



An  
Bord  
Pleanála

## Inspector's Report ABP-300563-18

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<b>Development</b>	House, garage, waste water treatment system and all associated works.
<b>Location</b>	Primatestown, Ashbourne, Co. Meath
<b>Planning Authority</b>	Meath County Council
<b>Planning Authority Reg. Ref.</b>	AA/171231
<b>Applicant(s)</b>	Patrick Frawley
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	1. Roderick Brennan 2. Rory and Anne Marie McGovern
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	10 <sup>th</sup> May 2018
<b>Inspector</b>	Niall Haverty

## **1.0 Site Location and Description**

- 1.1. The appeal site, which has a stated area of 0.1929ha, is located in the townland of Primatestown, c. 5.5km north west of Ashbourne Town Centre. It is located c. 360m east of the N2 National Road and c. 230m west of the boundary with County Dublin. The site is accessed from a local road (L5008), and is in close proximity to the traffic signal controlled junction of the local road, N2 and R155.
- 1.2. The appeal site is relatively level, is currently undeveloped and forms part of a larger agricultural field. It is bounded by a roadside ditch and hedgerow to the south, an electric fence to the east, which appears to be temporary, and is unbound to the north and west.
- 1.3. A single storey house which appears to be nearing completion is located immediately to the east of the appeal site, with agricultural structures further to the east. A ribbon of one-off housing is located along the southern side of the local road, opposite the appeal site.

## **2.0 Proposed Development**

- 2.1. The proposed development, as described in the statutory notices, consists of the erection of a single storey dwelling inclusive of domestic garage, a proprietary waste water treatment system and percolation area, connection to public water supply, new entrance onto public road and all associated ancillary site development works.
- 2.2. The proposed house would have three bedrooms and a stated gross floor area of 196 sq m and maximum ridge height of 6.68m. The front elevation of the house would face south, towards the local road, with a garage to the north, connected to the house by a utility room. A conservatory would project from the western gable elevation of the house, with a projecting gable fronted element and bay window to the southern elevation.
- 2.3. The finishes proposed for the house comprise natural stone to all elevations with brick detailing around openings and a slate roof.

2.4. The application was accompanied by a Site Characterisation Report, Design Statement, Local Needs Form and various supporting documents, including an affidavit signed by the applicant, bills, medical reports, occupational therapy report and an architect's report.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

3.1.1. Meath County Council decided to grant permission.

### **3.2. Planning Authority Reports**

3.2.1. The Planning Officer's report can be summarised as follows:

- The site is located in an area under strong urban influence where there is extensive ribbon development.
- Applicant's dwelling is not suitable for adaption without demolition/rebuilding and the financial circumstances of the applicant will not allow for same without sale of the existing home.
- Having considered the report prepared under a previous application Reg. Ref. AA/160439 and the information submitted in this application, it is considered that the applicant has demonstrated local need due to his and his daughter's exceptional health circumstances.
- Design of proposed development is acceptable.
- House will not overlook property to the south and will not significantly detract from the rural setting or devalue adjoining property.
- Similar road conditions to those imposed under Reg. Ref. AA/160439 should be included.
- The EN certification of the proposed wastewater treatment system has not been submitted, and shall be required to be submitted in the event of a grant of permission.

- Site is not within a flood zone. The nearest flood zone is 134m to the north and the proposed development does not pose a flood risk.
- Proposed development would not be likely to have a significant effect on European sites. Stage 2 AA not required.

### 3.3. Other Technical Reports

3.3.1. Roads Design: No objection, subject to condition.

### 3.4. Prescribed Bodies

3.4.1. None.

### 3.5. Third Party Observations

3.5.1. Two third party observations were received and the issues raised were generally as per the appeals.

3.5.2. A representation was also made by Cllr Alan Tobin in support of the proposed development.

## 4.0 Planning History

### 4.1. Appeal Site

4.1.1. **Reg. Ref. AA/160439:** Permission refused in 2016 for erection of a single storey dwelling inclusive of domestic garage, a proprietary waste water treatment system and percolation area, new entrance etc. The two reasons for refusal related to failure to establish a rural housing need and exacerbation of ribbon development within a rural area.

### 4.2. Surrounding Area

4.2.1. **Reg. Ref. DA/140093:** Permission granted in 2014 to Orlaith Frawley for the erection of a single storey cottage, detached garage and associated development. This is the recently constructed house immediately to the east of the appeal site.

- 4.2.2. **Reg. Ref. DA/30101:** Permission granted in 2003 to Pat Frawley for 3 No. stables, tac room, dungstead, agricultural shed and entrance on a site to the east of the house constructed under Reg. Ref. DA/140093.

## 5.0 Policy Context

### 5.1. Sustainable Rural Housing Guidelines for Planning Authorities 2005

- 5.1.1. The Rural Housing Guidelines seek to provide for the housing requirements of people who are part of the rural community in all rural areas, including those under strong urban based pressures. The principles set out in the Guidelines also require that new houses in rural areas be sited and designed to integrate well with their physical surroundings and generally be compatible with the protection of water quality, the provision of a safe means of access in relation to road and public safety and the conservation of sensitive areas.
- 5.1.2. Section 4.3 states that planning authorities should recognise that exceptional health circumstances – supported by relevant documentation from a registered medical practitioner and a disability organisation – may require a person to live in a particular environment or close to family support. In such cases, and in the absence of any strong environmental, access or traffic reasons for refusal, a planning authority should consider granting permission, subject (where appropriate) to conditions regarding occupancy.

### 5.2. Meath County Development Plan 2013-2019

- 5.2.1. The appeal site is located on unzoned lands, in an area designated as being a 'Rural Area under Strong Urban Influence' in the Development Plan. The key challenge for such areas is stated as follows:
- To facilitate the housing requirements of the rural community while directing urban generated housing development to areas zoned for new housing in towns and villages in the area of the development plan.
- 5.2.2. The following Policies relate to this type of rural area:

- **RD POL 1:** To ensure that individual house developments in rural areas satisfy the housing requirements of persons who are an intrinsic part of the rural community in which they are proposed, subject to compliance with normal planning criteria.
- **RD POL 2:** To facilitate the housing requirements of the rural community as identified while directing urban generated housing to areas zoned for new housing development in towns and villages in the area of the development plan.
- **RD POL 3:** To protect areas falling within the environs of urban centres in this Area Type from urban generated and unsightly ribbon development and to maintain the identity of these urban centres.

5.2.3. Section 10.4 sets out the criteria under which applicants can demonstrate their local housing need. It states that the Planning Authority “recognises that exceptional health circumstances may require a person to live in a particular environment or close to family support. In such cases, the exceptional health circumstances would require supporting documentation from a registered medical practitioner and a disability organisation supporting a planning application. In the absence of any significant environmental, access or traffic reasons for refusal and the proposal adheres to sensitive design and siting criteria, the Planning Authority will consider granting planning permission, subject where appropriate to conditions regarding occupancy.”

5.2.4. Section 10.5.1 sets out the ‘Development Assessment Criteria’ which the Planning Authority will take into account. This includes housing need as defined in Section 10.4, local circumstances, suitability of the site, the degree to which the proposal represents infill development and the history of development on the original landholding. Where there is history of speculative sale of sites, permission may be refused.

5.2.5. Section 10.5.2 sets out the Planning Authority’s criteria for determining whether a development proposal will exacerbate ribbon development, which is defined as “high density of almost continuous road frontage type development, for example where 5 or more houses exist on any one side of a given 250 metres of road frontage”. In assessing whether a given proposal will exacerbate such ribbon development, the Planning Authority will consider: the type of rural area; the circumstances of the applicant; the degree to which the proposal might be considered infill development;

and the degree to which the proposal would cause existing ribbon development to be extended or coalesce.

- 5.2.6. Section 10.7 sets out design and siting considerations for rural residential development and includes Policy RD POL 9, which requires all applications for rural houses to comply with the 'Meath Rural House Design Guide'.

### **5.3. Natural Heritage Designations**

- 5.3.1. The appeal site is not located within or in close proximity to any sites with a natural heritage designation. The only sites within 15km of the appeal site are the River Boyne and River Blackwater SPA (Site Code 004232) and the River Boyne and River Blackwater SAC (Site Code 002299), both of which are c. 14.9km to the west and 14.4km to the north of the appeal site.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

- 6.1.1. Two third party appeals were lodged by Roderick Brennan and Rory and Anne Marie McGovern, respectively. The issues raised in the appeals can be summarised as follows:

- Development in the area is concentrated on the west of the road, while the site proposed for the development is located on the east.
- A previous application was refused (AA/160439) and that refusal remains valid.
- Site is within an area under strong urban influence and would conflict with Policy RD POL 2, would comprise random and ribbon development in an unserviced rural area and would militate against the preservation of the rural environment.
- Devaluation of appellant's home due to changed outlook.
- Traffic hazard due to narrow road width and proximity to congested and busy junction with the N2 national road.

- Applicant does not have a rural housing need. He owns a house 100m from the site, 40m from house constructed under daughter's name and is already close to family support.
- It is more sustainable to refurbish, adapt or replace the existing house. There is no planning rationale to include affordability as a consideration.
- Discrepancy between folio boundaries and blue outlined boundary on rural place map.
- New accesses can be more obtrusive than the building itself, but no boundary details or entrance details provided.
- Site is close to stream and just outside of Flood Zone A as per the SFRA contained in the Development Plan. The applicant is proposing a wastewater treatment system, and the Development Plan states that sites prone to extremely high water tables and flooding or where groundwater is vulnerable to contamination should be avoided.

6.1.2. Mr and Mrs McGovern's appeal included a letter from an architectural and building consultant to Mr McGovern stating that the adaptation of an existing house in a rural area is readily achievable without the need to construct a new house.

## 6.2. Applicant Response

6.2.1. A response to the appeals was submitted on behalf of the applicant by Vincent JP Farry and Co. Ltd. The issues raised can be summarised as follows:

- There is no disagreement between the parties on whether the site can physically accommodate a building, on the size, design and position of the dwelling, on effluent arrangements or environmental/ecological features.
- Applicant has lived for much of his life in a family home opposite the appeal site, but that house is no longer suitable due to his fifteen serious medical complaints. (Details of the medical conditions are set out in the appeal).
- The applicant must also remain in this area in order to care, with his wife, for his daughter who also suffers from severe medical conditions.



- Development Plan and Sustainable Rural Housing Guidelines support new housing in the countryside in cases of medical need.
- Intersection with N2 is light-controlled and proposed development will not impact on traffic safety.
- Local road is lightly trafficked.
- Planning policy supports the development of rural-generated housing.
- Information submitted with planning application in relation to health issues and adaptability of existing house sought to address previous refusal reason. Appellant's claim that sufficient housing need was not demonstrated may stem from the fact that the information was confidential and not publicly available.
- Various doctors and consultants who attend to the applicant support his need for more suitable housing.
- Architect's report and Occupational Therapist's report demonstrate that existing house is not suitable for applicant due to his health issues, and that it would require almost complete demolition to provide level access and suitable facilities for disabled members of the family. The existing house cannot readily or reasonably be adapted.
- Letter from Cunningham Design Associates upon which the appellant relies is not relevant and is general in nature.
- Appellant claims that existing house can be adapted but no evidence has been provided that the appellant has ever been in the house.
- Unlike general rural housing policy, the medical needs element within the Development Plan does not contain a clause requiring the applicant not to possess a dwelling. It allows for persons who are in substandard or unacceptable housing to be deemed eligible.
- Board precedent under PL11.208451, PL27.226699 and PL09.205437.
- Applicant and his wife care for their daughter who suffers from serious health issues, and who will shortly be occupying the house adjacent to the appeal

site for which she was granted planning permission. It is not feasible for the applicant to relocate from the area.

- Applicant will not be able to finance the construction of the proposed house without selling the existing house.
- The desirability of maintaining the open countryside in an undeveloped condition is counter-balanced by the need to provide rural housing for socio-cultural reasons, such as where there is a medical need.
- The land contains no significant features, trees, ecological features and is not a pNHA, SAC or SPA. It is not so sensitive as to counter balance the presumption in favour of housing for a local resident.
- Rural Housing Guidelines support housing for people who are part of the rural community in all areas, including those under strong urban-based pressures.
- Site has access to a range of retail, recreational and community services. It is not in a remote area.
- The proposal would result in a cluster arrangement, rather than ribbon development. Given the Planning Authority's characterisation of the area as over-developed, this pattern of development supports, rather than militates against, the proposed dwelling. Board Order under case PL09.242795 is relevant.
- The proposed development would not constitute or exacerbate ribbon development, with reference to the definition contained in the Development Plan. While the southern side of the local road has more than five dwellings, the northern side does not. The Development Plan states that the Planning Authority will consider the circumstances of the applicant in deciding whether to grant permission. The issue of medical need trumps any suggestion of ribbon development.
- The proposed development would not jeopardise public safety at the junction of the N2 and L5008, as it is controlled by traffic lights.
- The local road is capable of accommodating the proposed development. As with many third class roads in the countryside, vehicular entrances are used

as de facto passing points. Given the linear nature of the road at this point, there is no factor that would suggest that safety would be affected.

- Proposed development will not result in loss of outlook from appellant's property. Their current view is of a hedgerow, much of which will be retained.
- Given the nature of the development and intervening spaces, the proposal will not diminish the privacy of the appellants.

6.2.2. The applicant included copies of the various medical reports and other supporting documentation which originally accompanied the planning application.

### 6.3. **Planning Authority Response**

6.3.1. The Planning Authority's response can be summarised as follows:

- The issues raised in the appeals were considered in the assessment of the application.
- Proposed development is generally consistent with the Policies and Objectives of the Development Plan and the Board is asked to uphold the decision of the Planning Authority.

### 6.4. **Observations**

6.4.1. None.

### 6.5. **Further Responses**

6.5.1. None.

## 7.0 **Assessment**

7.1. I consider that the key planning issues to be assessed are as follows:

- Rural housing need.
- Ribbon development.
- Design and Layout.
- Residential amenity.

- Roads and traffic.
- Wastewater treatment.
- Flood risk.
- Appropriate Assessment.

## 7.2. Rural Housing Need

- 7.2.1. As noted above, the appeal site is located in a 'rural area under strong urban influence' and the Development Plan states that it is the policy of the Planning Authority to facilitate the housing requirements of the rural community subject to normal planning criteria, while directing urban-generated housing to zoned lands in towns and villages.
- 7.2.2. Section 10.4 sets out the various criteria under which applicants can demonstrate their local housing need. In this regard, it states that the Planning Authority "recognises that exceptional health circumstances may require a person to live in a particular environment or close to family support. In such cases, the exceptional health circumstances would require supporting documentation from a registered medical practitioner and a disability organisation supporting a planning application. In the absence of any significant environmental, access or traffic reasons for refusal and the proposal adheres to sensitive design and siting criteria, the Planning Authority will consider granting planning permission, subject where appropriate to conditions regarding occupancy." A similar statement regarding exceptional health circumstances is also contained in Section 4.3 of the Rural Housing Guidelines.
- 7.2.3. The appellants contend that the applicant does not have a rural housing need, by virtue of his ownership of an existing house which is located on the southern side of the L5008, c. 75m from his daughter's recently built house and c. 100m from the appeal site.
- 7.2.4. Having reviewed the extensive medical reports/letters and associated documentation submitted by the applicant, I would accept that he has demonstrated exceptional health circumstances that may require him to live close to family supports and I would accept his desire to live close to his daughter who also suffers from serious health conditions. However, noting the very close proximity of the applicant's existing

house to both the appeal site and his daughter's recently built house, the key issue to be assessed is whether the applicant still has a rural housing need since he already owns and lives in a house close to the family supports he references.

- 7.2.5. The applicant contends that his existing house is not suitable for his needs by virtue of its split-level design and lack of disabled access, and that its sale will be necessary to fund construction of the proposed new house. In support of this, a signed affidavit was submitted with the application stating that no development would take place until his existing house was sold
- 7.2.6. A number of photographs of the applicant's existing house were submitted with the application as well as an architect's report regarding its unsuitability. While I would concur with the applicant that the house is not suitable from a universal access perspective, I would not necessarily concur that the house is not capable of being rendered suitable for the applicant's particular needs through either extension or adaptation. While the applicant may consider it more cost-effective to build a new house rather than adapt or extend his existing house, I would concur with the appellants that this should not be a material planning consideration. It is clear from the pattern of development in the area that this rural area is under strong pressure for development due to its proximity to Dublin, the N2 National Primary Road and Ashbourne and any proposal for further one-off residential development requires a clear demonstration of rural housing need.
- 7.2.7. With regard to the three Board cases referenced by the applicant (PL09.205437, PL11.208451 and PL27.226699), I do not consider that these cases are of any particular relevance to the subject appeal. The first two cases related to applications for new houses where there had been a break-down in a relationship and the third case was refused by the Board on the basis that the applicant did not come within the scope of housing need criteria set out in the Development Plan.
- 7.2.8. In this instance, having regard to the very close proximity of the applicant's existing house to the appeal site, his daughter's recently built house, and other identified family support I am not satisfied that the applicant has adequately demonstrated that he has a rural housing need, or that his existing house is not capable of being rendered suitable for his particular needs without requiring the construction of an

entirely new house within this unzoned rural area which is under strong urban influence.

7.2.9. I therefore recommend that planning permission be refused.

### 7.3. Ribbon Development

- 7.3.1. The Meath County Development Plan 2013-2019 seeks to control ribbon development, consolidate development into existing towns and villages and limit urban sprawl, while facilitating rural housing in certain cases, subject to normal planning criteria.
- 7.3.2. Ribbon development, as defined in the Development Plan and Rural Housing Guidelines for Planning Authorities, is considered to occur where there is a high density of almost continuous road frontage type development, for example where five or more houses exist on any one side of a given 250 metres of road frontage.
- 7.3.3. The L5008 in the vicinity of the appeal site has experienced a significant level of one-off housing development, particularly on the southern side of the road, opposite the appeal site, where the seven houses within a 200m length of road frontage would meet the definition of ribbon development. Further areas of ribbon development are also located a short distance to the west, towards the junction with the N2.
- 7.3.4. Until recently there were no houses on the northern side of the L5008 in the vicinity of the appeal site, until the granting of permission in 2014 to the applicant's daughter under Reg. Ref. DA/140093. The applicant contends that the proposed development would result in a cluster arrangement rather than ribbon development and that the issue of medical need trumps any suggestion of ribbon development, with reference to the statement in the Development Plan that the 'circumstances of the applicant' will be considered in deciding whether to grant permission.
- 7.3.5. The issue of health/medical circumstances is one of a number of issues to be considered, and the proposal must be considered against the wider principles of proper planning and sustainable development. In this case, having regard to the established pattern of ribbon development in this open rural area which is close to a junction with a primary national road and the boundary with County Dublin, I consider that the proposed house would contribute to the encroachment of random rural development in the area, would encourage and exacerbate the developing pattern of

residential development along the L5008 local road and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. However, since I am recommending that permission be refused on the basis of rural housing need, and since the development on the northern side of the L5008 would not explicitly come within the definition set out in the Development Plan and Guidelines, I am not recommending that planning permission be refused on the basis of ribbon development.

#### **7.4. Design and Layout**

- 7.4.1. I consider the design of the proposed development to be generally consistent with the principles set out in the Meath Rural House Design Guide. It is a relatively simple, single storey dwelling of reasonably modest proportions, which utilises vernacular detailing and natural materials and has restrained elevational treatments with a well-proportioned fenestration arrangement. The proposed house would sit well within the site, and would benefit from the existing roadside hedgerow and the proposed additional landscaping outlined on the landscaping plan submitted with the application.
- 7.4.2. Apart from the issue of ribbon development which I have addressed above, I do not consider the appeal site and surrounding area to be particularly sensitive from a landscape and visual perspective and I note that there are no protected scenic viewpoints, routes, protected structures or recorded archaeological sites in the immediate area. I therefore consider the design and layout of the proposed development to be acceptable.

#### **7.5. Residential Amenity**

- 7.5.1. Having regard to the nature and design of the proposed development, the characteristics of the appeal site and the separation distances with adjacent properties, I do not consider that the proposed development will result in a negative impact on residential amenity in terms of overlooking, overshadowing, loss of privacy or overbearing impacts.
- 7.5.2. The closest houses to the proposed house are the applicant's daughter's house c. 18m to the east, and the ribbon development on the southern side of the local road is

a minimum of 44m from the proposed house. Having regard to the single storey nature of the proposed development, I consider that the retention or reinstatement of the roadside hedgerow would be sufficient to address any issues with regard to residential amenity or visual obtrusiveness and I do not consider that the proposed development would result in any depreciation of property values.

## **7.6. Roads and Traffic**

- 7.6.1. The appellants contend that the proposed development would result in a traffic hazard due to the narrow width of the local road and the proximity to the junction with the N2 national road.
- 7.6.2. The local road from which access to the site is proposed (L5008) is a narrow carriageway which is relatively flat and straight in the vicinity of the appeal site. The road is in relatively good condition, and the wide entrances to the various houses on the southern side of the road provide informal opportunities for opposing vehicles to pass. The road is lightly trafficked and I consider that safe vehicular access to and from the appeal site can be readily achieved without resulting in a traffic hazard or any significant level of traffic congestion. Condition 4 of the Planning Authority's decision requires a further 10m section of the roadside boundary and ditch to the west of the proposed entrance to be piped and finished with hardcore to provide a vehicle passing area. I consider this condition to be reasonable and recommend that it be included, should the Board be minded to grant permission.
- 7.6.3. With regard to the potential impact of the proposed development on the N2, I do not consider that any significant issues of traffic hazard or congestion arise, having regard to the limited scale of the proposed development and the fact that the crossroad junction of the L5008 with the N2 and the R155 is signalised, with clearly positioned 'stop' signs and lines on the local road approaching the National road.

## **7.7. Wastewater Treatment**

- 7.7.1. A wastewater treatment system and soil polishing filter are proposed to the north of the proposed house and a Site Characterisation Report was submitted with the application. The report indicates that the soil in the area consists till derived chiefly from lower Palaeozoic Rocks. The area is designated as a 'Locally Important' (Lm)



aquifer and is of 'Low' vulnerability. The groundwater protection response is 'R1', "acceptable subject to normal good practice".

- 7.7.2. I note that the probable direction of groundwater flow is indicated as being in a north easterly direction, perpendicular to the existing ribbon development on the opposite side of the local road. The report states that there are no watercourses/streams or wells in the vicinity, but I note that small watercourses or drainage ditches run along the northern and western boundaries of the field c. 80m from the appeal site. I also note that it is proposed to connect to the public main water supply.
- 7.7.3. The test holes were not open on the date of my site inspection, and I note that the photographs included in the report date from March 2016. However, I noted that the ground was dry and firm underfoot with no obvious indications of poor drainage, such as the presence of rushes or other indicator species.
- 7.7.4. The trial hole encountered granular loam/gravel/silt mix to a depth of 0.44m, with a granular gravel/silt mix below this to a depth of 1.4m and gravel below this to the full 2.2m depth of the trial hole. Neither bedrock nor the water table were encountered and there was no evidence of mottling. The report states that the trial hole remained dry for a week until it was backfilled. With regard to percolation characteristics, a T value of 49.22 minutes/25mm and a P value of 28.94 minutes/25mm were recorded. On foot of the test results, a secondary treatment system with soil polishing filter is proposed and I note that the test results meet the requirements of the EPA's Code of Practice for Wastewater Treatment and Disposal Systems Serving Single Houses in such circumstances.
- 7.7.5. In conclusion, and on the basis of the information submitted by the applicant as part of the Site Characterisation Report, I am satisfied that the appeal site is suitable for the installation of a secondary wastewater treatment system discharging to a soil polishing filter.

## 7.8. Flood Risk

- 7.8.1. The appellants contend that the appeal site is at risk of flooding due to its proximity to a stream and position just outside of Flood Zone A. The appellants also note with regard to the proposed wastewater treatment system that the Development Plan

states that sites prone to extremely high water tables and flooding or where groundwater is vulnerable to contamination should be avoided.

- 7.8.2. Having reviewed the Strategic Flood Risk Assessment contained within the Development Plan, it does not appear to me that the appeal site is identified as an area at risk of flooding. The OPW Preliminary Flood Risk Assessment indicates that the small watercourse/stream along the northern boundary of the field within which the appeal site is located is at risk of fluvial flooding, however the appeal site is not located within or in immediate proximity to the affected area. I would also note that the trial hole undertaken as part of the Site Characterisation Report was excavated to a depth of 2.2m without encountering the water table, and remained dry for a week until back-filled.
- 7.8.3. Having regard to the foregoing, I do not consider that the appeal site is at significant risk of flooding, or that it would result in increased flood risk elsewhere or contamination of groundwater.

## 7.9. **Appropriate Assessment**

- 7.9.1. The closest Natura 2000 sites to the appeal site are the River Boyne and River Blackwater SPA (Site Code 004232) and SAC (Site Code 002299), which are located c. 14.9km to the west and 14.4km to the north of the appeal site.
- 7.9.2. Having regard to the nature and scale of the proposed development, the characteristics of the appeal site and the separation distance from any European sites, I consider it reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European sites and a Stage 2 Appropriate Assessment and submission of a NIS is not therefore required.

## 8.0 **Recommendation**

- 8.1. I recommend that planning permission should be refused for the reason set out below.

## 9.0 Reasons and Considerations

1. Having regard to the location of the site within an Area Under Strong Urban Influence as identified in Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005 and in an area where housing is restricted to persons demonstrating local need in accordance with the current Meath County Development Plan 2013-2019, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines or the Development Plan for a house at this location. The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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Niall Haverty  
Planning Inspector

28<sup>th</sup> May 2018