



Planning Ref: **FP2021/044**
(Please quote in all related correspondence)

29/06/2021
Director of Services – Planning
Meath County Council
Buvinda House,
Dublin Road,
Navan,
Co. Meath



Via email cdpquery@meathcoco.ie

Re: Notification under Article 28 (Part 4) or Article 82 (Part 8) of the Planning and Development Regulations, 2001, as amended.

Proposed Development: Material Amendments to Draft Meath County Development Plan 2021-2027

A chara

I refer to correspondence on 21/06/2021 received in connection with the above.

Outlined below are heritage-related observations/recommendations co-ordinated by the Development Applications Unit under the stated heading(s).

Nature Conservation

The Department notes that in a number of cases the material alterations proposed involve omissions of sentences and clauses from policies in the Draft Development Plan which essentially explain how the Appropriate Assessment process operates to protect the integrity of European or Natura 2000 sites (Special Areas of Conservation and Special Protection Areas) when potential adverse effects to such sites are identified, by requiring either the alteration or the abandonment of the plan or project which might result in these effects. A number of examples of material amendments involving the omissions of wording along these lines from policies included in Chapter 5: Movement Strategy and Chapter 8: Cultural and Natural Heritage Strategy of the Draft County Development Plan are presented below.

Examples from Chapter 5:

Amend the following objective in Section 5.8.1 'Slane Bypass':

*"MOV OBJ 33 : To support and facilitate the delivery of ~~the bypassing of an~~ **N2 Bypass to the east of Slane Village** which is considered to comprise important infrastructural development and to construct same subject to obtaining the relevant development consents required and to reserve and protect route option corridors from development which would*



interfere with the provision of the project. Development of the project will be subject to the outcome of the Appropriate Assessment process. ~~Where adverse effects on European site integrity are identified, alternative routes or designs will be developed to ensure that the project will not adversely affect the integrity of any European Site(s), the project will not be progressed unless and alternative solution can be implemented which avoids/reduces the impact to a level that the integrity of the European Site(s) is (are) unaffected.~~

Amend MOV OBJ 35 in Section 5.9 'Roads Infrastructure' as follows;

"MOV OBJ 35 - To facilitate the delivery of all of the roads projects outlined in the National Development Plan 2018-2027 and National Transport Authority's Transport Strategy for the GDA 2016-2035, in conjunction with the NTA, TII, Department of Transport, Tourism and Sport and other stakeholders. Development of these road projects will be subject to the outcome of the Appropriate Assessment process. ~~Where adverse effects on European site integrity are identified, alternative routes or designs will be developed to ensure that the project will not adversely affect the integrity of any European Site(s), either alone or in combination with any other projects. If despite the implementation of mitigation measures, there remains a risk that the proposals will adversely affect the integrity of any European Site(s), the project will not be progressed unless and alternative solution can be implemented which avoids/reduces the impact to a level that the integrity of the European Site(s) is (are) unaffected.~~"

Examples from Chapter 8:

Amend HER POL 25 in Section 8.7.4 Industrial Heritage as follows;

HER POL 25

"To protect and enhance the built and natural heritage of the Royal Canal and Boyne Navigation and associated structures and to ensure, in as far as practically possible, that development which may impact on these structures and their setting be sensitively designed with regard to their character and setting. Development of the project will be subject to the outcome of the Appropriate Assessment process. ~~Where adverse effects on European site integrity are identified, alternative routes or designs will be developed to ensure that the project will not adversely affect the integrity of any European Site(s), the project will not be progressed unless and alternative solution can be implemented which avoids/reduces the impact to a level that the integrity of the European Site(s) is (are) unaffected.~~"

Amend the below policies/objectives;

"HER POL 32: To permit development on or adjacent to designated Special Areas of Conservation, Special Protection Areas, or those proposed to be designated over the period of the Plan, only where the development has been subject to the outcome of the Appropriate



Assessment process and an appropriate level of assessment has been carried out to the satisfaction of the Planning Authority, in consultation with National Parks and Wildlife, can clearly demonstrate that it will have no adverse effect on the integrity of the site."

It is not apparent to this Department why these various omissions of wording from policies in the Draft Development Plan have been adopted by Meath County Council as they will have no effect one way or the other in altering the legal requirements arising from the Habitats Directive (92/43/EEC) and Birds Directive (2009/147/EC) to protect the integrity of European sites threatened by a proposed plan or project.

The Department therefore recommends that the original wording of the above and similar policies in the Draft Meath County Development Plan should be restored, as they served to clarify to a considerable degree the protection afforded Natura 2000 sites through the Appropriate Assessment process; a protection which to some extent is obscured by the wording omissions now proposed by the Council.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at manager.dau@housing.gov.ie, where used, or to the following address:

The Manager
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Is mise, le meas

Connor Rooney
Development Applications Unit