



An
Coimisiún
Pleanála

Inspector's Report

ABP-322490-25

Development	Construction of vehicular entrance, retention of fence and boundary with all associated site works
Location	1 The Dale, Sevitt Manor, Bettystown, Co. Meath, A92P9FS
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	2460774
Applicant(s)	Joe McGrath
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Joe McGrath
Observer(s)	None
Date of Site Inspection	18 th July 2025

Inspector

Colin McBride

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Appendix 1 – Form 1: EIA Pre-Screening

Appendix 2 – Water Framework Directive

1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.66 hectares, is located in the residential development of Sevitt Manor located to the west of Bettystown. The site is occupied by no. 1 the Dale, which is a two-storey detached dwelling located on a corner site within the existing housing development. Adjoining development includes a similar dwelling to the southwest, no. 2 The Dale and backing onto the northeastern boundary is no. 9 The Avenue, which is also a two-storey detached dwelling.

2.0 Proposed Development

- 2.1. Permission is sought to construct a new vehicular entrance in the side boundary wall facilitating vehicular access to the rear of the dwelling and retention of a wooden fence along the front boundary of the site.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused based on two reasons:

1. Based on the information submitted, in particular the absence of any robust justification and rationale relating to need for additional car parking spaces to the rear of the property having regard to the adequate in curtilage car parking provision at the front of the dwelling the proposed development if permitted would result in haphazard/piecemeal development and would be contrary to the '*A1-Existing Residential*' land use zoning where the zoning objective is "*To protect and enhance the amenity and character of existing residential communities*". The proposed development would be contrary to the proper planning and sustainable development of the area.

2. The existing timber fence to be retained at the front of the existing dwelling, by reason of its materiality, height and finish would have a negative visual impact on the streetscape/public realm, would be visually incongruous with the existing boundary treatment on the adjoining properties and be out of character with the area. It is therefore considered that the subject development if permitted would establish an undesirable future precedent for development of this kind and be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planning Report (12/11/24):

- Further information required including justification for the proposed vehicular entrance, demonstrate compliance with open space requirements of the Sustainable Development and Compact Settlement Guidelines. Demonstrate compliance with Objectives DM OBJ 15 and DM OBJ 16 of the Meath County Development Plan, clarification of planning status of boundary fence and demonstration of adequate sightlines at the proposed entrance.

Planning Report (03/04/25)

- It was considered that insufficient justification was provided for the proposed entrance and additional parking and that the wooden fence for retention was out of character at this location. Refusal was recommended subject to the reasons outlined above.

3.2.2. Other Technical Reports

Transportation Dept (07/11/24)

- Applicant to demonstrate sightlines in accordance with DMURS.

Transportation Dept (06/03/25)

- No objection subject to conditions.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None.

4.0 Planning History

No planning history.

5.0 Policy Context

5.1. Development Plan

The relevant Development Plan is the Meath Council Development Plan 2021-2027. The application site is zoned the 'A1-Existing residential' with a stated objective "to protect and enhance the amenity and character of existing residential communities".

DM OBJ 15:

As a general rule, the indicative maximum plot ratio standard shall be 1.0 for housing at edge of town locations with an indicative maximum plot ratio of 2.0 in town centre/core locations.

DM OBJ 16:

Site coverage shall generally not exceed 80%. Higher site coverage may be permissible in certain limited circumstances such as adjacent to public transport corridors; to facilitate areas identified for regeneration purposes; and areas where an appropriate mix of both residential and commercial uses is proposed.

5.2. Natural Heritage Designations

3km from Boyne Coast and Estuary SAC (001957) and Boyne Estuary SPA (004080), which are the nearest European Site(s).

6.0 EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development regulations 2001, as amended (or Part V of the 1994 Road Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of this report.

7.0 The Appeal

7.1. Grounds of Appeal

A first party appeal has been lodged by Andrew Johnstown BSc. Building Surveyor on behalf of the applicant, Joe McGrath. The grounds of appeal are as follows.

- The purpose of additional off-street car parking is to facilitate the parking demand of the household, which include 3 cars and will include a further 2 being purchased by family members with two-off street car parking spaces serving the dwelling.
- The applicant highlights the fact that there are housing shortages nationally that has led to adult children remaining in the family home and the need to facilitate additional parking for vehicles associated with such.
- In relation to the timber fence such was installed for privacy and security, which is important to the occupants of the household, and the applicant is willing to submit medical evidence to justify such if required.

- The appellant/appellant does not consider the fence has any negative visual impact at this location.

7.2. Planning Authority Response

Response by Meath County Council

- The PA notes the grounds of appeal and are satisfied all matters were fully considered over the course of its assessment of the planning application. The PA request that the Coimisiuin upholds the appeal.

7.3. Observations

None.

8.0 Assessment

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

- Justification/principle of the proposed development
- Visual impact

8.2. Justification/principle of the proposed development:

8.2.1 The proposal has two aspects, with permission sought for a new vehicular entrance in the side wall of the site to facilitate parking to the rear of the existing dwelling and retention of a timber fence to the front of the dwelling. Permission was refused for the entrance and parking on the basis of lack of justification, piecemeal development, contrary Development Plan zoning and precedent.

- 8.2.2 The site is zoned 'A1-Existing Residential' with a stated objective "to protect and enhance the amenity and character of existing residential communities". The proposal for a new entrance and off-street car parking within the curtilage of an existing dwelling would be acceptable under the land use zoning objective given there is no alteration to the nature of use and such being an ancillary feature to enjoyment of the existing dwelling.
- 8.2.3 The refusal reason focuses on justification for the proposal. The applicant/appellant has made the point that the household has a certain level of existing vehicles, and such demand will increase, with mention of need for storage for classic car also. I would be of the view that subject to the proposal having no adverse impact on visual amenity, reduction in existing residential amenity standards or traffic safety impacts the issue of justification is not a relevant consideration. The applicant wishes to facilitate the off-street car parking of their vehicles which I consider to be a reasonable desire subject to consideration of the proper planning and development of the area.
- 8.2.4 In terms of visual impact the proposal entails provision of a new vehicular entrance in the side boundary with provision of gates in the existing 2m high wall (piers are 2.395m). It is proposed to provide a 4m wide access point with a sliding wooden automated gate. The design of vehicular entrance is acceptable with a proposal to provide matching piers either side of the entrance that reflect structural piers located the length of the existing boundary wall. I would consider that the visual impact of the entrance to be acceptable in the context of the visual amenities of the area. Having regard to the existing boundary treatment along the side boundary and the gated access proposed, vehicles parked to the rear of the dwelling will not be visible in the surrounding area.
- 8.2.5 In terms of residential amenity and development control standards the applicant was asked to demonstrate compliance with Objectives DM OBJ 15 and 16 of the County Development Plan, which relate to site coverage and plot ratio. The applicant/appellant has demonstrated that the proposal will maintain standards in

accordance with both objectives. In terms of private open space, Development Plan standards are outlined under Table 11.1 of the CDP and reflect the standards set out under SPPR 2 of the Sustainable Residential and Compact Settlement Guidelines. The applicant's drawings show that with the proposed parking area provided to the rear of the existing dwelling, the applicants private open space to the rear of the dwelling excluding the parking area and existing shed is 203sqm, which is well in excess of the 50sqm standard under Table 11.1 for a four bedroom+ dwelling. I am of the view that the proposal would not compromise the residential amenity of the existing dwelling and maintains a reasonable standard of residential amenity on site. In this regard I would consider the proposal would be acceptable in the context of the proper planning and sustainable development of the area and would not be contrary the land use zoning objective of the site.

8.2.6 I would note that visibility at the proposed entrance would be acceptable in the context of the Design Manual for Urban Road and Streets and that the access point is onto a low traffic residential service road. I am satisfied that the proposal would be acceptable in the context of traffic safety.

8.3. Visual Impact of existing fence:

8.3.1 As noted above the proposed vehicular entrance to the side boundary and additional parking to the rear of the dwelling would be satisfactory in terms of visual amenity.

8.3.2 The proposed development also includes retention of an existing wooden fence to the front of the existing dwelling. The existing dwelling features a 0.86m brick wall, which is original to the dwelling when it was built. The applicant/appellant has constructed a wooden fence above the brick wall that raised the walls height by a further 0.95m to give a total height of 1.81m. In terms of overall visual amenity, the proposed structure for retention has a significant visual impact and is quite obtrusive given the majority of the dwellings feature 0.86m high brick walls to the front. At the time of the site visit I noted that the majority of the dwellings retain their brick wall front boundaries as constructed. Some dwellings have back planted such with a

hedge and grown such to a height for the purposes of privacy. There is a few other dwellings within the housing development that have erected wooden fencing above the existing brick front boundary, no. 3 the Drive features such and no. 4 the Drive features tall piers, a large gate and tall hedge (both located a short distance west of the site). I can find no record of these boundary fences to the front having been granted permission, which would have set a precedent.

8.3.3 Having regard to the design and scale of the fencing for retention, I would be of the view that such is visually obtrusive and out of character with the established and authorised pattern of development at this location, would have an adverse impact on the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

8.3.4 I acknowledge that the applicant/appellant has attempted to justify the provision of the boundary tremanet on the basis of privacy/medical grounds. I would consider that there is insufficient justification to provide for a structure that is visually obtrusive and out of character with the established pattern of development at this location.

9.0 AA Screening

I have considered the proposal for construction of a vehicular entrance, retention of fence and boundary with all associated site works in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located in an urban area within the housing development of Sevvit Manor 3km from Boyne Coast and Estuary SAC (001957) and Boyne Estuary SPA (004080), which are the nearest European Site(s).

The proposed development comprises the construction of a vehicular entrance to facilitate parking to the rear and retention of a wooden fence along the front boundary. 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 is as follows:

- Nature of works are small scale in nature and to an existing urban development. nature of the development.
- Location-distance from nearest European site and lack of connections.

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 Screening

10.1. Refer to Water Framework Directive Table in Appendix 2 of this report.

11.0 Recommendation

11.1. I recommend a split decisions with a **grant** of permission for the construction of a new vehicular entrance in the side boundary wall facilitating vehicular access to the rear and **refusal** of permission for retention of a wooden fence along the front boundary of the site.

12.0 Reasons and Considerations

Grant of permission for construction of a new vehicular entrance in the side boundary wall:

Having regard to the nature and extent of the proposed vehicular entrance parking to the rear of the dwelling, it is considered that subject to conditions the development would be consistent with the relevant provisions of the Meath Council Development Plan 2021-2027, including Policy Objectives DM OBJ 15 and 16; would protect and provide for residential uses and amenities; would respect the character and visual

amenities of the area; would not be prejudicial to public safety or health; and would therefore be consistent with the proper planning and sustainable development of the area.

Refusal of permission for retention of wooden fence along the front boundary:

1. The wooden boundary fence for retention by reason of its design and scale and location to the front of an existing dwelling in a housing development with a clearly established pattern of development in terms of front boundary treatment would be a visually obtrusive and highly jarring element that is out of character with the established pattern of development. The proposed development would have an adverse impact on the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the Planning Authority on the 08th day of February 2005, 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. For the avoidance of doubt, this permission shall not be construed as approving any development shown or referenced on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: In the interest of clarity.

2. Footpath and kerb to be ditched and provided to the requirements of Meath County Council. All costs incurred by Meath County Council, including any repairs to the

public road and services necessary as a result of the development, shall be at the expense of the developer.

Reason: To ensure a satisfactory standard of development in the interests of public safety.

3. Disposal of surface water from the development shall be to the requirements of the Planning Authority. No surface water shall be allowed to flow on to the public carriageway.

Reason: In the interest of orderly development.

Colin McBride
Senior Planning Inspector

22nd July 2025

Appendix 1
Form 1 - EIA Pre-Screening
No EIAR Submitted

Case Reference	
Proposed Development Summary	Construction of a vehicular entrance, retention of fence and boundary with all associated site works.
Development Address	1 The Dale, Sevitt Manor, Bettystown, Co. Meath, A92P9FS.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<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.	State the Class here
<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	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	<p>State the Class and state the relevant threshold</p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>State the Class and state the relevant threshold</p>

Inspector: _____

Date: _____

Appendix 2

Water Framework Directive

Template 1: Screening the need for Water Framework Directive Assessment Determination.

The subject site is located in the housing development Sevitt Manor, Bettsyown, Co. Meath with the nearest waterbody being the Irish Sea approximately 1km to the east of the site.

The proposed development comprises construction of a new vehicular access in the side boundary of an existing dwelling and retention of a wooden fence along the front boundary.

No water deterioration concerns were raised in the planning appeal.

I have assessed the proposal and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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 surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The nature of works are small in scale and nature of the development.
- There is a lack of hydrological connection with the nearest waterbody.

Conclusion

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.