reynolds
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	28 <sup>th</sup> May 2026
<b>Inspector</b>	Dan Aspell

## 1.0 Site Location and Description

- 1.1.1. The site is in Clonmagadden, Navan, Co. Meath. It is located within the Cluain Adain residential development north of Clonmagadden Road and approx. 1.5km north of Navan town centre. The surrounding area is suburban in nature.
- 1.1.2. The site comprises a green space. A tesco store is to the south. A retail and medical centre building is to the west. Cluain Adain Way is to the north and east of the site. The site is located off Cluain Adain Way. Pedestrian circulation and incidental open space runs along the western boundary of the site. A footpath and a cycleway run along the northern and eastern boundary. Across the road to the north and east are houses within the residential component of Cluan Adain.

## 2.0 Proposed Development

- 2.1.1. The proposed development comprises a single-storey building comprised of a retail unit and a café unit. External screened bin store, signage, landscaping, and all associated site works are included. Revisions to external paving and footpaths, bins, staff facilities, and drainage were proposed at further information stage.
- 2.1.2. The applicant submitted an Engineering Report, Architectural Design Statement, computer generated images, Operational Waste Management Plan, architectural & engineering drawings, and related documents.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. Meath County Council issued a notification to grant permission subject to 15 no. Conditions. I note the following in particular:
- Condition 6: Agreement of operational waste management plan;
  - Condition 13: Section 48 contribution toward social infrastructure;
  - Condition 14: Section 48 contribution toward roads and public transport;
  - Condition 15: Section 48 contribution toward surface water drainage.
- 3.1.2. I address conditions in more detail in paragraph 8.5.5 of this report.

## 3.2. Planning Authority Reports

3.2.1. Planning report: Report recommended permission be granted. I note the following:

- Siting, design & layout: Proposal is generally compliant with Development Plan. No outdoor seating proposed. Revised floor plans depicting staff facilities were provided. No external seating is proposed. Proposal is considered acceptable;
- Proposed use: Proposal is for a café unit and general retail unit (as there is no tenant provided yet). A condition limiting the use of the retail unit is required;
- Transportation: No additional car parking proposed. Revised footpath & paved areas submitted as further information. No additional cycle parking proposed, as sufficient parking in Cluain Adain. Revised response considered acceptable;
- Impact on neighbouring properties: Proposal will integrate with existing commercial buildings. Negligible effects foreseen;
- Flooding/surface water: Mains supply and public sewer connections proposed. Revised surface water layout submitted at further information and is acceptable;
- Waste: External screened bin store is proposed to south-west corner. An operational waste management plan was submitted at further information stage. Proposal is acceptable subject to standard condition;
- Third parties/validation: Applicant addressed third-party concerns. Response is considered acceptable.

### Other Technical Reports:

3.2.2. Environment (Flooding / Surface Water): Standard conditions.

3.2.3. Environment (Waste): Insufficient information: Further information sought in relation to a number of details including an operational waste management plan; noise assessment & management plan for construction and operational phases; and dust assessment & management plan for construction phase.

3.2.4. Trasnpotation Department: No objection subject to agreement of a revised layout demonstrating cycle parking to serve the development.

3.2.5. Public Lighting: No comment / public lighting existing.

### 3.3. **Prescribed Bodies**

- 3.3.1. HSE National Environmental Health Service: Two submissions were received which set out a number of detailed points in relation to sanitary facilities; consultation with local Environmental Health Officer; pedestrian access; cycle parking; surface water; ventilation; operational waste management; noise; and sanitary facilities.

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

- 3.4.1. During the planning application stage 1 no. observer made a submission to the Planning Authority. This was prepared by Michael B. Doyle Architect on behalf of John Reynolds and raised issue with the validation of the application.

## 4.0 **Relevant Planning History**

### 4.1. **Subject site**

- 4.1.1. Reg. Ref. 24/434 (ABP Ref. ABP-322148-25): Planning permission granted by the Board in 2025 for amendment to the permitted single storey retail building as granted under Reg. Ref. No. 22/395 and will comprise of the amalgamation of the retail unit and café, with a change of use from café to retail, to provide a single retail unit (c. 980.70sqm gross floor area) with ancillary alcohol sales area and all ancillary site services and site development works.
- 4.1.2. Reg. Ref. 22/395: Permission granted by the Planning Authority in 2022 for: 36 no. sheltered housing units; associated car parking; 2 no. communal open space areas; 1 no single storey community building of 355 sqm and associated car parking and bicycle parking; 1 no. single storey childcare facility, associated car parking; bicycle parking; and a set down /drop off area; 1 no. single storey retail unit including an ancillary café unit, an enclosed loading bay area, an external loading bay/set down area, bicycle parking and a car parking; 1 no. public plaza to the south of the retail unit and east of the childcare facility; and 2 no. public open space areas located to the north of the retail unit and to the west of the sheltered housing units (including a children's play area). The proposed development also includes all associated and ancillary site and development works, services infrastructure, landscaping, public lighting, internal access roads and footpaths. (No appeal).

#### 4.2. **Nearby sites:**

*Lands immediately to the west*

- 4.2.1. Reg. Ref. 23/60505: Planning permission granted by Planning Authority in 2024 for a new 2-storey building of 496 sq. m. consisting of ground floor retail units and first floor medical centre, 29 car parking spaces, 14 cycle parking spaces, external screened bin store and plant area, and all associated site and landscaping works. The proposed development amended permitted elements of the Cluain Adain Mixed Use Development under Reg. Ref. 22395 through the reconfiguration of the car park serving the permitted retail unit and the surrounding landscaping.

### 5.0 **Policy Context**

#### 5.1. **Relevant National & Regional Policy / Ministerial Guidelines**

Sustainable Residential Development & Compact Settlements 2024 and Appendices

National Biodiversity Action Plan 2023, including its Objectives and Targets.

Design Manual for Urban Roads & Streets (DMURS) 2019.

Retail Planning 2012 Guidelines for Planning Authority.

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

#### 5.2. **Development Plan**

- 5.2.1. The site is zoned 'C1 Mixed Use' in the Meath County Development Plan 2021-2027. The land use zoning objective for the area is "*To provide for and facilitate mixed residential and employment generating uses*".

Land use:

- 5.2.2. Policy SHPOL7: "To encourage and foster the creation of attractive, mixed use, sustainable communities that include a suitable mix of housing types and tenures with supporting facilities, amenities, and services that meet the needs of the entire community and accord with the principles of universal design, in so far as practicable". Section 11.14.4 'Open for Consideration Uses'

#### Public open space

- 5.2.3. Section 7.7.7 'Open Space', Section 11.5.11 'Public Open Space, and Objective DMOBJ26. Policy SOC POL 40: *'To resist the loss of existing public open space, unless alternative recreational facilities are provided in a suitable location'*.

#### Car parking:

- 5.2.4. Section 11.9.1 'Parking Standards', Objective DM OBJ 89, & Table 11.2 'Car Parking'
- 5.2.5. Objective MOVOBJ46: *'To require provision of parking standards in accordance with the standards set out in Chapter 11 Development Management for all developments.'*
- 5.2.6. Objective DMOBJ91: *'Car parking provision shall normally be provided within the curtilage of the development site. Where, in the opinion of the Council, it would be impracticable for individual developers to provide for on-site parking, a contribution may be required'*.

#### Cycle parking:

- 5.2.7. SHPOL3, Section 11.9.3 'Cycling Parking', Objectives DMOBJ96, DMOBJ97, DMOBJ98, and Table 11.4 'Cycle Parking Standards'.

#### Masterplans

- 5.2.8. Section 11.15 'Masterplans' (Navan, MP4, Clonmagadden).

#### Contributions

- 5.2.9. Section 11: Development Contributions

#### Volume 2 Written Statement and Maps for Settlements

#### Meath County Council Development Contributions Scheme 2024-2029

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

- 5.3.1. River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA are approx. 1.21km to the south.

## 6.0 Environmental Impact Assessment (EIA) screening

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

## 7.0 The Appeal

### 7.1. Grounds of Third-Party Appeal

7.1.1. A third-party appeal was received from Michael B. Doyle Architect on behalf of John Reynolds, the main points of which are summarised as follows:

- Process: Appellant owns the pharmacy to the west. Application should have been invalid. Application ignores that the site is identified in the Cluain Adain masterplan as amenity green space. Grant was issued without adequate assessment of whether the development complied with development standards;
- Invalid: Application should be invalid on grounds of information omitted from the application form, and omissions and anomalies in the drawings. The Council requested the applicant to address these matters at further information stage;
- Amenity green space / future development: The Cluain Adain masterplan was defined in application Ref. 22/395. Appellant attaches drawing Ref. P-004 from that application. The subject site was identified as green space in the masterplan. Lands adjacent to the west of the site were identified for future development. The subject site was not included in the area identified for future development. The green space provides amenity for the greater development and is part of the environs of 14 no. dwellings on the far side of the access road. No justification or acknowledgement of this is provided. Impact of loss of amenity space on residents of Cluain Adain is unassessed and unaddressed;
- Planner report/Planning history: Appeal sets out details of planning history and states Planner Report contains errors by stating there was no planning history

relating to the subject site. The site has a planning status from the masterplan parent planning permission;

- Paved area, dimensions & boundary: Appeal notes Transportation Department comments. In relation to north-eastern boundary of the site, the applicant did not address details of land ownership, treatments, and boundaries;
- Cycle parking: The Council identified that cycle parking must be provided (Objective DMOBJ98). No proposals are made in this case and the applicant dismissed the Council's request and stated the development relies on cycle parking elsewhere. No details are provided and as such it is not possible to identify the quantum of spaces required. The Transportation Section requested the red line boundary to be revised to accommodate same. Planning Authority failed to address the matter by condition;
- Car parking: Applicant states car parking is not required and that parking capacity to serve the proposed development exists in the adjacent car park. No calculations are provided in terms of demand / capacity. The demand proposed could not have been anticipated as the site was identified as green space rather than future development. The appeal states the car park has an underprovision rather than overprovision. It states that Development Plan Table 11.2 indicates that 26 no. spaces are required. The appeal provides calculations for the existing commercial development and existing spaces;
- Deliveries: Notwithstanding the requirements of Objective DMOBJ91 there is no provision for delivery, parking, or set down in the proposed development;
- Part M: Meeting Part M requirements requires consideration at planning stage. Appeal sets out Part M requirements in relation to disabled car parking, and states proposal will not allow Part M disabled parking requirements to be met;
- Safety, health & welfare: Application shows no due consideration of less-abled user needs, which has safety, health and welfare implications. Appeal refers to further building regulation requirements in relation to deliveries and waste;
- Conclusion: Notwithstanding the merits of the application, granting permission would set an undesirable precedent. A café was intended in the Cluain Adain development, however it was dispensed with in favour of 100% retail

occupancy in the Reg. Ref. 24/434 application. The subject proposal is for a café plus additional retail in a building which was identified as green space in the masterplan and which serves as residential amenity space. This was overlooked in the Planner Reports.

7.1.2. The appeal includes drawings from related applications and a car parking calculation.

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

7.2.1. A first-party response to the appeal was received, summarised as follows:

- Introduction: The appeal focuses on application details including dimensions;
- Validation process: Issues highlighted by the appellant are for the Council to address. Applicant is satisfied the application was sufficient, correct and appropriate, and was processed correctly by the Council;
- Green space: Response refers to the site being part of the Clonmagadden masterplan area MP4 which it states is non-statutory. The site is part of the intended neighbourhood centre. The green space of the site was surplus to the 20% public open space requirement for the residential development. The area was not to serve the 14 no. dwellings to the north of the site. The site is zoned C1 'Mixed Use' where retail and café are permitted in principle;
- Uses: Proposal complements the existing uses in line with Policy SHPOL7. This consolidation will facilitate multi-purpose visits;
- Connectivity / transport: Site benefits from high-frequency bus services, a substantial residential catchment comprising people walking to the café; and the presence of paths and cycle lanes;
- Linked trips / synergistic uses: Proposed café is designed to serve the population already visiting the site for grocery and medical needs. Café will capture footfall already present on the site and will be utilised as an ancillary service. This avoids creation of new vehicular trips, and places no additional strain on parking. The existing parking can serve 3 or 4 distinct purposes to maximise the current car park;

- Demand management strategy: A Demand Management Strategy will be implemented. A Green Travel Plan will be enforced for staff to keep all parking spaces available for customers and patients. Staggered peak hours means the café's mid-morning/lunch peak utilises natural lulls in the Tesco and Medical Centre schedules. Deliveries will be scheduled during off-peak windows;
- Policy alignment: Proposal adheres to County Development Plan and National Planning Framework by placing a café in a location already served by buses and housing, which supports a transition away from car-dependent retail;
- Appellant's conclusion: The appellant appears to concede that a café and retail unit at Cluain Adain has merit. Response sets out background information relating to the provision of a café in the centre.

### 7.3. Planning Authority Response

7.3.1. The Planning Authority response notes and summarises the appeal. The response is satisfied the proposal was adequately considered in the Planner Reports. Response requests the Commission uphold the decision.

### 7.4. Observations

7.4.1. None.

### 7.5. Further Responses

7.5.1. None.

## 8.0 Assessment

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

- Principle of development;

- Amenity space;
- Access & Parking;
- Related matters raised in the course of the appeal.

## 8.2. Principle of Development

8.2.1. Regarding the principle of development, 'convenience outlet' and 'restaurant / café' are permitted uses in the Development Plan. 'Shop', 'supermarket', and 'take-away / fast food outlet' are open for consideration. The land use zoning objective for the area is "*To provide for and facilitate mixed residential and employment generating uses*". Section 11.14.4 of the Development Plan states that an "open for consideration use" is one which may be permitted where the Council is satisfied that the proposed development would be compatible with the overall policies and objectives for the zone, would not have undesirable effects on any permitted uses, and would otherwise be consistent with the proper planning and sustainable development of the area. The proposal is adjacent a retail and a medical centre building to the west, and a retail building to the south. Given the provisions of the Development Plan, the nature of the proposed development, and the nature of the surrounding area, I consider the proposed use is acceptable in principle, subject to condition no. 1 as attached by the Planning Authority.

## 8.3. Amenity space

- 8.3.1. I note the appellant's points in this regard. The appellant makes the point generally that the subject site was identified as amenity / green space in the previous permission on the site (Reg. Ref. 22/395), and that that permission provided for the commercial development to the south and west of the site, and residential development further west. The appellant also states that the subject site was identified as green space in the masterplan for the Cluain Adain development. The appeal further states that the site provides amenity for the greater development and is part of the environs of 14 no. dwellings on the far side of the access road.
- 8.3.2. I have reviewed the planning history for the site, including Ref. 22/395. Numerous drawings as part of that application indicated the subject site as being public open space. The Planner Report in that case stated that 22.7% or 5,960sqm of that was

proposed as public open space. The Development Plan requires a minimum of 15% of site area be public open space (Objective DMOBJ26), although I note the applicant appeal response comment that 20% was required. The site area in the subject case is 0.047ha (470sqm), and as such it's loss to development would not breach either the 15% or 20% thresholds referenced. Accordingly, and given the large park permitted as part of that development (Ref. 22/395), I consider that any loss of public open space arising from the subject proposal is acceptable in principle.

- 8.3.3. In terms of the impact on the amenity and operation of the wider Cluain Adain development, I note that there is significant public open space / park to the west which was constructed as part of Reg. Ref. 22/395 and which serves the dwellings to the west. There is also public open space across the road to the north-east which serves the dwellings referenced by the appellant within Cluain Adain Height and Cluain Adain Green. The subject site is adjacent the road and commercial development to the south and west. Whilst the space provides amenity value, given its separation from the surrounding residential areas, and the lack of seating or play equipment in it, I consider that it is of limited value in terms of a usable open space.
- 8.3.4. Regarding the masterplan for the area, I note the appellant refers to a masterplan as submitted with numerous applications in the area, including with application Ref. 22/395. I have reviewed that application and note that the masterplan indicated the subject site as white land and not as open space (Reg. Ref. 22/395, Drw. P-003 'Current Masterplan'). Further in relation to masterplans, for clarity I note that the applicant refers to the 'MP4' masterplan as set out in the Development Plan. It related to lands within Clonmagadden which includes the subject site and surrounding lands which have largely been developed. Volume 2 of the Development Plan states that Master Plan 4 relates to lands between Clonmagadden Road and Kilsaran Lane with an area of c.27.5 hectares zoned for residential, community, open space, and mixed uses; that this Master Plan was agreed in 2018; and that there is a residential development 'Cluain Adáin' presently under construction in the Master Plan area. I find no copy of this masterplan remaining on the Council website. The site is zoned C1 Mixed Use in the Development Plan.
- 8.3.5. On balance, I consider that the loss of the site as open space is acceptable. In this regard the development provides for a café and retail unit in the commercial part of the wider Cluain Adain development, and I am satisfied that alternative public open

space provision as required by the Development Plan is provided to serve the development previously permitted and now completed around the site. Overall I am satisfied the proposal broadly aligns with the Development Plan in this regard.

#### 8.4. Access & Parking

8.4.1. I note the points made by the appellant in relation to access and parking, including the parking schedule submitted.

##### *Car parking*

8.4.2. Regarding car parking, Objective DMOBJ89 and Table 11.2 of the Development Plan require 1 car parking space per 20 sqm gross floor area. No car parking standard is set out for cafes. I note that 1 no. space per 5sqm dining area for restaurants is set out. Section 11.9.1 states that the non-residential car parking standards are set down as “maxima” standards.

8.4.3. The proposal comprises a 67 sqm retail unit and a 190 sqm café unit. Applying the Development Plan provisions would require a maximum of 3 car parking spaces.

8.4.4. Development Plan Section 11.9.1 also states that in the case of any specific uses not listed in the above table, the Council will specify its requirements in relation to parking. Objective DMOBJ91 states that car parking provision shall normally be provided within the curtilage of the development site, and what where, in the opinion of the Council, it would be impracticable for individual developers to provide for on-site parking, a contribution may be required.

8.4.5. In this case the Planning Authority internal reports stated generally that the proposed development should connect to the existing footpath network, which was addressed at further information stage, and for cycle parking to be provided and agreed by condition. The Planner Report noted that no additional car parking was proposed.

8.4.6. The applicant Design Statement stated that that no additional car parking is proposed as customers will be operating off the existing car and cycle parking making multi-purpose visits to the site. Applicant refers to permission Ref. 22/395.

8.4.7. Regarding impact on the area, there is a Tesco store adjacent the site to the south. There is a retail unit and medical centre unit to the west. There is a creche & nursery adjacent the Tesco to the south. All of these existing units are served by a car park

adjacent the site. Noting the existing adjacent uses; the nature of the proposed development; and the location of the site within the commercial centre of a residential area, I consider that there is merit in the applicant's point that visitors to the development will likely be making trips linked to the existing adjacent non-residential uses, as well as walking and cycle trips from the surrounding houses.

8.4.8. Regarding the site, I note the context, shape, and size of the site, as well as the walking, cycling and bus services in the area. I consider that, in line with Objective DMOBJ91, it would be impracticable to provide on-site parking in this case and that a contribution is preferable. I note the Development Plan standards are maxima, and that the Transportation and Planner reports were satisfied with the proposed arrangement. I also consider the proposed development is acceptable in this instance and generally aligns with the Development Plan, subject to the agreement of a special contribution for the provision of roads & public transport infrastructure to include car parks and car parking spaces as provided for by Development Plan Objective DMOBJ91 and the County Development Contribution Scheme 2024-2029.

8.4.9. Regarding the applicant's response to the appeal, I note that the applicant intends to implement a Demand management strategy. The appeal response sets out details including that staff will not use the car park and regarding the timing of deliveries. I consider that a condition is warranted in this regard for the agreement of same.

#### *Cycle parking*

8.4.10. Regarding cycle parking, I note the appellant's points in this regard.

8.4.11. I have reviewed the requirements of the Development Plan including Table 11.4. For shops, the Plan requires 1 cycle parking space for every 10 car parking spaces or 1 space per till/checkout, whichever is greater. Whilst no internal layout for the retail unit is shown, given its small size I consider it unlikely that more than one till would be provided. This would equate to 1 no. cycle parking space. Regarding the café, the Plan states that 'other developments' require 1 bike space per car space, or 10% of employee numbers in general. No car parking spaces are required by the Development Plan for the café. No employee numbers are stated by the applicant.

8.4.12. No dedicated cycle parking is proposed. The applicant states that customers of the development will be making multi-purpose visits and operating off the existing car and cycle parking.

- 8.4.13. The Transportation Section report stated no objection subject to the agreement of a revised layout prior to commencement which demonstrated cycle parking to serve the development.
- 8.4.14. Whilst I consider there is merit in the applicant's points, I also consider that given the absence of car parking proposed, and the proximity of dwellings and cycle lanes, that cycle parking should be provided in line with SHPOL3 and Section 11.9.3. I have reviewed the proposed layout, and given the size and nature of the units, I am satisfied appropriate levels of cycle parking to serve the proposed development can be accommodated within the application red line area, subject to the omission of a section of the proposed planting. This can be agreed by condition.

#### *Access & deliveries*

- 8.4.15. I note the appellant and applicant points in this regard. The proposed development is within an existing commercial area. Vehicular access from the public road is adjacent the site to the west. There is a loading bay serving the Tesco store to the south adjacent the site. Vehicular circulation and parking is to the south-west. Given the nature of the proposed development comprising a modest retail unit and café unit; the likely nature and frequency of deliveries; and the site context, I am generally satisfied that the proposed development is acceptable.

### **8.5. Related matters raised in the course of the appeal**

#### Boundaries and surface treatments

- 8.5.1. I note the appellant points in relation to boundaries, surface treatments, and less-abled users. I have reviewed the Transportation Section report and HSE submission. Surface and boundary treatments are indicated, (Drw. No. 25053-OPP-00-00-DR-A-9105-S1-P01). Surface treatments are to comprise paths along the north, east, and west of the site, with the proposal adjacent the property to the south. Boundaries will generally be open, with planting to the north and east. Finished levels are indicated (Drw. No. C301). Elevations, sections and CGIs are provided. I note the appellant's points particularly in relation to the north-western site boundary adjacent their property interest. The intervening layout and surfaces including paths and amenity space between the site and appellant's property will remain largely unchanged. Overall I am generally satisfied with the information provided.

### Land ownership

8.5.2. I note the appellant points in this regard. The applicant submitted a site location map showing red and blue lines (Drw. No 25053-OPP-00-00-DR-A-9101-S1-P01). Within the application forms the applicant is indicated as being the owner. Consent for the making of the application is provided to the applicant architect from Newkey Homes (Navan) Ltd. I see nothing on the file in this regard that would inhibit the Commission from granting permission in this case.

### Building control

8.5.3. The issue of Building Regulation compliance is evaluated under a separate legal code and does need to not concern the Commission for the purposes of this appeal.

### Procedure

8.5.4. In note the appellant points in this regard, including in relation to the Planning Authority validation process and assessment, and issues with the information submitted with the application. I am satisfied the information submitted with the application was generally sufficient to assess the subject appeal. I have addressed above the other matters raised insofar as they are relevant to the appeal process.

### Conditions

8.5.5. In addition to the foregoing, should the Commission be minded to grant permission I also consider the following in relation to conditions:

- Land use: I consider that a single condition relating to the final use of the retail unit is warranted and can replace conditions 3 (use of retail unit and subdivision) and 5 (use of café) of the Planning Authority decision;
- Signage & materials: I note the elevations and computer generated images submitted. I consider that a standard condition in relation to signage to replace condition 7 (signage) of the Planning Authority decision is warranted. I do not consider condition 2 (materials) of the Planning Authority decision is necessary given the information submitted with the application;
- Water services: I note that Planning Authority Environment (Flooding / Surface Water) report and HSE submission. I consider that conditions 8 (surface water design) and 10 (drainage) of the Planning Authority decision can be replaced by a single standard condition, plus a standard Uisce Eireann condition;

- Waste: I note the Planning Authority Environment (Waste) section report and HSE submission. An operational waste management plan was submitted. I consider the matters raised in the report, and Condition 6 (operational waste management plan) of the Planning Authority decision can be dealt with by a single standard condition;
- Construction management: Given the location and context of the site adjacent commercial and residential development, and the public road, I consider that a condition for the agreement of a construction management plan is warranted, and that it can replace conditions 9 (construction management) and 12 (construction hours) of the Planning Authority decision;
- Contributions: I consider that conditions 13, 14 and 15 of the Planning Authority decision can be replaced by a single standard condition.

8.5.6. I also consider that condition 11 (undergrounding of cables) of the Planning Authority permission is not necessary.

## 9.0 **Appropriate Assessment screening**

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

## 10.0 **Water Framework Directive**

10.1.1. The subject site is located approx. 591m south of the Rathaldron stream / Kells Blackwater river. The proposed development comprises a building comprising a retail unit and a café unit. No water deterioration concerns were raised in the planning appeal. I have assessed the project and have considered the objectives as

set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively, or otherwise jeopardise any water body in reaching its WFD objectives. The reason for this conclusion is as follows: nature of works e.g. small scale and nature of the development; the location-distance from nearest Water bodies and/or lack of hydrological connections. I conclude that on the basis of objective information, the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## 11.0 Recommendation

11.1.1. I recommend permission be **Granted**, for the reasons and consideration below.

## 12.0 Reasons and Considerations

Having regard to the nature and extent of the proposed development for a single-storey retail and café building; to the nature of the site and surrounding area; and to the existing and permitted pattern of development in the area; it is considered the proposed development generally accords with the Policies and Objectives of the Meath County Development Plan 2021-2027, including the 'C1 – Mixed Use' land use zoning objective for the area, and would not impact unduly on the amenities of the area, or on road safety, and would not set an undesirable precedent. It is considered therefore that the proposed development generally accords the proper planning and sustainable development of the area, subject to the conditions below

## 13.0 Conditions

1	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the Planning Authority on the 15<sup>th</sup> day of October 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.</p> <p>Reason: In the interest of clarity.</p>
2	<p>The retail unit hereby permitted shall be limited to use/uses as defined under Class 1, Part 4, Schedule 2 of the Planning and Development Regulations 2001-2025 save for authorisation by way of a separate grant of planning permission.</p> <p>Reason: In the interest of development control.</p>
3	<p>Prior to the commencement of development, a revised layout shall be submitted for the written agreement of the Planning Authority demonstrating the provision of cycle parking to serve the proposed development within the application red line area.</p> <p>Reason: Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.</p>
4	<p>All external shopfronts and signage shall be in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to the provision of such shopfronts and signage. Where agreement cannot be reached between the applicant/developer and the local authority the matter shall be referred to An Bord Pleanála for determination. The signage shall be lit by external illumination only.</p> <p>Reason: In the interest of visual amenity.</p>
5	<p>Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and</p>

	<p>services.</p> <p>Reason: In the interest of public health and surface water management.</p>
6	<p>Prior to the commencement of development the developer shall enter into a Connection Agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
7	<p>Prior to the opening/occupation of the development, a Mobility Management Plan (MMP) shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling and walking by occupants/staff employed in the development. The mobility strategy shall be prepared and implemented by the management company for all units within the development.</p> <p>Reason: In the interest of encouraging the use of sustainable modes of transport.</p>
8	<p>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.</p> <p>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.</p>
9	<p>Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures, construction traffic management, and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interest of public safety and amenity.</p>

10	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
11	<p>The developer shall pay a financial contribution to the planning authority as a special contribution under Section 48(2)(c) of the Planning and Development Act 2000, as amended, in respect of roads &amp; public transport infrastructure, which benefits the proposed development. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála for determination. The contribution shall be paid prior to commencement of development or in such phased payments as may be agreed prior to the commencement of the development, and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the terms of payment of this financial contribution shall be agreed in writing between the planning authority and the developer.</p> <p>Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority in respect of public services, which are not covered in the Development Contribution Scheme or the Supplementary Development Contribution Scheme and which will benefit the proposed development.</p>

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

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Dan Aspell  
Planning Inspector  
29<sup>th</sup> May 2025

## APPENDIX 1

### Form 1: EIA Pre-Screening

<b>Case Reference</b>	PL-500678-MH-26
<b>Proposed Development Summary</b>	The construction of a new single storey building comprising a retail unit and a café unit
<b>Development Address</b>	Cluain Adain, Clonmagadden, Navan
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>	
	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. <b>EIA is mandatory. No Screening required. EIA to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. <b>Proceed to Q3</b>	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required.</b>	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. <b>Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	Class 10(b)(iv) Urban development.
<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
<b>Yes</b> <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
<b>No</b> <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

Inspector: \_\_\_\_\_ Date: \_\_ 25<sup>th</sup> May 2026 \_\_

## Form 2: EIA Preliminary Examination

<b>Case Reference</b>	PL-500678-MH-26
<b>Proposed Development Summary</b>	The construction of a new single storey building comprising a retail unit and a café unit
<b>Development Address</b>	Cluain Adain, Clonmagadden, Navan
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>	Proposed development comprises building comprising a retail unit and café unit in a large town. The proposed development has a modest footprint, comes forward as a standalone project, requires minimal demolition works, does not require the use of substantial natural resources, or give rise to production of significant waste, significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, human health or is vulnerable to climate change.
<b>Location of development</b>	The development is located in a large town on open land. The receiving location is not particularly environmentally sensitive and is removed from sensitive natural habitats, designated sites and identified landscapes of significance in the County Development Plan. The site is not of historic and cultural significance. Given the scale and nature of development and mitigation proposed there will be no significant environmental effects arising.
<b>Types and characteristics of potential impacts</b>	Having regard to the characteristics and modest nature of the proposed development, the sensitivity of its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.
<del>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</del>	<del>Schedule 7A Information required to enable a Screening Determination to be carried out.</del>
<del>There is a real likelihood of significant effects on the environment.</del>	EIA is not required.

Inspector: \_\_\_\_\_ Date: 25<sup>th</sup> May 2026

DP/ADP: \_\_\_\_\_ Date: \_\_\_\_\_