



An
Bord
Pleanála

Inspector's Report ABP- 313587-22

Development	House, garage, wastewater treatment system and percolation area and creation of new vehicle entrance.
Location	Kilglass, Longwood, Co Meath.
Planning Authority	Meath County Council.
Planning Authority Reg. Ref.	22/255.
Applicant	Olivia Weldon.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party v Refusal of Permission.
Appellant	Olivia Weldon.
Observer(s)	None
Date of Site Inspection	3 rd October 2022
Inspector	Enda Duignan

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1.0 Site Location and Description

- 1.1.** The appeal site has a stated area of c. 0.3173ha. and is located within the rural area of Kilglass, Longwood, Co. Meath. The site is situated c. 1km to the west of the existing settlement of Longwood and is located on the north eastern side of the L-8031-12, c. 200m to the north-west of the junction of the L-8031-12 and the R160. The site is currently overgrown and there is an existing agricultural entrance at the south-eastern end of the site frontage. In terms of the site's topography, there is a slight fall within the site from the road frontage.

- 1.2.** In terms of the site surrounds, existing dwellings are located on either side of the site and there is an existing single storey dwelling located opposite the site on the south-western side of the L-8031-12. An existing cemetery is located further to the south-east and the remainder of the lands within the surrounds appear to be in agricultural use.

2.0 Proposed Development

- 2.1.** The proposal seeks planning permission for the construction of a new dwelling on site, along with a waste water treatment system (wwts), driveway, garage and associated site works.

- 2.2.** The proposed single storey dwelling will have a pitched roof form and shall comprise an entrance hall, living room, utility, kitchen/dining room, bathroom and 4 no. bedrooms. A single storey pitched roof garage is also located on the north-eastern side of the proposed dwelling. In terms of the palette of materials and finishes, the proposed dwelling will have rendered walls with a slate roof.

- 2.3.** The proposed dwelling will be accessed via a new vehicular entrance at the north-western end of the site's frontage. A new driveway will lead from the entrance along the north-western side boundary leading to the proposed garage. The proposed development includes the incorporation of screen hedging along the boundaries of the appeal site.

3.0 Planning Authority Decision

3.1. Decision

Meath County Council refused planning permission for the development for the following 2 no. reasons:

1. “The proposed development is located within a rural area Under Strong Urban Influence where it is a requirement for applicants to:
 - i. comply with the Local Needs Qualifying Criteria as outlined in Section 9.4 of the Meath County Development Plan 2021 – 2027, and to
 - ii. demonstrate a rural housing need.

It is considered, based on the information submitted, that the applicant has not established a site specific rural generated housing need for a dwelling in this location. The proposed development would therefore be contrary to the policy of the Sustainable Rural Housing Guidelines for Planning Authorities and the Meath County Development Plan 2021-2027 and would therefore, be contrary to the proper planning and sustainable development of the area and would establish a very undesirable future precedent.

2. Having regard to the nature of the proposed vehicular access arrangements by virtue of the inadequate sightlines available that do not accord with required TII Standards, it is considered that the proposed development would endanger public safety by reason of traffic hazard, and would therefore be contrary to the proper planning and sustainable development of the area.”

3.2. Planning Authority Reports

3.2.1. Planning Report

The Meath County Council Planning Report forms the basis for the decision. The report identifies the site as being located within a rural area under strong urban influence as per the Meath County Development Plan, 2021-2027. The report also identifies the site being located within the Central Lowlands Character Area and is of high value and moderate sensitivity. The report provides a description of the appeal

site and overview of the policy at regional and local level that is relevant to the development proposal.

In terms of the design and siting of the proposed dwelling, the Planning Authority have raised no concerns with the proposed development. However, the Planning Authority note that the Applicant currently owns a dwelling and has not demonstrated a site specific rural housing need at this location as per the requirements of the County Development Plan. In addition, the Planning Authority indicate that the Applicant has not demonstrated adequate sightlines on the submitted site layout plan. In this regard, a refusal of planning permission is recommended for 2 no. reasons.

3.2.2. Other Technical Reports

Transportation: Report received stating no objection subject to compliance with a condition.

3.2.3. Prescribed Bodies

None.

3.2.4. Third Party Observations

1 no. observation/representation has been received on file from Cllr Noel French in support of the proposed development.

4.0 Planning History

4.1. 95/939: Planning permission granted by the Planning Authority to build a dormer bungalow, garage and septic tank on the appeal site.

5.0 Policy and Context

5.1. National Policy

5.1.1. Project Ireland 2040 National Planning Framework (NPF) Local Policy

National Policy Objective (NPO) 19 states it is an objective to ensure, in providing for the development of rural housing, that a distinction is made between areas under

urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere. In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

This will be subject to siting and design considerations. In all cases, the protection of ground and surface water quality shall remain the overriding priority and proposals must definitely demonstrate that the proposed development will not have an adverse impact on water quality and requirements set out in EU and national legislation and guidance documents.

5.1.2. Regional Spatial and Economic Strategy for the Eastern and Midland Region (RSES).

Section 4.8 (Rural Places: Towns, Villages and the Countryside) of the RSES indicates that support for housing and population growth within rural towns and villages will help to act as a viable alternative to rural one-off housing, contributing to the principle of compact growth. Regional Policy Objective (RPO) 4.80 is relevant to the development proposal which notes that 'Local authorities shall manage urban generated growth in Rural Areas Under Strong Urban Influence (i.e. the commuter catchment of Dublin, large towns and centres of employment) and Stronger Rural Areas by ensuring that in these areas the provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area, and compliance with statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

5.1.3. Quality Housing for Sustainable Communities, 2007 (Department of the Environment, Heritage and Local Government).

5.1.4. Sustainable Rural Housing Guidelines for Planning Authorities, 2005.

The overarching aim of the Guidelines is to ensure that people who are part of rural community should be facilitated by the planning system in all rural areas, including those under strong urban based pressures. To ensure that the needs of rural communities are identified in the development plan process and that policies are put in place to ensure that the type and scale of residential and other development in rural areas, at appropriate locations, necessary to sustain rural communities is accommodated. Circular Letter SP 5/08 was issued after the publication of the guidelines.

5.1.5. Code of Practice – Domestic Waste Water Treatment Systems (Population Equivalent \leq 10), 2021.

5.2. Local Policy

5.2.1. Meath County Development Plan (CDP), 2021-2027.

Under Map 9.1 of the Meath County Development Plan (CDP), 2021-2027, the site is identified as being located in a 'Rural Area Under Strong Urban Influence'. A 'key challenge' for these areas is '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.' The relevant policies for these areas include:

- **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.

Section 9.4 (Persons who are an Intrinsic Part of the Rural Community) of the current CDP notes 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, 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 9.5.1 (Development Assessment Criteria) also highlights that the Planning Authority will take into account the following matters in assessing individual proposals for one-off rural housing:

- The housing need background of the applicant(s) in terms of employment, strong social links to rural areas and immediate family as defined in Section 9.4 Persons who are an Intrinsic Part of the Rural Community;
- Local circumstances such as the degree to which the surrounding area has been developed and is trending towards becoming overdeveloped;

- The degree of existing development on the original landholding from which the site is taken including the extent to which previously permitted rural housing has been retained in family occupancy. Where there is a history of individual residential development on the landholding through the speculative sale of sites, permission may be refused;
- The suitability of the site in terms of access, wastewater disposal and house location relative to other policies and objectives of this plan;
- The degree to which the proposal might be considered infill development.

Policy Objective RD POL 9 is relevant to the consideration of the application and seeks “To require all applications for rural houses to comply with the ‘Meath Rural House Design Guide’” included within Appendix 13 of the current CDP.

Other policy of relevance include Objective RD POL 43 of the current CDP which seeks “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.”

5.3. Natural Heritage Designations

There are no European designated sites within the immediate vicinity of the site. The nearest designated site is the River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299), c. 900m to the west of the site. The River Boyne and River Blackwater Special Protection Area (SPA) (Site Code: 004232) is also located c. 900m to the west of the site. The ‘Proposed Natural Heritage Area: Royal Canal’ is also located c. 1km to the south-west of the site.

5.4. EIA Screening

Having regard to the nature and scale the development which consists of a single house in an un-serviced rural location, 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

The main points made can be summarised as follows:

- The Applicant argues that they have demonstrated that they fit the rural housing qualifying criteria based on their circumstance as an elderly widow who wishes to return to the area in which they grew up, and where all their extended family of brothers and sisters still remain. The appeal site was gifted to the Applicant by their late father 20 years ago and was historically part of the family's farmland.
- A detailed statement has been enclosed within the appeal submission (and originally accompanied the application) which outlines the justification for the proposed development and a demonstration as to how the Applicant meets the qualify criteria for a rural house at this location.
- In terms of the vehicular entrance, it is highlighted that the Planning Authority have not provided any evidence nor sought any further information from the Applicant to establish whether the sightlines can be achieved. The Applicant refers to the existing entrance on site and notes that there are other existing site entrances on the lands to the north and south and also on the opposite side of the road.
- Given the housing crisis in Ireland, the Applicant cannot understand the logic behind rejecting someone's application to build a sustainably design home within the area in which they grew up, which would free up a family home for another family in need.

6.2. Planning Authority Response

A response has been received from the Planning Authority dated 9th June 2022 which noted that they are satisfied that all matters outlined in the First Party appeal submission were considered in the course of its assessment of the planning application as detailed in the planning officer's report.

6.3. Observations

None.

6.4. Further Responses

None sought.

7.0 Assessment

The main issues are those raised in the grounds of appeal and the Planning Report, and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Compliance with Rural Housing Policy
- Dwelling Design
- Vehicular Access & Sightlines
- Waste Water Treatment
- Appropriate Assessment.

7.1. Compliance with Rural Housing Policy

7.1.1. Compliance with rural housing policy is a core consideration for any planning application for a one-off house in a rural area. It was cited as a reason for refusal under the current application and forms a primary issue in the grounds of appeal by the Applicant. The Meath County Development Plan (CDP), 2021-2027, has a presumption against one-off rural housing at locations which are defined as a 'Rural Area Under Strong Urban Influence', except in cases where the Applicant can demonstrate they meet the relevant qualifying criteria.

7.1.2. Given the nature of the proposed development and the location of the appeal site within a 'Rural Area Under Strong Urban Influence', Section 9.4 of the current CDP is relevant to the consideration of the application, and it is purported within the appeal submission that the Applicant qualifies as a person who is an intrinsic part of the rural community under the following classification:

- “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”.

7.1.3. In their assessment of the planning application, the Planning Authority provides a summary of the documentation that was submitted in support of the planning application, which included:

- Confirmation that the Applicant resides in a dwelling within their ownership in Dogstown, Trim which they have resided in since 1995;
- Confirmation that the Applicant had resided in the local area prior to getting married and moving away;
- Confirmation that the Applicant previously sold a dwelling pre-1995;
- Confirmation that the appeal site is their ownership and previously formed part of their family’s lands;
- Census documentation;
- Photographs of family gravestones;
- Letters of support from family members;
- Documentation with current address;
- Documentation from Byrne & O’Sullivan Solicitors with respect to land registry information; and,
- Documentation from St. Finian’s National School confirming Applicant’s attendance at school.

7.1.4. On the basis of the information submitted with the appeal, the Planning Authority note that the Applicant currently owns a rural dwelling and has therefore not demonstrated a site specific rural housing need. A refusal of planning permission is therefore recommended by the Planning Authority. I note that the above referenced qualifying criteria can be broken down into distinct elements. Firstly, whether the person is

originally from the rural area and still has close family ties in the local area. From the documentary evidence submitted in support of the application, I am satisfied that the Applicant satisfactorily meets this test. The second element of this criteria is whether the Applicant is currently in a substandard or an unacceptable housing scenario. I acknowledge the Applicant's commentary, where they state that their existing home is located on a dangerous bend where there has been a significant number of traffic accidents and the likely traffic conflicts that may arise in the future. It also stated that the dwelling is surrounded by mature trees and hedges and there are concerns with respect to the Applicant's ability to maintain the property. I note that it is not evident from the Planning Report on file that the Planning Authority has considered this element of the qualifying criteria. Notwithstanding this, I do not consider that the Applicant has robustly demonstrated that their current housing scenario is either substandard or unacceptable. Whilst I acknowledge the Applicant's links to the area, I do not consider that these alone are sufficient to require a house in a rural area under urban influence given, inter alia, regional and national policy support for the revitalisation of smaller towns, villages and rural settlements such as Longwood.

- 7.1.5. In terms of national planning guidance, the site's identified location in an area under strong urban pressure under the Development Plan is consistent with Sustainable Rural Housing Guidelines for Planning Authorities, 2005, which similar identifies the site and its wider rural setting. I note that the Regional Spatial Economic Strategy – Eastern & Midland Region, 2019-2031, under RPO 4.80 sets out that Local Authorities shall manage growth in rural areas under strong urban influence by ensuring that in these areas the provision of single houses in the open countryside is based on the core consideration of demonstratable economic or social need to live in a rural area, and compliance with statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.
- 7.1.6. In relation to locations identified as being under strong urban influence the National Planning Framework, NPO 19, requires developments like this to demonstrate a functional economic or social requirement for housing need in areas under urban influence. With this being stated as a necessity. Whilst the Applicant appears to have

a strong desire as opposed to a need to live in this rural, this in itself does not override the public good necessity for such applications to meet local through to national planning provisions. These provisions seek to safeguard such rural locations from the proliferation of what is essentially a type of development that planning provisions seek to channel to appropriate serviced land within settlements where they can be more sustainably absorbed whilst safeguarding the rural environment from further diminishment of its character and predominant rural land use based function, i.e. agriculture.

- 7.1.7. In keeping with this, I note that National Policy Objective 3a of the National Planning Framework seeks to deliver at least 40% of all new homes nationally within the built-up footprint of existing settlements. In addition, NPO 33 seeks to prioritise the provision of new homes at locations that can support sustainable development as well as at an appropriate scale of provision relative to location. There are settlements within the wider area, including those with infrastructural services such as mains drainage and potable water through to other services as well as amenities, where there is capacity to absorb additional residential development in a sustainable manner than at this location.
- 7.1.8. Therefore, to permit the proposed development sought under this application where the Applicant has not demonstrated compliance with the Local Needs Qualifying Criteria as outlined in Section 9.4 of the current CDP would be contrary to Policy RD POL 1. The proposed development would also result in a haphazard and unsustainable form of development in an un-serviced area, it would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment that is sensitive to change, and it would give rise to inefficient and unsustainable provision of public services and infrastructure at remote from settlement locations. Further, it would also undermine the settlement strategy set out in the current CDP that seeks to direct this type of development to appropriately zoned land within settlements. For these reasons the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

7.2. Dwelling Design

- 7.2.1. The Meath Rural House Design Guide, as included within Appendix 13 of the current CDP, sets out guidelines on rural housing in County Meath, for example, from orientation and site layout to building design. The Guide recommends positioning a dwelling on a site having regard to existing shelter, topography and vegetation and design which draws from traditional forms of development and good design practice.
- 7.2.2. The proposed dwelling will have a single storey form and will be sited centrally within the appeal site. The dwelling will have a contemporary architectural expression with vernacular features such as a pitched roof form. In terms of building lines, I note the footprint of the dwelling generally aligns with the existing properties to the north-west and south-east of the appeal site. The single storey garage is located behind the rear building line to the dwellings north-west. I note that a streetscape elevation does not appear to be included within the application documentation nor are details provided with respect to the proposed vehicular entrance (i.e. details of gates etc.). However, it would appear from the site layout plan that new hedge screening is proposed along the site frontage. Having regard to the overall scale, height and form of the proposed dwelling, its setback from the site frontage and the pattern of development in the surrounding area, I am generally satisfied that the proposal is in accordance with the Rural House Design Guide and is acceptable having regard to the visual amenity of the surrounding area. Notwithstanding this, I note the Applicant has not demonstrated compliance with the Local Needs Qualifying Criteria as outlined in Section 9.4 of the current CDP and a refusal of permission is therefore recommended.

7.3. Access & Sightlines.

- 7.3.1. The proposal seeks planning consent for the creation of a new vehicular entrance at the north-western end of the site frontage to the L-8031-12. Although not clearly indicated on the application or appeal documentation, it would appear that the proposed development seeks to close up the existing agricultural entrance. The Planning Authority in their assessment of the application recommended that

permission be refused as the Applicant has not adequately demonstrated adequate sightlines on the submitted site layout plan. Given the nature of the proposed development, Policy Objective RD POL 43 of the current CDP is relevant to the assessment of the application which seeks “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.”

- 7.3.2. Notwithstanding the commentary of the Planning Authority, it would appear that sightlines have been identified on the submitted drawings (i.e. Drawing No. 226-KLM_06_099), whereby a sightline of c. 160m has been achieved on the northern side of the entrance with a sightline distance of c. 90m achieved on the proposed entrance’s southern side. I also note that the report from the Planning Authority’s Transportation section have raised no concerns with the proposed development. As an 80km per hour speed limit applies to this local road, sightlines of c. 150m should be provided in each direction as per the requirements of Policy Objective RD POL 43 of the current CDP. However, I note that cars travelling north along this section of the road are unlikely to travel at the maximum speed given the location of the site relative to the junction of the L-8031-12 and the R160 to the south. In this regard, I am satisfied that a reduced sightline on the southern side of the proposed vehicular entrance is acceptable at this location and the proposed development would not therefore endanger public safety by reason of a traffic hazard.

7.4. Waste Water Treatment

- 7.4.1. Section 9.18.3 of the current County Development Plan relates to ‘Wastewater Disposal’ and there are a number of policy objectives that are directly applicable to the development proposal given the reliance of the proposal on an on-site wastewater treatment facility.
- 7.4.2. The following policy objectives of the current CDP are noted:

- **RD POL 47:** To ensure that the site area is large enough to adequately accommodate an on- site treatment plant and percolation area.
- **RD POL 48:** To ensure all septic tank/proprietary treatment plants and polishing filter/percolation areas satisfy the criteria set out in the Environmental Protection Agency 'Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)' (2021) (or any other updated code of practice guidelines) in order to safeguard individual and group water schemes.
- **RD POL 49:** To require a site characterisation report to be furnished by a suitably qualified competent person. Notwithstanding this, the Planning Authority may require additional tests to be carried out under its supervision.
- **RD POL 50:** To ensure a maintenance agreement or other satisfactory management arrangements are entered into by the applicant to inspect and service the system as required. A copy of this must be submitted to the Planning Authority.
- **RD POL 51:** To ensure that direct discharge of effluent from on site waste water disposal systems to surface water is not permitted.
- **RD POL 52:** To ensure wastewater treatment plants discharging into the Boyne catchment or to coastal Natura 2000 sites are suitably maintained and upgraded in advance of any additional loadings beyond their capacity in order to protect water quality, as required.
- **RD POL 53:** To promote good practice with regard to the siting and design of septic tanks and the maintenance of existing tanks. A high level of scrutiny will be placed on applications within 2km of watercourses in the Boyne catchment. Proposals in this area shall not have an adverse impact on local water quality that could affect the qualifying interests of the cSAC and SPA.

7.4.3. Assessment of the wastewater treatment element of a rural one-off house is a standard consideration. The site is in an area with a locally important aquifer of high vulnerability. The Site Characterisation Form notes that groundwater was not encountered in the 2.1m deep trial hole. Bedrock was not encountered at a depth of 2.1m. The soil was silt/clay in the upper 300mm and clay intermixed with stone below 300mm. The soil was stone intermixed with gravel below 1.4m. Table E1 (Response

Matrix for DWWTs) of the EPA Code of Practice Domestic Wastewater Treatment (Population Equivalent ≤ 10), 2021, identifies an R1 response category i.e. Acceptable subject to normal good practice (i.e. system selection, construction, operation and maintenance in accordance with this CoP).

7.4.4. The T-test result was 25.88. A P-test was also carried out giving a result of 36.48. I consider the results to be consistent with the ground conditions observed on site. Section 3.2 of the Site Characterisation Form states the colour of the soil was brown indicating it is well aerated with good drainage. Though the trial hole and percolation test holes appear to have been filled in, the rear portion of the site comprises an agricultural field with no indication of, for example, water ponding, outcrops etc. Table 6.4 (Percolation Values) of the Code of Practice states that, based on the T-test result, the site may be suitable for the development of a septic tank system and percolation area, a secondary treatment system and soil polishing filter and a tertiary treatment system and infiltration/treatment area all of which are discharging to groundwater. Section 5.0 (Recommendation) of the Site Characterisation Form recommends that an O'Reilly Oakstown EN Certified Septic Tank and percolation area be constructed on site in accordance with EPA guidelines 2021.

7.4.5. Overall, I am generally satisfied that the Applicant's proposals for the disposal and treatment of wastewater are acceptable. However, should the Board be minded to grant permission for the proposed development, I would recommend the inclusion of a condition which shall require the design and installation of the proposed WWTS to comply with the EPA Code of Practice Domestic Waste Water Treatment Systems, Population Equivalent ≤ 10 (2021).

7.5. Appropriate Assessment

7.5.1. The nearest designated site is the River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299), c. 900m to the west of the site. The River Boyne and River Blackwater Special Protection Area (SPA) (Site Code: 004232) is also located c. 900m to the west of the site. I note the un-serviced nature of this rural location which means that the site does not benefit from access to public mains

drainage or water supply. I also acknowledge the prevalence of agricultural activities and a number of one-off dwellings in the immediate vicinity.

- 7.5.2. Despite these factors, I am nonetheless of the opinion that taking into consideration the modest nature, extent and scope of the proposed development and based on best scientific information alongside having regard to the documentation on file which includes a Site Characterisation Report, 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

I recommend that the planning application be refused for the following reasons and considerations.

9.0 Reasons and Considerations

The site of the proposed development is located within an “Area Under Strong Urban Influence” as set out in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April 2005 and is identified as a ‘Rural Area Under Strong Urban Influence’ in the Meath County Development Plan 2021-2027. Furthermore, the subject site is located in an area that is designated as an area 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 single housing in the countryside, based on the core consideration of demonstrable economic or social need to live in a rural area and the viability of smaller towns and rural settlements. Having regard to the documentation submitted with the planning application and appeal, the Board is not satisfied that the Applicant has a demonstrable economic or social need to live in this rural area, or that the housing need of the Applicant could not be met in a smaller town or rural settlement. It is considered, therefore, that the Applicant does not come within the scope of the housing need criteria as set out in the

Guidelines and in national policy for a house at this location. In addition, the proposal is contrary to Policy RD POL 1 as the Applicant has not demonstrated compliance with the applicable qualifying criteria as set out in Section 9.4 of the Meath County Development Plan 2021-2027. The proposed development would result in a haphazard and unsustainable form of development in an un-serviced area, it would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment that is sensitive to change, and it would give rise to inefficient and unsustainable provision of public services and infrastructure at remote from settlement locations. The proposed development is therefore contrary to the proper planning and sustainable development of the area.

Enda Duignan

Planning Inspector

18/10/2022