



An  
Bord  
Pleanála

## Inspector's Report

### ABP-320043-24

#### Development

The construction of a new single storey pitched roof education and amenity building and associated site development works, including the widening and upgrading of the existing gated entrance, a new car parking area and cycle parking, a new sewerage and surface water treatment system and an area dedicated to glamping consisting of the construction of a small single storey open-air shelter and an area reserved for up to 8 no. glamping tents.

#### Location

The Paddocks, Kilbrew, Ashbourne,  
Co Meath

#### Planning Authority

Meath County Council

#### Planning Authority Reg. Ref.

24135

#### Applicant(s)

Aine Faughnan & Nessa McNamara,

#### Type of Application

Permission

#### Planning Authority Decision

Grant permission

<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	John Egan Noel & Margaret Farrelly and Others
<b>Observer(s)</b>	Andrew and Riona Lynch
<b>Date of Site Inspection</b>	9 <sup>th</sup> October 2024
<b>Inspector</b>	Emma Nevin

## **1.0 Site Location and Description**

- 1.1. The appeal site is located in the rural townland of Kilbrew to the southeast of Ashbourne. The site is accessed via the L-50072 local road. The subject site comprises a field/grassland currently in agricultural use. Within the overall landholding is an existing detached stable building to the front of the proposed site, with an existing single storey detached dwelling to the northeast of the proposed site. The area is characterised by agricultural lands and detached dwellings, with dwellings either side of the appeal site.

## **2.0 Proposed Development**

- 2.1. The development consists of the construction of a new single storey pitched roof education and amenity building with a stated floor area of 225 sq. m.
- 2.2. Associated site development works are proposed, including the widening, and upgrading of the existing gated entrance, a new car parking area for 13 vehicles and cycle parking. A new sewerage and surface water treatment system and an area dedicated to glamping consisting of the construction of a small single storey open-air shelter and an area reserved for up to 8 no. glamping tents.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. The Planning Authority granted permission, following further information request, on 4<sup>th</sup> June 2024, subject to 11 no conditions which included the following:
- Condition 2 relates to the use of the educational space and the glamping pods.
  - Condition 3 relates specifies a time limit on the maximum holiday stay of the glamping pods.
  - Condition 4 relates to the Wastewater Treatment System.
  - Condition 5 relates to finishes.
  - Condition 6 relates to surface water drainage.

- Condition 7 relates to construction works and noise control during construction.
- Condition 8 relates to landscaping.
- Conditions 9, 10 and 11 relate to Section 48 Development Contributions.

### 3.2. Planning Authority Reports

- 3.2.1. Planning Reports dated 17<sup>th</sup> April 2024 and 31<sup>st</sup> May 2024 have been provided.
- 3.2.2. This planning application was assessed under the Meath County Development Plan, 2021 – 2027, as amended by variations.
- 3.2.3. The original planning report considered it necessary to seek further information on the following items:
  - To submit a revised layout plan and amended red line boundary indicating the location of the proposed 8no. glamping pods and any hardstanding areas proposed.
  - To submit further details in relation to the proposed multi-use education and well-being space in relation to opening hours, number of classes proposed etc.
  - To submit a revised site layout with car parking to serve the 8 no. glamping pods and the 24no. people that will use the multi-function building, when attending classes or courses.
  - To submit details of the traffic that the proposed development will generate.
  - To provide EV charging points at a rate of 20% of the overall parking provided.
  - A number of third-party submissions have been received. The applicant was requested to address the issues raised.
- 3.2.4. The further information was not deemed significant, therefore new statutory notices were not required in this instance.
- 3.2.5. The second planning report was satisfied with the further information response and considered that *“the overall proposal is considered acceptable and generally*

*complies with the policy and objectives of Meath County Development Plan 2021 - 2027".*

3.2.6. Accordingly, the planners report concluded that the development be granted subject to 11 conditions outlined in Section 3.1.1 above.

3.2.7. Other Technical Reports:

The planning report indicates that the following were consulted during the assessment of the planning application:

- Transportation Section: Further information required – following receipt of further information, no objection.
- Environment Section: No report received.
- Public lighting: Report received – no comments.

3.2.8. Prescribed Bodies:

No referrals indicated.

### **3.3. Third Party Observations**

3.3.1. 4 no. third-party submission was received, the key points raised as follows:

- Traffic increase on a narrow lane.
- Vague on educational class - how many classes or events.
- Entrance does not have adequate sightlines.
- No water harvesting or EV charging points.
- Set a precedence.
- Sites more suitable in urban areas.
- Impact on wildlife.
- Wastewater disposal.
- Noise.
- Archaeological impact.
- Cumulative impact.

- Overlooking.

## 4.0 Planning History

- 4.1. No recent planning history on site.

## 5.0 Policy Context

### 5.1. Development Plan:

- 5.1.1. The applicable Development Plan is the Meath County Development Plan 2021 – 2027 (adopted 22<sup>nd</sup> of September 2021), as amended by Variation no. 1 and 2 to the Meath County Development Plan – adopted on the 13th of May 2024.

I also note that draft variation no. 3 to the Meath CDP 2021-2027 has been published (submission period closed 18<sup>th</sup> November 2024).

The site is located on lands zoned "RA" - 'Rural Area' in the Development Plan, with a stated objective *“To protect and promote in a balanced way, the development of agriculture, forestry and sustainable rural-related enterprise, community facilities, biodiversity, the rural landscape, and the built and cultural heritage”*.

*“The primary objective is to protect and promote the value and future sustainability of rural areas. Agriculture, forestry, tourism and rural related resource enterprises will be employed for the benefit of the local and wider population. A balanced approach involving the protection and promotion of rural biodiversity, promotion of the integrity of the landscape, and enhancement of the built and cultural heritage will be adopted”*.

- 5.1.2. The application site is located within the Central Lowlands Landscape Character Area 4 – the site has a moderate landscape sensitivity and a high landscape value.

### 5.2. Relevant Sections/Policy and Objectives:

- Chapter 4 Economic Development Strategy - Section 4.26 Vision for Tourism  
“The Plan seeks to facilitate the further development of the County as the gateway to Ireland's Ancient East. It is proposed to promote and facilitate the development of sustainable tourism and recreation and support the development of the Boyne Valley Bucket list through the provision of a diverse

range of activities, historic sites and accommodation types within the County. Improvements to the tourist experience of the County and increases in overnight stays will positively influence the creation of new and varied employment opportunities throughout the County. Meath County Council will endeavour to facilitate new tourist attractions which have regard to the rural character of the area, such as the opening of historic houses or gardens to the public, farm visits, museums and interpretation centres”.

- ED POL 41: To co-operate with Failte Ireland, Tourism Ireland, Boyne Valley Tourism, Louth County Council, and any other relevant bodies in the implementation of the Boyne Valley Tourism Strategy 2016-2020 and Ireland's Ancient East Programme.
- Section 4.11 Rural Enterprise
- ED POL 16 - To support the location of a once off medium to large-scale rural enterprise only in instances where it is demonstrated, to the satisfaction of the Council, that the enterprise can be more readily accommodated in a rural setting than in a designated settlement centre and subject to standard development management considerations being applied.
- ED POL 17 - To support in conjunction with Meath LEO and other agencies the development of indigenous industry and business start-ups in rural employment centres (villages and settlements) in the County, subject to compliance with siting, design and environmental considerations
- ED POL 18 - To support rural entrepreneurship and the development of micro businesses (generally less than 10 no. employees) in rural areas where environmental and landscape impact is minimal and such developments do not generate significant or undue traffic. This policy shall not apply to sites accessed from the National Road Network.
- ED POL 19 - To support and facilitate sustainable agriculture, a horticulture, forestry, renewable energy and other rural enterprises at suitable locations in the County.

- ED POL 20 - To support the implementation of the new LEADER Rural Development Strategy 2014 2020 and any subsequent amended/updated Strategy for the County.
- ED POL 21 - To support the Department of Rural and Community Development in the identification of other potential REDZ zones across the County and assist local communities to prepare for future funding opportunities.
- ED POL 22 - To support all relevant stakeholders in the development of a programme of Agri Innovation/ Agri-Tech, Agri-Green, Food Innovation, and Niche Food for consumers.
- ED POL 23 - To support the development of activity tourism facilities, in appropriate locations, within the County subject to standard development management considerations being applied.
- ED POL 24 To consider, on their individual merits, the reuse of redundant agricultural buildings and the development of new buildings to accommodate farm diversification / enterprise within an overall farmyard complex.
- ED POL 25 - To support sustainable game and coarse angling throughout the Boyne Valley in County Meath in line with normal planning considerations so as to enhance and support angling tourism in addition to protecting and raising awareness of aquatic based species and habitat improvement.
- ED POL 26 - Meath County Council shall positively consider and assess development proposals for the expansion of existing authorised industrial or business enterprises in the countryside where the resultant development does not negatively impact on the character and amenity of the surrounding area. In all instances, it should be demonstrated that the proposal would not generate traffic of a type and amount inappropriate for the standard of the access roads. This policy shall not apply to the National Road Network.
- Section 4.27 Tourist Infrastructure
- ED POL 42 - To facilitate the development of tourism infrastructure such as accommodation, restaurants, car and coach parking and toilet facilities in the designated hubs throughout the County.



- ED POL 43 - To promote the development of sustainable tourism and encourage the provision of a comprehensive range of tourism facilities, subject to satisfactory location, siting and design criteria, the protection of environmentally sensitive areas and areas identified as sensitive landscapes in the Landscape Character Assessment for the County. (Refer to Chapter 8 Cultural Heritage, Natural Heritage, Landscape and Green Infrastructure and Appendix 5 Landscape Character Assessment).
- ED POL 44 – To support the development of new tourist facilities or upgrading/ extension of existing tourist facilities at tourist sites within the County such as the Hill of Tara, Loughcrew and Trim Castle in conjunction with OPW and DCHG in accordance with the National Monuments Acts 1930 to 2014 and with proper Planning and sustainable development principles. These facilities should avail of shared infrastructure and services where possible and will be designed to the highest architectural and design standards.
- ED POL 45 - To encourage new and high-quality investment in the tourism industry in the County with specific reference to leisure activities (including walking, cycling, angling, equestrian and family focused activities) and accommodation in terms of choice, location and quality of product.
- ED POL 46 - To work with all relevant stakeholders and Failte Ireland to facilitate the erection of standardised signage for tourism facilities and tourist attractions as part of National and Regional initiatives.
- ED POL 47 – To encourage the clustering of tourism products and services within identified hubs and nodes to facilitate the sharing of infrastructure and services where possible, to increase linkages within and reduce leakage from the local economy.
- ED OBJ 74 – To support the development of sustainable tourism and encourage the provision of a comprehensive range of tourism facilities, subject to satisfactory location, siting and design criteria, the protection of environmentally sensitive areas and areas identified as sensitive landscapes in the Landscape Character Assessment for the County. (Refer to Chapter 8

Cultural Heritage, Natural Heritage, Landscape and Green Infrastructure and Appendix 5 Landscape Character Assessment).

- Section 4.29.2 Holiday Homes - With the possible exception of the coastal strip, the County is not under significant pressure for second home or holiday home development. It is recognised that there is a market for small, short term let holiday home complexes associated with a particular tourist attraction in areas such as the equine industry. Applications for such developments will only be considered in suitable locations including towns, villages and rural nodes and where there is an existing established visitor attraction in operation.
- ED POL 64 – To facilitate the development of a variety of quality tourist accommodation tourist types, at suitable locations, throughout the County.
- ED POL 67 – To encourage touring/holiday vehicles, caravan, and camping sites to locate adjacent to or within existing settlements or established tourism facilities, having due regard to surrounding land uses and proper Planning and development of the area.
- ED POL 70 – To ensure that the provision any accommodation (ED POL 69 refers), shall not be occupied as permanent place of residence. This accommodation type will in any event only be considered favourably in the case of refurbishment and adaptation of a Protected Structure or group of structures within attendant grounds for tourism use.
- ED POL 71 – To encourage proposals to reinstate, conserve and/or replace existing ruinous or disused dwellings for holiday home purposes subject to normal Planning considerations relating to design, safe access and provision of any necessary wastewater disposal facilities.
- ED POL 72 – To require new holiday home / self-catering developments to locate within either established settlements or at established tourism / recreation facilities, other than those developments involving the renovation / conversion of existing buildings.
- ED POL 73 – Holiday home / self-catering developments on a farm holding shall be provided by farmhouse extension or by the utilisation of other existing

dwellings / structures on the property. Only where it has been demonstrated that these are not viable options, will permission be considered for new build development. Any new build development shall be in close proximity to the existing farmhouse.

### **5.3. Section 28 Ministerial Guidelines**

5.3.1. Having considered the nature of the proposal and the documentation on file, I am of the opinion that the directly relevant S28 Ministerial Guidelines and other related guidance are:

- Development Management Guidelines (2007).

### **5.4. Other relevant Guidance:**

- Design Manual for Urban Roads and Streets (2013).

### **5.5. Natural Heritage Designations**

5.5.1. The subject site is not located within nor proximate to a designated European Site. the closest such sites are:

- River Boyne and River Blackwater SAC & SPA (site code 002299) located approximately 13km north west of the subject site.
- River Boyne and River Blackwater SPA (siter code 004232) located approximately 13km north west of the subject site.

### **5.6. EIA Screening**

5.6.1. I refer the Board to Appendix 1 – Form 1 EIA Pre-Screening of this report.

5.6.2. Having regard to the nature and scale of the development comprising the construction of an education and amenity building, upgrading of the entrance, car and cycle parking area, new sewerage and surface water treatment system and an area reserved for up to 8 glamping tents there is no real likelihood of significant effects on the environment arising from the 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. Separate third party appeals have been received from John Egan and Noel & Margaret Farrelly and Others. The grounds of appeal contained within each appeal is summarised below.

6.1.2. Appeal by John Egan:

- Noise and Light pollution.
- Safety and security – anti-social behaviour.
- Negatively impact local wildlife.
- Privacy – the development would be in sightlines at the back of the appellant's house.
- Increased traffic on a narrow, single-lane, quiet country lane.
- Lack of clarity on the proposed of the development.
- Potential use of the site in off-season for the housing of undocumented people.
- The development would change the character of the area.

6.1.3. Appeal by Noel & Margaret Farrelly and Others:

- The applicant has opted to build a new building rather than repurpose the currently unused building.
- Necessary clarifications - a dog kennels is not operating from the site. A change of use would be required to use the current stables as a dog kennels. The reader is led to believe that the current substantial stables building similar in size to the proposed amenity building is already in use and cannot be utilized/repurposed as an amenity building.
- No significant green efficiencies proposed – its sustainability focus is questionable.

- Proposes to build a 34 sq. m. ancillary building in a previously undisturbed field which has a chimney in its design.
- The development is inappropriate for the location – site suitability.
- The site is located immediately beside an operational steelwork, which will impact on the peacefulness of the proposal.
- The number of dogs on site and potential to increase the number of dogs on site would cause disturbance for local wildlife. The proposal does not state if they are to be dog friendly or how will dogs be treated on site.
- The proposal is to be located on lands that area not zoned, in a rural area, and therefore the proposal is contrary to ED POL 36 and ED POL 37 of the Meath County Development Plan.
- The site is located closed to Emerald Park, and the lane is at tipping point of becoming overdeveloped with commercial/infrastructural structures and the traffic associated with Emerald Park.
- The development will be completely car dependent, and will significantly increase traffic along the laneway, the area is inappropriate for such proposals due to lack of public transport.
- Impact on the amenity of the laneway for current users, especially residents, walkers, cyclists, etc.
- The development will seriously injure the residential amenities of the adjacent properties and will depreciate the value of those properties and others in the vicinity – with particular reference to noise and potential loss of privacy and loss of view as a result of tree planting.
- Impact on archaeology in the area – greenfield site could reveal some previously unknown archaeology. The site has 7 national monuments within 350m and a further 2 national monuments within 500m of it. No archaeological survey has been requested by the Council.
- Water source.
- Position of the glamping pods.

- The proposal does not achieve sightline requirements.
- The additional entrance goes against Council policy of limiting access/egress points on roads with ribbon development.
- Insufficient parking requirement for use.
- Risk of incremental increase.
- Visual impact of the proposal.

## **6.2. Planning Authority Response**

- 6.2.1. A response was received from the planning authority dated 19<sup>th</sup> July 2024.
- 6.2.2. The Planning Authority notes the contents of the third-party appeal, all the matters raised therein have previously been addressed in the planners reports and the Planning Authority wishes to direct An Bord Pleanála to the content of same in response to this third-party appeal.
- 6.2.3. An Bord Pleanála are requested to uphold the decision of the Planning Authority to grant permission for the development.

## **6.3. Observations**

- 6.3.1. One observation was received from Andrew and Riona Lynch. The issues raised in the observations are summarised below:
- Jeopardies the viability of established equine business in the vicinity.
  - The development will be highly sensitive to horses.
  - Noise associated with the proposed development.
  - Security – sense of safety in own home and for business.
  - Traffic – increase in traffic will impact on amenity of road to local residents and for walking, cycling and bridle path for horses.

## 7.0 Assessment

7.1. Having inspected the site and considered the contents of the appeal, I consider the main issues which arise in relation to this appeal are as follows:

- I. Principle of Development, Suitability of Site & Compliance with Policy
- II. Impact on laneway, increased traffic, and sightlines
- III. Impact on adjoining residential amenity
- IV. Appropriate Assessment, and
- V. Miscellaneous Issues.

### 7.2. Principle of Development, Site Suitability & Compliance with Policy

7.2.1. The site is zoned “RA” lands with an objective ‘*to protect and promote in a balanced way, the development of agriculture, forestry and sustainable rural-related enterprise, community facilities, biodiversity, the rural landscape, and the built and cultural heritage*’.

The policy objective goes on to state that it is a primary objective to promote the value and future sustainability of rural areas, through agriculture, tourism, and rural related enterprises for the benefit of the local and wider population.

7.2.2. The proposal encompasses an agri-tourism, education, and well-being business in the form of the amenity building, which will provide a platform for individuals to learn, rejuvenate and engage with the rural environment. It also provides on-site accommodation for the users of the amenity building, in the form of the proposed 8 no. glamping pods and the ancillary building which are located to the rear portion of the appeal site.

7.2.3. Having regard to the rural zoning of the site, I note that the following proposed uses are permitted in principle under the ‘RA’ objective, i.e. agri-tourism and caravan and camping parks and as such are considered acceptable in principle. Education use is open for consideration under the zoning objective. The proposed education element is an ancillary element to the overall proposal and in this instance, I also consider that this proposed use to be acceptable in principle under this zoning objective.

- 7.2.4. The appellants query the suitability of the site for this proposal and compliance with Development Plan policy. However, having regard to the nature of the proposal, the sustainable ethos associated with the business, and its overall scale, I am satisfied that the proposed rural location, within the overall landholding provides sufficient space to accommodate the proposal and is in line with Development Plan Policy Objectives ED POL 16, ED POL 18 and ED POL 23.
- 7.2.5. Further Development Plan objectives, provide support in respect to the proposed development. Section 4.24 of the Plan specifically highlights the policy objectives pertaining to encouraging camping sites within existing settlements, objective ED POL 67 is also noted, which encourages touring and camping sites adjacent to existing settlements.
- 7.2.6. In respect to the use of the development, I reference Condition 2 and Condition 3 of the local authority grant, which limits the use of the structures for the visitors on site for the glamping pods, only. I also note that a timeframe has been included in relation to the maximum holiday stay for a maximum period of one month. Given the location of the subject site, in a rural area, I recommend the inclusion of similar conditions in relation to the use of the development in the event of a grant of permission.
- 7.2.7. Therefore, I am satisfied that the proposed development complies with the zoning objective for the rural area and the Development Plan supports the proposed agri-tourism, education, and well-being business as proposed and as such would be acceptable in principle.

**7.3. Impact on laneway, increased traffic, and sightlines**

- 7.3.1. Concerns have been raised in relation to the additional traffic using the laneway as a result of the development, the potential impact on existing road users and sightlines. While I acknowledge that the proposal will result in an increase in traffic movement along the existing rural road, I note the traffic associated with the proposed building and use on site will be seasonal in nature, which can accommodate a maximum of 16 no. persons at any one time – 8 no. 2 bed glamping pods are proposed. The applicant has clarified that there will be no further visiting members of the public as such the vehicular movements will be limited to those using the facility.



- 7.3.2. Parking is also provided on site for 9 no. visitor spaces and 4 no. staff spaces, as such given the maximum number of persons using the facility at any one time, there will not be an overspill of parking or congestion on the existing road.
- 7.3.3. A new vehicular entry/exit point is proposed with a dedicated in and out entry point to the site. The appellant states that the applicant already has two entry points, one to the existing dwelling and one to the stable yard and adding a third entrance goes against Council policy of limiting access/egress points on roads with ribbon development. The proposed entrance will serve the proposed education building and will allow visitors to access the site via dedicated entrance and not via the existing farm entrance to the stables. I also note that there is an existing access gate at this location which serves the stables and horse training arena. In this regard, I am satisfied that the new entrance to serve the proposed development is acceptable and is not contrary to Development Plan policy.
- 7.3.4. The proposed vehicular entrance has indicated sightlines in both directions for 90 metres at the proposed entry point, with a splayed entrance to the existing roadway, allowing vehicles safely exit the site. I consider that the indicated sightlines from the entry point of the entrance to be acceptable. I further note that Transportation planning, following the further information request had no objection to the proposal.
- 7.3.5. As such, I consider that the proposed development, provides an adequate access arrangement to this site and given the number of trips generated from the proposed development, I am satisfied that the development does not represent an intensification of the local road or pose a serious risk to traffic safety at this location.

#### **7.4. Impact on adjoining residential amenity**

- 7.4.1. Concerns have been raised in relation to the potential impact of the proposed development on the adjoining residential amenity, in particular noise, light, visual amenity, overlooking and security issues in respect to the users of the facility and issues like anti-social behaviour.
- 7.4.2. The location of the proposed development within a rural setting adjoining residential dwellings is noted, however, the proposed amenity building is located to the rear of the existing kennels/stables building and is some 45 metres set back from the roadside boundary. The proposed amenity building is single storey in nature and is set back from the directly adjoining site boundaries by 35metres and 83.8 metres,

respectively. The proposed ancillary building and glamping pods are to be located to the rear field at an approximate distance of 200 metres from the nearest adjoining dwelling. Regard is also had to the overall landholding associated with the proposed development and the position of the proposed structure within the lands. As such, I am satisfied that the proposal will not detract from adjoining residential amenity in respect of overlooking.

- 7.4.3. In terms of noise and light, again I note the aforementioned separation distances to the adjoining residential dwellings and the location of the proposed development to the rear of the main dwelling and the instructions associated with the development which will be managed by the applicant. I do not consider that the proposal would result in an unacceptable disturbance to adjoining residential dwellings.

Notwithstanding, I recommend the inclusion of a condition in respect to noise during construction and noise management within the glamping site.

- 7.4.4. In relation to the visual impact, the appellant has stated that the existing stable building is visible from the adjoining sites/roads and expresses concerns in relation to the loss of their view. There are no protected views being interfered with by the proposed development. The appellants are not entitled to the preservation of a view in the circumstances. I note that the proposed development is single storey in nature, with the ancillary building small and glamping pods also small in scale. The applicant also proposes to plant trees to screen the development. Notwithstanding, as noted in the forgoing, I would not recommend refusal on the grounds of impact on views or in relation to the impact on the visual amenities of the area.

- 7.4.5. I note the concerns expressed regarding anti-social behaviour associated with the users of the facility. However, I am satisfied that adequate consideration has been given to designing the proposal and that it will be managed accordingly to rule out anti-social behaviour. I also note that the proposal is located to the rear of the applicants dwelling house within their overall landholding. Notwithstanding, issues in relation to antisocial behaviour are not a matter for An Bord Pleanála.

- 7.4.6. Therefore, I am satisfied that the proposed development will not detract from or impact negatively upon adjoining residential or visual amenity.

## **7.5. Archaeological Impact**

- 7.5.1. The appeal references several National Monuments which are proximate to the appeal site and requests that an archaeological survey is untaken.
- 7.5.2. However, following a review of the County Development Plan maps, I am satisfied that there are no recorded monuments noted on the appeal site.

#### **7.6. Appropriate Assessment**

- 7.6.1. I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000, as amended.
- 7.6.2. The subject site is not located within or adjacent to any European Site.
- 7.6.3. The proposed development is located within a rural area and comprises the construction of an education and amenity building, upgrading of the entrance, car and cycle parking area, new sewerage and surface water treatment system and an area reserved for up to 8 glamping tents.
- 7.6.4. Having considered the nature, scale, and location of the proposed development, I am satisfied that it can be eliminated from further assessment for the reason that it could not have any appreciable effect on a European Site.
- 7.6.5. The reason for this conclusion is as follows:
- Small scale and nature of the proposed development.
  - The location of the development in a serviced rural area, distance from European Sites and absence of ecological pathways to any European Site.
- 7.6.6. I consider that the development to be retained would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is, therefore, not required.

#### **7.7. Miscellaneous Issues**

##### **7.7.1. Conditions**

As noted in Section 3.1.1 of the foregoing, the local authority recommended a grant of permission subject to 11 no. conditions.

Notwithstanding the above assessment, the conditions attached by the local authority are considered to be standard and given the nature and scale of the

proposed development, I concur with the local authority and recommend the inclusion of standard conditions in this instance.

**7.7.2. Devaluation of property/business**

I note the concerns raised in the grounds of appeal in respect of the devaluation of neighbouring property and adjoining businesses. However, having regard to the assessment and conclusion set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property or business in the vicinity.

**7.7.3. Existing Building, Dogs and Horses**

The existing building on site does not form part of the planning application and is not included in the red line planning application site boundary. The issues raised in relation to the use of the existing building on site, does not come within the remit of the Board is the assessment of this appeal. The matter of enforcement falls under the jurisdiction of the planning authority.

I note the matters raised in relation to dogs at this site. The control of dogs is subject to a separate legal code and thus need not concern the Board for the purposes of this appeal.

In relation to the impact of the proposal on horses in the vicinity, I note that the proposal is for temporary residential development, and as such I do not consider that the development would impact on horses in adjoining landholdings.

**7.7.4. Impact on wildlife and sustainability:**

Concerns have been raised in relation to the impact of the proposal on wildlife in the area, and the lack of sustainable measures proposed. I note the overall agri-tourism and sustainable farming business plan proposal, and the proposed lama/alpaca enclosure, and chicken and duck enclosure proposed adjacent to the glamping pod site. Having regard to the location of the proposal within the applicant's overall landholding, I do not consider that the proposal will negatively impact on wildlife in the area.

**7.7.5. Other:**

Other issues are raised in the appeals that are not planning relevant.

## 8.0 Recommendation

- 8.1. I recommend that permission be granted, subject to conditions as set out below, for the following reasons and considerations.

## 9.0 Reasons and Considerations

Having regard to the 'RA' rural area zoning which applies to the site under the Meath County Development Plan 2021 – 2027 (as varied), under which the development of agri-tourism, glamping and education is stated to be generally acceptable in principle, subject to the conditions set out below the proposed development would not seriously injure the rural character, environment and visual amenities of the area, by reasons of use, design, height and form, would not seriously injure the amenities of the adjoining residential property in the vicinity by reason of overlooking or disturbance, and would be acceptable in terms of traffic movements and pedestrian safety. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by additional information submitted on 16 <sup>th</sup> May 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.  Reason: In the interest of clarity.
2.	The proposed multi use building hereby permitted shall be used as educational space for the visitors on site for the glamping pods/tents only and shall be maintained as a single planning unit and not give rise to any subdivision or individual sale of units unless otherwise authorised by a

	<p>separate grant of permission. For the avoidance of doubt this permission does not include uses as permanent residential accommodation.</p> <p>Reason: In the interests of residential amenity.</p>
3.	<p>The proposed 8 glamping pods/tents hereby permitted shall be used as self-catering accommodation (maximum holiday stay period of 1 month), or as Class 6, and for no other class within Part 4 of Schedule 2 of the Planning and Development Regulations 2001, as amended and shall be maintained as a single planning unit and not give rise to any subdivision or individual sale of units unless otherwise authorised by a separate grant of permission. For the avoidance of doubt this permission does not include uses as permanent residential accommodation.</p> <p>Reason: In the interests of residential amenity.</p>
4.	<p>No amplified music or other specific entertainment noise emissions shall be permitted within the glamping site to the rear of the overall site.</p> <p>Reason: To protect the residential amenities of property in the vicinity.</p>
5.	<p>Prior to commencement of development, a Construction Environmental Management Plan (CEMP) relating to construction noise shall be submitted to and agreed in writing with the planning authority. The CEMP shall include a site location map showing the nearest noise sensitive locations, give details of the predicted noise and vibration impact in addition to proposed mitigation measures. The CEMP and noise abatement measures shall comply with the recommendations of BS 5228, 'Code of Practice for Noise and Vibration Control on Construction and Open Sites'. The noise sensitive locations shall be taken to be the nearest residential buildings unless otherwise agreed in writing with the planning authority. Noise levels attributable to the proposed development activities when assessed at the nearest noise sensitive locations shall comply with the noise threshold limit values set out therein.</p> <p>Reason: In order to protect the [residential] amenities of property in the vicinity.</p>

6.	<p>Site development and building works shall be carried out only between the hours of 0700 and 1800 Mondays to Fridays inclusive, between 0800 to 1300 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the amenities of properties in the vicinity.</p>
7.	<p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area.</p>
8.	<p>a) The onsite DWWTS proposed shall be constructed in accordance with the recommendations provided in Sections 4, 5 and 6 of the Site Characterisation Form submitted with the application and contained in the Environmental Protection Agency Code of Practice for Domestic Wastewater Treatment Systems (2021). Certification from an appropriately trained and qualified person, as well as the manufacturer or supplier in the case of secondary packaged wastewater treatment system, that the complete DWWTS has been satisfactorily installed and commissioned to accord with the provisions of the EPA Code of Practice, Domestic Waste Water Treatment Systems (Population Equivalent <math>\leq 10</math>), 2021 and the Site Characterisation Form submitted on 01/03/2024, shall be submitted to the Planning Authority prior to occupation of the house. The certification shall include an as constructed cross- sectional drawing through the installed DWWTS, including any associated infiltration/treatment area.</p> <p>b) The installation and maintenance of this DWWTS shall be such as to not give rise to any polluting matter entering any waters, tidal waters or any part of any river, stream, lake, canal, reservoir, aquifer, pond, watercourse or other inland waters, whether natural or artificial, or any contiguous to those mentioned which for the time being is dry. In this, all minimum</p>

	<p>separation distances to receptors, as outlined in Table 6.2 of the EPA Code of Practice (2021) must be adhered to.</p> <p>c) The applicant shall provide and arrange for the continuous and indefinite maintenance of the entire DWWTS installed, which shall be maintained in accordance with the manufacturer's instructions and in line with Table 12.1 of the EPA Code of Practice (2021).</p> <p>Reason: In the interests of public health and to provide for the protection of the environment.</p>
9.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health and surface water management.</p>
10.	<p>The landscaping scheme shown on proposed site plan drawing number 029_210, as submitted to the planning authority on the 1<sup>st</sup> day of March 2024 shall be carried out within the first planting season following substantial completion of external construction works.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
11.	<p>The developer shall pay to the planning authority a financial contribution of in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The</p>



	<p>application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
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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.

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Emma Nevin  
Planning Inspector

25<sup>th</sup> November 2024

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	320043 - 24		
<b>Proposed Development Summary</b>	Education and amenity building, upgrading of the entrance, car and cycle parking area, new sewerage and surface water treatment system and an area reserved for up to 8 glamping tents.		
<b>Development Address</b>	The Paddocks, Kilbrew, Ashbourne, Co. Meath		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	X
		<b>No</b>	
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>			EIA Mandatory EIAR required
<b>No</b>	X		Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
<b>No</b>		N/A	
<b>Yes</b>	X	Class 10 Infrastructure Projects (b) (i)	Proposal is significantly below 500 unit threshold
			<b>Conclusion</b>
			No EIAR or Preliminary Examination required
			Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No	X	Preliminary Examination required
Yes		Screening Determination required

## Appendix 1 - Form 2

### EIA Preliminary Examination

An Bord Pleanála Case Reference	320043 - 24	
Proposed Development Summary	Education and amenity building, upgrading of the entrance, car and cycle parking area, new sewerage and surface water treatment system and an area reserved for up to 8 glamping tents.	
Development Address	The Paddocks, Kilbrew, Ashbourne, Co. Meath.	
The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment?</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>Proposal for permission education and amenity building, upgrading of the entrance, car and cycle parking area, new sewerage and surface water treatment system and an area reserved for up to 8 glamping tents in a rural area. However, the proposal is not considered exceptional in the context of the existing urban environment.</p> <p>No, the proposal will be connected to a proposed wastewater treatment system on site.</p>	No
<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and/or permitted projects?</p>	<p>The proposed floor area is stated at 257 sq. m. The proposal is not considered exceptional in the context of the existing rural environment.</p> <p>There are no other developments under construction in the proximity of the site.</p>	No
Location of the Development	The appeal site is not located within any designated European Site however the site is an	No

<p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p>	<p>approximate distance from the following Natura 2000 Sites:</p> <ul style="list-style-type: none"> <li>• River Boyne and River Blackwater SAC &amp; SPA (site code 002299) located approximately 13km north west of the subject site.</li> <li>• River Boyne and River Blackwater SPA (siter code 004232) located approximately 13km north west of the subject site.</li> </ul> <p>Therefore, it is not considered that the development would have a significant impact on the aforementioned ecological sites.</p>	
<p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>The other nearest European sites are located above 13km from the site and therefore can be excluded in terms of the potential for effects on other European sites during construction and operational phases of the proposed development.</p>	
<p style="text-align: center;"><b>Conclusion</b></p>		
<p><b>There is no real likelihood of significant effects on the environment.</b></p> <p><b>EIA not required.</b></p>		

**Inspector:** \_\_\_\_\_

**Date:** 25/11/2024

**DP/ADP:** \_\_\_\_\_

**Date:** \_\_\_\_\_

(only where Schedule 7A information or EIAR required)