

661 Rathmullen homes get the thumbs down

People power helped win court case

By HUBERT MURPHY

ASPECTS of a proposed 661-home development at Rathmullen have been declared 'wrong in law' and the decision to grant permission for the project has been overturned by the High Court.

The Highland Residents Association and Protect East Meath Ltd had taken the action after An Bord Pleanála granted permission for the construction of the strategic housing development on lands on the outskirts of Drogheda. Under the Planning Act 2016, Trailford Ltd had sought to develop the site as part of a fast track planning procedure.

The housing development proposed by Trailford was for the construction of 509 houses, 152 apartments together with a crèche, a shop and a café.

There were concerns raised with the proposal due to its proximity to the Battle of the Boyne site, the river Boyne and the impact on wildlife.

Justice Denis McDonald gave his decision last week, citing a number of concerns including how the screening stage on the 'effects on the bird species for which the Boyne Estuary SPA was designated.'



The location for the planned development

'I have come to the conclusion that the Board, impermissibly, took mitigation measures into account in the course of the screening exercise conducted in this case. It follows that this is a further ground on which the decision of the Board was wrong in law,' the report states.

There was 'the possibility of significant effects on the four Natura 2000 sites.... arising from

the mobilisation of silt and pollutants from the development site.'

It was ruled that part of the lands sought for the development on the present map for Drogheda Southern Environs were 'not available during the currency of the current County Development Plan for residential use'.

ALTHOUGH it was the Highlands Residents Association and Protect East Meath groups who actually took the case in the High Court, they were supported by all the estates around the Rathmullen Road and Marleys lane area (Rathmullen Road Community Group).

'People here simply could not believe that this planning application was approved given the traffic congestion in the area. The road traffic survey submitted by the developers was completely inadequate in showing the tailbacks, waiting time and congestion on roads in the area,' Peter Ryan of the Highlands Association stated.

'We also have questions how the Battle of the Boyne site was ever zoned residential. There can be no more important site in the battlefield than the crossing point of King William of Orange. This new land needs to be re-zoned as part of the new development plan,' he added. 'While we're delighted and vindicated by the decision, we know this is not the end of the story. The developer can submit again, we can object again, and if needs be, take it to the High Court again.'

As part of the present Oldbridge Manor development, an upgrade of the Rathmullen Road/Marley's Lane junction is needed, but while a road safety audit has been supplied to Louth CC, it has not been approved for works.

'We wait to see if this upgrade will significantly improve traffic problems or simply move the problem somewhere else,' Peter added. 'We would like to thank Protect East Meath and our solicitors (FP Logue) and the extended legal team who have really done a great job preparing and presenting the legal challenges.'