



An
Bord
Pleanála

Inspector's Report

ABP-317186-23

Development	A two-bed single family passive house, game larder, greenhouse, effluent treatment system & percolation are an associated works.
Location	Lisdornan, Julianstown, Co. Meath.
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	23/241
Applicant(s)	Greg Jackson & Fiona Roche.
Type of Application	Full Permission.
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Greg Jackson & Fiona Roche.
Observer(s)	<ol style="list-style-type: none">1. Declan & Audrey Mc Grath2. Anne Reid3. Joseph and Mairead Leonard4. East Meath Ladies Sea Swimming Club5. Peter Madden

6. Paul Fennell

Date of Site Inspection

26th of July 2023.

Inspector

Karen Hamilton

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1.0 Site Location and Description

1.1. The site is an agricultural field (0.43ha) located c. 2 km to the southwest of Julianstown, Co. Meath. The site is along the side (west) of a local road, to the north of an existing one-off dwelling and south of agricultural fields. It has a relatively flat topography and is bound by mature trees and hedging. A drainage ditch runs along the front of the site, adjoining the local road.

2.0 Proposed Development

2.1. The proposed development would comprise of:

- A two-bed single family passive house, game larder, greenhouse, effluent treatment system & percolation area and all other associated works.

3.0 Planning Authority Decision

3.1. Decision

Decision to refuse permission for one reason as stated below:

1. The application site is located in a rural area outside any designated settlement and in a rural area as defined in the Meath County Development Plan 2021-2027 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 site specific rural generated housing need for a dwelling at this location. The proposed development would 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.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The report of the area planner reflects the decision to refuse permission and is summarised below:

- The applicant has not supplied sufficient information to establish a link between the culling of deer and the need to live on the subject site.
- The second applicant has not supplied sufficient information to support the applicant that there is an established need to live at this location.
- The design, layout and siting if the dwelling and game culling operation are in line with the Meath Rural Design Guide.
- The proposal will have no impact on any recorded monuments in the surrounding area.

3.2.2. Other Technical Reports

Transportation Section: No objection subject to conditions.

3.3. **Prescribed Bodies**

None received.

3.4. **Third Party Observations**

6 no submissions were received on the application. These third parties have also submitted observations to this appeal. I note the information in these observations is similar to the issues raised in the observations which have been summarised below in Section 6.4.

4.0 **Planning History**

SA/803233

Outline permission refused for a one-off dwelling to Declan & Audrey Mc Grath.

SA/60150

Permission granted for the decommissioning of a septic tank, percolation area and replacement with a new proprietary septic land and revised boundary to Declan & Audrey Mc Grath. Extension of Decision granted in 2011.

SA/60149

Outline permission granted in 2006 for a one-off dwelling to Daragh Mc Grath

SA/50341

Outline permission granted in 2005 for a one-off dwelling to Daragh Mc Grath

5.0 Policy Context

5.1. EPA Code of Practice for Domestic Wastewater Treatment Systems 2021

5.2. Project Ireland 2040, National Planning Framework (NPF)

NPO19 seeks 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’

5.3. Sustainable Rural Housing Guidelines for Planning Authorities (2005)

- A distinction to be made between ‘Urban Generated’ and ‘Rural Generated’ housing need.
- Appendix 3 sets out that in areas under strong urban influence, urban generated development should be directed to areas zoned for new housing

development in cities, towns and villages in the area of the Development Plan.

5.4. Meath County Development Plan 2021-2027

5.4.1. Land Use Zoning

The site is located on land use zoned as RA, Rural Area, where it is an objective “*To protect and promote in a balanced way, the development of agriculture, forestry and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage*”.

- Map 9.1: The site is located in a Rural Area Under Strong Urban Influence

5.4.2. Settlement and Housing Strategy Vision

Section 3.2: To facilitate the sustainable growth of the towns and villages throughout the County by promoting consolidation and compact development in an attractive setting that provides a suitable mix of housing and supporting amenities and ensuring coordinated investment in infrastructure that will support economic competitiveness and create a high-quality living and working environment.

5.4.3. Area 1: Rural Areas under Strong Urban Influence

RD POL1: 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 POL2: 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.

5.4.4. Persons who are an intrinsic Part of the Rural Community

Section 9.4 sets out Criteria where the applicant should satisfy the Planning Authority, they can meet in order to apply for individual dwellings as summarized below:

- Demonstrate a genuine need to live in a location based on significant involvement in agriculture.
- Can demonstrate significant employment in blood stock and equine industry,

- Local links to the area where they have spent a substantial period of their lives as members of the established local community,
- Who are originally from rural areas with close family ties to the area
- Have which is rurally based and want to build their first home.

5.4.5. Development Assessment Criteria

- 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.

5.5. Natural Heritage Designations

The site is located:

- c.2.4km to the southwest of Laytown Dunes/Nanny Estuary (site code 000554);
- c.3.2km to the southwest of the River Nanny Estuary and Shore SPA (site code 00415);

5.6. EIA Screening

The proposed development is of a class under Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, namely Class 20. Infrastructure

projects, (b)(i) construction of more than 500 dwelling units. However, as the proposed development comprises a single dwellinghouse and game larder, it is significantly subthreshold the 500-unit limit provided under this part or other part related to agriculture/ equine activity. Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive 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 grounds of appeal are submitted from the applicant in relation to the refusal of permission. The submission is summarised as follows:

6.2. Adequacy of information regarding local needs

- The specific nature of the business is elaborated.
- Sufficient copies of the business have been submitted these include copies of Game Management Plans, training certificates and Food Safety Training.
- The proposal is not for a culling service, it relates to a game management service which involves a wide range of works relating to surveys, plans, meetings etc.
- Letter of support from local agriculture and tourism facilities have been submitted.
- The current clients are within 3km of the site.

6.3. The Local Needs Policy context and assessment is overly narrow and not sufficient to formulate and adequate appeal.

- Meath County Council do not give adequate consideration of Circular SP5/08 in their Planning Report. (Rural Housing Policies and Local Need Criteria in Development Plans: Conformity with Articles 43 and 56 (Freedom of

Establishment and Free Movement of Capital) of the European Community Treaty, DoEHLG 30/09/2008)

- The pre-existence of a business is not needs to comply with local needs criteria. Extracts from the circular are submitted.
- The planning report makes not reference of SP5/08 other than the occupancy condition and there is sufficient information on the file to address the criteria under SP5/08.

6.4. Inaccuracies in the planning report

- Preplanning was undertaken in the form of email and telephone correspondence.
- Bank statements have been submitted showing Fionsa address going back 15 years.

6.5. Preplanning

- Three email correspondence informed the preplanning.
- There was opportunity to request additional information.

6.6. Other issues

- It is noted that all other issues are acceptable.
- The proposal is not ribbon, the design is acceptable, there is no impact on biodiversity, heritage, flood, site services etc.
- The proposal relates to a passive house which offers an environmental exemplar in a rural context.

6.7. Accompanying information.

The grounds of appeal are accompanied by the following supporting information.

- Planning Application Form
- Planning Memo/ Submission which accompanied the planning application.
- Local Needs document: A breakdown on how the applicants can meet the local needs criteria.

- Design Memo: A background on the evolution of the design of the proposed dwelling and the compliance with the rural housing policy. This includes examples of the design of the game larder.
- Copies of those certificates etc to inform the local needs criteria.
- Copy of a Preliminary Wildlife Management Plan
- Bank account details for both applicants
- School attendance and local sports participation
- Copy of Circular SP 5/08
- Preplanning records
- Applicants book on Irish Deer
- Drawings.

6.8. Applicant Response

6.8.1. The applicant is the appellant.

6.9. Planning Authority Response

6.9.1. A response was received from the planning authority (PA) which is summarised below:

- A site description is detailed.
- The Chief Executive Order and reason for refusal is noted.
- The comments raised in the appeal have been substantially addressed in the Planning Report 27th of April 2023.
- The PA request the proposed development is refused.

6.10. Observations

6.10.1. Six observations have been received on the appeal. Three observations have been submitted in support of the proposed development from the owner of the site, a local sea swimming club and a resident of the local area. Three observations, submitted

by residents previously or currently in the vicinity of the site, are submitted in support for the refusal by Meath County Council. The issues raised are similar and have been summarised under the following common themes.

Support for the proposed development

6.10.2. Incorrect/ Unfair Objections

- As the owner of the site there has been unfair harassment.
- The adjoining owner is only objecting as they want to buy the site at agricultural prices.
- Planning notices have been removed from the site, these had to be checked daily.
- There is no legal restriction on building on the site.
- The objections are for personal gain rather than planning reasons.

6.10.3. Support for applicant's local needs

- Fiona has been an integral part of the local community, her children both attended school in the local area and she is the founder of a local sea swimming club and member of the Julianstown Drama Group.
- Fiona is well known in the local area and was involved in many of the children's activities and helped at local events. She is a positive contributor to the local community.

Support for Meath County Council refusal

6.10.4. Legal position regarding the site

- There are different vendors on the site who signed a contract to state that no building could be built greater than 6 feet and remain for agriculture.

6.10.5. Proposed Business and compliance with the development plan

- There currently three other licenced deer wardens/ rangers living in the parish of Julianstown and Stamullen for many years.
- There are six established abattoirs within 1hr drive of the site.
- The need for this business is not justified at this location.

- There is inadequate information in the grounds of appeal to indicate that the operation of the game management/ deer culling should be at this location.
- The applicant currently operates out of Drogheda, an urban location.
- There are no details of the operation of the game management business e.g., employees, cleaning facilities etc.
- The proposed works should be undertaken in a licenced abattoir and not in a game larder beside a dwelling.
- The applicant's source of income, business registration details, charges for the business are raised.
- The townland of Lisdornan does not currently have a deer population.
- There is insufficient information to indicate a location specific need for a dwelling at this location.
- There is no evidence to suggest the business is full-time employment.
- The applicant contests this is a full-time business.
- The subject site does not immediately adjoin the golf course or the dairy farm.

6.10.6. Local Needs

- Fiona is employed in a hospital in Santry which is an urban generated employment.
- There is no evidence either applicant has long established links to the area or ties to Lisdornan.
- Fionas children attended school in Juliastown and Stamullen, different parishes.

6.10.7. Validity of application

- The original application should have been declared invalid by Meath.
- The grant of outline permission has long lapsed and has no relevance to the application.
- The applicant should have paid business fee in addition to a residential fee for the application.

- The development description does not indicate that there will be a business at this location.
- The application form was not filled in correctly.

6.10.8. Impact on the natural heritage and landscape

- The proposal will have a negative impact on the landscape and visual amenity of the area.
- The proposal will have a negative impact on watercourse.
- A new commercial build will impact the rural environment.
- There is a significant number of one-off dwellings permitted in this area and will become overdeveloped.
- The landscape value is high, and the impact has not been addressed.
- The proposal includes the removal of trees at this site which will have a negative impact on the biodiversity.
- There is a network of streams and road drains running into the River Nanny and the SPA.

6.10.9. Attachments

- One submission was accompanied by a range of documentation including:
 - A copy of the planning application form,
 - The site notice and photographs,
 - Auctioneer letter,
 - Planning history documents,
 - Fee paid for application form.
 - Email from the applicant RE: architect services,
 - Copy of information from website Irish Wildlife Management,
 - Reason for refusal SA/803233,
 - Observer's submissions to Meath County Council,

- Applicants' submission form and planning memo submitted to Meath County Council as part of their application.

6.11. Further Responses

No further responses

7.0 Assessment

7.1. I consider that the main issues in this case are as follows:

- Principle of Rural Housing Need
- Wastewater
- Other
- Appropriate Assessment.

7.2. Principle of Rural Housing Need

Introduction

- 7.2.1. The proposed development is for a one-off rural dwelling in the countryside, close to the settlement of Julianstown. The subject site is located along the west of a local road bound by mature trees and hedges. The Lisdornan townland is located to the west of the M1 and close to the settlements of Julianstown and Stamullen.
- 7.2.2. Map 9.1 of the Meath County Development Plan 2021-2027 includes the site in Area 1 which has been designated as a Rural Areas under Strong Urban Influence. The local needs criteria for persons to live in this area is detailed in Section 9.4 of the development plan and Policy RD POL1 requires 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.
- 7.2.3. The applicant has applied for a one-off house based on both one applicant's need to live in a rural location based on rural (home-based) enterprise and the second applicant's previous links to the immediate area. Supporting documentation has been submitted with the application and reiterated with the grounds of appeal.

- 7.2.4. Meath County Council refused permission for the proposal as it was considered the applicant had not established a site specific rural generated housing need to live at this location. The reason for refusal refers to both the Sustainable rural housing guidelines and the Meath County Development Plan. The grounds of appeal are submitted by the applicant in relation to this reason for refusal.
- 7.2.5. The grounds of appeal include documentation, similar to the application, as evidence of the applicants rural housing need. The applicant considers the operation of the game management business necessitates location on this site. The applicant argues that there is sufficient information as justification to demonstrate this need and they consider the PA report does not elaborate sufficiently to justify why the proposal was refused. The second applicant (Fiona) submitted documentation as qualifying for local needs. I have addressed both applicant's justification separately below.

Applicants Housing Need

- 7.2.6. As stated above, the local needs criteria for individual houses in areas under strong urban influence is detailed in Section 9.4 of the development plan. Applicants may qualify as being an intrinsic part of the local community where they can demonstrate local links to the area where they have spent a substantial period of their lives.
- 7.2.7. Documentation accompanied the application and appeal indicating that Fiona's children attended primary school in Bellewstown from 2008 to 2025 and college in Gormanstown between 2015 to 2021. Doctors' letters and membership drama club in Bellewstown have also been submitted. Bank statements from the applicant with addresses in Drogheda, Julianstown and Bellewstown. Observations have been submitted with letters of support for Fiona's connections to the local area through the children's school and her activities.
- 7.2.8. The report of the PA notes that Fiona had owned a house (sold in 2008), the information on the applicant's children and doctors' surgery and considered these where insufficient to establish that she is an established member of the rural area.
- 7.2.9. I note that qualifying criteria in Section 9.4 of the development plan is intended to support and recognize the importance rural people have with the parish, townland, or catchment of school. The applicants' document notes the children's past attendance at school in an adjoining rural node (Bellewstown) and village (Gormanstown), bank statements in the settlement of Julianstown, and membership of the East Coast

Swimming Club neither of which I consider are sufficient to specifically link the applicant to the rural area of Lisdornan. This qualifying criterion also requires the applicants have not possessed a dwelling in the past. Whilst the applicants indicate they do not currently own a dwelling (sold in 2008) the qualifying criteria require no ownership, and the applicant does not qualify under these criteria.

Need for the game management service at this location.

7.2.10. The second applicant has applied to qualify as having housing need based on the need to locate their business on the site. Section 9.4 of the development plan also permits an applicant to qualify to live at a rural location where it can be demonstrated that they have a genuine need to live in a location based on significant involvement in agriculture. The proposal as submitted includes a game larder to the rear of the garage. Documentation submitted in relation to the operation of the business includes:

- Companies Registration Office
- Letter of Support from Local Agriculture
- Information from the applicant's website www.irishwildlifemanagement.ie
- Certificates of competence for food safety.

7.2.11. The applicant has provided a significant amount of supporting information in relation to their current clients such as local Golf courses/ Dairy Farms who use his services for game culling and game management. Copies of Game Management Plans have been submitted. The report of the PA acknowledged the nature of the works as a rural based activity although considered there was a lack of documentation to indicate that the works had to be location specific and therefore the applicant had not established a local need. A number of observations submitted indicate that the applicant currently operates this business from an urban location, there are many abattoirs in that may be used in the locality, and this is not an appropriate location for this business.

7.2.12. I note the proposal includes a game larder, freezer, and preparation area as a separate area attached to the dwelling. The applicant states that this is a home-based enterprise and should have been considered by the PA under Circular

SP5/08¹ and they consider the refusal does not comply with this policy. I note the information contained in this circular (attached copy to the grounds of appeal) relates to the need for the Planning Authority to consider certain rural housing policies (home-based activities) when drafting their rural housing policy and consider the applicants need to locate a rural business in the country. I note this circular relates to the specifics of development plan policy rather than the implementation of current policy. It is my opinion that this is a matter for a development plan review and not a matter for the Board.

- 7.2.13. As stated above, Section 9.4 requires that the applicant clearly demonstrates a genuine need for a dwelling on the basis that they are significantly involved in agriculture and natural resources related employment. I note the applicants work is predominantly rural based which includes site inspection and culling whilst other aspects relate to the drafting of management plans for rural businesses. I do not consider any of these activities have specific links to the subject site and indeed can be undertaken at various locations. In relation to the need for the game larder/preparation area, I would have concerns in relation to the location of this activity at this location. No details on the numbers of animals to be culled, the treatment of waste etc have been submitted and I have concerns in relation to the scale and nature of works, the potential for negative impact on the rural area and the adjoining residential property to the south.
- 7.2.14. Having regard to the nature and scale of the works proposed, I do not consider the applicant has adequately justified that this agricultural activity is site specific for this location and the need to live at this location is based on a genuine need. I do not consider the applicant can meet the local needs criteria in Section 9.4 of the development plan.
- 7.2.15. RD POL 1 and RD POL 2 of the development plan supports the individual house needs in areas under strong urban influence, of those who are intrinsic part of the rural community while directing urban generated housing to areas for new housing in towns and villages in the area. Having regard to the assessment above, where the

¹ Rural Housing Policies and Local Need Criteria in Development Plans: Conformity with Articles 43 and 56 (Freedom of Establishment and Free Movement of Capital) of the European Community Treaty, DoEHLG 30/09/2008

applicant cannot meet the criteria in Section 9.4, I consider the proposal is contrary to these settlement policies of the development plan.

National Planning Framework

- 7.2.16. The definition for rural housing need is further elaborated in national policy and NPO 19 of the NPF² requires applicants within rural areas under urban influence to have a demonstrable economic or social need to live in a rural area, having regard to the viability of the smaller towns and rural settlements. Having regard to the absence of any genuine agricultural based activity on the site, I do not consider the applicant has demonstrated an economic need to live at this location.

Conclusion

- 7.2.17. Therefore, having regard to the location of the site within an area under strong urban influence, NPO 19 of the NPF, Policy RD POL1 and RD POL 2 of the development plan and the Local Needs Qualifying Criteria as set out in Section 9.4, I do not consider either applicant has demonstrable economic or social need to live at this rural location.

7.3. **Wastewater**

- 7.3.1. The proposed development includes a packaged secondary treatment system and polishing filter area designed for 4 persons. A site characterisation form was submitted with the application which states that the soil type is Glaciofluvial sands & gravel. The aquifer category is *poor*, and the vulnerability is *extreme*. The groundwater protection response is '*R2*¹', i.e., (Table E1 of the EPA CoP) would generally indicate that the soils are acceptable subject to normal good working practice with particular attention given to the depth of subsoil over bedrock so that the minimum depths required in Chapter 6 of the EPA are met.
- 7.3.2. The trial hole assessment submitted by the applicant encountered no bedrock at a depth of 2.1m. Groundwater was not encountered at 1.7m. The trial hole tests were not available for inspection. The Board will note the site is relatively flat the road and there was no evidence of ponding etc where evident on the site. Section 4 of the

² Project Ireland, 2040, National Planning Framework (NPF)

submitted site characterisation records a sub-surface (T-Test) value of 18.00 min/25mm.

7.3.3. Section 6.3 and Table 6.2 of the EPA CoP (2021) includes the minimum separation distances from the entire DWWTS (periphery of tanks/ plant and infiltration/treatment area). The key minimum distances relevant to this proposed development are listed below:

- Open Drain or drainage ditch 10m,
- On-site dwelling house 10m (infiltration/treatment area),
- Neighbouring dwelling house 7m (tank/plant), 10m (infiltrations/treatment area),
- Surface water soakaway 5m (the soakaway should be ensured that this distance is maintained from the neighbouring stormwater disposal areas or soakaways).

7.3.4. In relation to the above I consider the proposed development can comply with the minimum separation distances in Table 6.2.

7.4. **Other**

7.4.1. Validity of the application: The absence of any reference to the proposed business in the development description is raised in the observations. In addition, it is noted the applicant has not submitted the appropriate planning fee or a business application. The applicant's description to the grounds of appeal included references to home-based activity. Whilst the validity of the application, in terms of the fee accepted, is a matter for the PA, I consider the application had sufficient information to inform the public of the applicant's general business proposal on the site.

7.4.2. Legality of application: The legality of applying for a house on the site is raised in an observer's submission. In terms of the legal interest, I am satisfied that the applicants have provided sufficient evidence of their legal interest for the purposes of the planning application and decision. In any case, this is a matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act.

- 7.4.3. Impact of landscape, biodiversity, and rural setting: The site is an agricultural field with mature trees and hedging along the road boundary. The impact on landscape, biodiversity and rural setting have not been raised by either the PA or the grounds of appeal. The impact of the proposal on the rural environment has been raised in some of the observers' submissions. It is considered that the PA has not fully addressed the application with regard other potential impacts. The Board will note the principle of development assessed above and the substantial reason for recommendation for refusal. This aside, in the event the Board considers the proposal acceptable any grant of permission should require the retention of mature trees and hedging where appropriate.
- 7.4.4. Development Assessment Criteria: Section 9.5.1 of the Meath County Development Plan provides a list of development management criteria the PA must consider when assessing an application for a one-off dwelling. The grounds of appeal note the proposal can meet with the rural housing design criteria etc. I note this development criteria requires compliance with the local housing needs criteria in Section 9.4 and whilst there may be no ribbon development concerns etc, I do not consider the principle of development acceptable.
- 7.4.5. Pre-Planning: The grounds of appeal have submitted evidence of preplanning correspondence undertaken with the PA. They consider they undertook sufficient pre planning and were under the impression that an application would be successful. I consider the matter of preplanning and those discussions are a matter for the PA . This aside, no final assessment and/or determination would be undertaken until an application was submitted.

7.5. **Appropriate Assessment**

- 7.5.1. The site is located c.3.2km to the southwest of the River Nanny Estuary and Shore SPA (site code 00415). The report of the PA included a screening for Appropriate Assessment and concluded no likely significant effect on any European Site. Observations submitted note the location of the drainage ditch along the front of the site and consider this forms part of a wider hydrological network which flows into the River Nanny. I note the location of the Mosney Tributary, located c.200m to the east

of the site, beside the M1. The drainage ditch is not connected into this tributary and have regard to the scale of the ditch I do not consider it is a hydrological connection.

7.5.2. The site characterisation form indicates that foul water can be adequately treated on the site. The site is not connected to any adjoining European Sites by any hydrology, and I do not consider there is any source-pathway-receptor.

7.5.3. Having regard to the location, scale and nature of the proposed development it is considered that no appropriate assessment issues arise. The proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

8.1. I recommend that planning permission should be **REFUSED** for the reasons and considerations set out below.

9.0 Reasons and Considerations

1. Having regard to the location of the site within an “Area Under Strong Urban Influence” as identified in the Sustainable Rural Housing Guidelines for Planning Authorities issues by the Department of the Environment, Heritage and Local Government in April, 2005 and to National Policy Objective 19 of the National Planning Framework, for rural areas under urban influence, seeks 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 in an area where housing is restricted to persons demonstrating local need in accordance with the relevant objectives in Section 9.4 of the Meath County Development Plan 2021-2027, it is considered that it has not been sufficiently demonstrated that either applicant comes within the scope of the housing need criteria as set out in the National Planning Policy or Policy RD POL1 and RD POL 2 the Development Plan for a house at this location. In the absence of an identified locally based, site specific economic or social need to live in the area, it is considered that the proposed development would contribute to the development of random rural housing in the area, would exacerbate the existing excessive development

and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Karen Hamilton
Senior Planning Inspector

31st of July 2023.