



**ARMSTRONG  
FENTON**  
ASSOCIATES

**PROJECT:** Strategic Housing Development

**REPORT:** Statement of Response to An Bord Pleanála's Notice of Pre-Application Consultation Opinion Ref.: ABP-312246-21

**CLIENTS:** Arnub Ltd. & Aspect Homes (ADC) Ltd

**DATE:** September 2022

Planning &  
Development  
Consultants



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## 1.0. Introduction

### **Applicant's Response to An Bord Pleanála Pre-Application Consultation Opinion Ref.: ABP-312246-21**

1.1. Pre-application consultation with An Bord Pleanála in relation to the proposed development, under Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016 took place on 10<sup>th</sup> May 2022 online via Microsoft Teams, due to the Covid-19 pandemic.

1.2. The Board's Notice of Pre-Application Consultation Opinion, under Ref. 312246-21, was issued on 19<sup>th</sup> May 2022, and is referred to hereafter as "the Opinion". The Opinion states that An Bord Pleanála *"is of the opinion that the documents submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development"*.

1.3. The Opinion identifies nine items of additional specific information that are to be submitted with any application for permission. Documentation has been prepared and/or updated in response to this request to ensure that the Board will have all of the information it requires to come to a reasoned decision on the proposed development. A summary of the responses provided to each of these specific points is set out in Section 2 of this statement, with reference to the relevant accompanying application documentation.

1.4. The final proposals and application documentation, now put forward for permission, have had regard to the points of discussion and issues raised during the course of the tripartite SHD pre-application meeting held on 10<sup>th</sup> May 2022, and meetings pursuant to Section 247 of the Planning and Development Act 2000 (as amended), undertaken with the Planning Authority prior to the tripartite meeting with both An Bord Pleanála and the Planning Authority.

1.5. This Statement will refer to other documentation which forms part of the final SHD planning application pack and will direct the reader to the relevant information within the application documentation, which demonstrates that the issues raised during the course of pre-application consultation have been fully and satisfactorily dealt with prior to the submission of this Strategic Housing Development planning application.



## 2.0. Response to An Bord Pleanála Opinion

2.1. The Opinion of An Bord Pleanála following the pre-application stage for the proposed development sets out nine specific items of information that are to be submitted with a SHD planning application. The Board consider that these items / information need to be addressed / included in the final documentation submitted to the Board for permission, in order to ensure that the proposed development and supporting documentation would constitute a reasonable basis for an application for a strategic housing development.

2.2. Each of the nine items raised within the Opinion are set out below, and a response is provided thereto, referring to other documentation or sections within documents that form part of the planning application and which provide a more detailed or technical response, where relevant.

### Item No. 1:

*Notwithstanding that the proposal constitutes a reasonable basis for an application the prospective applicant is advised to address the following in the documents submitted:*

*(a) A detailed phasing and delivery plan, including timing and delivery of the works to on the site, the surrounding area and the overall roll out of lands within the defined masterplan area. The phasing and masterplan documentation should include justification and/or compliance with any required commercial/residential mix for the site, phasing and delivery of the infrastructure.*

### Response to Item 1 (a):

It is proposed that the subject development be delivered in phases which accords with the MP18 Masterplan requirement for the subject site, which itself requires, as per the Ashbourne Written Statement of the Meath County Development Plan 2021-2027:

Master Plan	Description
Master Plan 18	Master Plan 18 relates to the lands at Milltown to the south of Ashbourne and has an area of c.19.9 hectares. It is intended that these lands shall provide a primary school site, lands for recreational uses, including playing fields, and lands for residential development. The development of the lands shall be on a phased basis to be agreed as part of the preparation of the Master Plan.

A Masterplan has been prepared as required and agreed with the Planning Authority. A copy of same is submitted as part of this application for permission – please refer to this standalone document. However, within same (section 5), an indicative phasing arrangement is set out, with the details of same as follows:

The Masterplan states that the overall development proposal for the lands is to develop them from the centre of the town outwards or in a north to south direction. Each phase of the development will deliver the appropriate amount of open space, physical and social infrastructure commensurate to the number of units and quantum of land being developed. The delivery of apartments has been split between three phases to facilitate financing of the development and also to ensure that an appropriate mix of units are delivered at each phase. The phasing set out in the Masterplan is:

**Phase 1 - Northern Parcel (c. 190 units)** - This phase includes the northern edge of the development and the interface with the Dublin Road. It will also include the delivery the first section of the green link and the northern edge of the green spine and the east-west link road through the northern part of the lands. Phase 1 may also include non-residential uses at the interface with the Dublin Road.

**Phase 2 - Central and Western Parcel (c. 290 units)** - This phase, which covers the central and western extents of the lands, will deliver circa 290 units. It includes the completion of the green linkage, the construction of apartments and non residential units facing the local centre and the 2-3 storey housing to the southwest of the site. The G1 lands accommodating the future school and pitch will be included in Phase 2.

**Phase 3 - South-east Parcel (c. 280 units)** - This phase will deliver the apartments to the south of the local centre and the lower density housing to the southeast of the site. This will include connection into Hickeys Lane to the East



**Fig. 1 – Proposed Phasing of the Masterplan**



In accordance with the principles of the Masterplan, and given that the majority of the Masterplan lands are subject to this current application for permission, it is proposed to phase the proposed development, commencing at the northern end of the site, which abuts existing development within the town, and move southwards, across three phases, the details of which are as follows:

### **Phase 1 - Northern Parcel**

This phase includes the northern edge of the development and the interface with the Dublin Road, including proposed signalised junction. It will also include the delivery the east-west Link Street and 7,637m<sup>2</sup> of public open space. In terms of housing, phase 1 will deliver 167 no. dwellings, comprised of 127 no. houses and 6 no. duplex units (accommodated in 3 no. buildings), which equates to c. 24% of the proposed dwellings.

### **Phase 2 - Central and Western Parcel**

This phase, which covers the central and western extents of the development, will deliver 350 no. dwellings (c.50%), comprised of 128 no. houses, 12 no. duplex units (in 6 no. blocks) and 210 no. apartments (in 9 no. blocks). The proposed apartment blocks A, B, A1 and B1 are included in this phase which also will see the delivery of the proposed 2 no. creches, 4 no. retail units and the GP practice.

Phase 2 also includes the completion of the 4m wide green pedestrian / cyclist linkage from the Dublin Road to the adjoining F1 Open Space zoned lands to the west. Public open space of 12,466m<sup>2</sup>, including a MUGA will also be delivered in this phase.

### **Phase 3 - South-East Parcel**

The final phase will deliver the remainder of the dwellings i.e. 185 no. dwellings, comprised of 165 no. houses and 20 no. duplex units in 10 no. blocks, which equates to c.26% of the proposed dwellings. The remaining public open space (8,782m<sup>2</sup>) will also be delivered, as will the access and associated upgrade works to Hickey's Lane, thus completing the proposed development.

Refer to Fig. 2 over which illustrates how the proposed development will be phased in terms of its delivery. Please also refer to the submitted Davey-Smith drawing no. D2101.S.10 "Overall Site Layout - Phasing Map" for further details.



Fig. 2 – Phasing of proposed development



*(b) Further consideration/ and or justification for the density proposed having regard to the location of the site within Ashbourne, the Core Strategy allocation and requirement for compliance with the national guidance “Sustainable Residential Developments in Urban Areas”. In this regard, the documentation shall clearly indicate the efficient use of residential zoned lands within a growth town.*

**Response to Item 1 (b):**

The total area of the application site (i.e. the area within the red line of application) is 20.04 hectares. The G1 zoned land, reserved for a future school site and playing pitch occupies c.1 hectare. Based upon the area of the red line of application i.e. 20.04Ha, the proposed development produces a gross density of 35 units per hectare. If the G1 lands are discounted, the gross density of development on lands zoned A1 and A2 is 36.8 units per hectare.

For the purposes of calculating the net density of the proposed development, the following areas within the application site have been discounted:

- The area occupied by Hickey’s Lane (0.28 hectares);
- The area occupied by the proposed east-west Link Street (1.01 hectare);
- The G1 lands (1 hectare)

By discounting the above areas (total = 2.29Ha), the net developable area of residential zoned lands is 17.7Ha, thus producing a net residential density of development of c.40 (39.6) units per hectare.

As agreed with Meath County Council, the proposed development seeks to build a new east-west link street that opens up these lands, as well as facilitating access to a significant land bank to the west, currently zoned objective F1 - Open Space. The area occupied by the proposed east-west link street is 1.01Ha.

There is no residential use proposed on the G1 lands, therefore for the purposes of addressing residential density, we are dealing with the A1 and A2 zoned lands only, and the 1Ha of G1 lands has been discounted for calculating net density.

The proposed density is put forward for consideration in accordance with the guidance set out in the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas. Based upon same, and the guidance set out in Appendix A of said guidelines, which provides for net density to be calculated based upon the exclusion of:

- *major and local distributor roads;*
- *primary schools, churches, local shopping etc.;*
- *open spaces serving a wider area; and*
- *significant landscape buffer strips,*

We have discounted (a) the area (1.29Ha) occupied by the proposed road works (i.e. Hickey’s Lane and the proposed link street) and (b) the 1 hectare of land zoned G1, which results in a net development area of 17.7Ha, which based upon the proposal to deliver 702 no. dwellings, produces a net residential density of c.40 units per hectare.

The Meath County Development Plan 2021-2027 identifies Ashbourne under the settlement typology of “Self-Sustaining Growth Town”. In addition, it is considered that the subject site can also be described as an Outer Suburban / Greenfield Site and complies with section 5.11 of the Guidelines for Planning Authorities on ‘Sustainable Residential Development in Urban Areas’, which define such sites as “as open lands on the periphery of cities or larger towns”. The guidelines state that “the greatest efficiency in land usage on such lands will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare and such densities (involving a variety of housing types where possible) should be encouraged generally.



*Development at net densities less than 30 dwellings per hectare should generally be discouraged in the interests of land efficiency, particularly on sites in excess of 0.5 hectares”.*

The Development Plan states (under Section 11.5.2 “Density”) that the number of units to be provided on a site should be determined with reference to the Guidelines for Planning Authorities on ‘Sustainable Residential Development in Urban Areas (2009) or any update thereof. It is a stated objective of the Development Plan i.e. DM OBJ 14 that Self-Sustaining Growth Towns should have a density greater than 35 unit per hectare, i.e.:

<b>DM OBJ 14</b>	<p>The following densities shall be encouraged when considering planning applications for residential development:</p> <ul style="list-style-type: none"> <li>▪ Residential Development Beside Rail Stations: 50 uph or above</li> <li>▪ Regional Growth Centres/Key Towns: (Navan/Drogheda) - 35-45 uph</li> <li>▪ Self-Sustaining Growth Towns: (Dunboyne, <b>Ashbourne</b>, Trim, Kells): greater than 35uph</li> <li>▪ Self-Sustaining Towns: 25uph - 35uph</li> <li>▪ Smaller Towns and Villages: 25uph - 35 uph</li> <li>▪ Outer locations: 15uph – 25uph</li> </ul>
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The proposed net density of 40 units per hectare is therefore consistent with the aforementioned guidelines, as well as DM OBJ 14 which requires densities of greater than 35 units per hectare for Self-Sustaining Growth Towns such as Ashbourne.

Taking all of the above into consideration, it is put forward that the proposed development of 702 no. units on lands zoned A1 and A2, which produces a net density of 40 units per hectare and a gross density of 35 units per hectare, accords with Ashbourne’s status as a Self-Sustaining Growth Town and also with the density guidance/requirements as set out in (i) the Guidelines on Sustainable Residential Development in Urban Areas (2009) and, (ii) the Meath County Development Plan 2021-2027.

*(c) Provide further justification for the design and layout of all public open space areas. This further justification should address, inter alia, the location of the public open space, the need for passive surveillance and appropriate functionality of space.*

#### **Response to Item 1 (c):**

Cunnane Stratton Reynolds (CSR) Landscape Architects are the project landscape architects for the proposed development and have prepared the submitted landscape drawings and landscape design report – please refer to same for more details.

Public open spaces is provided throughout the development (c.2.88Ha) and is interlinked to create a “necklace / linear park” of space that is useable, accessible, caters for varying forms of recreation and play and contributes to the green infrastructure network. The landscape concept for the linear park is based upon the idea of combined openness and enclosure of a natural landscape/parkland setting. Working in harmony to create an ever-hanging linear park which acts as a green spine to the overall scheme that offers breakout areas for a multiple of different recreational uses. These would include large open areas of grass for kickabout spaces; play areas for all aged groups dotted throughout the open spaces to ensure good proximity for the entire development; plaza spaces to offer gathering and outdoor seating positioned to maximize sunny positions; good circulation of paths for walking, cycling, dog walking and running. The linear park will create areas for native and natural planting to enhance local biodiversity.



**Fig. 3 – Landscape Concept Strategy**

The submitted landscape design report clearly outlines the aims and objectives for the proposed landscape design, green infrastructure plan, details of the landscaping for the proposed plaza area, and linear park which will provide an attractive setting for play / walking / running / cycling / skating / external exercise equipment. The attenuation basin will be incorporated into a natural play area.

All open spaces are passively supervised by buildings and dwellings facing directly onto same, which is evident from the site layout plan and plans of the proposed dwellings.



**Fig. 4 – Layout and location of public open spaces**

1. The open space to the north-west corner of the site forms a neighbourhood square which contains an open lawn area for lounging/kickabout space, an equipped and secure play area, a mini-wooded planted area to the west within formal paths.
2. This open space forms the start of a linear connection of open spaces changing in character as you move along. This portion will follow the concept of ‘enclosure’ offering a fitness trail along the shared bicycle and footpath route and woodland style planting with small mounds in a linear fashion.
3. After the enclosed fitness trail section, you open onto a large central ‘village green’ with a larger play area, large open grassed area and different styles of planting framing views.
4. This next section is all about the retained mature tree line to the east of the open space, and wide, open grassed areas. Trees are retained as a focal point and leading the eyes down the linear park.
5. The next parcel down offers another retained tree line running east-west along with some informal play area and lawn space in a slightly sunken area.
6. The open space to the west of the site is home to a MUGA, with potential future links from this space to the lands west and with the reserved future school site to the north, the MUGA can offer a great communal facility.



**Item no. 2** – *In relation to access and transportation, the following information should be submitted:*

- (a) Full plans and particulars of all road upgrades required for the proposed development including, inter alia, the signalised junction at the interchange of the new east west link road with the Dublin Road.*
- (b) A Travel Plan / Mobility Management Plan and a statement describing how the proposed development will contribute to sustainable travel patterns and a reduced dependency on the private car.*
- (c) A report demonstrating compliance with the applicable standards set out in DMURS and the National Cycle Manual, including sections 1.9 and 4.9 of the cycle manual.*
- (d) A Quality Audit in accordance with Annex 4 of the Design Manual for Urban Roads and Streets (DMURS) which shall include as a minimum a Street Design Audit, Road Safety Audits and Pedestrian and Cycling Audits.*
- (e) A report addressing other matters raised in the report of the Meath County Council Transportation Planning Section.*

**Response to Item 2 (a):**

DBFL Consulting Engineers have prepared the submitted Infrastructure Design Report and Traffic and Transport Assessment (TTA), as well as drawing no.s 200059-DBFL-RD-SP-DR-C-1200 to 1204. Section 2 of the Infrastructure Design Report and section 4.2 of the TTA provide full details of the proposed access arrangements for the proposed development as well as the proposed upgrade works to the junctions of the site / Hickeys Lane / Cherry Lane with the Dublin Road (R135). The aforementioned drawings illustrate the details of the proposed roads design. Please refer to all of the aforementioned.

**Response to Item 2 (b):**

DBFL Consulting Engineers have prepared the submitted Mobility Management Plan – please refer to same.

**Response to Item 2 (c):**

DBFL Consulting Engineers have prepared the submitted DMURS Design Statement – please refer to same.

**Response to Item 2 (d):**

Please refer to the submitted Preliminary Design Stage Quality Audit prepared by DBFL Consulting Engineers.

**Response to Item 2 (e):**

Please refer section 9 of the submitted TTA prepared by DBFL Consulting Engineers for full details on how all of the matters raised by Meath County Council Transportation Planning Section have been addressed.



**Item no. 3** – *Submission of a visual impact assessment that comprises a photomontage report with key viewpoints from locations around the vicinity of the site and including, inter alia, adjoining Dublin Road and existing residential development.*

**Response:**

An Environmental Impact Assessment Report (EIAR) has been prepared and is submitted as a separate report as part of this application. Contained within same is Chapter 13 “The Landscape” which provides a visual impact assessment of the proposed development, prepared by Cunnane Stratton Reynolds Landscape Architects. In addition, 3D Design Bureau have prepared the submitted photomontages of the proposed development which are enclosed in a separate booklet entitled “Verified Views & CGI” – please refer to same.

**Item no. 4** – *Submission of Part V proposals*

**Response:** The applicants propose to allocate 10% of the proposed units on site for social housing in compliance with Part V, Section 96 (3)(b)(i) of the Planning and Development Act 2000 (as amended). 70 no. units are proposed to be provided as Social Housing.

Aspect Homes (ADC) Ltd propose to provide 23 no. dwellings comprised of 18 no. 2 bed apartments accommodated in 6 no. F type buildings which accommodate 18 no. 2 bed apartments & 5 no. E type, 3 bed houses.

Arnub Ltd proposes to provide 47 no. dwellings comprised of 29 no. apartments in Block B1 and 18 no. G1 duplex units as follows: i.e.

Block B1:

- 1 no. bed apartment
- 19 no. 2 bed apartments
- 6 no. 3 bed apartments

G1 type:

- 9 no. 2 bed units
- 9 no. 3 bed units

The individual units are identified on the enclosed drawing no. D2101.S.11 “Site Layout - Part V -Option B” and we also enclose the associated costs for these units.

Please also find enclosed a Part V booklet which provides details of the units proposed to satisfy the Part V obligation associated with the proposed development as well as a cost summary report identifying the estimated costs of same.

Part V proposals were submitted by the applicants to the Housing Department of Meath County Council (MCC) and a letter confirming the applicant’s engagement with the Housing Department of MCC was received on 17<sup>th</sup> June 2022 confirming same – please also refer to same enclosed as part of the Part V proposal.



The submitted information is intended to provide a reasonable estimate of the costs and values of the proposed Part V units based on construction costs and values prevailing at the time of this application. The information set out is for the purposes of facilitating the planning application and will be subject to finalisation and formal agreement with the Local Authority. The ultimate agreement with regard to compliance with Section 96 of the Act is dependent upon receipt of a final grant of permission and on the site value at the time the permission is granted. The applicants intend to fully comply with the requirements of Part V of the Planning and Development Act 2000 (as amended) and the Housing Strategy of Meath County Council with respect to the provision of Social Housing.

**Item no. 5 –** *Submission of all boundary treatments.*

**Response:** Please refer to the submitted drawing no. 21659-3-105 “Boundary Treatments” prepared by Cunnane Stratton Reynolds Landscape Architects which provides details of the proposed boundary treatments throughout the development.

**Item no. 6 –** *Submission of cross-section drawings through the site clearly illustrating the existing topography and any changes proposed. In this regard, the applicant shall ensure the existing dwellings adjoining the site are highlighted.*

**Response:**

Davey-Smith Architects have prepared the following contiguous elevation / site section drawings through the scheme – please refer to the following submitted drawings:

- Drawing no. D2101.SC.01 Contiguous Elevations A - A & B – B
- Drawing no. D2101.SC.02 Contiguous Elevations C - C
- Drawing no. D2101.SC.03 Contiguous Elevations D - D & E - E
- Drawing no. D2101.SC.04 Contiguous Elevations F - F

**Item no. 7 –** *Submission of a Sunlight/Daylight/Overshadowing analysis including all relevant plans/documentation showing an acceptable level of residential amenity, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable*

**Response:** A daylight / sunlight assessment report has been prepared by 3D Design Bureau and is submitted the application as a separate document – for full details please refer to same. The following is a summary of the findings of the report:

The assessment has been broken down into the following two main categories, of which there are sub-categories summarised further below:

- **Impact assessment:** Effect on the surrounding environment and properties, which includes Vertical Sky Component (VSC), Annual and Winter Probable Sunlight Hours (APSH/WPSH) and Sun On Ground (SOG) analysis. The effects were assessed in the baseline state versus the proposed state;
- **Scheme Performance:** Daylight and sunlight assessment of the proposed development, which includes Sun On Ground (SOG) in the proposed public and communal open spaces, Sunlight Exposure (SE) and Spatial Daylight Autonomy (SDA) to the habitable rooms of the proposed apartments.



The impact assessment that was carried out for the purpose of this report has studied the potential levels of effect the surrounding existing environment and/or properties would sustain should the proposed development be built as proposed.

This impact assessment covers the following categories:

- Effect on daylight (VSC) to surrounding properties;
- Effect on sunlight to surrounding properties;
- Effect on sun on ground (SOG) in the rear gardens of the following neighbouring properties was assessed:

The BRE Guidelines recommend that if any part of a new building or extension, measured in a vertical section perpendicular to a main window wall of an existing building, from the centre of the lowest window, does not subtend an angle of more than 25° to the horizontal, then the daylighting and sun lighting of the existing building are unlikely to be adversely affected. Using this guidance as a rule of thumb, the surrounding context was carefully considered to ensure all properties and amenity spaces that may potentially experience a level of effect were included in the study.

The impact assessment has shown very positive results, with a negligible level of effect to VSC in the vast majority of assessed windows, and full compliance with the BRE Guidelines for impact to SOG and APSH/WPSH.

The scheme performance assessment of the proposed development included an analysis of the levels of sun on ground (SOG) to the proposed public and communal open spaces, as well as sunlight exposure (SE) and spatial daylight autonomy (SDA) in the habitable rooms of the proposed apartments within the development. All external amenity spaces as identified by the architect were assessed for SOG and an SE and SDA assessment was carried out in the 4 main apartment blocks (Blocks A, B, A1 & B1) and a sample of Apartment Type F and Duplex type G1. The scheme performance assessment has shown very favourable results with a high rate of compliance across all studies carried out. For details, please see section 1.2 and 1.3 of the submitted daylight / sunlight assessment report for a detailed breakdown of results. Section 1.2 “Impact Assessment Results Overview” of the submitted report asserts that it is the opinion of 3D Design Bureau that the above results demonstrate that the proposed development would not cause a perceptible level of effect to daylight and sunlight received by the existing neighbours. Section 1.3 “Scheme Performance Results Overview” states that it is the opinion of 3D Design Bureau that the results demonstrate a high level of compliance with the appropriate daylight and sunlight standards which indicates the proposed apartment units would be in receipt of sufficient levels of daylight and sunlight.

The submitted report has taken into account the recently published BRE - Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice (2022). This document will be referred to as *the BRE Guidelines* in the submitted report. 3D Design Bureau asserts that at the time of writing the submitted report, the BRE Guidelines are in the third edition (BRE 209). The BRE Guidelines sets out recommendations for appropriate levels of daylight and sunlight within a proposed development, as well as providing guidance on impacts arising from a proposed development to surrounding properties and amenity areas. Whilst the primary reference document for the BRE Guidelines is BS EN 17037, there are some subtle differences between BRE 209 and BS EN 17037. For the purposes of this report, the BRE Guidelines (BRE 209) is considered the primary reference. A detailed description of the various recommendations for impact assessment and scheme performance is contained in section “4.0 Assessment Overview” on page 16 of the submitted report by 3D Design Bureau – please refer to same.

The submitted report notes that the BRE Guidelines (BRE 209), will be the primary reference document for this report as it is referenced in both *Sustainable Urban Housing: Design Standards for New Apartments* (2020) and *Urban Development and Building Heights* (2018). For daylight within proposed developments, a supplementary study will be carried out under the criteria of *I.S. EN 17037*. Neither the British Standard, European Standard, British Annex to the European Standard nor the BRE Guide set out rigid standards or limits. They are all considered advisory documents.



The BRE Guide is preceded by the following very clear statement as to how the design advice contained therein should be used: *“The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design.”* That the recommendations of the BRE Guide are not suitable for rigid application to all developments in all contexts, is of particular importance in the context of national and local policies for the consolidation and densification of urban areas or when assessing applications for highly constrained sites (e.g. lands in close proximity or immediately to the south of residential lands).

Section 8.2.3 “Spatial Daylight Autonomy (SDA)” of the submitted report refers to internal daylighting and quotes section 6.7 of the Sustainable Urban Housing: Design Standards for New Apartments December 2020, which states the following: *“Where an applicant cannot fully meet all of the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, which planning authorities should apply their discretion in accepting taking account of its assessment of specific (sic). This may arise due to design constraints associated with the site or location and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.”*

The submitted report states that *“where rooms are compliant with the criteria of BRE 209 and non-compliant with I.S. EN 17037, it could be considered that this is due to the exceptionally high standards required to achieve compliance with I.S. EN 17037 rather than an indication of insufficient daylight”*.

The submitted report also clearly states that *“based on the above statements, compensatory measures have been incorporated into the design of the proposed development where rooms do not achieve the daylight provision targets in accordance with the standards they were assessed against within the primary study (BRE 209)”*. Section 8.2.3 sets out a list of all units / rooms that do not achieve the recommended level of daylight with regards to BRE 209 and the compensatory design measure for each – please refer to same. In addition, the submitted report states that *“the SDA compliance rate for the assessed apartments within the proposed development is particularly high. Notwithstanding the handful of rooms that do not achieve the recommended minimum level of daylight, it is the opinion of 3DDB that the proposed development as a whole has demonstrated exceptional levels of daylight provision”*. The complete results for the study on SDA can be seen in section 7.4 on page 114 of the submitted daylight / sunlight assessment report.

The submitted report by 3D Design Bureau (3DDB) provides a daylight assessment, sunlight assessment and shadow study for the proposed development. The impact assessment for the report has quantified the effect the proposed development would have on the level of daylight and sunlight received by neighbouring properties/environment that are in close proximity to the proposed development. The report asserts that *“the vast majority of neighbouring properties would experience a negligible level of effect to the daylight received with all properties meeting the criteria as set out in the BRE Guidelines for impact to sunlight in the windows and rear gardens”*.

The scheme performance assessment for this report has also quantified the level of daylight and sunlight within the proposed development. The report states that *“the study of spatial daylight autonomy has shown that future residents would enjoy good levels of daylight within the proposed apartments. There is a high level of compliance across the assessed apartments for sunlight access which is a result of the extensive provision of dual aspect units”*.

The report also states that *“the majority of proposed public and communal open areas being capable of excellent levels of sunlight”*.

The report concludes that *“it is the recommendation of 3D Design Bureau, that the results contained within this daylight and sunlight assessment should be viewed favourably by the planning authority”*.

**Item no. 8** – In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicant’s opinion the proposal is consistent with the relevant objectives of the development plan for the area. Such a statement should have regard to the development plan in place at the time of the application and that likely to be in place at the date of the decision of the Board in respect of the application.

**Response:** The Meath County Development Plan 2021-2027, was adopted on 22<sup>nd</sup> September 2021 and came into effect on 3<sup>rd</sup> November 2021. The Meath County Development Plan 2021-2027 (hereafter the CDP) is the current statutory Development Plan for the area, for the period 2021-2027. Volume 2 of the CDP sets out the Written Statement for Ashbourne, which includes a development strategy for the town and an approved land use zoning map (refer to Fig. 5 below). A “Statement of Consistency” demonstrating the proposed development’s compliance with the policies/objectives/development standards contained the CDP is submitted as part of this application for permission – please refer this standalone document.

We note that the Written Statement for Ashbourne contained in the current CDP states that “a detailed Local Area Plan for the town will be prepared during the life of this Plan” – this has not occurred to date. The previous Local Area Plan (LAP), Ashbourne LAP 2009-2015, has not been updated, but in consideration of the more up to date, statutorily adopted County Development Plan 2021-2027, which contains a written statement for Ashbourne, it is considered that the 2009-2015 Ashbourne LAP is no longer relevant and has been superseded by the current Development Plan and the Written Statement for Ashbourne contained in Volume 2 of the CDP - the submitted “Statement of Consistency” sets out the proposed development’s compliance with same.

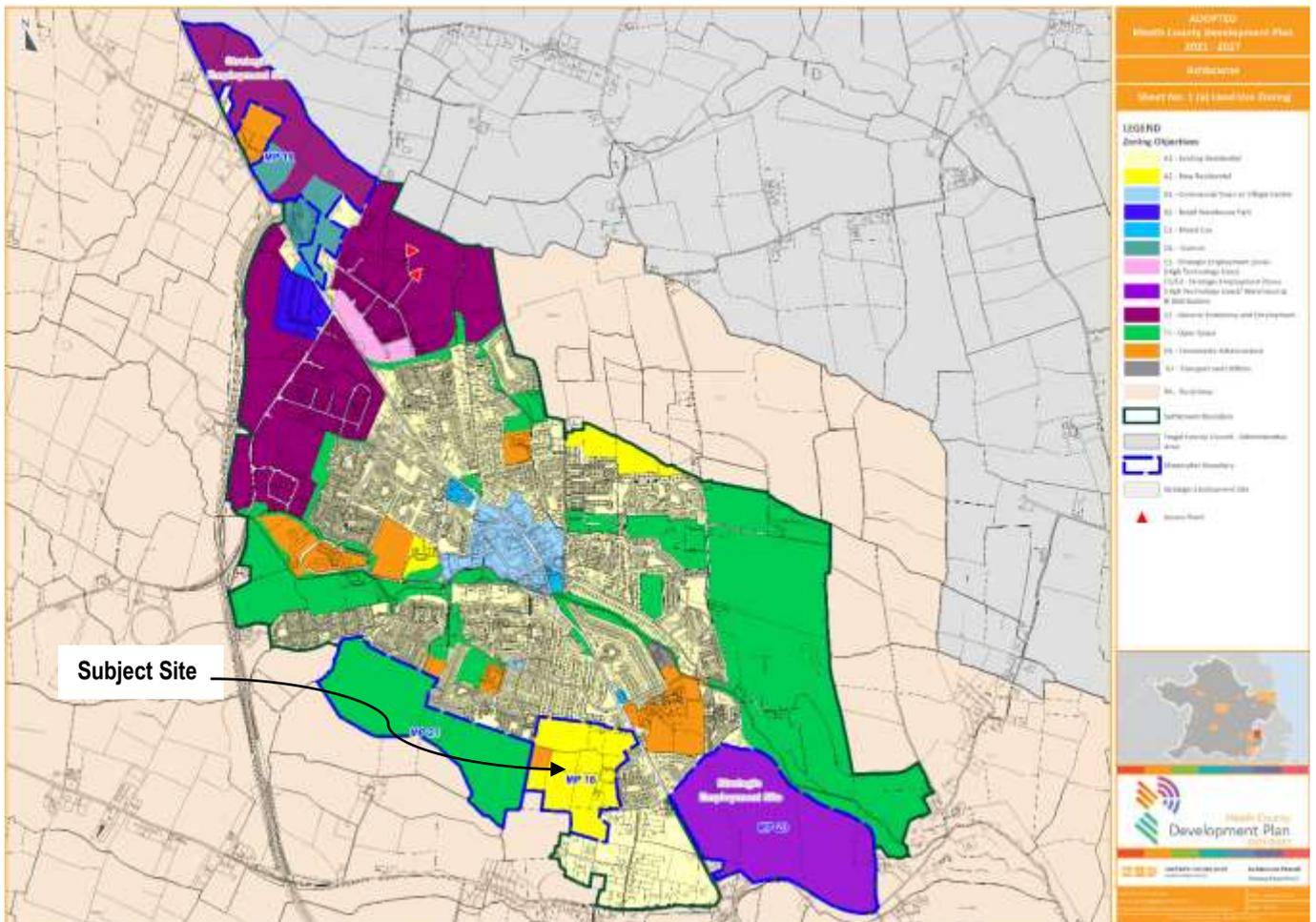


Fig. 5 – Copy of Meath County Development Plan Land Use Zoning Map for Ashbourne



**Item no. 9** – *The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.*

**Response:** An Environmental Impact Assessment Report (EIAR) has been prepared as part of this application for permission and is enclosed as a separate document – please refer to same.

An EIAR is required under Section 8(2) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended) and Schedule 5 Part 2(10)(b)(i) of the Planning and Development Regulations 2001 (as amended) and has been prepared in association with the submission of this application for permission. The proposed development is comprised of 702 no. dwellings, with 2 no crèches, 4 no. retail units, GP practice / medical use unit and all associated site development works. Therefore, the proposal exceeds the threshold of 500 dwelling units included in Schedule 5 Part 2(10)(b)(i) of the Planning and Development Regulations 2001 (as amended) and the preparation of an Environmental Impact Assessment Report (EIAR), is required to be prepared for the application under Section 8(2) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended).

The EIAR has regard to the Strategic Environmental Assessment prepared with the Meath County Development Plan, 2021-2027. The EIAR has considered the likely, significant, adverse effects of the proposed project on the receiving environment. Mitigation measures are included, to reduce impacts on the environment, where considered necessary. Mitigation measures have also been incorporated into the design of the proposed development to avoid or reduce the effects on the environment, as appropriate. The EIAR concludes that there are no material or significant environmental issues arising which were not anticipated by the Development Plan and associated Strategic Environmental Assessment.

### **3.0. Prescribed Bodies**

**3.1** Finally, the Board's Opinion set out the statutory bodies to be notified of the making an application. A copy of the current application will be sent to the prescribed bodies, as per Section 8(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016, and identified by the Board as follows:

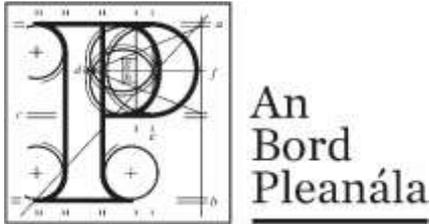
1. Irish Water
2. Transport Infrastructure Ireland
3. National Transport Authority
4. Department of Education and Skills
5. The relevant Childcare Committee

**3.2** Due to the Covid-19 pandemic and associated working restrictions related to same, 1 no. digital copy (i.e. usb) only of the application has been issued to the above named prescribed bodies, and an email link to the dedicated website set up for this application at [www.ashbourneshd.ie](http://www.ashbourneshd.ie) has also been sent to the above named prescribed bodies.



**APPENDIX I**

**Copy of An Bord Pleanála Notice of Pre-Application Consultation Opinion - Ref. ABP-312246-21.**



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## **Planning and Development (Housing) and Residential Tenancies Act 2016 Notice of Pre-Application Consultation Opinion**

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**Case Reference: 312246-21**

**Proposed Development: 694 no. residential units (418 no. houses, 276 no. apartments), creche and associated site works. In the townlands of Baltrasna and Milltown, Ashbourne, Co. Meath.**

An Bord Pleanála has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development.

Furthermore, pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. Notwithstanding that the proposal constitutes a reasonable basis for an application the prospective applicant is advised to address the following in the documents submitted:
  - (a) A detailed phasing and delivery plan, including timing and delivery of the works to on the site, the surrounding area and the overall roll out of lands within the defined masterplan area. The phasing and masterplan documentation should include justification and/or compliance with any required commercial/ residential mix for the site,



phasing and delivery of the infrastructure.

- (b) Further consideration/ and or justification for the density proposed having regard to the location of the site within Asbourne, the Core Strategy allocation and requirement for compliance with the national guidance “Sustainable Residential Developments in Urban Areas”. In this regard, the documentation shall clearly indicate the efficient use of residential zoned lands within a growth town.
  - (c) Provide further justification for the design and layout of all public open space areas. This further justification should address, inter alia, the location of the public open space, the need for passive surveillance and appropriate functionality of space.
2. In relation to access and transportation, the following information should be submitted:
- (a) Full plans and particulars of all road upgrades required for the proposed development including, inter alia, the signalised junction at the interchange of the new east west link road with the Dublin Road.
  - (b) A Travel Plan / Mobility Management Plan and a statement describing how the proposed development will contribute to sustainable travel patterns and a reduced dependency on the private car.
  - (c) A report demonstrating compliance with the applicable standards set out in DMURS and the National Cycle Manual, including sections 1.9 and 4.9 of the cycle manual.
  - (d) A Quality Audit in accordance with Annex 4 of the Design Manual for Urban Roads and Streets (DMURS) which shall include as a minimum a Street Design Audit, Road Safety Audits and Pedestrian and Cycling Audits.
  - (e) A report addressing other matters raised in the report of the Meath County Council Transportation Planning Section.



3. Submission of a visual impact assessment that comprises a photomontage report with key viewpoints from locations around the vicinity of the site and including, inter alia, adjoining Dublin Road and existing residential development.
4. Submission of Part V proposals.
5. Submission of all boundary treatments.
6. Submission of cross-section drawings through the site clearly illustrating the existing topography and any changes proposed. In this regard, the applicant shall ensure the existing dwellings adjoining the site are highlighted.
7. Submission of a Sunlight/Daylight/Overshadowing analysis including all relevant plans/ documentation showing an acceptable level of residential amenity, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.
8. In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicant's opinion the proposal is consistent with the relevant objectives of the development plan for the area. Such a statement should have regard to the development plan in place at the time of the application and that likely to be in place at the date of the decision of the Board in respect of the application.
9. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage



Also, pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended:

1. Irish Water
2. Transport Infrastructure Ireland
3. National Transport Authority
4. Department of Education and Skills
5. The relevant Childcare Committee

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2020 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Stephen O'Sullivan  
Assistant Director of Planning  
May, 2022

