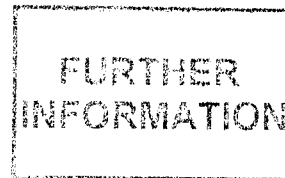


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PLANNING AND DEVELOPMENT ACT, 2000 – 2019



Chief Executive Order No: L463/20
Reference Number: LB/200039

Date: 10.3.2020

John Gallagher

c/o Tom Phillips & Associates
80 Harcourt Street
Dublin 2
DO2 F449

Nature of Application: PERMISSION for a residential scheme on this site of c. 2.27 hectares, approximately, principally bounded by the Old Laytown Road (a cul-de-sac) and residences to the north; residences and greenfield land to the east; Main Street/ Duleek Road and residences to the west; and greenfield land to the south, at Old Laytown Road, Julianstown, Co. Meath.

The development will consist of: 21 no. residential units (including private open space) comprising 2 no. two-bed semi-detached houses, 3 no. two-bed detached houses, 6 no. three-bed detached houses and 10 no. four-bed detached houses. The proposed development will also consist of: the provision of car parking spaces; vehicular, cyclist and pedestrian access and egress via the Old Laytown Road; provision of small breakthrough at Julianstown Bridge (a Protected Structure Ref. MH028-212) to facilitate the provision of a routeway to the site (pedestrian access / egress only) to provide connection to the village; provision of internal routes for vehicles, cyclists and pedestrians; surface water drainage pipes, connections and outfall, including SuDs' measures (including permeable paving, swales, stormwater wetlands, hydrobrake flow control and retention interceptors); water main distribution system and connections; foul sewer pipes and connections; diversion of services; ancillary associated signage; hard and soft landscaping works, including changes in level and lighting; boundary treatments; and all other site excavation and development works above and below ground. A Natura Impact Statement (NIS) will be submitted to the Planning Authority with the application.

Location of Development: Old Laytown Road, Julianstown West, Julianstown, Co. Meath

Dear Sir/Madam,

In considering this application, it has been found necessary to request further information. This information is essential for a full and proper evaluation of the application and is set out on the attached form.

Meanwhile consideration of the application has been suspended pending submission of this information.

The Planning Authority wish to point out that if the information requested is not submitted within six months of the date of this letter, the application shall be deemed to be withdrawn.

Yours Faithfully,


On behalf of Meath County Council.

Further Information Request

1. Planning Justification/ Encroachment onto Lands zoned H1 – High amenity

The subject site is located on lands zoned A2 – Proposed Residential, A1 – Existing Residential and H1 – High Amenity in the Julianstown Written Statement which forms part of the Meath County Development Plan, 2013 to 2019, as varied.

The applicant is requested to present a more comprehensive planning justification for the proposed development having regard to the extent of H1 zoned lands within the proposed development boundary.

As part of the Response, the applicant is requested to provide/ indicate the following:

- The precise total quantum of all zoned lands contained within the proposed redline boundary shown on a revised site layout drawing;
- The precise extent of public open space proposed within the proposed red line boundary, and
- A detailed planning justification as to how the proposal adheres to the H1 zoning objective 'to protect and improve areas of high amenity'.

2. Design, Layout & Siting

- i) There is a concern the proposed development will result in undue overshadowing/ loss of daylight/ sunlight for the proposed dwellings in Area B.

The applicant is requested to present a full and detailed appraisal of this issue in accordance with recommendations/ methodologies set out in the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.

Please note this may necessitate a redesign of this element of the overall scheme.

- ii) The applicant is requested to present their Design Justification for the proposed dwelling orientation and boundary treatment for site no. 12 and the proposed boundary treatments/ design of the site south-west elevation of the dwelling on site no. 17. The Planning Authority wish to ensure adequate privacy and enclosure is provided for each site.
- iii) The applicant is requested to present a revised Design Statement which clearly demonstrates compliance with the 12 no. Urban Design Criteria set out in the Urban Design Manual 2009, parts 1 & 2.
- iv) In order to assist the Planning Authority in the appraisal of the proposed development, the applicant is requested to present a suitably scaled contiguous elevation of the entire site from the south east looking north west. This should reflect the level differences from the north to the south of the site and the relationship to all relevant surrounding

features including the River Nanny to the south, the stone bridge to the south over the River Nanny and the Old Laytown Road to the North.

3. Water Services Department

- i) The applicant shall provide details for the flow control device and associated chamber. All flow control devices should be fitted to a minimum 225mm outlet pipe and shall be fitted with a pull cord bypass. In order to isolate and carry out maintenance of the flow control device a penstock valve (or similar approved) shall be installed within the flow control chamber, on the upstream end of the manhole.
- ii) The allowable greenfield discharge rate shall be achieved using a flow control device with a minimum orifice of 100mm. The applicant shall supply a specification for the proposed flow control device which clearly demonstrates the orifice size and discharge rate.
- iii) The Planning Authority consider the attenuation volume to be undersized, the applicant shall submit a revised attenuation volume for the proposed development.
- iv) The applicant shall submit a revised detailed design for the proposed attenuation pond system the applicant shall ensure the revised design shall include a lower depth within the pond and demonstrate the amenity value attached to same.
- v) The applicant proposal to discharge surface water to existing surface marshland is not acceptable to the Planning Authority. The applicant shall submit for approval a revised surface water disposal design to include an alternative discharge point.

Please contact Paul Aspell, Executive Engineer, Water Services Section, Meath County Council for queries in relation to the above request.

4. Transportation Department

- i) The applicant is be requested to revise the car parking in Courtyard Space 2 and provide all 10 spaces together. The roadway at the Courtyard Space 2 parking should line up with the turning bay at the end of the road. The applicant is invited to address this issue.
- ii) The applicant is requested to indicate/ provide access to the Irish Water Treatment Plant from the estate road. The applicant is requested to provide a gate in the new low level timber boundary fence to facilitate this access.
- iii) The applicant is requested to clearly illustrate tactile paving and dropped kerbs at the proposed pedestrian crossing points.
- iv) The applicant is requested to clarify the width of the proposed access road.
- v) Please show the footpaths connected to the pedestrian access at the west of the development.

Please contact Adrian Santry, Executive Engineer, Transportation Department, Meath County Council for queries in relation to the above request.

5. Transportation Department (Lighting)

Public lighting not designed. The applicant is requested to submit a public lighting design in accordance with the following:

- i) Public lighting shall be provided to all public spaces within the confines of the development, including frontage on Old Laytown Rd. The public lighting shall be designed and installed as per "*Meath County Councils; Public Lighting Technical Specification & Requirements*" document.
- ii) The proposed landscape design shall take into consideration the public lighting design. No existing or new trees shall be planted that conflict with the requirements of the Public Lighting Technical Specification.
- iii) Any new footpath/s should be suitably illuminated including those proposed outside the subject site.
- iv) Please note point no. 7 v) below regarding the issue of potential light pollution to the SPA and riverbank areas of the site.

6. Landscape and Visual Impact Assessment

In order to appropriately evaluate and appraise the issue of potential landscape and visual impact, the applicant is requested to provide a Landscape and Visual Impact Assessment (LVIA) for the proposed development. This LVIA should be prepared by a suitably qualified and indemnified Landscape Architect in accordance with recommendations and methodologies set out in Guidelines for Landscape and Visual Impact Assessment, 2013. The LVIA should include a full and detailed appraisal of the proposed development having regard to the following protected views identified in the Julianstown Written Statement and the Meath County Development Plan, 2013 to 2019, namely:

- Views from the R150 (Laytown Road) south over the Nanny Valley towards Ballygarth Castle demesne.
- Views from Ballygarth Manor north over the Nanny Valley to the Church of Ireland.
- Views from the R132 east over the Nanny Valley.
- Views from the bridge along the R132 east of the Nanny Valley.
- Views from the bridge along the R132 west along the Nanny River.
- Views from Ballygarth Castle north over the Nanny Valley and to the Church of Ireland.

and

- Protected Regional View 69 at the County Road in Bellewstown. The relevant wording of said view reads as follows: '*Extensive north-eastward view to sea, Mourne Mountains and horizon north of Boyne. View encompasses a settled landscape with*

industry, infrastructure, settlement and sea to the east. Views to north and east most important.'

7. Conservation Officer

Lack of Information

The flat two-dimensional plans do not explain and clarify the three-dimensional nature of the development. In order to access the entire development as a whole please request that as part of a further information request the applicant supplies:

- i) Three-dimensional study of the proposed development within the context of the existing village, it's Recorded Protected Structures and landscape setting. The levels of these sites, and of the main street, should be indicated.
- ii) A daylight study should be carried out for the proposed Area B dwellings – I suspect the proposed houses in Zone B will not receive much afternoon/evening sunshine due to the level they are constructed at – I refer to my opinion above also to remove Area B entirely from the proposed scheme.
- iii) Re-design the link bridge to the existing bridge - The applicant should address the linkages for either side of the village - perhaps as a routeway under the bridge? - thereby avoiding the main road which dissects it.
- iv) The 'Boardwalk' - The applicant required to connect this idea to a wider network, not using existing private laneways and dead-end scenarios. Details of the 'Boardwalk' construction and visuals should be submitted. The existing pedestrian link indented as part of the plans, is in private ownership and should not form part of these proposals.
- v) A lighting scheme – for the project needs to be considered in relation to light pollution to the SPA and riverbank areas of the site.

Please contact Robert Miles, Conservation Officer, Meath County Council for queries in relation to the above request.

8. Flood Risk

Having regard to Meath County Development Plan in which it is a policy to consider the DOEHLG / OPW publication *'The Planning System and Flood Risk Management, Guidelines for Planning Authorities'* and with reference to OPW and MCC Femframs flood mapping for the relevant area the proposed development site is partially situated in Flood Zones A and B, i.e. it is at medium to high risk of flooding. In accordance with the aforementioned guidelines the applicant shall apply the *'development management Justification test'* as set out in Chapter 5 of the same guidelines to rigorously assess the appropriateness of the proposed development and shall submit all matters relating to this Justification test and all matters relevant to flood risk on the proposed development site to the PA for their further consideration.

The Applicant should note that Flood Zones on the site and surrounding area should be accurately established and the Justification test should be applied as per the aforementioned Guidelines document.

The applicant is invited to present revised proposals, as set out above, to suitably address and evaluate the issue of Flood Risk.

9. Ecological Impact Assessment/ Heritage Officer

The planning application was referred to the Meath County Heritage Officer. As per the Report dated 9/3/2020, the following is stated:

'The proposed development lies adjacent to and within a proposed Natural Heritage Area – Laytown Dunes/Nanny Estuary. The proposal will involve the removal of semi natural vegetation within the pNHA and lands zoned as high amenity (H1) to facilitate the proposed works including access.

It is an objective of the County Meath Development Plan 2013-2019 (Julianstown Written Statement) – HEROBJ1 and HER OBJ2

To protect the following trees, woodland and hedgerow within the village as identified because of their amenity value:

- 1 Trees along the southern bank of the River Nanny west of the bridge.*
- 2. Trees and hedgerow along the northern side of the Nanny valley to the rear of the existing row of houses fronting onto the old Laytown Road.*
- 3. Woodlands to the south of the National School adjacent to the R132 (subject of Tree Preservation Order Reference in Planning Register 1/77).*
- 4. Trees and woodlands in the Nanny Valley.*
- 5. Trees and woodlands within the lands zoned H1 around Ballygarth Castle.*

To preserve the following views from development which would adversely impact upon their setting and appreciation:

- 1. Views from the R150 (Laytown Road) south over the Nanny Valley towards Ballygarth Castle demesne.*
- 2. Views from Ballygarth Manor north over the Nanny Valley to the Church of Ireland.*

3. Views from the R132 east over the Nanny Valley.

4. Views from the bridge along the R132 east of the Nanny Valley.

5. Views from the bridge along the R132 west along the Nanny River.

6. Views from Ballygarth Castle north over the Nanny Valley and to the Church of Ireland.

It is a policy of the County Meath Development Plan 2013-2019 (Julianstown Written Statement) – HERPOL1 and HER POL 2:

- *To protect wildlife corridors including rivers, watercourses, trees and hedgerows within the development envelop.*
- *To have regard to the bio-diversity value of existing trees and hedgerows in areas that are likely to be developed.*

In my opinion the removal of existing habitats within this area will adversely affect trees and hedgerows identified for protection in the Meath County Development Plan and the proposed Natural Heritage Area and would negatively impact the landscape character of the area.'

The applicant is invited to address in detail the above concerns as part of the overall response.

10. Environmental Health Officer (HSE)

A Report was received from the Environmental Health Officer (HSE), please see the attached copy. The applicant is invited to present proposals to suitably address the issues raised therein.

11. Third Party Submissions

A number of Third Party Submissions were received in respect of the proposed development. The applicant is invited to present a comprehensive written response to the issues raised in said Third Party Submissions.

12. Appropriate Assessment/ Heritage Officer

The planning application was referred to the Meath County Heritage Officer. As per the Report dated 9/3/2020, the following is stated:

Appropriate Assessment

Notwithstanding the issues raised above, I have reviewed the application and Ecological Impact Statement (EclA) the Natura Impact Statement which forms a part of the application documentation. This information should enable the planning authority to undertake an Appropriate Assessment. I am not satisfied that sufficient information has been submitted to enable the authority to reach a conclusion on this matter. In particular, I am not satisfied that sufficient information has been submitted in relation to impacts on birds including the species of conservation interest covered by the River Nanny and Shore Estuary SPA designation located 974m from the subject site.

It is noted that Giant Hogweed (an invasive species as set out in the Third Schedule of the European Communities (Birds and Habitats Regulations 2011 (S.I. 477/2011) is located proximate to the site. It is stated that this area should be cordoned off in consultation with the project ecologist.

Further information should be sought to address the following issues:

- *Disturbance impacts of the proposed development at construction and operational phases on the bird species of interest covered by River Nanny and Shore Estuary SPA designation. This should include an assessment of bird use of the proposed site or adjacent lands (if any) by the relevant species of conservation interest during the overwintering period (September – March).*

The applicant is invited to address the above concerns as part of the overall response.

13. Broadband Officer

The application for this development on the Old Laytown Road, Jullianstown, Co. Meath has no information on the delivery of telecoms services. It is important that telecommunications services should be installed concurrently with all other services (water & electricity) for the development.

The Applicant is therefore requested to confirm details of ducting and access chambers for the development to enable the delivery of telecoms services. The developer should ensure that provision of Broadband ducting to each unit in the development will have to be in compliance with EU Directive 2014/61/EU and that PAS 2016:2010 Next Generation Access for new build homes- Guide is considered when providing telecommunications networks within each development.

14. If any submission resulting from the above request alters your original proposal requiring the submission of additional data which the Planning Authority on receipt of the submission consider to be significant, you may be required to publish a notice in an approved newspaper in accordance with S.34(8) of the Planning and Development Acts 2000-2019. **You should not submit public and/or publish notices until such time as the Planning Authority issues you with a notification to submit such notices pursuant to the Planning & Development Acts 2000- 2019.**

Note: Please submit 6 copies of the Further Information Response (3 Hard Copies & 3 Soft Copies on CD are acceptable; however USB keys are not acceptable). (Personal Data should not be recorded on the soft copies).

Meath County Council
- Viewing Purposes Only!