



An
Bord
Pleanála

Inspector's Report
ABP-304544-19

Development

Construction of a new storey and a half four bedroom detached dwelling, (200m²) detached garage, (18m²) wastewater treatment system and percolation Area, private well, site entrance and all associated site works

Location

Rathtrasna, Drumconrath , Co. Meath

Planning Authority

Meath County Council.

Planning Authority Reg. Ref.

KA190264

Applicant(s)

Brian and Ciara Hanratty.

Type of Application

Permission

Planning Authority Decision

Refuse Permission.

Type of Appeal

First Party

Appellant(s)

Brian and Ciara Hanratty.

Observer(s)

None

Date of Site Inspection

02nd August 2019

Inspector

Brendan Coyne.

1.0 Site Location and Description

1.1. The subject site (0.39ha) is located on the western side of the local primary road L3403 in the rural townland known as Rathtrasna. The site is located c. 1km north-west of Drumconrath village and c. 23 km north of Navan Town. The site is rectangular in shape and has a road frontage of c. 52 metres. The site is under grass with a ground level of 99.25m above O.S. Datum along the roadside boundary of the site rising to 101.4m above O.S. Datum at the south-western corner of the site. The roadside boundary of the site comprises a number of mature deciduous trees and hedgerow. The remaining site boundaries are undefined. There are existing dwellings located further to the north and south of the site. A dwelling is currently under construction on lands adjoining the site to the south. The surrounding area is characterised by agricultural land and dispersed rural one-off housing and agricultural buildings.

2.0 Proposed Development

2.1. The proposed development comprises the following;

- Construction of a detached 1.5 storey 4-bedroom dwelling (200 sq.m.),
- Detached garage (18sq.m.),
- New wastewater treatment system, percolation area and private well,
- New site entrance,
- Associated site works.

3.0 Planning Authority Decision

3.1. Decision

Meath County Council refused permission for the proposed development for the following reason:

The site of the proposed development is within 'a stronger rural area' as identified in the Sustainable Rural Housing Guidelines for Planning Authorities (Department of the Environment, Heritage and Local Government, 2005) and

in a 'Strong Rural Area', which is underpinned primarily by relative levels of residential stability within a well developed town and village structure and in the wider rural area around them, and where housing is restricted in accordance with the policies set out in the Meath County Development Plan 2013-2019 (as varied). Policy RD POL 5 of the Plan seeks "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". The applicant has not established a rural housing or agriculture based need for a dwelling in this location and it is considered that the proposed development would conflict with this policy, and that an additional house in this area would, therefore, result in ribbon development, contribute to the encroachment of random rural development in the vicinity, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure, and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The basis for the Planning Authorities decision includes:

- Planning permission was refused to the applicant on the subject site for a similar proposal under PA Ref. KA/180568.
- Summary provided of the applicant's 'Local Need', outlining their link to the rural community. The Report notes that the applicant's circumstances remain unchanged to that which existed under PA Ref. KA/180568.
- The proposed development, in conjunction with the dwelling permitted under PA Ref. KA/171485 would create ribbon development.

- The siting of a single storey dwelling could be accommodated on the subject site, subject to a detailed landscaping plan and a specified FFL between 99.5 and 99.75.
- Sightlines of 2.4m x 90m could be achieved at the road side boundary of the site, subject to the removal of some roadside hedgerow.
- No major issues with regards Surface Water Drainage and Waste Treatment. There are no flood issues on the site.
- The proposed development, by itself or in conjunction with other plans and developments in the vicinity, would not be likely to have a significant effect on Natura 2000 designated sites.

3.2.2. Other Technical Reports

The Planning Report states that none were received.

4.0 Planning History

4.1. Subject Site

P.A. Ref. KA/180568 On the 25th July 2018, Meath County Council refused permission to Brian and Ciara Hanratty for the following;

- Construction of a new storey and a half four bedroom detached dwelling, detached garage, wastewater treatment system and percolation area, private well, site entrance and all associated works

The Reason for Refusal was as follows;

The Site is located in a rural area outside 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 properly located in settlement centres. It is the policy of the County Development Plan to restrict housing in this 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 location. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4.2. Adjoining Site to the South

P.A. Ref. KA/171485 on the 28th February 2018, Meath County Council granted permission to Damien Glass & Ceara Rafferty for the following;

- Construction of a two storey dwelling, associated domestic garage, open new vehicular entrance to site, new packaged wastewater treatment system and percolation area, new private water well, together with all associated site development works.

5.0 **Policy and Context**

5.1. **Meath County Development Plan 2013-2019**

Relevant provisions are referenced as follows –

The application site is located on rural lands, outside of any identified settlement in the County Development Plan 2013.

Section 10.2 refers to the Rural Settlement Strategy. The Goal of the Strategy seeks ‘*To ensure that rural generated housing needs are accommodated in the areas they arise, subject to satisfying good practice in relation to site location, access, drainage and design requirements and that urban generated rural housing needs should be accommodated within built-up areas or land identified, through the development plan process*’.

Strategic Policies are as follows;

RUR DEV SP 1 *To adopt a tailored approach to rural housing within County Meath as a whole, distinguishing between rural generated housing and urban generated housing in rural areas recognising the characteristics of the individual rural area types.*

RUR DEV SP 2 *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. An assessment of*

individual rural development proposals including one-off houses shall have regard to other policies and objectives in this Development Plan

Section 10.3 of the Development Plan refers to 'Rural Area Types' and identifies three distinct rural area types within County Meath, which reflect the different levels of development pressure across the county. These are;

Area 1 – Rural Areas under Strong Urban Influence

Area 2 – Strong Rural Area

Area 3 – Low Development Pressure Areas

The site is located the townland of Drumcondra which is located in 'Area 2 – Strong Rural Area', as identified on Map 10.1 (copy attached). Policies for Area 2 - Strong Rural Areas include;

RD POL 4 *To consolidate and sustain the stability of the rural population and to strive to achieve a balance between development activity in urban areas and villages and the wider rural area.*

RD POL 5 *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.*

Section 10.4 refers to 'Persons who are an Intrinsic Part of the Rural Community' and sets out detailed requirements relating to the establishment of 'local housing need'. This sets out that the Planning Authority will support proposals for individual dwellings on suitable sites in rural areas relating to natural resources related employment where the applicant can;

- *Clearly demonstrate a genuine need for a dwelling on the basis that the applicant is significantly involved in agriculture. In these cases, it will be required that the applicant satisfy the Planning Authority with supporting documentation that the nature of the agricultural activity, by reference to the area of land and/or the intensity of its usage, is sufficient to support full time or significant part time occupation. It is also considered that persons taking over the ownership and running of family farms and/or the sons and daughters of farmers would be considered within this category of local need. The applicant shall satisfy the Planning Authority as to the significance of their employment. Where persons are employed in a part time capacity, the predominant occupation shall be farming / natural resource related. It should be noted, that where an applicant is also a local of the area, the onus of proof with regard to demonstrating the*

predominance of the agricultural or rural resource employment shall not normally be required.

- *Clearly demonstrate their significant employment is in the bloodstock and equine industry, forestry, agri-tourism or horticulture sectors and who can demonstrate a need to live in a rural area in the immediate vicinity of their employment in order to carry out their employment. In these cases, it will be required that the applicant satisfy the Planning Authority with supporting documentation that the nature of the activity, by reference to the area of land and/or the intensity of its usage, is sufficient to support full time or significant part time occupation. The applicant shall satisfy the Planning Authority as to the significance of their employment. Where persons are employed in a part time capacity, the predominant occupation shall be bloodstock and equine industry, forestry, agri-tourism or horticulture related. It should be noted, that where an applicant is also a local of the area, the onus of proof with regard to demonstrating the predominance of the agricultural or rural resource employment shall not normally be required.*

The Development Plan states that the Planning Authority recognises the interest of persons local to or linked to a rural area, who are not engaged in significant agricultural or rural resource related occupation, to live in rural areas. For the purposes of this policy section, persons local to an area are considered to include:

- *Persons who have spent substantial periods of their lives, living in rural areas as members of the established rural community for a period in excess of five years and who do not possess a dwelling or who have not possessed a dwelling in the past in which they have resided or who possess a dwelling in which they do not currently reside;*
- *Persons who were originally from rural areas and who are in substandard or unacceptable housing scenario's and who have continuing close family ties with rural communities such as being a mother, father, brother, sister, son, daughter, son in law, or daughter in law of a long established member of the rural community being a person resident rurally for at least ten years;*
- *Returning emigrants who have lived for substantial parts of their lives in rural areas, then moved abroad and who now wish to return to reside near other family members, to work locally, to care for older members of their family or to retire, and;*
- *Persons, whose employment is rurally based, such as teachers in rural primary schools or whose work predominantly takes place within the rural area in which they are seeking to build their first home, or is suited to rural locations such as farm hands or trades-people and who have a housing need.*

Section 10.5.1 sets out Development Assessment Criteria and matters to be considered in assessing individual proposals for one-off rural housing.

Section 10.5.2 refers to 'Ribbon Development'.

Section 10.5.3 refers to 'Occupancy Conditions'.

Section 10.7 refers to 'Rural Residential Development: Design and Siting Considerations'. Policy includes;

RD POL 9 *To require all applications for rural houses to comply with the 'Meath Rural House Design Guide'.*

Section 10.17 refers to 'Roadside Boundaries'. Policy includes;

RD POL 41 *To avoid the removal of existing roadside boundaries where they are more than 3m from the road edge (edge of carriageway), except to the extent that this is needed for a new entrance, and where required for traffic safety reasons. (Please refer to policies contained in Section 9.7.8 Woodlands, Hedgerows and Trees in this regard).*

This policy is supported by Policy NH POL 13 which seeks;

To encourage the retention of hedgerows and other distinctive boundary treatments in rural areas and prevent loss and fragmentation, where possible. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, mitigation by provision of the same type of boundary will be required.

Section 10.19.1 sets out Technical Requirements relative to One Off Houses: Sight Distances and Stopping Distances. Policy includes;

RD POL 43 *To ensure that the required standards for sight distances and stopping sight distances are in compliance with current road geometry standards as outlined in the NRA document Design Manual for Roads and Bridges (DMRB) specifically Section TD 41-42/09 when assessing individual planning applications for individual houses in the countryside.*

Section 10.19.2 refers to 'Groundwater Protection and the Planning System' and seek to ensure environmental protection. Policies RD POL 44 and RD POL 45 refer.

Section 10.19.3 refers to Wastewater Disposal. Policy includes;

RD POL 46 *To ensure that new development is guided towards sites where acceptable wastewater treatment and disposal facilities can be provided, avoiding sites where it is inherently difficult to provide and maintain such facilities. Sites prone to extremely high water tables and flooding or where groundwater is particularly vulnerable to contamination shall be avoided.*

Chapter 11 of the Development Plan sets out 'Development Management Standards & Guidelines'.

Appendix 15 of the Development Plan provides the 'Rural Housing Design Guide'.

The site is located within Landscape Character Area (LCA) 3 – North Navan Lowlands, as identified in Appendix 7 of the Meath County Development Plan.

5.2. The Sustainable Rural Housing Guidelines 2005

This seeks to encourage and support appropriate development at the most suitable locations. Section 3.2.3 concerns Rural Generated Housing and gives an example of Persons who are an intrinsic part of the rural community and Persons working full-time or part-time in rural areas.

Section 3.2 identifies Rural Area Types and provides characteristics of each.

Section 3.3 is concerned that the consideration of individual sites will be subject to normal siting and design considerations. These include the following:

- Any proposed vehicular access would not endanger public safety by giving rise to a traffic hazard.
- That housing in un-serviced areas and any on site wastewater disposal systems are designed, located and maintained in a way, which protects water quality.
- The siting of the new dwelling integrates appropriately into its physical surroundings.
- The proposed site otherwise accords with the objectives of the development plan in general.

Section 4.5 is concerned with Protecting Water Quality and Site Suitability issues.

Appendix 4 refers to Ribbon Development. The guidelines recommend against the creation of ribbon development for a variety of reasons relating to road safety, future demands for the provision of public infrastructure as well as visual impacts. The Guidelines define ribbon development as '*a high density of almost continuous road frontage type development for example where 5 or more houses exist on any one side of a given 250m of road frontage*'.

5.3. National Planning Framework – Project Ireland 2040

Section 5.3 refers to the future growth and development of rural areas and the role of the rural town as a catalyst for this. It is recognised that the Irish countryside is, and will continue to be, a living and lived-in landscape focusing on the requirements of rural economies and rural communities, based on agriculture, forestry, tourism and rural enterprise, while at the same time avoiding ribbon and over-spill development from urban areas and protecting environmental qualities.

National Policy Objective 18 refers to the policy to support the proportionate growth of and appropriately designed development in rural towns that will contribute to their regeneration and renewal, including interventions in the public realm, the provision of amenities, the acquisition of sites and the provision of services.

National Policy Objective 19 outlines that within areas under urban influence, single housing in the countryside will be facilitated based on the core consideration of a demonstrable economic or social need to live in the rural area. It further states that in rural areas elsewhere, it is an objective to facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

5.4. Code of Practice Wastewater Treatment Disposal Systems serving Single Houses

This document (2009) by the EPA relevant to single houses (p.e <10) and replaces SR6:1991 and the EPA Manual 2000 for 'Treatment Systems for Single Houses'. The objective is to protect the environment and water quality from pollution and it is concerned with site suitability assessment. It is concerned with making a recommendation for selecting an appropriate on site domestic wastewater treatment and disposal system if the site is deemed appropriate subject to the site assessment and characterisation report. The implementation of the Code is a key element to ensure that the planning system is positioned to address the issue of protecting water quality in assessing development proposals for new housing in rural areas and meeting its obligations under Council Directive (75/442/EEC).

5.5. Natural Heritage Designations

There are no Natura 2000 sites noted within a 10km radius of the site.

5.6. EIA Screening

Having regard to the modest nature of the proposed development (a single dwelling), the capacity of the soils on site to accommodate wastewater and the distance of the site from nearby sensitive receptors, 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.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. Alan Carolan of Campbell & Carolan Consultants have submitted a First Party appeal on behalf of the applicants. The main grounds of appeal can be summarised as follows;

- The criteria used by the Planning Authority to measure the 5 dwellings in 250m is incorrect as indicated by the Monaghan County Council Guidelines on ribbon development, as dictated by Appendix 4 of the Rural Planning Guidelines. If measured from the boundary line of the first dwelling to the south, there would be 3 buildings and not 5 in the 250m and that it would only become ribbon development should the remaining space be developed.
- The neighbouring site has now commenced works. Thus the hedge will be set back in accordance with its permission enabling sightlines to be achieved for the subject site.
- The applicant Brian Hanratty was born and raised at DeValera Park, Drumconrath village. Ciara was born and raised in Ardee.

- Brian is employed as an electrician for Louis Tighe Electrical. He works on a part time basis for Drumconrath Gun Club, rearing game birds for both its own use and to sell to other gun clubs and has done so for the past decade. This farm is located in a rural part of Drumconrath approx. 2km from the village on the R165. Drumconrath Gun Club raises approx. 9,000 birds yearly for sale. Letter from Drumconrath Gun Club confirming same attached.
- Brian's hours of work are stated as 1.5 hours every morning and 1.5 hours every evening for 5 days a week and works 8 hours day on Saturdays. The Report states that the applicants should be allowed to live within close proximity to their employment in accordance with Section 10.1 of the Development Plan.
- Ciara is a schoolteacher working in Duleek.
- Brian's father farms a small holding of land in Carrickleck, 8km from Drumconrath. This land is not suitable for any potential dwelling as it would decimate the land for farming. Due to the size of the holding, Brian and his father take land in Drumconrath during the summer months to graze their cattle. It is intended that Brian will take over the farm from his father upon his full retirement. The Report details that Brian's father lives in Drumconrath village.
- The subject site is located on lands neighbouring the applicant's aunt. Enabling the provision of a house for the applicant at this location would provide much needed help and passive security for his aunt, given that her own children have moved out of the area.
- Lands at Drumconrath, earmarked for residential development are unlikely to be developed in the near future.
- The Report concludes that the applicants;
 - Do not currently, or ever owned a home.
 - Have social and family ties to the village of Drumconrath
 - Mr Hanratty is currently employed on a part-time basis within the farming industry.

- Mr. Hanratty has deep-rooted connection with the rural community based on his unique role within the Drumconrath Gun Club.

Based on the above, it is concluded that the applicant typifies the classification of being 'an intrinsic part of the rural community'.

Supporting documentation submitted as Appendices with the appeal report include the following;

- Letter from the applicant Brian Hanratty reiterating their need for a house at this location, based on its proximity to the applicant's Father's farm at Carrickleck in County Meath, land taken from farmers in Drumconrath in summer months, the applicant's part-time employment by Drumconrath Gun Club farm and proximity to the applicant's aunt on a neighbouring site.
- Letter from Drumconrath Gun Club confirming the applicant's part-time employment on the Gun Clubs farm (detailed above).
- Letter from the Applicant's aunt confirming her proximity to the application site and comfort that will be received from her nephew living next door.
- Letter dated 28/09/2018 from a financial institution and addressed to the applicant at DeValera Park, Drumconrath.

6.2. **Planning Authority Response**

The Planning Authority is satisfied that the Planning Authority's case is sufficiently set out in the Planning Report under PA Ref. KA/190264 and have no further comments to make.

6.3. **Observations**

Submission received from the Minister for European Affairs, Helen McEntee T.D. in support of the applicants with their planning appeal.

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

- Roads and Access Issues
- Surface Water Drainage
- Waste Water Treatment
- Screening for Appropriate Assessment

7.2. Rural Housing Need

- 7.2.1. The site is located in Rural Area 2 i.e. a ‘Strong Rural Area’ as identified in Map 10.1 of the Meath County Development Plan. For such areas, Policy RD POL 5 seeks ‘*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*’. It is noted that the site is located c. 0.5km from the northern development boundary of Drumcondra village.
- 7.2.2. Section 10.4 of the County Development refers to ‘Persons who are an Intrinsic Part of the Rural Community’ and sets out detailed requirements relating to the establishment of ‘local housing need’ (criteria set out noted in the Policy Section above).
- 7.2.3. The applicant Brian Hanratty puts forward that he forms an intrinsic part of the rural community and has a proven need for a house in this rural area. Details of the Applicant’s genuine need for a house in this rural locality have been submitted with the planning application. This is detailed in the Grounds of Appeal above and is synthesised as follows;
- The applicant is employed on a significant part time basis as a farmer of game birds for Drumconrath Gun Club on its farm, and as such is an intrinsic part of the rural community. This farm is located in a rural part of Drumconrath approx. 2km from the village on the R165.
 - The applicant’s father farms a small holding of land in Carrickleck, 8km from Drumconrath and takes land in Drumconrath during the summer months to graze their cattle. It is intended that Brian will take over the farm from his father upon his full retirement.
 - The subject site is located on lands neighbouring the applicant’s aunt. Enabling the provision of a house for the applicant at this location would provide much needed help and passive security for his aunt, given that her own children have moved out of the area.

- Lands at Drumconrath village, earmarked for residential development are unlikely to be developed in the near future.
- The development of a dwelling at this location would not create ribbon development.

7.2.4. Regard is had to the Meath County Council Planning Report which puts forward the following;

- The applicants currently reside in a rented property in the urban area of Ardee and have provided their landlord details (confirmed through a Land Direct desktop search).
- The Local Needs Form confirms the address and location of the applicant's family home in the urban area of Drumconrath (verified through a Land Direct desktop search).
- Section 10 of the Application Form provides details of the site owner and a Letter of Consent for the subject application has been submitted. As such, the Planning Report identifies the proposed development as speculative.
- The Local Needs Form indicates that the Applicants do not own any other property in the rural area or otherwise.
- The applicant's circumstances are unchanged to that which existed under PA Ref. KA/180568 whereby it was determined that the applicant's family ties are to the village of Drumconrath and not the rural area of the proposed dwelling, that the applicant's employment is not rural related and as such does not have a site specific rural housing need and does not comply with local housing need policy as set out in the Meath County Development Plan 2013-2019.
- On this basis, the Planning Report concludes that the applicant has not demonstrated an intrinsic link to the rural community and does not meet the policy threshold for a rural dwelling at the proposed site, as per NPO 19 of the National Planning Framework.

7.2.5. Having reviewed the Meath County Council Planning Report and the Grounds of Appeal, I consider that the applicants have not demonstrated a genuine need for a dwelling in this rural location.

7.2.6. As per the Meath County Council Local Needs Form submitted, the applicants currently live in the urban area of Ardee, County Louth. It is noted that the Applicant Brian Hanratty parent's home is located in the urban area of Drumconrath village. Brian currently works full-time with Louis Tighe Electrical in Drumconrath village. This establishes that Brian's predominant occupation is not farming / natural resource related. The applicant Ciara Hanratty currently works as a Primary teacher in Duleek Boys National School.

7.2.7. It is noted that Brian Hanratty works on part-time basis as a farmer of game birds for Drumconrath Gun Club on its farm, located in a rural part of Drumconrath approx. 2km from the village on the R165. Brian's hours of part-time work are noted. Notwithstanding this, it is considered that the applicant has not adequately demonstrated this as a genuine need for a house at this location given the proximity of the Gun Club farm to the urban area of Drumconrath village. While the applicant may have links to the rural area it is considered that his need for a house is urban generated and does not have a site specific local need. Such development would be contrary to the provisions of Policy RD POL 5 which seeks 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. Furthermore, such urban generated rural development would be contrary to National Policy Objective 18a of the National Planning Framework which seeks to support the proportionate growth of and appropriately designed development in rural towns that will contribute to their regeneration and renewal. As noted in the Planning Appeal report submitted, Drumconrath is listed among the few villages in Co. Meath that has declined in population as of the last Census.

7.3. Ribbon Development

- 7.3.1. The planning authority refused permission for the proposed development by reason that an additional house in this location would result in ribbon development, would contribute to the encroachment of random rural development in the vicinity and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure.
- 7.3.2. The applicant's response to this are detailed in the Grounds of Appeal above, putting forward that if measured from the boundary line of the first dwelling to the south, there would be 3 buildings and not 5 in the 250m and that it would only become ribbon development should the remaining space be developed.
- 7.3.3. In this regard, the Sustainable Rural Planning Guidelines 2005 recommend against the creation of ribbon development for a variety of reasons relating to road safety, future demands for the provision of public infrastructure as well as visual impacts.

7.3.4. Taking into account the proposed dwelling, the dwelling permitted under PA Ref KA/171485 on adjoining lands to the south (currently under construction) and the existing three dwellings adjacent to the north and south of the site, the proposed development would result in a 5th house in a row along a stretch of 250m of rural road. It is considered that such development would contribute to and result in the creation of road frontage type ribbon development along this stretch of rural road that would be suburban in nature and would detract from the character of the surrounding rural area. Such development would be contrary to the provisions of Section 10.5.2 of the County Development Plan which states that ribbon development is considered to be a 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. The creation of such ribbon development would also be contrary the Sustainable Rural Planning Guidelines 2005 which recommends against the creation of ribbon development.

7.4. Design and Layout

- 7.4.1. The proposed development is a 1.5 storey 3-bedroom dwelling (albeit described in the statutory notices as a 4-bedroom dwelling). The dwelling is centrally located on the site with a setback of 24.3m from the roadside edge. The FFL is 100.25, which is 1.25m above the road level.
- 7.4.2. The floor area of the proposed dwelling is 200 sq.m. The proposed dwelling has a front elevation width of 11.5m and a depth of 14.5m. The front elevation faces in an easterly direction towards the public road. The ridge height of the dwelling is 6.7m. The roof profile of the dwelling is pitched presenting a gable element and 2 no. dormer windows to its front elevation. Elevation finishes are stated as comprising off-white self-coloured render finish, with natural stone to the projecting 2 storey front gable element and blue/black roof slate tiles.
- 7.4.3. The garage to its side has a floor area of 18sq.m., a front elevation width of 4m and a depth of 6m. Its ridge height is 5m. Elevation finishes would match that of the main dwelling.
- 7.4.4. Having reviewed the drawings submitted, it is considered that the scale and design of the proposed dwelling is generally acceptable and would be in keeping with the

rural character of the area. Its design is largely consistent with the 'Meath Rural Design Guide' as provided in Appendix 15 of the County Development Plan.

7.5. Roads and Access Issues

- 7.5.1. The applicant has submitted a site layout plan which shows 2.4m x 90m vision splays in both directions. It is noted that the vision splay to the right when exiting shows visibility at 90m but not over the full visibility splay. In order to achieve a full visibility splay, the hedgerow to the south would have to be removed / set-back to enable full sightlines. This hedgerow is not located with the application site as outlined in red and as such would require consent / agreement from the owner of the adjoining lands to the south. It was noted, however, during site inspection that this hedgerow has been removed as per construction works of dwelling and vehicular entrance permitted on the site under PA Ref KA/171485. Thus, full sight lines can be achieved for the proposed development.

7.6. Surface Water Drainage

- 7.6.1. It is proposed to discharge surface water to a soakaway designed and installed to BRE365 standard in the rear garden. There are no flooding issues on the site. This is acceptable.

7.7. Waste Water Treatment

- 7.7.1. A Site Characterisation Report (SCR) has been submitted with the application. This has been prepared by an indemnified and EPA Approved Site Assessor. The report submitted states that the soil in the area consists of Grey Brown Podzolics (60%), Gleys (20%) and interdrumlin Peat and Peaty Gleys (20%). The Aquifer Category is designated as 'locally important' and is of 'Moderate' vulnerability. The Ground Protection Response is R1, 'acceptable to normal good practice'.
- 7.7.2. The Report states that no water courses / streams are located within 10m of the proposed percolation area (ppa). A desk survey shows that the nearest watercourse/ ditch is located c.147m to the south-west of the application site.

- 7.7.3. It is proposed to provide a bored well 30m up-gradient of the ppa. The SCR states that this will be outside the minimum separation distances of the Groundwater Protection Responses of GSI/EPA/DoELG and the EPA Code of Practice (2009).
- 7.7.4. The SCR states that the Ground Water flows in an easterly direction and that ground conditions are firm in the ppa and throughout the site.
- 7.7.5. The trial hole encountered Silt/Clay to a depth of 0.4m and Clay intermixed with stones to a depth of 1m. The SCR found that groundwater was not encountered in the trial hole and that the winter groundwater was encountered in the trial hole at a depth of 1m below ground level. Bedrock was not encountered in the trial hole.
- 7.7.6. With regard to percolation characteristics, a T value of 83.87min/25mm and a P value of 78.37 min/25mm were recorded. The SCR concludes that these T and P values indicate average - poor percolation characteristics of both the subsoil and topsoil respectively. The SCR recommends that a purpose built percolation area should be constructed to ensure that there is a minimum of 0.9m of suitable percolating material between the base of the lowest part of the percolation area and groundwater at 1m BGL. Recommendations are made with regard distribution pipes to be used.
- 7.7.7. The SCR proposes the installation of an EN certified treatment system and percolation area as per the 2009 EPA Code of Practice on Wastewater Treatment and Disposal Systems serving Single Houses and overseen by a suitably qualified and accredited person.
- 7.7.8. The test holes were open on the date of inspection and the ground was dry and firm underfoot with no obvious indications of poor drainage, such as the presence of rushes or other indicator species.
- 7.7.9. 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 EN certified treatment system and percolation area.

7.8. Screening for Appropriate Assessment

- 7.8.1. The closest Natura 2000 site to the appeal site is Stabannan-Braganstown SPA (Site Code 004091) which is located 12.5km to the north-east of the site. Taking into

consideration the nature and scope of the proposed development, the wastewater treatment system proposed to serve the dwelling, the details provided on the site characterisation form and the existing residential and farm development in the immediate vicinity, I am of the 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.

8.0 Recommendation

8.1. I recommend that permission be refused for the reasons and considerations below

9.0 Reasons and Considerations

1. The site is located in a rural area outside any designated settlement and in a 'Strong Rural Area' as defined in the Meath County Development Plan 2013 – 2019 where development, which is not rurally-generated, should be more properly located in settlement centres. It is the policy of the County Development Plan to restrict housing in this area to those who are intrinsically part of 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 location. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is the policy of the planning authority as set out in the current development Plan to control urban sprawl and ribbon development. This policy is considered to be reasonable. The proposed development would be in conflict with this policy because, when taken in conjunction with existing [and permitted] development in the vicinity of the site, it would consolidate and contribute to the build-up of ribbon development in an open rural area. This would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Brendan Coyne
Planning Inspector

12th August 2019