

**Bennettstown Residents,
Bennettstown,
Dunboyne
Co Meath
A86 NY04**

Care of [REDACTED]

28th June 2024

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1,
D01 V902

Re: Appeal against decision of Meath Co. Co. to Grant Permission for Application Ref 2360290

Permission for Large-Scale Residential Development comprising 267 no. residential units and all associated ancillary / infrastructure works on lands principally located in Bennettstown (townland) to the south of the M3 Parkway park and ride and rail station, and also extending into Pace & Dunboyne (townlands), Dunboyne North, Co. Meath

Dear Sirs,

We are a group of concerned residents from the townland of Bennettstown, Dunboyne, Co. Meath. We wish to appeal against the decision of Meath County Council to Grant Permission for the above referenced development and would like to request an oral hearing of our legitimate reservations. We outline below the key facts for your consideration.

TIMELINE

A valid planning application (ref. 2360290) was lodged with Meath County Council by Messrs Marina Quarter Ltd on 21st September 2023. Fifteen concerned parties, not least sitting Fine Gael Councillor Maria Murphy, made submissions in relation to the proposed development at that time. In our submission (see Appendix 1) we outlined our key concerns in relation to aspects such as increased risk of flooding, contravention of Dunboyne North Masterplan MP22, road safety, lack of connectivity to Dunboyne village to name but a few.

On foot of the submissions received, coupled with their own observations, Meath County Council requested Further Information (FI) which was returned by Marina Quarter on 28th March this year. Again, our group made observations on the FI requested (see Appendix 2) as we feel the information sought from Marina Quarter failed to address the majority of the points raised in our original submission of October '23. Meath County Council also failed to address issues raised by us which may have been beyond the remit of Marina Quarter.

The decision to Grant Permission (with conditions) was made by the planning authority on 4th June last (see Appendix 3). We firmly believe the conditions attached to the grant of permission fail to acknowledge or address our legitimate concerns regarding this development. Consequently, we feel we have no option but to seek the intervention of An Bord Pleanála in the matter.

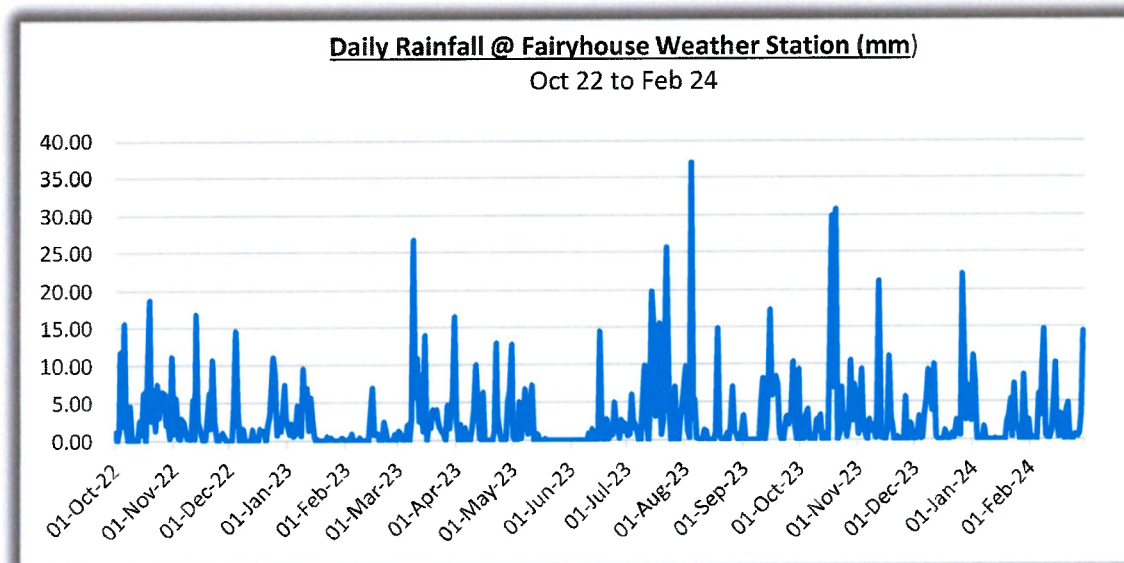
GROUNDINGS FOR APPEAL

1. Flood risk to existing dwellings.

Despite the desktop surveys and modelling carried out in the Site Specific Floor Risk Assessment (SSFRA) submitted as part of the planning application local knowledge and experience is undeniable. The majority of the subject lands are a flood plain. The best means to demonstrate the extent to which the subject lands regularly flood is by means of video footage. To this end we enclose drone footage taken on 21st October 2023 some 3 days prior to our original submission.

Rainfall data available from Met Eireann (<https://www.met.ie/climate/available-data/historical-data>) documents that rainfall at Fairyhouse Weather Station on the day prior to this footage being captured was 30mm. This is by no means an exceptional deluge and in the previous 20 years at this weather station the data demonstrates that rainfall levels exceeded 30mm on no less than 25 occasions which is more than once a year (refer to Appendix 6 for 20 year graph). Bear in mind these are single day measurements and do not account for consecutive wet days and the resultant cumulative effects.

The level of flooding shown in the video is by no means exceptional for this area and this is before any of the granted development occurs. It should also be borne in mind that this is Phase 1 only of the Masterplan lands. We have also included in Appendix 7 images of flooding of the subject lands on dates since the planning application was lodged clearly demonstrating the frequency with which this flooding occurs.



The effects of climate change are such that weather events are acknowledged as becoming more extreme and it is our belief that the 20% surplus allowed within the submitted design calculations is inadequate and the predicted 1 in 100 year flood event scenario will occur with much greater frequency.

Neither the proposal of the developer nor conditions set out by Meath County Council address how footings for the proposed Tolka Bridge will be constructed without undermining the existing flood defence. Plans show that the footings will be constructed mere metres from the existing berm. The methodology of such construction or timing of construction has not been set out within either the proposal or the conditions and allows the development carte blanche for its construction. We should note that during ground investigations in adjacent fields one of the trial pits collapsed under water ingress (Refer to TP04) and was subsequently abandoned. Surely similar is possible adjacent to the existing flood defence.

2. Proposed link road to Old Navan Road

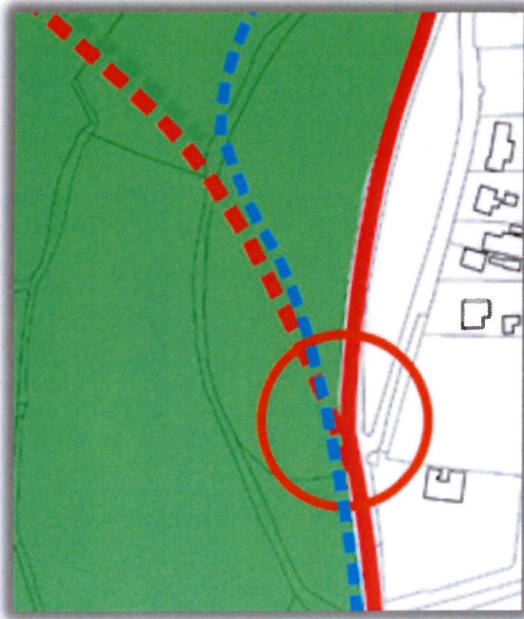
The Dunboyne North Masterplan MP22 clearly sets out the proposed route of the link road between the Old Navan Road and the R157 through the subject lands however the subject application ignores this proposal, and the link road culminates in a T-junction onto the Old Navan Road. There are multiple issues created by this road layout all of which would be addressed if the layout proposed in the MP22 document was adhered to.

The principal issues are

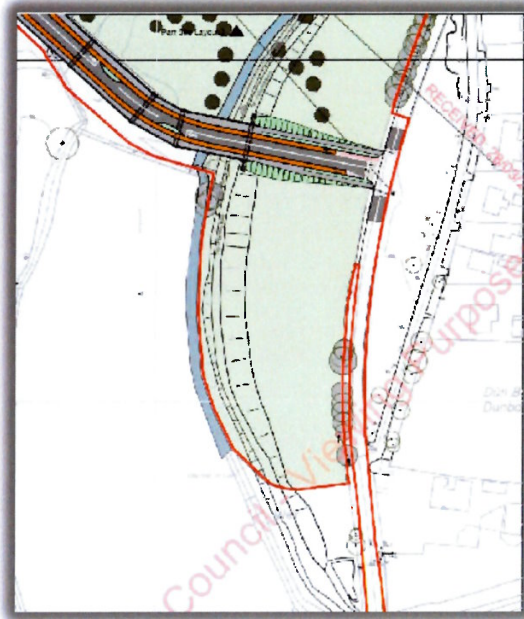
- Road safety
- Road hierarchy
- Light & noise pollution

We set out below the comparison between what was advised to us by the planning authority per MP22 versus the permission granted. We have also set out below our proposed layout for the link road junction with the Old Navan Road which we believe to be perfectly achievable whilst eliminating or mitigating the issues above.

Dunboyne North Masterplan MP22 route



Granted Route



Our suggested route for the link road
(Refer Appendix 5 for full drawing)



3. Access to Dunboyne Business Park

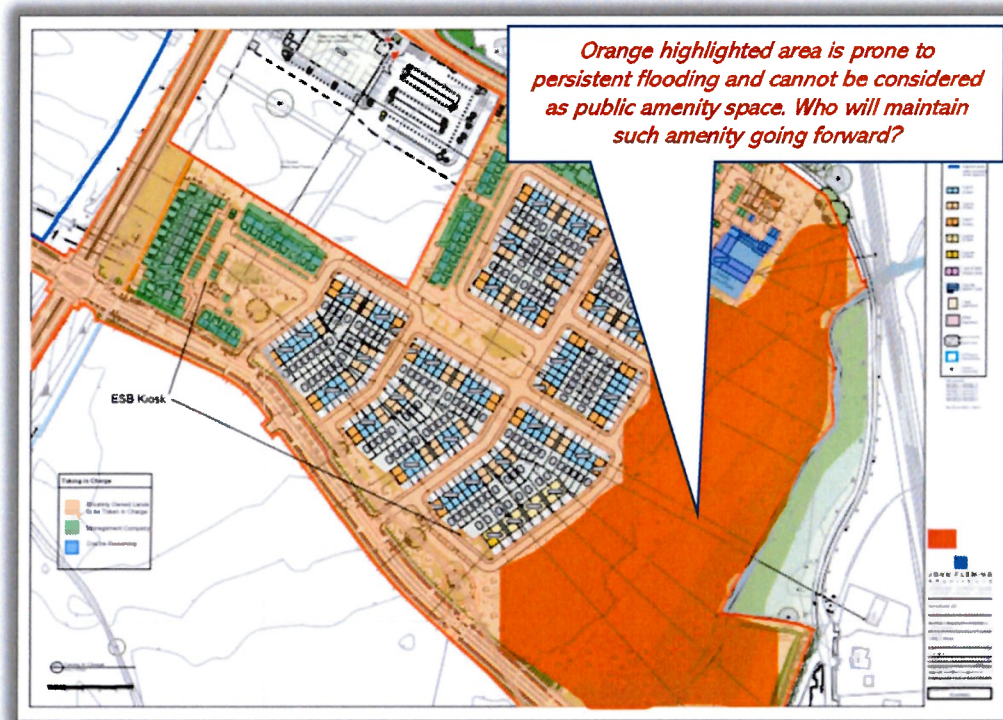
The proposed link road opens up access for heavy goods traffic from the M3 motorway to Dunboyne Business Park. This is a residential cul-de-sac, designated so by Meath County Council. It incorporates a community green space, maintained by the local residents, in which children play regularly. It is not suitable for exposure to the primary road traffic that is proposed.

4. Combined environmental impact of this and future development.

As noted above this grant of permission relates to the first phase of development only however the infrastructure facilitating further phases formed part of this grant. We contend that the environmental impact of the future phases should have formed part of this application. No doubt future phases (another of which was recently granted) will necessitate their own Environmental Impact Assessments and Site Specific Flood Risk Assessments but how can any of these take full account of the impact of the granted permission if they are themselves commissioned before the full impact of this development materialises.

5. Future maintenance / taking in charge.

A large parcel of land is denoted as being public open space thus satisfying the planning authorities requirements. What the grant of permission fails to acknowledge is that this land is under water and completely unsafe let alone useable multiple times a year. We also asked, as part of our observations on the planning application, who was going to take in charge and maintain these public amenity areas into the future considering Meath County Council do not have any Parks / Public Space Maintenance department that we are aware of? This remains unanswered.



6. Pedestrian / cycle connection to Dunboyne Village

The granted development offers no pedestrian nor cycle link to Dunboyne village. The cycle lanes to be built as part of this development come to an abrupt halt at the end of the link road. We are aware of a public consultation currently ongoing with regard to Dunboyne & Clonee cycleways however we would contend that this is only in public consultation phase. Multiple objections have already been raised in opposition to the scheme. The scheme as currently outlined will involve many compulsory purchase orders to provide sufficient room on which to construct the pedestrian and cycle routes.

In granting permission to Marina Quarter for this housing development there is a presumption that permission for the proposed pedestrian and cycle routes will be granted however there is no such guarantee. Even if successful the process to CPO the required lands will take years to complete. Then

the tendering and actual construction works will take further years. All the while a development of some 267 units (which is only the first phase) will have no connectivity to Dunboyne village? How can this be allowed?

In conclusion this group raised twenty-one individual observations in respect of this planning application. We contend that only eight of these observations were even acknowledged as part of the planning process. The balance of our legitimate concerns have never been addressed. We acknowledge that the relocation of a flood protection berm was prohibited by Meath County Council which addressed four of our concerns however the balance remain unresolved.

We trust you will give the matters outlined above due consideration and grant an oral hearing to allow us to present our concerns first hand.

Yours faithfully

Keith Sutton



On behalf of the below Bennettstown residents