



An  
Bord  
Pleanála

## Inspector's Report ABP-322612-25

<b>Development</b>	Construction of a new dwelling house, domestic Garage, Vehicular Entrance, Effluent Treatment system with Percolation area and all associated ancillary site works.
<b>Location</b>	Arodstown, Summerhill, Co. Meath
<b>Planning Authority</b>	Meath County Council
<b>Planning Authority Reg. Ref.</b>	2460813
<b>Applicant(s)</b>	John Patrick Prunty
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	John Patrick Prunty
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	14 <sup>th</sup> August 2025
<b>Inspector</b>	Emma Gosnell

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## **1.0 Site Location and Description**

- 1.1. The appeal site is located within the rural townland of Arodstown c. 3.5km to the north-east of Summerhill village in Co. Meath.
- 1.2. The site is bounded to the north, west and east by agricultural fields and to the south it fronts onto the L-62152 local road (cul-de-sac) being located c. 75m from its junction with the Moynalvey Road. There is a large detached residential property located c. 130m to the east of the site and it is separated from same by an agricultural field. There is a small lake located c. 200m to the north-east on site of a former (now flooded) quarry and a large farm complex on the opposite side of the L-62152 to the south.
- 1.3. The site is greenfield in nature and has a stated area of c. 0.757ha. It is pastoral in character and slopes upwards from east to west. The site's roadside boundary comprises of dense hedgerows, and it is accessed via an existing agricultural entrance on its north side which is in turn accessed via the grounds of the detached residential property to the east. There are overhead electricity cables traversing the site.
- 1.4. The applicant is also the legal owner of the lake and a large area of farmland and related properties to the north of the appeal site (overall landholding is c. 23ha), including a water sports facility.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises of the construction of a new dwelling house, domestic garage, vehicular entrance, effluent treatment system with percolation area and all associated ancillary site works.
- 2.2. Further information was submitted on this application and related primarily to the applicant's compliance with Meath's rural housing need policy. No changes were made to the proposed dwelling house or to its supporting infrastructure.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Permission refused on 28/04/2025 for 1 no. reason:

1. Location of the site outside a designated settlement and in a rural area under strong urban influence and, failure to satisfactorily evidence a site-specific rural generated housing need for the development at this location in accordance with the Local Needs Qualifying Criteria set out in Sections 9.4 (Persons who are an Intrinsic Part of the Rural Community) and 9.5 (All Areas) of the Meath County Development Plan 2021-2027 (MCDP). Contravention of the Sustainable Rural Housing Guidelines for Planning Authorities and Policies RD POL 1 – RD POL 3 of the MCDP on this basis.

## Planning Authority Reports

### 3.1.1. Planning Reports

2 no. planning reports formed the basis of the planning authority's (PA) assessment:

#### Planner's Report (22/11/2024) – Initial Application Stage

The report sets out the relevant planning history, policy context, issues raised in internal departmental reports, and undertakes a planning assessment, EIA Screening and AA Screening. Key points of note raised in the report are as follows:

- *Principle of Development* – site is in a rural area under strong urban influence (Rural Area 1) and proposal for dwelling on site is acceptable where the applicant complies with the local needs qualifying criteria as per Sections 9.4 and 9.5 of the MCDP.
- *Rural Housing Need* – PA not satisfied, on the basis of the supporting documentation provided by the applicant, that they have intrinsic connections to the immediate area together with a location-specific genuine rural housing need as required in compliance with Sections 9.4 and 9.5 of the MCDP. **This matter formed part of the FI request.**
- *Scheme Layout & Design* – siting, layout, architectural design and materiality of proposed house and car garage deemed acceptable in principle and compliant with the Meath Rural Design Guide.
- *Wastewater System* – proposed on-site wastewater treatment system is suitable having regard to the site conditions and specifications detailed in the submitted Site Characterisation Report.

- *Access & Mobility* – proposal to remove a section of hedging to the front (south) of the site in order to create a new entrance with the requisite sightlines (90m to the nearside edge of the road from a setback of 2.4m) is acceptable and will not give rise to traffic hazard. The PA's Transportation Section seek that a condition is attached in the event of a grant of permission to ensure sightlines remain unobstructed and standard entrance conditions are adhered to.
- *Flood Risk* – site not located in flood zone and no flood risk arises on this basis.
- *Appropriate Assessment (AA) Screening* – nearest EU sites are 8km/ 14km away with no pathways or potential for significant effects on EU sites and Stage 2 AA not required.
- *Environmental Impact Assessment (EIA) Screening* – EIAR not required given nature and scale of the sub-threshold development proposed.

A request for Further Information (FI) issued on 25/11/2024 in relation to 2 no. items.

The applicant's response to the FI request was received on the 02/04/2025 and consisted of a letter from the applicant's agent which sought to address the PA's queries. The response was not deemed significant, and no new statutory notices were required.

#### Planner's Report (24/04/2025) – Further Information Stage

This report provided an assessment of the FI received as follows:

- *Item 1 (Compliance with Sections 9.4 and 9.5 of MCDP)* – whilst noting the contents of the FI response, the PA determined that the applicant had not submitted any further documentation (i.e. proof of address and rental agreement etc. for period 2018-present or min. duration of 5 years prior) in relation to their current residential arrangements. On this basis, the PA were not satisfied that sufficient evidence had been provided to prove that the applicant does not currently own/ possess another residential dwelling or own/ possess a dwelling in the past as required when seeking to demonstrate the housing needs of persons local to or linked to a rural area as per Section 9.4 of the MCDP. A **refusal** of permission was recommended on this basis.
- *Item 2 (Procedure re: Significant Further Information)* – PA satisfied that FI response was not so significant as to warrant revised statutory notices.

The planning report concluded by recommending permission be **refused** for a 1 no. reason relating to the failure to satisfactorily evidence a site-specific rural generated housing need (as detailed above).

### 3.1.2. **Other Technical Reports**

#### Initial Application Stage

*Transportation Department (15/11/2024)* – No objection subject to attachment of conditions.

#### Further Information Stage

None received.

### 3.2. **Prescribed Bodies**

#### Initial Application Stage

No submissions received.

#### Further Information Stage

No submissions received.

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

#### Initial Application Stage

No submissions received.

#### Further Information Stage

No submissions received.

## 4.0 **Planning History**

### 4.1. **Site**

None found.

### 4.2. **Wider Landholding**

The applicant's landholding has an extensive planning history. The most recent/ relevant applications are detailed below.

### Site to East

*P.A. Ref. RA150706* – Application for: 1. construction of a new detached two storey, 5-bedroom dwelling with attached garage, location of dwelling on the site had been altered from previous granted planning application (ref. no. RA/140756). 2. New entrance to site from existing roadway. 3. New proprietary wastewater treatment system & percolation area. 4. All associated site works, granted permission on 27/08/2015 subject to 13 no. conditions [Granted to applicant's daughter].

*P.A. Ref. RA140756* – Application for construction of a new detached two storey, 5-bedroom dwelling with attached garage. Improvement of existing entrance to site. New proprietary wastewater treatment system and percolation area. All associated site works granted permission on 27/01/2015 subject to 13 no. conditions [Granted to applicant's daughter].

### Sites to North

*P.A. Ref. RA201618* – Application for extension to the ground floor and first floor of existing dwelling, granted permission on 22/07/2021 subject to 14 no. conditions.

*P.A. Ref. DA140430* – Application for extension of duration of planning permission ref. No. TA/900456 (private single storey residence and garage with septic tank or appropriate waste water treatment system and percolation area and entrance on to public road including connection to main services together with all ancillary site works), granted permission on 10/07/2014 (until 28/06/2019) [Granted to applicant's son].

## **4.3. Neighbouring Sites**

### Farm Complex to South

*P.A. Ref. 2360376* – Application for the demolition of elements of the existing structure, alterations to the existing structure, provision of a new single storey extension, use of the existing structure and extension as a dwelling, new private water well and the provision of a new septic tank and percolation area together with all associated site development works, granted permission on 06/02/2024 subject to 10 no. conditions.

## **4.4. National Policy**

Project Ireland 2040 – National Planning Framework (2025):

- NPO28: siting and design criteria for rural housing
- NPO 19: housing in rural areas under urban influence based on consideration of demonstrable economic or social need (cited by appellant)
- NPO15: sustainable development of rural areas (cited by appellant)

Climate Action Plan (2024 & 2025) and Ireland's 4th National Biodiversity Action Plan (NBAP) 2023-2030

Our Rural Future Rural Development Policy 2021-2025

EPA Code of Practice: Domestic Wastewater Treatment Systems (2021)

Design Manual for Urban Roads and Streets (DoHLGH, 2019)

Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes and Sustaining Communities (DoHLGH, 2007)

Sustainable Rural Housing Guidelines for Planning Authorities (DoHLGH, 2005).

#### 4.5. **Regional Policy**

Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031 – Rural Areas:

- RPO 4.80: provision of single houses in rural areas under strong urban influence based on consideration of demonstrable economic or social need (cited by appellant)
- RPO 4.81: siting and design criteria for rural housing
- RPO 4.84: support for the rural economy and rural employment creation (cited by appellant).

#### 4.6. **Development Plan**

The Meath County Development Plan 2021-2027 (MCDP) applies.

##### Zoning

The 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'



The site is located in Flood Risk Zone C.

### Rural Settlement Strategy

#### Section 9.2 (Rural Settlement Strategy)

Policy 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.

Policy 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. An assessment of individual rural development proposals including one-off houses shall have regard to other policies and objectives in this Development Plan, and in particular Chapter 8 Section 8.6.1 UNESCO World Heritage Site of Brú na Bóinne.

#### Section 9.3 (Rural Area Types)

Map 9.1 (Rural Area Types Development Pressure) – site located in ‘Area 1 - Rural Area under Strong Urban Influence’

Policy 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.

Policy 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.

Policy RD POL 3: To protect areas falling within the environs of urban centres in this Area Type from urban generated and unsightly ribbon development and to maintain the identity of these urban centres.

#### Section 9.4 (Persons who are an Intrinsic Part of the Rural Community)

The Planning Authority recognises the interest of persons local to or linked to a rural area, who are not engaged in significant agricultural or rural resource related

occupation, to live in rural areas. For the purposes of this policy section, persons local to an area are considered to include:

- Persons who have spent substantial periods of their lives, living in rural areas as members of the established rural community for a period in excess of five years and who do not possess a dwelling or who have not possessed a dwelling in the past in which they have resided or who possess a dwelling in which they do not currently reside;
- Persons who were originally from rural areas and who are in substandard or unacceptable housing scenario's and who have continuing close family ties with rural communities such as being a mother, father, brother, sister, son, daughter, son in law, or daughter in law of a long-established member of the rural community being a person resident rurally for at least ten years; (...)

Where an applicant for a one-off house in the countryside can demonstrate, by the submission of documentary evidence, that their original dwelling was sold due to unavoidable financial circumstances, such applications will be considered on their individual merits, where the applicant satisfies local housing need criteria. This consideration does not override the other normal assessment criteria as set out in this Development Plan for a one-off house.

## Section 9.5 (All Areas)

### Section 9.5.1 Development Assessment Criteria

The Planning Authority will also take into account the following matters in assessing individual proposals for one-off rural housing:

- The housing need background of the applicant(s) in terms of employment, strong social links to rural areas and immediate family as defined in Section 9.4 Persons who are an Intrinsic Part of the Rural Community;
- Local circumstances such as the degree to which the surrounding area has been developed and is trending towards becoming overdeveloped;
- The degree of existing development on the original landholding from which the site is taken including the extent to which previously permitted rural housing has been retained in family occupancy. Where there is a history of individual residential

development on the landholding through the speculative sale of sites, permission may be refused;

- The suitability of the site in terms of access, wastewater disposal and house location relative to other policies and objectives of this plan;
- The degree to which the proposal might be considered infill development.

Section 9.5.3 and Policy RD POL 7 (Attachment of Occupancy Condition)

#### Housing Design Guidance

Section 9.6 (Rural Residential Development: Design and Siting Considerations)

Policy RD POL 9: To require all applications for rural houses to comply with the 'Meath Rural House Design Guide'.

Section 9.6.1 (To require all applications for rural houses to comply with the 'Meath Rural House Design Guide')

#### Landscape/ Natural Heritage

Section 9.16 (Roadside Boundaries)

Policy RD POL 41: To avoid the removal of existing roadside boundaries where they are more than 3 m from the road edge (edge of carriageway), except to the extent that this is needed for a new entrance, and where required for traffic safety reasons. (Please refer to policies contained in Section 8.9.7 Woodlands, Hedgerows and Trees in this regard).

Policy HER POL 37: To encourage the retention of hedgerows and other distinctive boundary treatments in rural areas and prevent loss and fragmentation, where practically possible. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, mitigation by provision of the same type of boundary will be required.

Site located in Tara Skryne Hills Landscape Character Area.

#### Access/ Drainage

Section 9.18.1 (One-Off Houses: Sight Distances and Stopping Sight Distances Policy) and Policy RD POL 43

Section 9.18.2 (Groundwater Protection and Planning System) and Policy RD POL 44

## **5.0 Natural Heritage Designations**

The appeal site is not located within or adjoining any designated site.

The nearest European Sites in close proximity to the appeal site are as follows:

- c. 8km from River Boyne and River Blackwater SAC (Site Code 002299)
- c. 8km from River Boyne and River Blackwater SPA (Site Code 004232)
- c. 13km from Rye Water Valley/Carlton SAC (Site Code 001398)

The nearest Natural Heritage Areas in close proximity to the appeal site are as follows:

- c. 8km from Trim pNHA (Site Code 001357)
- c. 8km from Rathmoylan Esker pNHA (Site Code 000557)
- c. 11km from Royal Canal pNHA (Site Code 002103)

## **6.0 EIA Screening**

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

## **7.0 Water Framework Directive Screening**

I have concluded, 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 (refer to form in Appendix 2 for details).

## 8.0 The Appeal

### 8.1. Grounds of Appeal

A first party appeal submission was received (26/05/2025) and seeks to address the PA's reasons for refusal. The grounds of appeal can be summarised as follows:

#### Policy Context

The appellant sets out the national, regional and development plan policy context which they contend supports the proposal (as detailed in Section 4.0 of this report).

#### Local Needs Qualifying Criteria

##### *Connection to Area*

- Applicant has 24+ years of business and familial connections with the locality
- Applicant is the legal owner of a large farm holding at Arodstown since 2001
- Applicant runs successful businesses (aquatic centre and building insulation supplier etc.) in Arodstown and is also involved in equine farming in the area (documentary evidence of same provided)
- Applicant previously lived in Arodstown for 10+ years (and extensive documentary evidence of same has been provided as part of the application process)
- Applicant's family are resident in the immediate area for last 10 years
- Applicant is an intrinsic part of the local rural community and works full time in area
- Applicant has a demonstrable local rural housing need.

##### *Dwelling Ownership*

- Applicant does not currently own another dwelling
- Applicant previously owned dwelling and lands and resided in Arodstown (for period 2007-2017) but had to sell same in 2018 on account of financial difficulties
- Applicant is currently (since 2018) cohabiting in Clane, Co. Kildare with his partner (in a dwelling owned by his partner as per title folio documentation provided as part of the planning application)

- The current residency arrangement between the applicant and his partner is personal/ informal and, as such, there is no formal rental agreement in respect to same. However, the applicant contributes to the upkeep/ house bills and evidence of same is provided with the grounds of appeal
- PA are predisposed to resist new rural dwellings as a matter of principle.

#### Procedural Issues

- The planner's report (22/11/2024) which gave rise to the FI request was not made available to the applicant prior to their preparing a response to same
- It is not clear from the planner's report what the deficiencies in the application documentation are in respect to their local needs form and current and/ or previous residency arrangements
- Disparity evident between the rationale for requesting FI outlined in the planner's report and the actual content of the FI request
- Applicant should have been afforded the opportunity to provide clarification of FI
- The PA's refusal reasoning differs from the substance of their FI request
- PA make reference to the suitability of the site from a technical perspective and to the nature and scale of the development in their refusal reasoning despite no design/ technical issues being raised in the PA's assessment of the proposal.

#### Design/ Servicing

- Proposal is compliant with all relevant policy guidance and technical requirements
- Proposal respects and is in-keeping with the character of the area
- PA raised no issues with the design or servicing of the proposal.

The appeal is accompanied by the following documentation:

- A completed MCC Local Need Form (dated 20/07/2024)
- A copy of the planning report and design statement (incl. appendices) submitted with the application
- A copy of the FI response (incl. appendices) submitted to the PA
- A copy of post-FI email correspondence between the PA and applicant's agent

- Phone bills (dated 2018 and 2025) illustrating applicant's postal address in Clane
- Utility bills (dated 2025) illustrating applicant's postal address in Clane
- Letter from Dept. of Agriculture (dated 2022) illustrating applicant's postal address in Clane
- Phone bill (dated 2024) addressed to applicant's partner in Clane
- TV license (dated 2018) addressed to applicant's partner in Clane
- Bank statements (dated 2023 & 2024) illustrating applicant's monthly transfer of a fixed sum of money to their partner (3 no. such transfers evidenced)
- Letter (dated 2024) from DBASS, applicant's business accountants (acting in this capacity since 2010), stating that he runs a farming enterprise in Arodstown
- Letter (dated 2024) from Corvidae, applicant's business accountants, stating the applicant is involved in day-to-day management of Arodstown insulation business
- Undated letter from IrWWF stating that the applicant is involved in the day-to-day management of the water sports facility in Arodstown from April-November each year.

## **8.2. Planning Authority Response**

Response received 23/06/2025 notes the basis of the third party appeal and confirms that all issues raised were considered as part of their assessment of the proposal. The PA seek that the Commission uphold their decision to refuse permission.

## **8.3. Observations**

None received.

## **8.4. Further Responses**

None received.

## **9.0 Assessment**

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report(s) 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 in this appeal to be considered are as follows:

- Principle of Development
- Procedural Issues
- Other

## 9.1. Principle of Development

### Rural Housing Need

- 9.1.1. The proposed development is located on lands designated as 'Area 1 - Rural Area under Strong Urban Influence' in the MCDP.
- 9.1.2. The PA were not satisfied that the appellant had sufficiently proven their compliance with the local needs qualifying criteria relevant to such rural areas as required by Sections 9.4 and 9.5 and of the MCDP. This determination was made on the basis of insufficient supporting evidence to demonstrate the applicant's intrinsic connections to the immediate area and location-specific genuine rural housing and, the lack of sufficient evidence provided in respect to their recent/ current residential arrangements and as to whether or not they own or previously owned a residential dwelling.
- 9.1.3. The appellant submits that they have a demonstrable local rural housing need based on their longstanding business and familial connection to the Arodstown rural area, and their ongoing land ownership and previous ownership of a house and residence in the area for a period exceeding 10 years. Documentation to substantiate same is submitted with the grounds of appeal (as detailed in Section 8.1 of this report).
- 9.1.4. I have reviewed Sections 9.2 - 9.5 of the MCDP and I note that Policy RD POL 1 seeks 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.
- 9.1.5. Section 9.4 of the MCDP provides a number of definitions in respect to what constitutes 'persons local to or linked to a rural area'. The applicability of these definitions to the applicant are examined in detail below:

*"Persons who were originally from rural areas and who are in substandard or unacceptable housing scenario's and who have continuing close family ties with*



*rural communities such as being a mother, father, brother, sister, son, daughter, son in law, or daughter in law of a long-established member of the rural community being a person resident rurally for at least ten years”.*

- 9.1.6. Whilst the applicant was originally from the Arodstown rural area (i.e. being resident there in the period 2007-2017), I do not consider that they are in a substandard or unacceptable housing scenario on the basis that they are living with their partner in Clane (as detailed in Section 8.1 of this report) and, for this reason their continuing close family ties with the rural community in Arodstown and familial relationship with long-established rural community members (i.e. son and daughter with houses in the area as per Section 4.2 of this report) are immaterial. As such, I consider that this definition would not apply to the applicant.

*“Persons who have spent substantial periods of their lives, living in rural areas as members of the established rural community for a period in excess of five years and who do not possess a dwelling or who have not possessed a dwelling in the past in which they have resided or who possess a dwelling in which they do not currently reside (...). Where an applicant for a one-off house in the countryside can demonstrate, by the submission of documentary evidence, that their original dwelling was sold due to unavoidable financial circumstances, such applications will be considered on their individual merits, where the applicant satisfies local housing need criteria”*

- 9.1.7. This definition allows housing applications, from persons who have spent substantial periods of their lives living in rural areas as members of the established rural community for a period in excess of five years (...), to be considered on their merits. Having regard to the nature and extent of the supporting documentation submitted by the applicant in respect to their familial and business connections with the Arodstown area (detailed in Section 8.1 of this report), I am satisfied that it has been demonstrated that the applicant has spent a period in excess of 5 years living in the Arodstown rural area, being an established member of the local community.
- 9.1.8. The applicant previously owned a rural dwelling in the Arodstown area and has applied for permission for a further one-off dwelling and, as such, Section 9.5 provides that such applications can only be considered where the applicant for a one-off house in

the countryside can demonstrate, by the submission of documentary evidence, that their original dwelling was sold due to unavoidable financial circumstances.

- 9.1.9. I acknowledge the applicant's statement that their original rural dwelling was sold (in 2018) due to unavoidable financial circumstances (i.e. as allowed for under the policy). Having reviewed the information on file however, I am not satisfied that the applicant has demonstrated same via the submission of sufficient documentary evidence.
- 9.1.10. In this respect, I note that no definitive information has been provided on the exact location of their previous rural dwelling in the Arodstown area, with the extensive supporting medical, equine, tax, legal, commercial and financial documentation (corresponding with the specified period 2007-2017) submitted at the planning application and appeal stages only providing details of the applicant's general postal address in Arodstown. Whilst this may be explained by the geo-locating national Eircode system not being introduced until 2015, the fact remains that the information provided has not allowed me to ascertain or verify the exact location of the applicant's previous dwelling in the locality. It has also not enabled me to determine that this previous dwelling was indeed sold in 2018 as stated by the applicant. In this regard, I note that whilst correspondence from property sales agents (dated December 2015) and folio information have been provided, this information is incomplete (I note, for example, only partial information has been provided in respect to folio no's MH21486 and MH76344F (pages missing) which appear to relate to a detached dwelling on the L-2207) and, for this reason, it is not sufficient to demonstrate compliance with the MCDP requirements.
- 9.1.11. On this basis, I consider that there is insufficient information on file to determine the proposal's compliance with Sections 9.4 and 9.5 of the MCDP and I am of the view that a refusal of permission is warranted on this basis as the proposal would be non-compliant with Policy RD POL 1 and RD POL 2 which give effect to the 2005 Rural Housing Guidelines. Notwithstanding, were the Commission to take a different view on this matter, I note that it is open to them under Section 131 of the Planning and Development Act 2000 (as amended) to request any party to the appeal or any person or body who has made submissions or observations on same to make further submissions or observations in relation to this matter.

- 9.1.12. The PA cite contravention of Policy RD POL 3 in their refusal reasoning, and I note that this policy seeks to protect areas falling within the environs of urban centres in rural areas from urban generated and unsightly ribbon development and to maintain the identity of these urban centres. On this basis, I consider that it is not relevant to the subject proposal.

## **9.2. Procedural Issues**

- 9.2.1. The grounds of appeal highlight various procedural issues in respect to the PA's dealings with their planning application, the details of which are set out under Section 8.1 of this report. Whilst I acknowledge the nature and extent of the concerns outlined, I am satisfied that I have given full, objective consideration to the proposal and have not been unduly influenced in coming to a decision on same.

## **9.3. Other**

- 9.3.1. The grounds of appeal have raised matters relating to the design and servicing. The appellant is of the view that their proposal is compliant with all relevant policy guidance and technical requirements and that it is in keeping with the character of the area. The planning authority raised no issues in respect to design or servicing in their assessment of the proposal.

### Design

- 9.3.2. Having visited the site and reviewed the information on file, I am satisfied that the scale, design and layout of the proposed dwelling accords with quality housing design guidance and with the Meath Rural Design Guide. I am also satisfied that the dwelling and garage have no potential to give rise to negative impacts on existing residential or visual amenities on account of their simple contemporary design and single storey height and siting to the rear of substantial roadside boundaries.

### Servicing

#### Access

- 9.3.3. The applicant proposes to remove a section of hedgerow to the front of the site in order to create a new vehicular entrance off the L-62152 local road (south-west side) which borders to the site to the south.
- 9.3.4. The PA's Transport Dept. determined the proposal to be acceptable on the basis of the applicant's achievement of 90m sightlines in either direction as required in

compliance with MCDP Section 9.18.1 (One-Off Houses: Sight Distances and Stopping Sight Distances Policy) and Policy RD POL 43. Having reviewed the applicant's access proposals, I am also satisfied with said sightlines and access arrangements. Notwithstanding the foregoing, in the interests of future pedestrian and vehicular safety, I consider it appropriate that, where the Commission are minded to grant permission, a condition is attached to ensure the proposed entrance conditions are adhered and that the sightlines remain unobstructed.

- 9.3.5. I note that Section 9.16 and Policies RD POL 37 and 41 of the MCDP encourage the retention of hedgerows in rural areas but allow for their limited removal in the case of provision for a new entrance and as required for traffic safety reasons. I consider the removal of part (c. 10m) of the existing hedgerow to be acceptable on the basis that the remaining c. 65m of hedgerow along this boundary is proposed for retention together with the existing hedgerow along the site's western boundary, with additional native planting also proposed elsewhere on the site. In the interests of biodiversity, natural heritage and compliance with the Wildlife Act (1976), I consider that this section of hedgerow should only be removed outside of nesting season (i.e. should not be removed between 01 March to 31 August) and where the Commission are minded to grant permission, I recommend the attachment of a condition to ensure same.

#### *Drainage*

- 9.3.6. The applicant proposes a new secondary treatment system and polishing filter on-site together with a soakpit located to the east and north-east of the dwelling respectively. A new private well is to also be bored on site to provide for the dwelling's water supply.
- 9.3.7. The PA determined that the proposed on-site wastewater treatment system was suitable having regard to the site conditions and specifications detailed in the submitted Site Characterisation Report. No issues were raised with regard to the well.
- 9.3.8. Having reviewed the Geological Survey Ireland's GIS Mapping, I note that the proposed domestic wastewater treatment system (DWWTS) has been sited over a poorly productive bedrock groundwater body aquifer with a moderate vulnerability. I also note that the site is not at risk of flooding (being located in Flood Zone C with no evidence of prior/ localised pluvial type flooding), that the proposed water supply is from a new domestic well located c. 48m south-west (up-gradient) of the new dwelling and that surface water of the site is proposed to be managed via a soakaway

percolation system. Having regard to the groundwater vulnerability rating and status and to the Groundwater Protection Response Matrix for Single House DWWTs and Table E1 of the EPA's CoP (2021), I have determined that the site falls with the R1 response category where an on-site system is acceptable subject to normal good practice in accordance with the CoP.

- 9.3.9. I refer the Commission to the Site Characterisation Form submitted with the application which states that the site is relatively flat but undulating with ground conditions which are firm underfoot with a soil type of Grey Brown Podzolics and a subsoil of Till derived from limestones. Whilst the groundwater flow was determined to be unknown the report does record open ditches surrounding the field and a natural spring c. 250m to the southwest. The report states that the depth of the trial hole was 2.1m below ground level and that the ground water table was encountered at 1.3m with associated mottling.
- 9.3.10. The percolation tests yielded T-test (subsurface) values of 39.00 and I am satisfied that the T-test results were carried out and calculated properly and that the percolation testing was carried out in compliance with Annex C (Site Characterisation) of the CoP and that the results are consistent with the ground conditions (i.e. no evidence of ponding) I observed during my site visit and with the soil colour and soil profile provided in the Site Characterisation Form. However, given that groundwater was encountered in the trial hole the results of the P-test value of 32.00 also needs to be considered. Having regard to same, I am satisfied that the T-test and P-test values indicate that the site is suitable for development and having regard to the proposed treatment system which will discharge to groundwater.
- 9.3.11. Furthermore, having considered the separation distances required between the DWWTS and relevant adjoining features (e.g. upgradient domestic well, lake, adjacent DWWTS, on-site and neighbouring dwelling house, road, site boundary, trees and surface water soakaway) as per the guidance set out in Table 6.2 (Minimum separation distances) of the EPA CoP, I am satisfied that the proposal meets the minimum requirements in respect of same.
- 9.3.12. In light of the above considerations, I am satisfied that the proposal would not give rise to a risk to public health and is generally compliant with Sections 9.18.1 and 9.18.2 of

the MCDP set out the PA's policy on groundwater protection and the management/disposal of wastewater.

## **10.0 AA Screening**

10.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites, specifically the River Boyne and River Blackwater SAC (Site Code 002299), River Boyne and River Blackwater SPA (Site Code 004232) and Rye Water Valley/Carton SAC (Site Code 001398), in view of these sites' Conservation Objectives, and Appropriate Assessment (and submission of an NIS) is not therefore required.

10.2. This determination is based on:

- The relatively minor nature of the development.
- The location-distance from the nearest European Site and lack of connections.
- Taking into account the appropriate assessment screening undertaken by the PA.

10.3. I conclude that, on the basis of objective information, the proposed development would not have a likely significant effect on any European Site, either alone or in combination with other plans or projects.

10.4. Likely significant effects are excluded and therefore Appropriate Assessment (Stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

## **11.0 Recommendation**

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

## **12.0 Reasons and Considerations**

1. Having regard to the location of the site on lands which are zoned for 'RA – Rural Area' and in 'Area 1 - Rural Area under Strong Urban Influence' where

housing is restricted to persons demonstrating a site-specific rural generated housing need for the development at this location in accordance with the Local Needs Qualifying Criteria set out in Sections 9.4 (Persons who are an Intrinsic Part of the Rural Community) and 9.5 (All Areas) of the Meath County Development Plan 2021-2027, it is considered that the applicant has not submitted sufficient information to demonstrate their compliance with the housing need criteria as set out in the Development Plan for a dwelling at this location and their proposal is therefore non-compliant with Policy RD POL 1 and Policy RD POL 2 on this basis. The proposed development, in the absence of said housing need, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

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Emma Gosnell

Planning Inspector

8<sup>th</sup> September 2025

## Appendix 1

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	<b>ABP-322612-25</b>
<b>Proposed Development Summary</b>	Proposal for the construction of a new dwelling house, domestic garage, vehicular entrance, effluent treatment system with percolation area and all associated ancillary site works.
<b>Development Address</b>	Arodstown, Summerhill, Co. Meath
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (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.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<input 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.	



<b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required</b>	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. <b>Preliminary examination required. (Form 2)</b> <b>OR</b> <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	<p>Part 2, Class 10(b)(i) Infrastructure – dwelling units – 500 units. Proposal is for 1 no. dwelling unit.</p> <p>Part 2, Class 10(b)(iv) - Urban development – 10 hectares (built-up area). Site is 0.757ha.</p> <p>Part 2, Class 1(a) - (rural restructuring/ hedgerow removal)</p>

<b>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)?</b>	
Yes <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
No <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

### Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	<b>ABP-322612-25</b>
<b>Proposed Development Summary</b>	Proposal for the construction of a new dwelling house, domestic garage, vehicular entrance, effluent treatment system with percolation area and all associated ancillary site works.
<b>Development Address</b>	Arodstown, Summerhill, Co. Meath
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	

<p><b>Characteristics of proposed development</b></p> <p>(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).</p>	<p>The development is for a one-off dwelling house and related works and it comes forward as a standalone project, and it does not involve 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>
<p><b>Location of development</b></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 on a greenfield, agricultural site located in the rural townland of Arodstown Co. Meath.</p> <p>The Knightsbrook River is located c. 1km to the north-west and the Boycetown River is located c. 1km to the south-east. These watercourses provide very indirect hydrological links to the River Boyne and River Blackwater SPA and SAC. However, it is considered that there is no pathway from the appeal site to this river as per Section 10 of the Inspector's Report (AA Screening).</p> <p>The development is removed from sensitive natural habitats, dense centres of population and designated sites and landscapes of identified significance in the County Development Plan. The site's location within Tara Skryne Hills Landscape Character Area is dealt with as part of the Planning Assessment in the main body of the Inspector's Report.</p>
<p><b>Types and characteristics of potential impacts</b></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 nature of the proposed development, its location removed from sensitive habitats/ features; 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>

Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

DP/ADP: \_\_\_\_\_ Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)

## Appendix 2 – AA Screening Determination

### Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposal for the construction of a new dwelling house, domestic garage, vehicular entrance, effluent treatment system with percolation area and all associated ancillary site works at Arodstown, Summerhill, Co. Meath in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located:

- c. 8km from River Boyne and River Blackwater SAC (Site Code 002299)
- c. 8km from River Boyne and River Blackwater SPA (Site Code 004232)
- c. 13km from Rye Water Valley/Carton SAC (Site Code 001398)

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:

- Small scale nature of works/ development
- Location-distance from nearest European site and lack of connections
- Taking into account screening report/determination by PA

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.

### **Appendix 3**

#### **Screening the need for Water Framework Directive Assessment Determination**

The appeal site is located at Arodstown, Summerhill, Co. Meath.

The Knightsbrook River is located c. 1km to the north-west and the Boycetown River is located c. 1km to the south-east and there are small field drains running along the northern boundaries of the site.

The proposal is for the construction of a new dwelling house, domestic garage, vehicular entrance, effluent treatment system with percolation area and all associated ancillary site works – see Section 2.0 of Inspector's Report for further details.

No water deterioration concerns were raised in the planning appeal.

I have assessed the proposal for permission (described above) on this greenfield site at Arodstown Co. Meath 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 and 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 de-minimus small scale nature and scale of the proposal.
- The location-distance from nearest water bodies and/ or lack of hydrological connections.

#### **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.