



An
Bord
Pleanála

Inspector's Report ABP – 304389 – 19

Development	Demolition of existing residence and construction of a replacement residence together with all associated ancillary works.
Location	Creewood, Slane, County Meath.
Planning Authority	Meath County Council.
Planning Authority Reg. Ref.	LB180488.
Applicant	Cornelius O'Hagan.
Type of Application	Planning Permission.
Planning Authority Decision	Grant.
Type of Appeal	Third Party.
Appellant	Lorna Gissane & Frank Tanner.
Observers	None.
Date of Site Inspection	29 th July, 2019.
Inspector	Patricia-Marie Young.

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1.0 Site Location and Description

- 1.1. The appeal site has a stated site area of 0.26ha and is located in the Townland of 'Creewood', c5.7km to the north west of the centre of Slane village where the N51 and N2 intersect and c7.9km to the south west of the centre of Collon village, both as the bird would fly. The site is accessed from a restricted in width, poorly surfaced and aligned tertiary local road (L-56026). The site is situated in close proximity to the L5604, i.e. c0.7km by traversing local roads, which provides access to the N2 which it intersects at a staggered junction situated c6.2km to the east.
- 1.2. The site has an irregular shape with its ground levels falling in a southerly direction towards the rear of the site. It consists of an overgrown and unkempt plot of land which contains a long linear building that adjoins the curving alignment of the L-56026 with a part of it roofed and the stone walls built up at its eastern end with concrete block. The remaining stone and partially roofed structure is in an extremely poor state of repair and there is a significant level of vegetation growing on the main structural elements of the buildings as well as internally.
- 1.3. Adjoining the western side of the roadside boundary there is a vernacular style cottage that is in residential use. A low old stone wall that is in a poor state of repair separates the two properties along their roadside boundaries and part of the subject site wraps around the rear boundary of this adjoining property.
- 1.4. Adjoining the eastern side of the site there is a single storey dwelling house that would appear to date to c1970s.
- 1.5. According to the information on file the triangular piece of land adjoining the western side of its roadside boundary forms part of this adjoining property's landholding. There is an agricultural gate on the eastern boundary of the site and the eastern gable wall bounds this triangular piece of land. Access from the agriculture gate is blocked by a pile of soil/debris.
- 1.6. The surrounding area is predominantly agricultural in its character. There are a few farmsteads in the vicinity; notwithstanding, there is a prevalence of one-off dwellings in the immediate and wider area.

2.0 Proposed Development

- 2.1. Planning permission is sought for the demolition of an existing residence and the construction of a new replacement residence, proprietary waste water treatment system, blocking up of an existing entrance, the construction of a new entrance onto the public road together with all associated site works and services.
- 2.2. According to the submitted planning application form the gross floor area of existing buildings on site is stated to be 39.7m² for which demolition is sought and the gross floor space of the proposed dwelling is 163.5m². In addition, it indicates that the proposed water supply is proposed via a new bored well and that there is no existing supply.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority decided to **grant permission** subject to conditions including –

Condition No. 3(a): Relates to preservation of the trees and hedgerows.

Condition No. 3(b): Requires the provision of a landscape plan.

Condition No. 12: Provides the time-frame for the existing dwelling on site to be demolished.

- 3.1.2. **Planning Reports:**

The **final Planning Officer's Report** is the basis for the Planning Authority's decision.

The **initial Planning Officer's Report** concluded with a request for further information which can be summarised as follows:

Item 1: Seeks to clarify that the application is consistent with Section 10.15.1 of the Development Plan.

Item 2: Seeks clarity on the proposed wastewater treatment system.

Item 3: Seeks a response to the concerns raised in the submissions received.

Item 4: Requires new public notices should the applicant's further information result in significant changes to the proposed development.

3.1.3. Other Technical Reports

Transportation: Further Information is requested. This report requests that the applicant re-submit the site layout drawing with the entrance relocated to the eastern boundary to maximise sightlines in a westerly direction. I note to the Board that this was not sought as part of the Planning Authority's further information request.

3.2. Prescribed Bodies

3.2.1. None.

3.3. Third Party Submission

3.3.1. Several submissions were received to the proposed development sought. The concerns raised correlate with those raised by the appellant in their grounds of appeal submission to the Board.

4.0 Planning History

4.1. Site:

- **P.A. Reg. Ref. No. SA/101011:** Planning permission was **refused** for a development described as the construction of new bungalow to replace existing dwelling on site. The stated reason read as follows:

"1. The application site is located in a rural area outside of any designated settlement and in a Strong Rural Area as defined in the Meath County Development Plan (2007-2013) where development which is not rurally generated should be more appropriately located in settlement centres. It is the policy of the current County Development Plan to restrict new housing in this rural area to those who are intrinsically part of the rural community or who have an occupation predominantly based in the rural community. It is considered, based on the information submitted, that the applicant has not established a rural generated housing need for a dwelling at this rural location. Consequently, the proposed development is considered to be contrary to the proper planning and sustainable development of the area.

2. *Having regard to the existing structure on site and the documentation submitted confirming it has not been lived in for a substantial period of time, it is considered that the proposed development would contravene the policy objectives contained in the Meath County Development Plan 2007-2013, in particular, Section 6.7.8 Vernacular Rural Buildings and Replacement Dwellings. The proposed development would, therefore, set an undesirable precedent for further such development and be contrary to the proper planning and sustainable development of the area.*” The decision date was the 7th day of September 2010.

- **P.A. Reg. Ref. No. SA/50151:** Planning permission was **granted** for a development described as replacement of an existing dwelling house on site. This permission expired in 2010.
- **P.A. Reg. Ref. No.SA/30425:** Planning permission was **refused** for the construction of a dormer dwelling and change of use of an existing dwelling to a domestic garage alongside the installation of waste water treatment system. The reasons for refusal related to failure to demonstrate compliance with local need; generation of a traffic hazard; the design, size and bulk of the development was considered unacceptable; and, it was considered that there was an excessive concentration of treatment systems in this locality. This decision date was the 11th day of February 2004.

5.0 Policy & Context

5.1. Local Planning Context

- 5.1.1. Meath County Development Plan, 2013 to 2019, is the applicable Development Plan under which the site is identified in Map 10.1 of the Development Plan as forming part of a rural area “*under strong urban influence*” (Area 1). Section 2.7 of the Development Plan in relation to such areas states that: “*this area exhibits the characteristics of proximity to the immediate environs or close commuting catchment of Dublin, with a rapidly rising population and evidence of considerable pressure for development of housing due to proximity to such areas. This area includes the commuter belt and peri-urban areas of the county, and the areas that are experiencing the most development pressure for one-off rural housing. These areas act as attractive*

residential locations for the inflow of migrants into the county". It also includes the following policies for such areas:

- **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. It also seeks to maintain the identity of these urban centres.

5.1.2. Section 10.15 of the Development Plan deals with the matter of 'Vernacular Rural Buildings' and 'Replacement Dwellings'. It also includes the following policies:

- **RD POL 30:** To promote the viable re-use of vernacular dwellings without losing their character and to support applications for the sensitive restoration of disused vernacular or traditional dwellings.
- **RD POL 31:** To encourage and facilitate the appropriate refurbishment of existing housing stock in rural areas and in certain limited cases the replacement of existing dwellings subject to development assessment criteria.
- **RD POL 32:** To oppose the demolition and replacement of traditional or vernacular rural houses to protect the varied types of housing stock in rural areas of the County and to preserve the rural built heritage.
- **RD POL 34:** To respect the sensitive restoration and conversion to residential use of disused vernacular or traditional dwellings or traditional farm buildings, including those which are Protected Structures, such proposals shall not be subject to the Rural Housing Policy (i.e. local need) that applies to new dwellings.

5.1.3. Appendix 15 of the Development Plan sets out the Meath Rural House Design Guide.

5.2. Natural Heritage Designations

- The site is located c4.8km to the north west of Special Area of Conservation: River Boyne & River Blackwater SAC (Site Code: 002299)
- The site is located c5.3km to the north west of Special Protection Areas: River Boyne & River Blackwater SPA (Site Code: 004232).

5.3. Environmental Impact Assessment/Screening

- 5.3.1. Having regard to the nature and scale of the development for which retention is sought, the significant separation distance between the site and the nearest designated Natura 2000 sites as set out above, the lack of any hydrological link to these sites or any other quantifiable link, I consider that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required in this case.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. The grounds of appeal can be summarised as follows:
- Reference is made to the Development Plan requirements to build a house in this locality.
 - The existing structure for which demolition is being sought was not used as a habitable residence but was used for agricultural purposes.
 - Various visual images submitted show the use of the site for grazing; the structure to be demolished is abandoned and has not been used as a habitable residence for circa 60years or more. No evidence has been provided to show that this is not the case or evidence to support that it was ever in use as a dwelling.
 - It is not correct for the description of the proposed development to refer to a habitable residence when this is not the case and the structure has no features present that would support its use as a habitable residence.

- To provide a new entrance to serve the proposed development a wall of significant historical value will have to be knocked down. In addition, the proposed entrance would also be located behind a hazard sign which would result in a road safety issue.
- The proposed entrance would impact on a local historical way and would adversely impact on local scenery as well as character of the area.
- The proposed structure would result in an invasion of the appellants privacy and would result in their property being overshadowed.
- The proposed development would devalue their property.
- The applicant was permitted retention of the construction of a fire damaged residence, extension of the same and the provision of a wastewater treatment system (P.A. Reg. Ref. No. KA/181017). Under this application the applicant now seeks a second residence and to permit the proposed development would conflict with the conditions attached to P.A. Reg. Ref. No. KA/181017 which restricts the use of this residence to the applicant.

6.2. Planning Authority

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

- All matters of concerns raised by the appellant have been addressed during their assessment of this application.
- The Planner considered that the building on site meets the planning definition of a habitable dwelling and is satisfied that the previous owner used it as such.
- This development is consistent with the local planning policy provisions.
- The Board is requested to uphold its decision.

6.3. Applicant

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

- Reference is made to the various sections of the Development Plan which deal with the matter of replacement dwellings. In relation to the same it is argued that this application is compliant.
- The proposed location of the entrance is safer than the existing entrance.

- The existing entrance will be closed permanently.
- The existing buildings on this site are considered to mirror those on the adjoining site to the west.
- It is requested that the Planning Authority's decision be upheld.

7.0 Assessment

7.1. Introduction

7.1.1. Having regard to the nature of the proposed development, the relevant planning provisions and issues raised on file, I consider that the key matters for this appeal relate to the principle of the development; the impact of the proposed development on the visual and residential amenities of the area, in particular adjoining residential properties; the design and layout of the proposed dwelling; and, the access to serve the proposed development. I also consider that the matter of Appropriate Assessment requires examination. I propose to deal with these matters in turn in my assessment below.

7.2. Principle of the Proposed Development

- 7.2.1. By way of this application planning permission is sought for a development that is described in the initial public notices as the “*demolition of existing residence and the construction of a new replacement residence, proprietary waste water treatment system, close up existing entrance and all associated site development works*”. This is reiterated in the revised public notices submitted as part of the applicant's further information submission.
- 7.2.2. The appellants raise significant concerns that this structure has no history of use of being used as a habitable residence, this fact was accepted previously by the Planning Authority and no substantive evidence has been provided by the applicant to demonstrate such use.
- 7.2.3. The applicant in their submission to the Board relies on affidavit from the previous owner of the site which indicates that they purchased it in 2005 and during the summers of 2005 to 2008 he and his family spent their summers there. He indicates that he bought the property with the intention of providing a replacement dwelling and

he obtained planning permission for this in 2005. This grant of permission expired as due to his circumstances he was unable to activate it.

7.2.4. The planning history of the site indicates that after this application expiring that he made a further application to the Planning Authority for a replacement dwelling on this site.

7.2.5. This application was refused for reasons that can be summarised as the applicant having failed to establish a rural generated housing need for a dwelling house at this rural location, a location that the Planning Authority considered to be an area under strong urban influence based upon planning policy provisions in place at that time. In addition, the Planning Authority did not accept that the applicant had demonstrated that the building on site for which replacement was sought had been lived in for a substantial period of time.

7.2.6. The date of this decision was 7th day of September 2010 and as such it was assessed under the previous Development Plan. Since that time local through to national planning policies have become more stringent in relation to one-off residential developments in rural areas that are deemed to be under strong urban influence. In general, planning policy provisions require that such developments demonstrate compliance with the applicable settlement strategy for these areas.

7.2.7. In relation to the affidavit provided with the documentation on file I raise concerns that it does not meet the accepted requirements and rules for such a document. For example, the person making the affidavit (the deponent) does not sign the affidavit and the affidavit document must include various points of information which include but are not limited to the following criteria:

- The occupation and address of the person making the affidavit;
- A statement that the witness is over 18 years of age or, if they are not the age of the witness;
- The evidence, which must be facts, that the witness is able to provide of their own knowledge;
- A *jurat*, which is a section on the affidavit where the Commissioner for Oaths verifies that the affidavit was properly sworn, i.e. the affidavit concludes in the standard format “sworn” (declared) before me (name of the commissioner for oaths

provided at this point), on the date of at a specified location (address) and I know the deponent (declarant) and it is signed and stamped by the commissioner for oaths.

- 7.2.8. These are either missing, i.e. the first, the second and the fourth bullet point are not contained in the document provided and with the third bullet point simply alluding to spent every summer there between 2005 and 2008, there are no facts or evidence provided that substantiate that this was the case nor does this statement indicate that when the capacity in which they spent summers there i.e. that during those times that they resided in this structure or otherwise. It seems highly questionable in the absence of basic sanitation, running water, electricity through to the poor structural state and condition of the dwelling that this building could have been used in a temporary nature as a habitable residence during those times. It is also unclear how the previous owner accessed the property as no mention is made to any agreement with the adjoining property to access over their property to gain access to the property during the time the time the previous owner had possession of the property.
- 7.2.9. Having regard to the above I do not accept that the statement provided by the previous owner of the property is one that can without any uncertainty remaining was used for any substantial or non-substantial period as a habitable dwelling by them and it is difficult to accept that such a delapidated building with no basic infrastructure could have accommodated such a use without substantive interventions and alterations to it.
- 7.2.10. Prior to 2005 there is no public or otherwise available evidence to support that this property was ever used as a residence by any previous owners and it appears that its use was highly probable agricultural storage with this building having being part of a former farmstead of buildings that occupied this location and the property to the west of it.
- 7.2.11. In relation to the principal of a replacement dwelling at this location, a location that is identified as being one under strong urban influence I note that policy RD POL 34 of the Development Plan states that the Planning Authority will seek *“to respect the sensitive restoration and conversion to residential use of disused vernacular or traditional dwellings or traditional farm buildings, including those which are Protected*

Structures, such proposals shall not be subject to the Rural Housing Policy (i.e. local need) that applies to new dwellings”.

7.2.12. In addition, Section 10.15.1 of the Development Plan, which sets out the assessment criteria for the refurbishment and/or replacement of existing housing stock in rural areas, states *“that in the case of replacement dwellings, to require that the original structure was last used as a dwelling and that its roof, internal and external walls are generally intact”*; and, it also states: *“in the assessment of whether a house which it is proposed to replaced is habitable or not, the Planning Authority will rely on the definition contained in Section 2 (Interpretation) of the Planning & Development Act 2000-2012”* which states that *“a “Habitable House” means a house which:*

(a) is used as a dwelling;

(b) is not in use but when last used was used, disregarding any unauthorised use, as a dwelling and is not derelict, or;

(c) was provided for use as a dwelling but has not been occupied”.

7.2.13. I am not convinced from the documentation on file, my site inspection, the planning history of the site and the submissions provided with this appeal that the proposed development as set out in the public notices reflect the actual development sought. This is because there is no substantive evidence provided that supports unequivocally that this is an existing residence or that it was a residence for any duration of time in the past.

7.2.14. Having regard to the substantive age of the structures on site for which demolition is sought which includes structures above the area stated in the planning application form submitted and having regard to available historical maps, if any part of the subject structure had been used as a residence in the past one would expect that there would be some surviving evidence of this even if this use had been abandoned for a significant period of time. I can find none. It is also hard to accept that in the absence of even the most basic of infrastructure; the very basic method of construction present; through to the significant levels of dilapidation that this building was ever used as a residence. It does in my opinion have the appearance of an agricultural building despite the recent interventions that are in my view questionable in their nature and purpose as they simply seek to give some guise of a residential appearance on the rear elevation of part of the structure remaining.

- 7.2.15. Equally there is no evidence to suggest that the building for which demolition is sought was used in a manner that could be deemed to be unauthorised and at substantive variance from its original use. I do not accept, based on the information provided, that it can be concluded that the use of the dwelling was ceased and in the interim an unauthorised use occurred.
- 7.2.16. Based on the above, I am not satisfied that the information submitted demonstrates that the proposed development meets the criteria for which the demonstration of compliance with the settlement strategy is not a requirement. In the absence of any information to permit the proposed development would be contrary to Policies RD POL 1; RD POL 2; RD POL 3 and RD POL 34 of the Development Plan. I therefore consider this is a substantive reason in itself for the proposed development to be refused.

7.3. Impact on Residential Amenities

- 7.3.1. Based on the information submitted my main concern in relation to the potential impact of the proposed development on residential amenities of properties in its vicinity is overlooking and in turn reduced privacy.
- 7.3.2. The applicant proposes both a 2.1m high boundary wall on either side which would extend forward from the proposed replacement dwellings front building line to circa the south-eastern corner of the rear building line of the adjoining property to the west and to the north western corner of the low roadside boundary of the adjoining property to the east. In addition, running in a southerly direction from behind the front building line of the proposed replacement dwelling alongside the shared boundaries of either property to the rear the applicant proposes a mixed hedgerow screening of Common Alder/Black Alder, European Ash and Hawthorn. Where the site adjoins the rear boundary of the adjoining property to the west the applicant proposes to maintain the existing mature hedgerows. They also propose to plant a new beech hedgerow with timber fencing along the remaining boundaries.
- 7.3.3. I consider that while it is appropriate that native plant species are used in terms of boundary treatments in such a rural location; notwithstanding, the hedge planting along the shared boundaries with the adjoining properties to the east and west in my view are not robust as this planting is deciduous in nature. It would also take several years to fill out and mature to a tight hedgerow of circa 1.8m or more. Moreover, the existing hedgerow that runs along the rear boundary of the adjoining property is of a

poor quality and it has not been well maintained. It is also deciduous in nature and like the other proposed new hedgerows would not provide an appropriate level of screening to protect the established levels of privacy of the residential property it adjoins.

- 7.3.4. Should the Board be minded to grant permission I recommend that more robust and site sensitive boundary treatments are conditioned that would safeguard the established residential amenities of properties in its immediate vicinity.

7.4. Impact on Visual Amenities

- 7.4.1. In terms of the potential impact of the proposed development on the visual amenities of its setting I raise a number of concerns.
- 7.4.2. Firstly, I raise concern that the proposed roadside boundaries have had little regard to the historic stone buildings that occupy the site and that run alongside the roadside boundary. In my view these add to this locality's sense of place, identity and character.
- 7.4.3. The proposal for their removal in their entirety together with a small section of historic stone wall that adjoins onto the adjoining residential property to the west and their replacement with timber boundary fence, the type of which like with the other boundary treatments lacks clarity, and the provision of a splayed access point, again with the details lacking clarity in terms of their overall construction, heights and finishes is a design resolution that shows little sensitivity to the sites visual contributions to this particularly rural locality visual amenity. There is no attempt to retain and/or reuse the stone that is present which in its current guises gives an old-world rustic charm to this stretch of road. Instead the roadside boundary resolution seeks to remove the existing structures in their entirety without carrying forward any of their characteristic attributes, in particular, the reuse of stone through to safeguarding the small section of historic wall. Should the Board be minded to grant permission I recommend that a more appropriate site sensitive boundary treatment be required by way of condition.
- 7.4.4. Secondly, in relation to the design of the proposed dwelling house, I consider that its proposed height and the bulk to be inappropriate in its setting, and, if permitted, it would be visually out of character and at odds with the more diminutive heights of the single storey structures adjoining it on either side. In addition, I also consider that the the roof structure would be visually overbearing and bulky on the type single storey dwelling house proposed and would be visually inconsistent with the vernacular single

storey cottage to the west which is of a similar design character to that proposed. I consider that the 6.973m height is more comparable to a dormer style dwelling and it is substantially taller than the stated 4.932m height of the existing structures which this application seeks to demolish; and, it is concerning that the single storey structure replacement dwelling proposed has an extremely modest floor to ceiling heights of 2.45m with the attic space above being created to have the same height over 50% of its floor space. I am cognisant that the only room to benefit from a vaulted ceiling is the living room which is located in the southern most L-shaped projection of the proposed replacement dwelling (Note: with room dimensions of 5.472 x 5m). The roof and attic dimensions are out of scale with the single storey dwelling proposed as well as with the design resolutions nods to a vernacular style cottage. Should the Board be minded to grant permission for the development sought I recommend that it requires by way of condition that the replacement dwelling's ridge height be significantly lowered over the entirety of its L-shape plan and that the use of the attic space is restricted.

7.4.5. Thirdly, I raise a concern in relation to the proposed setback of the replacement dwelling from the roadside boundary and in terms of its relationship with other building structures in its vicinity, in particular, the residential properties situated on either side of the site. Historically buildings at this location were situated at or in close proximity to the roadside boundary. This has created a sense of identity to this stretch of road that has remained relatively unchanged for a significant period of time. Whilst I consider some level of staggering or modification to the building's design in order to accommodate safe access onto the local road and some harmony with the properties on either side, particularly the vernacular cottage to the west, would be appropriate if the proposal gave rise to no other substantive concern, the setback and the inappropriate roadside boundary treatments in this case does not appear to derive from seeking to achieve a site sensitive design and layout resolution for the development sought.

7.4.6. Based on the above considerations I consider that the proposed development, if permitted, would result in an erosion of the character of this locality and would seriously injure its visual amenities. In general, I consider that the proposed development is not in the spirit of Section 10.15 of the Development Plan and for this

reason I consider that to permit the proposed development would be contrary to the proper planning and sustainable development of the area.

7.5. Access

- 7.5.1. Based on the information on file it would appear that the site does not benefit from a current legal access onto the public road network and there is no information on file that would suggest or prove otherwise. In relation to the design proposal for the proposed new access onto the road together with the concerns raised about the lack of information and site sensitive roadside boundary treatment appropriate I am not convinced that the applicant has demonstrated a safe or appropriate means of access onto the public road network. I also agree with the appellant that the location of the road side to the east of the proposed access could also obstruct views. Should the Board be minded to grant permission it could seek to resolve this concern by way of condition.

7.6. Devaluation of Property

- 7.6.1. The appellants raise concern that the proposed development, if permitted, would result in a devaluation of their property.
- 7.6.2. Whilst I am cognisant that the appellants have provided no evidence to substantiate this, I consider that in the absence of more site appropriate boundary treatments to protect the established amenity of the residential properties on either side that there is merit in this concern as it would result in overlooking and diminished levels of privacy, particularly in terms of the adjoining properties private amenity spaces.
- 7.6.3. I also consider that the appellants property would be more significantly impacted due to the shape of the site which wraps around the eastern side and rear boundary of their property.
- 7.6.4. Should the Board be minded to grant permission I recommend that they attach an appropriate condition to deal with this concern.

7.7. Appropriate Assessment

- 7.7.1. Having regard to the nature and scale of the development in question, the nature of the receiving environment, and the significant distance between the lands in question to the nearest European site together with the lack of any hydrological link, it is my opinion that no appropriate assessment issues arise and that the proposed

development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site. A Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

7.8. Other Matters Arising

- 7.8.1. **Adequacy of Documentation:** I consider that the building for which demolition is sought does not reflect the structure that is in place either visually or in terms of its structure. In addition, no drawings have been submitted for the other structures on site and there is limited information provided on these. Notwithstanding, I consider that the photographs taken from my inspection of site should provide the Board with an adequate overview of site and structures thereon.

8.0 Recommendation

- 8.1. I recommend that retention permission is **refused** for the reasons and considerations set out below.

9.0 Reasons and Considerations

1. The site of the proposed development is located within 'Stronger Rural Areas under Significant Urban Influence' as set out in the current Development Plan for the area and relates to a development that does not meet the requirements of Policy RD POL 34. This policy indicates that proposals for the conversion of residential use of disused or vernacular or traditional dwellings or traditional farm buildings shall be not subject to the Rural Housing Policy that applies to new dwellings. This is not what is proposed under this application and as such the applicant is required to demonstrate compliance with the Rural Housing Policy for this locality. I consider having regard to the fact the developments location within an area of significant urban influence. The applicants have not submitted any substantive evidence to demonstrate compliance with the Rural Housing Policy as set out in Meath County Development Plan, 2013 to 2019, in particular Policies RD POL 1; RD POL 2 and RD POL 3.

Furthermore, the subject site is located in an area that is under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National

Planning Framework, to facilitate the provision of housing based on the core consideration of demonstrable economic or social need to live in a rural area. It is considered, therefore that as applicants do not come within the scope of the housing need criteria as set out in the Development Plan and in national policy for houses at this location, the proposed development would, therefore, be contrary to the policies set out in the National Planning Framework and the Development Plan and would be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development would form a discordant feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into its landscape by way of its lack of site sensitive design and layout, would militate against the preservation of the rural environment and would set an undesirable precedent for other such developments in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Patricia-Marie Young
Planning Inspector

14th August 2019.