



An
Bord
Pleanála

Inspector's Report ABP-321778-25

Development	Construction of extension and rear shed.
Location	Bettystown Road, Donacarney Great, Mornington, Co. Meath.
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	2460530
Applicant(s)	John Carolan
Type of Application	Planning Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant(s)	John Carolan
Observer(s)	None
Date of Site Inspection	14 th May 2025
Inspector	Dan Aspell

1.0 Site Location and Description

- 1.1.1. The site is located on Bettystown Road, Donacarney Great, Mornington, Co. Meath. The site comprises a detached single storey dwelling. The dwelling is set back from and addresses Bettystown Road (R150). The dwelling is what I would characterise as a traditionally styled, pitched-roof bungalow. There is garden to the front and a large garden to the rear. There is side vehicular access to a parking and turning area to the rear. The site boundary comprises a stone wall measuring approximately 1m in height. Ground levels are such that the dwelling is approximately 0.5m lower than the road level.
- 1.1.2. The site is located along the road generally between Donacarney and Bettystown. The dwelling sits amongst a row of 8 no. dwellings on the northern side of the R150. The design and form of the dwellings in the row are varied. The dwelling comprise a mix of single-storey and dormer structures.

2.0 Proposed Development

- 2.1.1. The proposed development comprises a single-storey extension to the side and front of the dwelling, and construction of a shed within the rear garden.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Meath County Council issued a notification to refuse planning permission for 1 no. reason.
- 3.1.2. In summary the reason stated that the development, having regard to its scale, height and design and location in a prominent position ahead of the existing front building line of the house, would fail to respect, harmonise and integrate with the existing dwelling on site and would seriously injure the visual amenities of the area. The reason stated that the proposed development would materially contravene Objective DM OBJ 50 of the Development Plan in respect of residential extensions, would set an undesirable precedent, and would therefore, be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning report: The planning report recommended refusal. The planner reports made the following points:

- Land use: Reports stated the area is zoned 'RA' and is an 'area under strong urban influence'. Proposal is acceptable in principle;
- Heritage: No Protected Structures, National Monuments, or Protected Views;
- Development Plan: In accordance with Development Plan DM OBJ 50 extensions to the front of a dwelling are not normally acceptable. Applicant references a permission for a front extension in the area, however each application must be assessed against the current planning policy context;
- Design: Concerns regarding the appropriateness of the design and integration with the existing dwelling. The front extension would have a greater length than the remaining part of the original front elevation which would become the dominant feature. Sufficient detail has not been provided to demonstrate the finishes would be a high quality contemporary approach;
- Visual amenities: Report did not consider the extension represents high quality design which satisfactorily respects and integrates with the existing dwelling, or that it would adversely affect the visual amenities of the area as per Objective DM OBJ 50. Report stated the permission should be refused;
- Garage: Report stated it is not clear if the garage structure is to be retained;
- Residential amenities: Report stated proposal is acceptable regarding overshadowing / loss of light, privacy, and subsidence. Report stated no pump is proposed as part of the development;
- Flooding: Site is in Flood Zone A. A Justification Test is not required;
- Water services: Report stated water supply and wastewater will connect to public mains as per existing, with surface water disposal to be by a soakpit;
- Appropriate Assessment screening: Project by itself or in combination would not likely have significant effects on European Site(s);
- Environmental Impact Assessment screening: EIA is not required.

Other Technical Reports

3.2.2. Environment Flooding Surface Water Section: Report summarised as follows:

- Regarding flood risk, site is in Flood Zone A. The extension is a highly vulnerable development but can be classified as a minor development as per Section 5.28 of the Flood Risk Management Guidelines. As such the Justification Test requirement does not apply. A commensurate assessment of flood risk requires to be undertaken;
- Report stated no objection subject to conditions in relation to detailed design (electrical items, manholes and flood resilient design);
- Regarding surface water, report recommended conditions in this regard.

3.3. **Prescribed Bodies**

3.3.1. None.

3.4. **Third Party Observations**

3.4.1. During the planning application stage 1 no. observer made a submission to the Planning Authority. The issues raised related to loss of light; loss of privacy; subsidence of boundaries and dwelling; and noise from the proposed pump.

4.0 **Relevant Planning History**

4.1. **Subject site**

4.1.1. Reg. Ref. LB170783: Planning permission granted by the Planning Authority in 2017 for a single storey extension and alterations to the front, side and rear of existing dwelling and detached shed in rear garden and all associated site works. This permission was not implemented.

4.2. **Nearby sites:**

4.2.1. None.

5.0 Policy Context

5.1. National guidelines and strategies

Planning System & Flood Risk Management Guidelines 2009

Quality Housing for Sustainable Communities Best Practice Guidelines for Delivery
Homes Sustaining Communities 2007

5.2. Development Plan

- 5.2.1. The site is within the 'RA Rural Area' zone, where the land use zoning objective is:
"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".

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

Within Section 5 'Residential Development Standards', Section 11.5.1 'Residential Development' sets out development management standards for residential development in towns and villages. Section 11.5.6 'Building Line' states that in the context of urban development, building lines should be followed where appropriate. Section 11.5.25 'Extensions in Urban and Rural Areas', including Objective DM OBJ 50 which states the following: *"All applications for residential extensions in urban and rural areas shall comply with the following criteria:*

- *High quality design which respects, harmonises and integrates with the existing dwelling in terms of height, scale, materials used, finishes, window proportions, etc;*
- *The quantity and quality of private open space that would remain to serve the house*
- *Flat roof extensions, in a contemporary design context, will be considered on their individual merits;*
- *Impact on amenities of adjacent residents, in terms of light and privacy. Care should be taken to ensure that the extension does not overshadow windows,*

yards or gardens or have windows in the flank walls which would reduce a neighbour's privacy;

- Extensions which break the existing front building line will not normally be acceptable. A porch extension which does not significantly break the front building line will normally be permitted;*
- Dormer extensions shall not obscure the main features of the existing roof, i.e. should not break the ridge or eaves lines of the roof;*
- Proposed side extensions shall retain side access to the rear of the property, where required for utility access, refuse collection, etc.*
- Ability to provide adequate car parking within the curtilage of the dwelling house*
- In all cases where diversion or construction over existing sewerage and/or water mains is required, the consent of Irish Water will be required as part of the application.”*

5.2.3. I have had regard to Development Plan Appendix 13 ‘Rural Design Guide’.

5.2.4. I have had regard to the ‘Flood Risk Assessment and Management Plan for the Meath CDP 2021-2027 SFRA Report, December 2019’.

5.3. Natural Heritage Designations

5.3.1. The Boyne Coast and Estuary SAC is approximately 1.79km to the east and 1.93km to the north and the Boyne Estuary SPA is approximately 1.93km to the north.

6.0 Environmental Impact Assessment screening

6.1.1. The proposed development has been subject to preliminary examination for environment impact assessment (See Form 1 & 2 Appendix 1 of this report). Having regard to the characteristics and location of the development and the types and characteristics of potential impacts, I consider that there is no real likelihood of significant effects on the environment. The development, therefore, does not trigger requirement for EIA screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of First-Party Appeal

7.1.1. A first-party appeal was received from Mr. John Carolan of Bettystown Road, the main points of which are summarised as follows:

- Proposal is to increase living space for applicant's growing family;
- The Council interpreted Development Plan Policy DM OBJ 50 as a blanket ban on front extensions and did not consider the minimalistic nature of the development on a large site;
- Policy DM OBJ 50 is more appropriate to urban areas in instances such as terraced houses or estates;
- The existing row of houses along the road is of mixed architectural styles and building lines, which ensures the proposed front extension will not be incongruous;
- Retention permission was granted in 2009 for a dwelling two doors away for a front extension beyond the building line which establishes a precedent;
- The proposal is considerate of the local environment and the design is in harmony with the existing house, incorporating matching materials and architectural details.

7.2. Planning Authority Response

7.2.1. The Planning Authority response stated that the appellant's points were addressed in the Planning Authority planner reports. The response refers the Board to the planner reports and requests the Board uphold the Planning Authority decision.

7.3. Observations

7.3.1. None.

8.0 Assessment

8.1.1. Having regard to the foregoing; having examined the application, appeal, Planning Authority reports, and all other documentation on file, including the submissions received in relation to the appeal; and having inspected the area within and around the site; and having regard to relevant local, regional and national policies, objectives and guidance, I consider the main issues in this appeal are as follows:

- The reason for refusal;
- Related matters raised in the course of the appeal.

8.2. Refusal reason

8.2.1. The site is within the 'RA Rural Area' zone. "Residential (Subject to compliance with the Rural Settlement Strategy)" is a permitted use in this zone. I am satisfied the proposed development is acceptable in principle subject to the considerations below

Building line

8.2.2. I note the appellant's points in relation to the building line. I also note that this matter was the not the only reason referred to in the reason for refusal.

8.2.3. Development Plan Section 11.5.25 'Extensions in Urban and Rural Areas' states that objective DM OBJ 50 relates to residential extensions in urban and rural areas. Objective DM OBJ 50 sets out a number of criteria. It states that "*All applications for residential extensions in urban and rural areas shall comply with the following criteria:*" one of which states that "*Extensions which break the existing front building line will not normally be acceptable. A porch extension which does not significantly break the front building line will normally be permitted*".

8.2.4. Regarding the Appellant's points on this objective, I am satisfied this provision of the Development Plan applies to urban and rural areas. I also consider that the wording does not amount to a blanket ban, however I note that no related information is provided as to when extensions which break the existing front building line may be acceptable.

8.2.5. Regarding the wording of the objective, I consider the wording is clear and I see no other provisions of the Development Plan or national guidelines that would conflict

with it. I note that no rationale for this specific provision is provided. I further note that visual guidance for extensions is set out in Development Plan Appendix 13 'Rural Design Guide' which illustrates types of extensions that are considered acceptable. I do not consider the proposed development aligns well with this guidance.

- 8.2.6. Regarding the proposed extension, it would be forward of the front line of the dwelling by approximately 2.0 to 2.5m. The element forward of the building line is to provide for an increased area to the living room, and to provide for part of a proposed bedroom. I note the majority of the proposed extension would be to the side of the dwelling. The extension would be approximately 14.1m deep in total. I note that the forward element overlaps the existing front elevation such that the total width of the extension would be greater than the element of the front elevation of the existing dwelling that would remain visible, and would be almost as wide as the existing dwelling elevation.
- 8.2.7. Regarding the existing building line, I consider that a reasonably clear building line is evident amongst the existing row of houses. The dwelling two doors up ('Enfin', Bettystown Road) does have an element which steps forward of the building line. The dwelling next door to the north of the site also has a small porch element to the front, as does the first dwelling in this row of houses, a distance to the north. I also note that the first dwelling in the row of houses is set back behind the building line. Despite these factors I am satisfied there is a reasonably clear building line which the subject proposal is forward of by 2.0-2.5m.
- 8.2.8. Overall I concur generally with the Planning Authority report that the proposed extension as currently proposed breaks the building line contrary to Objective DM OBJ 50. As indicated in the Planning Authority reason for refusal I do not consider that this alone amounts to a reason for refusal, however that the prominence and position are contributing factors alongside its scale, height and design.

Scale, height and design

- 8.2.9. I note the appellant's points regarding the design of the dwelling and extension, and that of the other dwellings in the area.
- 8.2.10. The proposed extension would be approximately 3.0m high and would extend above the existing eaves. The extension would be flat-roofed whereas the existing dwelling is pitch-roofed. I would characterise the proposed design as modern whereas the

existing dwelling is closer to that of a traditional pitched roof bungalow. Whilst the side element is reasonable modest in area, I consider the front elevation gives the impression of an oversized extension relative to the main dwelling.

- 8.2.11. Regarding the proposed extension roof profile, it is to be flat-roofed whereas the existing dwelling is pitch-roofed. Objective DM OBJ 50 states that *'flat roof extensions, in a contemporary design context, will be considered on their individual merits'*. I do not consider the existing dwelling or wider area to be a contemporary design context. I have considered the proposed in this regard on its merits; whilst I note two small flat roofed porches within the neighbouring row of houses I do not consider flat roofs to be a common feature in the area.
- 8.2.12. Regarding screening, I consider there would be partial screening of the extension by the existing front boundary wall, the ground levels difference between the dwelling and road, and tree planning to the front of the property.
- 8.2.13. On balance, and having regard to the working of Objective DM OBJ 50, I am inclined to concur with the Planning Authority planner report that the scale, height, design and prominent position as currently proposed would fail to respect, harmonise and integrate with the existing dwelling on site as required by DM OBJ 50.
- 8.2.14. I note that the previous permission on the site (Reg. Ref. LB170783) was for a side and front extension of a similar layout and was permitted in 2017. A key design difference to the subject proposal was that the extension was to be a pitched roof extension comparable to the existing dwelling. That permission was assessed in relation to the County Development Plan 2013-2019 but was not implemented. No information in this regard is provided by the applicant.
- 8.2.15. I also note the applicant refers to an older application in the area (2009) which they state set a precedent for the subject case. The Planning Authority planner report stated that the subject applicant must be assessed against the current policy context which I concur with.

Conclusion

- 8.2.16. Given the foregoing, I generally concur with the Planning Authority planner report that the scale, height, design of the extension as proposed would fail to respect, harmonise and integrate with the existing dwelling on site, and would injure the visual amenities of the area. I consider that the form, roof profile and prominence are

contributing factors in this regard. As such, given the wording of Objective DM OBJ 50 of the Meath County Development Plan 2021-2027 I consider that the proposed development would materially contravene the Development Plan as drafted and should be refused.

- 8.2.17. I have considered whether a revised layout could be agreed by condition. I do not consider that this would be reasonably feasible on account of the layout proposed and the shape of the site which 'cuts in' along the northern boundary.

Proposed shed

- 8.2.18. Regarding the proposed shed, I am generally satisfied this element of the proposal to the rear of the dwelling generally complies with the relevant requirements of the Development Plan and is acceptable.

8.3. Related matters raised in the course of the appeal

Flood risk

- 8.3.1. The Development Plan indicates the site is in Flood Zone A (Flood Risk Assessment and Management Plan for the Meath CDP 2021-2027 SFRA Report, December 2019, Section 5.7 'Bettystown / Laytown / Mornington East / Donacorney / Mornington').
- 8.3.2. The Flood Risk Management Guidelines (Section 5.28 'Assessment of minor proposals in areas of flood risk' states that applications for minor development, such as small extensions to houses, are unlikely to raise significant flooding issues, unless they obstruct important flow paths, introduce a significant additional number of people into flood risk areas or entail the storage of hazardous substances. It states that the sequential approach cannot be used and that the Justification Test will not apply. It states however that a commensurate assessment of the risks of flooding should accompany such applications to demonstrate that they would not have adverse impacts or impede access to a watercourse, floodplain or flood protection and management facilities. It states these proposals should follow best practice in the management of health and safety for users and residents of the proposal.
- 8.3.3. I have assessed the proposed development in the context of the identified flood risk for the area, including the Development Plan Strategic Flood Risk Assessment and

national guidelines. Given the nature of the proposed extension, and that the site located at the end of an area at risk of flooding which extends from the north-east, I do not consider the proposal would have a significant impact in relation to obstructing important flow paths, introducing a significant additional number of people into flood risk areas, or having adverse impacts or impeding access to a watercourse, floodplain or flood protection and management facilities.

8.3.4. The Planning Authority Environment Flooding Surface Water Section report stated no objection subject to conditions in relation to detailed design.

8.3.5. I am satisfied the proposal is acceptable in this regard subject to conditions for detailed design of flood risk mitigation measures, should the Board be minded to grant permission for the proposed development.

Neighbouring residential amenity

8.3.6. I have reviewed the proposed drawings and have visited the site. Whilst the proposed extension is in close proximity to the party boundary to the north-west, given the single-storey nature of the extension, its height, the positioning of the neighbouring dwelling to the north-west away from the subject site, and the extensive open space associated with that dwelling, I consider the proposal is generally acceptable in this regard should the Board be minded to grant permission for the proposed development.

8.3.7. In relation to noise, I note that no pumps are proposed as part of the development and as such I consider that no undue impacts in this regard would be expected.

Conditions

8.3.8. In the event that the Board is minded to grant permission for the proposed development, I consider that standard conditions are required in relation to materials, surface water drainage, details of design in relation to flood risk as recommended by the Planning Authority Environment Flooding Surface Water Section report, and development contributions.

9.0 Appropriate Assessment screening

I have considered the proposed extension and shed in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is

located in a rural area and is approximately 1.79km to the west and 1.93km to the south of Boyne Coast and Estuary SAC and approximately 1.93km to the south of Boyne Estuary SPA. The proposed development comprises construction of an extension and a garage. No nature conservation concerns were raised in the planning appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion are: the nature and small scale of the development, and the location and distance relative to European Site and lack of connection. I conclude, 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 (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

10.1.1. I have assessed the proposed development of an extension to a dwelling and have considered the Article 4 objectives of the Water Framework Directive. Having considered the nature, scale and location of the project, I am satisfied it can be excluded from further assessment as there is no conceivable risk to any water bodies or otherwise jeopardise any water body in reaching its WFD objectives.

11.0 Recommendation

11.1.1. I recommend permission be **Refused** for the reasons and consideration below.

12.0 Reasons and Considerations

The proposed development, by reason of its scale, height, design, form, roof profile and prominence as proposed would fail to respect, harmonise and integrate with the existing dwelling on site, and would injure materially the visual amenities of the area significantly. The development as proposed would, therefore, materially contravene Objective DM OBJ 50 of the Meath County Development Plan 2021-2027 as written.

-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.-

Dan Aspell
Inspector
14th May 2025

APPENDIX 1

Form 1: EIA Pre-Screening

Case Reference	ABP-321778-25
Proposed Development Summary	Construction of extension and rear shed.
Development Address	Bettystown Rd, Donacarney Great, Mornington, Co. Meath
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	
	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required.	
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10(b)(i) Construction of more than 500 dwelling units.
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: __ 17th April 2025__