



An
Bord
Pleanála

Inspector's Report

321140 - 24

Development	Temporary Retention of existing log cabin
Location	Cultromer, Drumree, Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	2460618
Applicant(s)	Jacinta Doolan
Type of Application	Retention Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party v Refusal
Appellant(s)	Jacinta Doolan
Observer(s)	None
Date of Site Inspection	4 th March 2025
Inspector	Leah Kenny

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Appendix 1 – Form 1: EIA Pre-Screening

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1.0 Site Location and Description

The subject site is located in Cultromer, Drumree, Co Meath approximately 500m from the rural node of Culmullen. The area is characterised by one-off houses and farmsteads.

The site, which measures approximately 0.110ha, is part of a larger agricultural landholding measuring 15.96ha. The site is accessed from an existing gated private agricultural lane which in turn is accessed from the Cultromer Road (L6206). There are several dwellings located to the east and west of the site. Site works are evident on the site in front of the cabin (refer to Section 4.0 Planning History for details); and a new house is nearing completion on the opposite side of the Cultromer Road (L6206).

2.0 Proposed Development

The proposed development, as set out in the application, is seeking temporary retention permission for an existing log cabin (circa. 53 m sq.).

The cabin is located approximately 84m from the L6206, on the western side of the gated private agricultural lane, and along the edge of a large open agricultural field.

The cabin comprises a bedroom, study, kitchen / living area, WC, and external porch (under an extended eaves). I note that the actual accommodation (internal ground floor area) accounts for 39sqm, with the overall cabin footprint of 53sqm (which includes the porch area).

The finished log cabin is pale blue.

3.0 Planning Authority Decision

3.1. Decision

Meath County Council decided to refuse planning permission on the 1st of October 2024 for five reasons, summarised as following:

- **Reason No. 1:** No demonstration of 'local need' in accordance with RD POL1 and RD POL 2 of the Development Plan.

- **Reason No. 2:** The development would constitute piecemeal and a haphazard form of back-land development.
- **Reason No. 3:** The development does not comply with the Meath Rural House Design Guide.
- **Reason No. 4:** The applicant has not demonstrated that the existing wastewater treatment system can adequately manage the disposal of wastewater from the site in accordance with the EPA Code of Practice.
- **Reason No. 5:** The development would endanger public safety by reasons of a traffic hazard.

3.2. Planning Authority Reports

3.2.1 Planning Report

The Meath County Council Planning Report forms the basis of the decision. The report concluded that the design and siting of the dwelling does not comply with the Meath Rural House Design Guide and was unacceptable. Additionally, based on the lack of information submitted in relation to the existing wastewater treatment system on site, the Planning Authority could not determine that the system complies with the EPA Code of Practice.

3.2.2 Other Technical Reports

- **Environment (Wastewater):** A Request for Further Information was recommended to demonstrate that the existing wastewater treatment system is adequately sized to accommodate the effluent generated from the proposed development.
- **Environment (Flooding – Surface Water):** No objections subject to planning conditions.
- **Transport:** A Request for Further Information was recommended to demonstrate 90m unobstructed sightlines.
- **Enforcement:**

3.3. Prescribed Bodies

No reports received.

3.4. Third Party Observations

None.

4.0 Planning History

Relevant planning history in respect of the subject site is as follows:

- **UD24/044:** Warning Letter in respect of potential unauthorised development comprising log cabin in residential use on site (i.e. the subject matter of the appeal).

Lands immediately to the south of the log cabin (the subject of this appeal):

- **Reg. Ref. RA/200299:** On the 12th of October 2020 planning permission was GRANTED to Charlie Doolan (the son of the Applicant / Appellant in this appeal case) for a detached single storey dwelling, with proprietary wastewater treatment and percolation area, new entrance onto existing lane and all associated works on the subject lands. The application was subject to RFI which included *inter alia* revised proposals to take access from the front roadside boundary. It was evident from the site visit that works have commenced on site.
 - On the 17th of January 2025 planning permission was GRANTED (Reg. Ref. 24/60772) for a change of house type, as permitted by Reg. Ref. RA/200299, from single storey to a 1.5 storey dwelling.
 - On the 28th of August 2024, planning permission was REFUSED (Reg. Ref. 23/60515) for a change of house type and layout, as permitted by Reg. Ref. RA/200299, from single storey to two storey dwelling.

It was evident from the site visit that works have commenced on site.

5.0 Policy Context

5.1. Development Plan

The site is within a rural area governed by the policies and objectives of the Meath County Development Plan 2021-2027 which was adopted by the Planning Authority on the 22nd of September 2021.

It is a policy of Meath County Council to accord with the provisions of the National Planning Framework 2018, the Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019 and the Ministerial Circular relating to Structural Housing Demand in Ireland and Housing Supply Targets, and the associated Section 28 Guidelines: Housing Supply Target Methodology for Development Planning (2020) and make provision for the scale of population growth and housing supply targets outlined in these plans and guidelines.

It is also policy to have regard for DEHLG Guidelines on 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007) and the Design Manual for Quality Housing (2022).

Under the Development Plan the subject site is zoned RA 'Rural Area' with the 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."* Residential use is a permitted use under this zoning category subject to compliance with the rural settlement strategy.

Chapter 9 'Rural Development Strategy' sets out the settlement policy in respect of rural areas in the County, including rural nodes.

It includes the following strategic objectives:

- **RUR DEV SO 1:** To support the continued vitality and viability of rural areas, environmentally, socially and commercially by promoting sustainable social and economic development.
- **RUR DEV SO 6:** To protect and enhance the visual qualities of rural areas through sensitive design.

Relevant strategic policies relating to Meath's Rural Settlement Strategy (Section 9.2) include:

- **RUR DEV SP 1:** To adopt a tailored approach to rural housing within County Meath as a whole, distinguishing between rural generated housing and urban generated housing in rural areas recognising the characteristics of the individual rural area types.
- **RUR DEV SP 2:** To ensure that individual house developments in rural areas satisfy the housing requirements of persons who are an intrinsic part of the rural community in which they are proposed, subject to compliance with normal planning criteria.

The Development Plan identifies three rural area types (Section 9.3). The subject cabin is located within a Rural Area under Strong Urban Influence (i.e. Area 1).

Policies for this area 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.

The planning policy framework for housing in rural areas requires a demonstration of a location specific rural housing need and Section 9.4 of the Development Plan outlines several means by which this can be done.

Section 9.6 of the Development Plan sets out the rural residential development design and siting considerations. Policy RD POL 9 requires all applications for rural one-off houses to comply with the 'Meath Rural House Design Guide', which is included as Appendix 13 of the Development Plan. The Design Guide focuses on design and construction addressing matters such as siting, building form, height, scale and proportion. It also looks at a variety of building types.

The proposed development is located within the Skyrne Tara Hills Landscape Character Type, which has exceptional value and is highly sensitive to development.

5.2. Natural Heritage Designations

The following Natura 2000 sites are located within a 15km radius of the proposed development:

- Rye Water Valley / Carton SAC (Site Code 001398)
- River Boyne and River Blackwater SAC (Site Code 002299)
- River Boyne and River Blackwater SPA (Site Code 004232)

6.0 EIA Screening

- 6.1 See completed Form 2 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

7.0 The Appeal

7.1. Grounds of Appeal

The First Party appeal was based on the following grounds:

- Although the Applicant/Appellant in the subject appeal is Jacinta Doolan, the occupant of the cabin is her son Charlie Doolan. Jacinta Doolan made the application for temporary retention as she was the recipient of the Warning Notice (Ref. UD24/044).
- The Applicant/Appellant mistakenly understood that planning permission was not required for a small log cabin, however, it was always the intention that the cabin would be removed as soon as the new house was complete (see below).

- Charlie Doolan (the Applicant/Appellants) son has been Granted Planning Permission for a detached dwelling on a site immediately to the south of the log cabin under (Reg. Ref. RA/200299). [This permission was recently amended by Reg Ref 24/60772 allowing for a change in house type.]
- The log cabin is a temporary measure until such time as the new house is constructed (expected to take 1.5 – 2 years), at which time the log cabin will be removed.
- The applicant provided supporting photos and images of the varied mix of house styles/types along the road frontage demonstrating that the cabin was not out of character with that in the immediate vicinity of the site.
- The applicant proposed that the existing wastewater treatment system can manage disposal of wastewater from the site in accordance with the EPA Code of Practice 2021 and that the same system be utilised for the dwelling proposed to be constructed under Reg. Ref. RA/200299/Reg Ref 24/60772.
- The cabin is accessed off an existing established access which will remain as is – as it is used to access the land holding which is currently being farmed by the Applicant/Appellant. A sight layout plan was enclosed demonstrating full unobstructed 90m sight visibility to the west is available and 90m to the east is achievable subject to some minor modifications required in agreement with the adjoining landowner.

7.2. Planning Authority Response

The Planning Authority noted the contents of the First Party Appeal and stated that it was satisfied that the subject proposal was appropriately considered throughout the course of its assessment of the planning application, and it requested An Bord Pleanála to uphold the decision to refuse permission for the development.

7.3. Observations

None.

7.4. Further Responses

None.

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including the reports of the Local Authority, having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues to be considered in this appeal, are as follows:

- Principle of development – policy and design
- Waste Water Treatment System
- Sight lines

Principle of Development and Policy Criteria

- 7.1 The proposed development is located on a site zoned 'RA – Rural Area' where residential development is permissible subject to compliance with the Rural Settlement Strategy.
- 8.2. The Applicant / Appellant did not submit any information to demonstrate compliance with rural housing policy as required by Section 9.4 of the County Plan but rather set out the specific context for the development i.e., temporary retention of log cabin which is inhabited by her son until such time as his new house (permitted under Reg. Ref. RA/200299/Reg Ref 24/60772) was completed, at which time it would be removed.
- 8.3. Temporary residential accommodation is not a matter addressed in the Development Plan; although I note that in respect of the use 'Caravan and Camping Park' in RA zoned areas the following clarification is made "*no static mobile homes or permanent structure unless ancillary to the operation of the camp site shall be permitted*".
- 8.4. While I accept the bona fides that the subject development is intended to be temporary in nature, will only be occupied for the period of construction of the new dwelling house by the Applicants/Appellants son, and will be removed thereafter (which is a matter which could be addressed by planning condition) there are no

provisions within the Development Plan relating to the acceptability or otherwise of temporary residential accommodation of this nature. Accordingly, the development must be assessed against the provisions of the Development Plan insofar as it relates to new residential development.

- 8.5. In the first instance, the Applicant / Appellant who already lives in the immediate area did not submit any supporting evidence vis a vis her compliance with RUR DEV SP 2 i.e., that applications for individual house developments in rural areas must 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). Accordingly, she has failed to demonstrate compliance with rural housing policy as outlined in Section 9.4 of the Development Plan.
- 8.6. The fact that it is her son who is living in the cabin, and he has met all the requirements of Local Need under Section 9.4 of the Development Plan as the Applicant in respect of his own planning application (Reg. Ref. RA/200299 / Reg Ref 24/60772), does not have any bearing on the subject planning application / appeal, which must be assessed on its own merits.
- 8.7. Secondly, new rural house development must comply with the 'Meath Rural House Design Guide' as per RD POL 9. This policy is intended to ensure that new housing in rural areas is designed and built to a high quality. These were the standards and guidelines used to assess and ultimately grant planning permission for the Applicant/Appellant's son's new house (Reg. Ref. RA/200299 / Reg Ref 24/60772). However, the Development Plan, does not envisage, nor provide guidance on either the principle or design requirements for temporary residential accommodation of the nature proposed.
- 8.8. I agree with the Planning Authority that the cabin does not conform to the building design requirements set out in the Meath Rural House Design Guide.
- It is located set back from the public road. While the site to the front is currently undeveloped, this is where the Applicant's son is to build his new house. The cabin if it were to remain in situ, would comprise piecemeal backland development.

- It is a standard prefabricated form and design. While I accept that there is a range of house types and in the area; they nevertheless clearly represent a permanent rural house typology by virtue of their nature, scale, design, materiality etc. In this regard, I agree with the Planning Authority that the design of the cabin is inappropriate including inter alia its scale and log cabin nature, roof pitch (low), solid to void ratio and window proportions (in particular as it presents to the road), and its exterior wall finish (pale blue wood effect).
- Development of this nature, even if acceptable in principle, requires careful siting and screening to offset its modular characteristics and ensure it integrates harmoniously with its surroundings and thereby protect the amenity and character of the countryside. I do not consider that to be the case in this instance.

7.9 Having regard to the foregoing I consider the proposed cabin to be an incongruous feature in the landscape.

7.10 Furthermore, I also consider the cabin does not provide an appropriate level of accommodation or quality living environment for its occupant(s) having regard to the standards in design expected from inter alia Quality Housing for Sustainable Communities, including space provision and room sizes for a typical 1 storey /1-2 bedroom / 2 person dwelling. Accordingly, it would result in a poor standard of residential amenity for the occupants.

7.11 Having regard to the foregoing, I consider that the design of the cabin does not comply with the principles of the Meath Rural House Design Guide and hence does not accord with Section 9.6 of the Development Plan. I would also concur with the assessment of the Planning Authority that the log cabin structure is out of character in this rural area and to grant permission for retention would set an undesirable precedent for similar such development. I further consider that it constitutes a substandard form of residential development and would set an undesirable precedent for similar forms of development.

Waste Water Treatment System

7.12 On the plans submitted with the application, a Wastewater Treatment System (WWTS) and percolation area is shown to the south and west of the existing cabin to

be retained. I note that the location of the percolation area is broadly similar to the percolation area proposed, and permitted under Reg. Ref. RA/200299, as amended by Reg Ref 24/6072 to serve the new dwelling.

- 7.13 I further note that following a Response to Further Information submitted to the Planning Authority on the 21st of November 2024 in respect of Reg Ref 24/6072, the Environment Section of Meath County Council accepted the treatment system proposed by the Applicant, subject to planning condition(s) being attached to the grant of planning permission. However, I also note the fact the WWTS and percolation area were already in existence and serving the cabin was not made clear in the planning application documentation nor realised / referred to by the Planning Authority at the time.
- 7.14 In the appeal the Applicant / Appellant confirms that the same WWTS will be utilised for the dwelling proposed to be constructed under Reg Ref 24/6072.
- 7.15 Having regard to the foregoing I am satisfied that this particular ground for refusal of the Planning Authority could be set aside, and matters relating to the certification of the WWTS could be addressed by planning condition, if the principle of retaining the development was considered acceptable in the first instance.

Sight Lines

- 7.16 Reason No. 5 of the Refusal determined that the proposed development would endanger public safety by reason of a traffic hazard. The reason relates to the existing entrance arrangements from the private lane onto the L6206, and the absence of 90m unobstructed sightlines to the east and west, in accordance with TII guidance document DN-GEO-03060. However, I note that the Transportation Section did not recommend an outright refusal, but a Request for Further Information to demonstrate that unobstructed sightlines of 90m could be achieved.
- 7.17 Regarding the TII guidance document, it sets out that *“new priority junctions or direct accesses shall not be permitted within 90m of a roundabout or priority junction on National Roads. This may be reduced to 50m as a relaxation when the road is a Regional / Local Road.”* In the first instance I note that the proposed access onto the L6206, is not a new access, but an existing private lane used for agricultural purposes. Secondly, as the L6206 is a local road there is a case for the 90m

requirement to be relaxed to 50m. Thirdly, I do not consider the nos. of trips to be generated by a 1 no. bedroom log cabin of 53sq m, over and above the existing agricultural use of the laneway / access onto the L6206 to be so significant as to endanger public safety by reason of a traffic hazard.

- 7.18 Notwithstanding the above, I note that the Applicant has provided evidence that the 90m sight lines can be obtained (both to the east and west) onto the L6206 but that this would require modifications to be carried out in agreement with a neighbouring landowner.
- 7.19 Having regard to the foregoing I am satisfied that this particular ground of refusal by the Planning Authority could be set aside, and matters relating to the sightlines could be addressed by planning condition, if the principle of retaining the development was considered acceptable in the first instance.

9.0 AA Screening

- 9.1 I have considered the proposed light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2 The subject site is not located within or directly adjacent to any European Site, furthermore the proposed development comprises retention of a log cabin (53sq m). In addition, no nature conservation concerns were raised in the planning appeal.
- 9.3 Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
- Nature of works e.g. small scale and nature of the development;
 - The distance from the nearest European site and lack of connections; and
 - Taking into account screening report/determination by Meath County Council.
- 9.4 I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10 Recommendation

I recommend that planning permission be refused for the reasons and considerations set out below.

11 Reasons and Considerations

1. The subject cabin is located in a rural area designated in the Meath County Development Plan 2021 – 2027 as being under a Rural Area under Strong Urban Influence. On the basis of the documentation submitted with the application and appeal, it is considered that the applicant has not demonstrated a local housing need at this location, in accordance with policy RUR DEV SP 2, RD POL 1 and Section 9.4 of the Development Plan. The retention of the development, in the absence of any identified locally based need for the house, therefore, contravenes the applicable provisions of the Development Plan, would set an undesirable precedent for similar forms of development and therefore, would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the siting, layout and design of the subject cabin, it is considered that it constitutes a substandard form of development that is out of character in this highly sensitive rural area (Skyrne Tara Hills Landscape), would seriously injure the residential amenities of occupants of the dwelling, and would set an undesirable precedent for similar forms of development. The proposed development is therefore contrary to the provisions of RD POL 9 of the Meath County Development Plan 2021-2027, requiring rural housing to be designed in accordance with the Meath Rural House Design Guide (appended to the Development Plan) to ensure high standards in the design and construction of rural housing. 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.

Leah Kenny

Planning Inspector

13th March 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	321140 - 24		
Proposed Development Summary	Retention of log cabin		
Development Address	Cultromer, Drumree, Co. Meath		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	✓	The development is of a Class (Class 10(b)(i)) – Schedule 2	Proceed to Q3.
No			Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	✓	The relevant threshold for Class 10(b)(i) is the " <i>Construction of more than 500 dwelling units</i> ".	Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	✓	At 1 no. unit the proposed development is significantly below the threshold of the " <i>Construction of more than 500 dwelling units</i> ".	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	✓	Screening determination remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ Date: _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference Number	321140 - 24
Proposed Development Summary	Retention of log cabin
Development Address	Cultromer, Drumree, Co. Meath
<p>The Board carried 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.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development is a small log cabin with a modest footprint of 53sq m, comes forward as a standalone project, does not require demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.

<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The development is situated in a rural area of County Meath (near Drumree) on improved agricultural land which is abundant in the area. The development is removed from sensitive natural habitats, centres of population and designated sites.</p> <p>The site is located within the Skyrne Tara Hills Landscape Character Type area, which has exceptional value and is highly sensitive to development.</p>
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<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features (notwithstanding its location in a sensitive landscape), likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
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Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	No
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	
There is a real likelihood of significant effects on the environment.	EIAR required.	

Inspector: _____ Date:

DP/ADP: _____ Date:
_____ (only where Schedule 7A information or EIAR required)