

The Secretary,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1,  
D01V902.

Date: 8<sup>th</sup> September 2020

Dear Sir / Madam,

**RE: PROPOSED STRATEGIC HOUSING DEVELOPMENT FOR PERMISSION FOR A DEVELOPMENT COMPRISING OF 357 NO. RESIDENTIAL UNITS, A CHILDCARE FACILITY AND ASSOCIATED ROAD INFRASTRUCTURE AND DEVELOPMENT AT COLP WEST, DROGHEDA, CO MEATH**

On behalf of the applicant, Shannon Homes Drogheda Ltd, Fortfield House, Colpe Road, Drogheda, Co. Meath, we hereby submit this pre-application consultation request to An Bord Pleanála in respect of a proposed SHD residential development and childcare facility, along with all associated infrastructure on a site located in the townland of Colp West, Drogheda Co. Meath. The application site is located north of Colpe Road and to the west of Mill Road and is bordered to the south west by the Dublin-Belfast railway.

The lands are primarily within the townland of Colp West, however a portion of the overall site also falls within the townlands of Colp East, Stameen, and Mornington.

This application falls under the definition of Strategic Housing Development as set out under Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, as it is a proposed development 'of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses'.

### **Response to Previous Reason for Refusal**

There was a previous Strategic Housing Development application on the subject site (Ref. Ref.: ABP-305703-19), which was submitted to An Bord Pleanála on the 16<sup>th</sup> of October 2019.

This previous application also related to a scheme of 357 no. residential units, childcare facility, and associated infrastructure, of the same design and layout as the scheme now submitted as part of this pre-application request.

On the 11<sup>th</sup> of February 2020, An Bord Pleanála issued an Order to refuse permission for the proposed development.

The sole reason for refusal related to Appropriate Assessment, and stated the following:

Managing Director: John P. Spain BBS MRUP MRICS ASCS MRTPI MIPi

Executive Directors: Paul Turley BA MRUP Dip Environmental & Planning Law MIPi Rory Kunz BA (MOD) MScERM MAT&CP Dip EIA Mgmt. MIPi  
Stephen Blair BA (Mod) MRUP MIPi MRTPI Mary Mac Mahon MSc TCP Pg Dip MSP Pg Dip Env Eng Dip Env Plg Law Dip Mgmt Dip EIA & SEA B Soc Sc MIPi

Senior Associate Directors: Stephanie Byrne BA MRUP MIPi Blaine Cregan B Eng BSc MSc

Associate Directors: Luke Wymer BA MRUP Dip. Planning & Environmental Law Dip PM MIPi Meadhbh Nolan BA MRUP MRTPI Kate Kerrigan BA, MSc, MRTPI

John Spain Associates Ltd. trading as John Spain Associates. Directors: J. Spain, S. Spain.  
Registered in Ireland No. 396306. Registered Office: 39, Fitzwilliam Place, Dublin 2. VAT No. IE 6416306U

*“Having regard to the proximity of the subject site to the Boyne Estuary Special Protection Area (site code 004080), the factors that can adversely affect the achievement of the conservation objective to maintain favourable conservation conditions of the non-breeding water bird special conservation interest species listed for the designated site, namely anthropogenic disturbance and ex-situ factors, and the absence of a Stage 2 appropriate assessment on the potential for likely significant effects in relation to these factors, on the basis of the information provided with the application, including the Natura impact statement, and in light of the assessment carried out, the Board, cannot be satisfied, beyond reasonable scientific doubt, that the proposed development, either individually or in combination with other plans and projects, would not adversely affect the integrity of Boyne Estuary Special Protection Area, in view of the site’s conservation objectives and qualifying interests. The proposed development would, therefore, contravene materially a development objective in the current Meath County Development Plan for the conservation and preservation of a European site and the Board is, therefore, precluded from granting planning permission for the proposed development.”*

Having regard to this reason for refusal for the previous SHD application on the subject site, the current application is accompanied by details of winter surveys for non-breeding water bird special conservation interest species listed for the Boyne Estuary SPA. The survey work undertaken demonstrates that the proposed development would not give rise to any significant effects on the Boyne Estuary SPA due to ex-situ factors. This additional survey work has been carried out by specialist Ornithologists employed by EnviroGuide consulting.

The application is also accompanied by a revised AA Screening Report which specifically addresses the potential for ex-situ impacts having regard to the additional surveying undertaken. The AA Screening Report concludes that risk of significant impacts on the Boyne Estuary SPA and the Boyne Coast and Estuary SAC cannot be ruled out in the absence of mitigation due to the potential for pollutants from the construction phase entering the hydrological network to the Boyne, and the potential of cumulative impacts with other projects of increased human presence in the area.

A new Natura Impact Statement has also been prepared by EnviroGuide, which addresses the potential for significant impacts on these European Sites and sets out mitigation measures which will be implemented to avoid impacts during construction stage via hydrological pathways. The Natura Impact Statement also addresses the potential cumulative impact of the development in combination with other existing and approved developments in terms of anthropogenic disturbance and disturbance by dog-walking, and concludes that there will be no significant impact on the conservation objectives of the SPA or the integrity of this European Site.

On the basis of the additional data gathered, the Appropriate Assessment Screening Report and Natura Impact Statement submitted along with this application, it is considered that there will be sufficient information before the Board to conclude that the proposed development will not give rise to any significant impacts on European Sites based on the mitigation measures set out within the NIS, and that the proposed development will not give rise to any material contravention of Development Plan objectives relating to the protection of European Sites. The Natura Impact Statement and Bird Survey Report have also been subject to a peer review by Dr. Brian Madden. Having undertaken this peer review, Dr. Madden concurred with the conclusions of the Natura Impact Statement, based on the scientific evidence presented, including that contained within the Bird Survey Report. A letter summarising the conclusions of the peer review is included as an appendix to the JSA Statement of Response.

A new Biodiversity chapter has also been prepared by EnvioGuide, forming part of the EIAR, along with an updated Bat Survey prepared by Brian Keeley, and an updated Construction Environmental Management Plan prepared by DBFL Consulting Engineers.

### **Proposed Development**

The proposed development consists of a residential development comprising 357 no. residential units, a childcare facility and associated outdoor play area, road infrastructure, a pedestrian bridge over the railway line and associated pathways, all associated open space, cycle and pedestrian infrastructure, services and all other associated development on a site of c. 13.47 hectares.

The 357 no. residential units proposed consist of 169 no. houses, 52 no. duplex apartments and 136 no. apartments.

The 169 no. houses will consist of the following:

- 104 no. 3 bedroom units
- 65 no. 4 bedroom units

The 136 no. apartment units will consist of the following:

- 58 no. 1 bedroom units
- 78no. 2 bedroom units

The 52 no. duplex units will consist of the following:

- 52 no. 3 bedroom units

The proposed childcare facility is a two storey building with a GFA of 439 sq.m. The proposed houses are 2 to 3 storeys in height and the duplex/apartment blocks are 3 to 6 storeys in height.

The development includes road infrastructure comprising of a link street approximately 652m in length (including changes to the previously permitted road infrastructure under Reg. Ref.: LB/180620), including bus stops, 1 no. roundabout, pedestrian crossings and c. 246m long road to the east to facilitate a connection to the existing school on Mill Road (Gaelscoil an Bhradáin Feasa). The road infrastructure also includes the realignment of a section of Colpe Road and the realignment of the southern section of Mill Road, and includes proposed cycle lanes/paths, footpaths, grass verge, and the provision of a footpath and cyclepath / cycle lane on Colpe Road to tie-in with the existing shared footpath / cyclepath, to the south-west of the railway line.

The proposed new pedestrian bridge will cross the existing Dublin to Belfast railway line and will link the proposed SHD development to the existing Grange Rath housing development to the south-west.

The development includes associated site and infrastructural works including all associated road infrastructure, foul and surface / storm water drainage (including upgrading of water services on Mill Road), surface water management including attenuation and storage features, a pumping station, watermains and utilities, 592 no. car parking spaces, 532 no. cycle parking spaces, public open space including a linear park, bin and bike stores, 2 no. substations, landscaping consisting of new tree planting, hedges, berms and grass planting, boundary treatments, public lighting, temporary marketing suite and signage (during construction phases), and all associated site and infrastructural works.

## Zoning

The large majority of the subject site is zoned A2 “New Residential” under the Meath County Development Plan 2013-2019. The Drogheda Southern Environs zoning map was incorporated as part of the 2013-2019 Development Plan pursuant to Variation No. 2 of the Development Plan, and can be found within the book of consolidated maps for the Development Plan.

The A2 zoning has a stated objective to *‘provide for new residential communities with ancillary community facilities, neighbourhood facilities and employment uses as considered appropriate for the status of the centre in the Settlement Hierarchy’*. The proposed development accords with this zoning objective, as both residential and childcare facility uses are permitted in principles under this zoning.

The portion of the subject site which is traversed by the new bridge and pedestrian route (on the western side of the rail line) is zoned F1, with a stated objective to *“provide for and improve open spaces for active and passive recreational amenities”*. The element of the development proposed on this zoning comprises a route / trail / pathway providing a linkage to enhance pedestrian permeability in the wider area, and linking an existing and proposed area of public open space / recreational space on both sides of the rail line. The F1 zoning objective provides for permitted uses including *inter alia “Cycleways / Greenways / Trail Development/... Public Services”*. While the overall development is a Strategic Housing Development, the element of the development on this F1 zoning is considered to serve a more general purpose (i.e. it is not just an ancillary part of a residential development), in that it is a cycleway / pathway that will provide for a new public facility promoting permeability for the wider area, and a linkage from the existing built up area to an existing school to the east of the subject site. Therefore, the proposed linkage on this F1 zoned area is considered to accord with the relevant zoning.

Other elements of the scheme, including part of the proposed link street, and the area to the east of the childcare facility are located on lands zoned WL (White Lands). There is no land use zoning matrix for White Lands. Rather the zoning objective is more broadly stated. The objective is as follows: *“To protect strategic lands from inappropriate forms of development which would impede the orderly expansion of a strategic urban centre.”* The Development Plan further states that the aim of this zoning is *“to allow for a long term, integrated approach to the taken to the expansion of an urban area”*. It is respectfully submitted that the portion of the development on WL zoned lands is in accordance with this zoning objective as these elements do allow for an integrated approach to the long term expansion of Drogheda, and the inclusion of these lands is imperative to ensure an orderly expansion of the town.

The part of the site to the east of the childcare facility, which is subject to this zoning, will remain as open space / grassed area (this additional open space area is not relied upon to form part of the open space requirement for the proposed development). The roadway proposed through this element of WL zoned land is necessary to provide a link with the permitted access which forms part of the permission for the adjoining school (which is currently only accessible from Mill Road). A pumping station is also proposed on this part of the site (occupying a small area at the northern side of this area), it is envisaged that this feature will be decommissioned and removed in due course following the future development of other lands to the north, subject to a separate future planning application by others.

This element of WL zoned lands to the east of the childcare facility has been included in the current application for completeness, to provide for a link with the existing school, and to avoid the pocket of WL zoned space at this location remaining as an undeveloped barrier between the school and adjoining residential development. However, if the Board consider

that the development on this area of WL zoned land is inappropriate, it is considered that it could be omitted or amended by way of condition. It is noted that an attenuation feature, as included on the WL zoned area has already been permitted under Reg. Ref. LB 180620. These elements of the scheme are required to facilitate the orderly expansion of the built up area, and to avoid a disorderly form of development which would cut off the adjoining school (which provides for a future link in its planning permission) from the subject site. The proposals for these WL zoned lands are considered to accord with the zoning objective for the lands, which is broadly stated as set out above.

The part of the site subject to this WL zoning which will accommodate the link street is subject to a specific objective (indicated on the zoning map) to provide a major distributor road. Road infrastructure comprising a link street (the layout for which the SHD link street layout will supersede) was previously permitted across these WL zoned lands under Reg. Ref.: LB 180620. The proposed link road will serve a broad range of uses, including major employment uses such as that permitted under Reg. Ref.: LB 180620, and will thereby not constitute a solely 'residential' road, but rather one which is necessary to realise significant economic, employment and residential development at this location. On this basis, the elements of the development proposed on White Lands are considered to be consistent with the zoning objective.

On the basis of the foregoing, it is considered that the proposed development accords with the relevant zoning objectives pertaining to the site. Please refer to the Planning Report and Statement of Consistency for further details.

### **Drawings, Plans and Particulars**

The planning application is accompanied by a full set of architectural drawings which have been prepared in accordance with the requirements of Articles 297 and 298 of the Planning and Development Regulations 2001, as amended.

This planning application is accompanied by a Site Location Map, Site Layout Plan, Taken in Charge drawing, Landscape Masterplan and Engineering drawings. The full list of enclosures is set out below. Each drawing pack is accompanied by a schedule of drawings as required under the SHD Planning Application Form.

### **Statement of Consistency with Planning Policy**

A stand-alone Statement of Consistency with Planning Policy and Planning Report, prepared by John Spain Associates, accompanies this planning application, demonstrating that the proposal is consistent with the relevant guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended) and with the Meath County Development Plan and Southern Environs of Drogheda LAP (as incorporated into the County Development Plan).

### **Environmental Impact Assessment Report (EIAR)**

A revised Environmental Impact Assessment Report and a Non-Technical Summary have been prepared for and accompany this planning application.

In this context the following topics/issues have been reviewed and addressed in the context of the proposed development:

- Introduction and Methodology,
- Project Description and Alternatives Examined,
- Population and Human Health,

- Archaeology and Cultural Heritage,
- Biodiversity,
- Landscape and Visual Impact, including Photomontages,
- Land and Soils,
- Water,
- Air Quality and Climate,
- Noise and Vibration,
- Material Assets – Built,
- Transportation,
- Interactions,
- Principle Mitigation and Monitoring Measures,
- Non-Technical Summary.

### **EIA Portal**

Appendix 2 of this cover letter comprises of a copy of a confirmation notice email from the Department of Housing, Planning and Local Government EIA Portal, stating that the information provided to the portal has been uploaded to the EIA Portal on the 3<sup>rd</sup> of September 2020 under Portal ID number **2020147**.

### **Application Site Boundary**

Please note that the application site boundary has been provided in .dwg format on CD ROM with all geometry referenced to ITM as specified in Section 5 of the Application Form.

### **Consultation with Planning Authority under Section 247**

The SHD process comprises three mandatory stages including Stage 1 which is a consultation with the Planning Authority (under section 247 of the Planning & Development Act, 2000, as amended).

A formal pre-application meeting was held at the offices of Meath County Council on 5<sup>th</sup> of March 2020. It is considered that the comprehensive suite of documents submitted with this final application responds to the matters raised by Meath County Council at the Section 247 meeting, which focused in particular on matters associated with Appropriate Assessment and on the reason for refusal for the previous Strategic Housing Development application on the subject site.

### **Irish Water Requirements**

The applicant, and the project Consulting Engineer DBFL, have undertaken consultation with Irish Water prior to the lodgement of this consultation request, and include a response from Irish Water in respect to a Pre-Connection Enquiry (PCE) in relation to the proposed development which states that '*subject to a valid connection agreement being put in place, your proposed connection to the Irish Water network can be facilitated*'.

The Applicant confirms that all water and foul drainage services will be designed and installed in accordance with Irish Water standards.

The application is also accompanied by a Statement of Design Acceptance received from Irish Water, which confirms that Irish Water has no objection to the proposals.

## **Part V**

The applicant has entered into discussions with the Housing Department of Meath County Council in respect to the Part V proposals for the subject site.

This planning application is accompanied by a Part V site layout plan illustrating the location of the Part V units (please refer to the DDA Design Statement and drawing pack for further details of each unit type), an estimate of costs and a cover letter in respect to the Part V proposals for the subject lands.

The Part V provision is proposed as part of the development is 36 no units with the breakdown shown below and is based on discussions with Meath County Council Housing Department.

- 6 no. 1 bedroom apartments,
- 8 no. 2 bedroom apartments,
- 5 no. 3 bedroom duplex units,
- 10 no. 3 bedroom houses, and
- 7 no. 4 bedroom houses.

The proposal includes a mix of unit sizes and types to cater for a variety of demand which the applicant understands reflects the current needs of the Council.

The applicant agrees to accept a condition on a grant of planning permission, if the Board is minded to approve the proposed development, which requires the applicant to enter into a Part V agreement with Meath County Council as per their requirements prior to the commencement of development.

## **Prescribed Bodies**

As required in the Board's Consultation Opinion a copy of the application has been sent to the prescribed bodies set out below. Several prescribed bodies previously stated that they would prefer to receive a soft copy of the planning application documentation only.

1. Irish Water (Soft Copy Only)
2. Transport Infrastructure Ireland (TII) (Soft Copy Only)
3. National Transport Authority (NTA) (Soft Copy Only)
4. Department of Culture, Heritage and the Gaeltacht (Soft Copy Only)
5. The Heritage Council (Soft Copy Only)
6. An Taisce (Soft Copy Only)
7. Meath County Childcare Committee (Soft Copy Only)
8. Coras Iompar Eireann (Soft Copy Only)
9. Commission for Railway Regulation (Soft Copy Only)
10. Louth County Council

## **Fee**

Please find enclosed fee of € 69,570.80 made payable to An Bord Pleanála as prescribed in the Strategic Housing Development Fee Schedule issued on the 15th of March 2017.

## **Enclosures**

The following documentation accompanies this consultation request in accordance with Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016 and Article 28 of the Planning and Development (Strategic Housing Development) Regulations 2017:

- 1 no. fee cheque of € 69,570.80;
- 2 no. copies of the completed Application Form in respect of a Strategic Housing Development and attachments (letter from Irish Water, letter of consent etc);
- 3 no. soft copies of application documentation (disc);
- 2 no. copies of this cover letter prepared by John Spain Associates (JSA);
- 2 no. copies of Planning Report/Statement of Consistency with Planning Policy prepared by John Spain Associates (JSA);
- 2 no. copies of a Material Contravention Statement prepared by John Spain Associates (JSA);
- 2 no. copies of a Statement of Response to the Opinion of An Bord Pleanála prepared by John Spain Associates;
- 2 no. copies of the approved Urban Design Framework Plan for Mill Road / Marsh Road, MCC Approval Letter, Economic Report, Transport Study and MCC Approval Letter (submitted for information purposes);
- 2 no. copies of an Environmental Impact Assessment Report (EIAR) and Non Technical Summary prepared by John Spain Associates and Consultants;
- 2 no. copies of Architectural Drawings including Site Location Map, Site Layout Plan and Taken in Charge Drawing, Schedule of Accommodation prepared by DDA Architects – All drawings and schedules provided at full size and within A3 booklet for ease of reference;
- 2 no. copies of Architectural Design Statement (including Masterplan for the Mill Road / Marsh Road area as Appendix 1) and Schedules Documents prepared by DDA Architects;
- 2 no. copies of a Building Lifecycle Report prepared by DDA Architects;
- 2 no. copies of Part V proposals including a Part V site layout plan and detailed Part V drawings prepared by DDA Architects, a Part V Cover Letter and an Estimate of Costs prepared by the Applicant;
- 2 no. copies of Landscape Drawings including Landscape Masterplan, Boundary Treatment Plan and Landscape Report prepared by Dermot Foley Landscape Architects;
- 2 no. copies of Tree Survey and Arboricultural Impact Assessment, Tree Survey, & Arboricultural Method Statement and Drawings prepared by Charles McCorkell Arboricultural Consultancy;
- 2 no. copies of Appropriate Assessment Screening Report and Natura Impact Statement for Stage 2 Appropriate Assessment prepared by EnviroGuide Ecological Consultants;
- 2 no. copies of Infrastructure Design Report prepared by DBFL Consulting Engineers (including responses to ABP Opinion);
- 2 no. copies of a Site-Specific Flood Risk Assessment, prepared by DBFL Consulting Engineers;
- 2 no. copies of Engineering drawings and drawing schedule prepared by DBFL Consulting Engineers;
- 2 no. copies of Traffic and Transport Assessment prepared by DBFL Consulting Engineers;
- 2 no. copies of a CEMP prepared by DBFL Consulting Engineers;
- 2 no. copies of DMURS and Cycle Manual Consistency Statement prepared by DBFL Consulting;
- 2 no. copies of Ground Investigation Reports prepared by Ground Investigations Ireland;
- 2 no. copies of an Energy Statement and Utility Services Review prepared by Renaissance Engineering;
- 2 no. copies of a Site Lighting Layout and Utilities layout prepared by Renaissance Engineering;

- 2 no. copies of a Sunlight and Daylight Assessment prepared by BPG3;
- 2 no. copies of a Construction Waste Management Plan and Operational Waste Management Plan prepared by Byrne Environmental Consulting Limited (BECL).

We trust that the documentation as submitted meets the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016, and specifically the Planning and Development (Strategic Housing Development) Regulations 2017 and application guidance documents issued by An Bord Pleanála.

In preparing this application we have had regard to the issues raised during pre-application meeting with Meath County Council, the Tripartite meeting with An Bord Pleanála, and the requirements of relevant Section 28 Guidelines, the Meath County Development Plan and the Southern Environs of Drogheda Local Area Plan (as incorporated into the County Development Plan).

Six no. hard copies, and three no. soft copies, of this SHD application have been sent to Meath County Council as the appropriate planning authority in which the proposed Strategic Housing Development (SHD) is located.

If you require any additional information, please do not hesitate to contact us.

Yours faithfully,



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**John Spain Associates**

**Appendix 1 – EIA Portal Confirmation**

EIA Portal Confirmation Notice Portal ID 2020147 Shannon Homes Drogheda Ltd



EIAportal <EIAportal@housing.gov.ie>  
To ● Luke Wymer

Reply Reply All Forward ...

Thu 03/09/2020 16:46

A Chara,

An EIA Portal notification was received on 02/09/2020 in respect of this proposed application. The information provided has been uploaded to the EIA Portal on 03/09/2020 under EIA Portal ID number **2020147** and is available to view at <http://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>.

**Portal ID:** 2020147

**Competent Authority:** An Bord Pleanála

**Applicant Name:** Shannon Homes Drogheda Ltd

**Location:** Colp West, Drogheda, Co. Meath. The lands are primarily located to the north of Colp Road and to the west of Mill Road and Gaelscoil an Bhradáin Feasa.

**Description:** Strategic Housing Development comprising 357 residential units, a childcare facility, roads, infrastructure, open space, and all associated development.

**Linear Development:** No

**Date Uploaded to Portal:** 03/09/2020

**Morgan O Reilly**  
EIA Portal team

**An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil**  
Department of Housing, Planning and Local Government

Teach an Chustaim, Baile Átha Cliath 1. D01 W6X0  
Custom House, Custom House Quay, Dublin D01 W6X0

T (+353) 1 8882710

[www.tithiocht.gov.ie](http://www.tithiocht.gov.ie) [www.housing.gov.ie](http://www.housing.gov.ie)

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Is faoi rún agus chun úsáide an té nó an aonán atá luaite leis, a sheoltar an ríomhphost seo agus aon comhad atá nasctha leis. Má bhfuair tú an ríomhphost seo trí earráid, déan teagmháil le bhainisteoir an chórais.