



Development	The development consists of the retention for the change of use from domestic residence to 6 holiday homes
Location	“Sheephouse Country Courtyard” , Sheephouse Donore , Co. Meath A92NXT7
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	2460722
Applicant(s)	Des Gaffney
Type of Application	Permission and Retention
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party vs Refusal
Appellant(s)	Des Gaffney
Observer(s)	None.
Date of Site Inspection	20 th October 2025
Inspector	David Freeland

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	5
3.1. Decision	5
3.2. Planning Authority Reports	6
3.3. Prescribed Bodies	10
3.4. Third Party Observations	11
4.0 Planning History.....	11
5.0 Policy & Legislative Context	13
5.1. National Policy & Legislation.....	13
5.2. Development Plan.....	17
5.3. Natural Heritage Designations	22
5.4. EIA Screening	22
5.5. Water Framework Directive.....	23
6.0 The Appeal	23
6.1. Grounds of Appeal	23
6.2. Planning Authority Response.....	25
6.3. Observations.....	25
6.4. Further Responses	25
7.0 Assessment.....	26
7.2. The principle and nature of the proposed development & Compliance with Development Plan Policy.....	26
7.4. Access and Parking	33
8.0 Appropriate Assessment (AA) Screening	39

9.0 Recommendation..... 40

10.0 Reasons and Considerations..... 40

Appendix 1 – Form 1: EIA Pre-Screening

Appendix 2 – Form 2: EIA Preliminary Examination

Appendix 3 – Appropriate Assessment Screening

Appendix 4 - Water Framework Directive Screening and Assessment

1.0 Site Location and Description

- 1.1. The appeal site comprises the Sheephouse Country Courtyard, an established short-stay holiday self-catering development within a site comprising a 17th century farmhouse building with associated outbuildings and courtyard.
- 1.2. The site is located c. 2.5km north of Donore, c. 1km west of the M1 (as the crow flies) and c. 4.5km to the centre of Drogheda. The site is within the immediate environs of the Battle of the Boyne site (Battle of Boyne Visitor Centre c. 2.9km to north) and the UNESCO World Heritage Site, Brú na Bóinne, being within the Buffer Zone of the WHS.
- 1.3. The character of the area is noted by an undulating landscape with intermittent one-off housing set within agricultural lands extending to the River Boyne to the west which transitions to the urban character of Drogheda beyond the M1 motorway to the east.
- 1.4. The application site (1.49ha area) is irregular in shape formed by the L-16012-0 road to the east and a realigned section of this road to the west. The site is generally flat although sits within a slightly elevated location which slopes towards the River Boyne and the south. The eastern boundary is noted by extensive hedgerow and mature trees and a stone wall to north. The western boundary predominantly consists of stood rail with maintained hedging inset. The site is located adjacent to a terrace of estate cottages to the north which are Protected Structures.
- 1.5. As indicated, the site contains a 17th Century residential dwelling which is recorded as a National Monument. The house is a three-bay stone building with a rear stair. Four additional buildings are laid out to rear forming a courtyard cluster. These comprise three separate single storey outbuildings (Blocks A-C) and a two-storey building to the east fronting onto the public road. These buildings accommodate 9no. self-catering units. The remainder of the site is largely grassland.

2.0 Proposed Development

The development subject of this appeal comprises the following:

Retention Permission of the change of use of the main dwelling within the property from domestic residence to short stay holiday home.

Permission for the following:

- Construction of 6 short stay holiday homes in the form of a new courtyard;
- Landscaping and boundary treatment;
- A new wastewater treatment plant and percolation area and;
- All associated site works.

3.0 Planning Authority Decision

3.1. Decision

Following receipt of Further Information, Meath County Council made a decision to refuse permission for the following reason:

The planning authority refused permission for the following reason:

ED POL 72 of the Meath County Development Plan 2021-2027 states that it is the policy of the Council to 'require new holiday home / self-catering developments to locate within either established settlements or at established tourism/recreation facilities, other than those developments involving the renovation/conversion of existing buildings.' In addition, ED POL 69 states that it is the policy of the Council 'To facilitate, where appropriate, the conversion of former demesnes or estate dwellings and their outbuildings into tourism facilities subject to good Planning and architectural conservation practice. (Refer to Chapter 8 Cultural Heritage, Natural Heritage, Landscape and Green Infrastructure and Appendix 5)."

In this regard the development is located outside of an established settlement and owing to the present use of the existing tourism accommodation units on site as accommodation for those individuals displaced by conflict, in line with the Planning and Development Regulations 2022 (S.I. 306 of 2022) – Displaced Persons from Ukraine Temporary Protection, the applicant has failed to provide a robust planning justification for the construction of 6 no. additional short term tourism accommodation units on site or for the change of use of the existing dwelling on site to short term tourism accommodation use.

Based on the lack of a robust planning justification for the proposed development submitted with the application demonstrating how the proposed development adheres to the relevant policies and objectives of the Meath County Development Plan, 2021-2027, in particular Rural Enterprise Policies: ED POL 16, ED POL 18, ED POL 19, ED POL 23 and ED POL 26, and Tourism Infrastructure Policies ED POL 69 and ED POL 72, it is considered that the applicant has not sufficiently demonstrated that the proposed development is appropriate and in accordance with the proper planning and sustainable

*development of the area. The proposed development, therefore, if permitted, would **materially contravene** said policies of the Development Plan, and would be contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

There are two planning reports on file.

The first planning report on file dated 30/10/2024 is summarised as follows:

Principle of Development and Tourism Policy:

- The site is located outside of a designated settlement and is therefore zoned 'Rural Area'. A B&B / Guest House use is not indicated as a permissible or open for consideration use for 'RA' lands under the Development Plan.
- Alongside the zoning objective, the policy context and in particular, Chapter 4: Economy and Employment Strategy of the Meath County Development Plan 2021-2027 of the Development Plan is relevant in consideration of the proposed development as it relates to tourism.
- In the context of the existing permitted tourism accommodation, the planner's report indicated that the proposed development complied with policies relating to tourism under Section 4.29.2 of the Development Plan.
- The planner's report noted that the existing self-catering units are temporarily housing displaced persons under S.I. 306 of 2022 with the intention to revert to tourism use once these regulations cease. The planning authority, however, considered the proposed development effectively seeks new units for those persons displaced by conflict with the premise of changing the units to tourism use once the war in Ukraine ceases. The report concluded that the development description and public notices were misleading and should be revised and that the applicant ought to justify the need for further tourism units given the current non-tourism use of the existing accommodation since 2023.

Landscape Visual Impact Assessment:

- The planning authority highlights the site location within the highly sensitive Boyne Valley landscape character area recognised for exceptional landscape

character value and objectives to protect, conserve and enhance the UNESCO World Heritage site of Brú Na Bóinne. The planning report notes that the submitted Landscape Visual Impact Assessment confirms that the site is outside of the Views and Prospects for Slane and Brú na Bóinne but is within the Boyne Valley, with a relevant view from the 'Hill at Graveyard at Sheephouse'.

- The Council concluded that the proposed development would not adversely affect the surrounding landscape, views and prospects given its location within a cluster of buildings, mature screening and undulating topography.

Cultural and Natural Heritage

- The Planning report noted the contents within Appendix 8 of the development Plan relating to UNESCO World Heritage Site Planning Guidance (8a) and Bru Na Boinne Site Management Plan (8b), the submitted Archaeological Assessment Report and the report received from the Development Applications Unit of the DoHLGH and considered that further information should be requested.

Siting, Design and Layout

- The planning authority expressed concerns that, based on the apparent intention to use the new units for emergency accommodation rather than short-term tourism units, the applicant has not demonstrated compliance with the standards set out within the Quality Housing for Sustainable Communities potentially resulting in substandard amenity for occupants.
- The planning authority considered the proposed tourism units are of a scale and design that is sympathetic to the Protected Structure with clustering of units and materials integrating into the landscape.
- Adequate separation distance from neighbouring properties was noted in terms of residential amenities and the planning authority accepted that the proposed development would not significantly intensify the use of the lands.

Access, Traffic & Parking

- The planner's report noted the comments of the Transportation Department in MCC which indicated no objection subject to conditions relating to road drainage. No further comments were added by the planning authority.

Site Services

- Surface Water Management: The planner's report notes that the location of the connection for discharge to a soak pit has not been clearly indicated and it is not clear as to whether an existing or proposed soak pit is proposed.
- Water Supply: a pre-connection enquiry from Irish Water has been submitted which states that a connection is possible without the requirement for any upgrade.
- Wastewater Treatment: Having regard to the proposed 24 PE packaged wastewater treatment system and submitted Site Characterisation Report (SCR) which included details of trial holes, the planner's report included the comments of the Environment Section which expressed concerns relating to the adequacy and functionality of the existing wastewater treatment system to cater for the proposed development and requested further information.

AA/EIA

- No requirement arises for appropriate assessment or environmental impact assessment.

Other Technical Reports

- Environment Flooding-Surface Water Section: Report dated 23/10/2024 - No objection subject to conditions.
- Environment Wastewater: Report dated 25/10/2024 - Further Information requested.
- Architectural Conservation Officer: Report dated 21/05/2024 – no objection.
- Transportation Department: Report dated 25/10/2024 - no objection subject to conditions.
- Public Lighting: no external lighting indicated – confirmation of same required.

Further Information was requested on 30/10/2025 relating to the following:

- Principle of Development (Item 1): applicant to provide a robust justification for additional tourism units on site considering the units are not currently being used for tourism purposes.
- Development Description (Item 2): having regard to the stated use for emergency accommodation for those individuals displaced by conflict, the applicant is requested to amend the development description and public notices accordingly.
- Heritage (Item 3): the applicant is requested to submit a heritage impact assessment addressing the Brú na Bóinne WHS context.
- Surface Water Drainage (Item 4): A revised site layout is required clearly indicating the location of soakpit.
- Wastewater Treatment (Item 5): Demonstrate adequacy of existing wastewater treatment system and submit Certificate of Installation of the system.

Further Information

Further Information was received on 22/04/2025. The Planning Authority deemed the Further Information as Significant and was re-advertised on 07/05/2025.

The second planning report on file is dated 27/05/2025 is summarised as follows:

- Item 1: the planning authority considered that the applicant failed to provide a robust justification or evidence demonstrating that the existing tourism units operate as short-term accommodation or that a viable business model exists to support further expansion.

It was noted that the current units are in long-term use and would not meet residential standards, resulting in substandard amenity.

Referring to Section 4.29.2 of the Development Plan and Policy EED POL 72, the planning authority highlighted the presumption against new tourism accommodation on un-serviced rural lands outside of settlements unless a robust justification provided. In the absence of justification, the development was considered contrary to the above Policy and ED POL 69 which related to conversion of estate dwellings for tourism use.

- Item 2: The planning authority noted the applicant’s clarification that the proposed units are intended solely for tourism use and references to emergency accommodation related only to existing temporary accommodation and as such did not consider an amended development description and public notices, they ultimately concluded that the principle of the proposed development remained unacceptable.
- Item 3: Having regard to the submitted Archaeological Impact Assessment, additional comments from the DoHLGH which indicated no further objection subject to condition, the planning authority concluded the development will not have a negative impact on the surrounding heritage and archaeological assets and the UNESCO World Heritage Site of Bru na Boinne.
- Item 4: Having regard to a submitted Environmental Consultant report, the Environment Section of MCC accepted the development in principle subject to complying with conditions.
- Item 5: Having regard to the submitted Environmental Consultant report and Site Characterisation Report which outlined proposals to upgrade the existing wastewater system on site, the planning authority acknowledged the MCC Environmental Section’s report who indicated no further objection subject to conditions and considered that there was adequate separation distance between the wastewater treatment system and the dwelling.

The Planning Authority recommended that permission is refused.

3.2.2. Other Technical Reports

- Environment Wastewater: Report dated 25/05/2025 – no objection subject to conditions.
- Environment Flooding-Surface Water Section: Report dated 26/05/2025 - No objection subject to conditions.
- Transportation Department: Report dated 26/05/2025 – no objection subject to conditions.

3.3. Prescribed Bodies

TII: Report dated 03/10/2024 – no objection.

DoHLGH: Report dated 14/10/2024 – Request FI.

DoHLGH: Report dated 15/05/2025 (following submission of FI) – no objection subject to conditions.

Uisce Éireann: no report received.

DoCCS: no report received.

An Taisce: no report received.

Comhairle Ealaíon: no report received.

Failte Ireland: no report received.

The Heritage Council: no report received.

3.4. **Third Party Observations**

None.

4.0 **Planning History**

P.A. Ref. 23457: Permission Refused (04/01/2024) for the construction of 6 short stay holiday homes which were proposed to be located to the south of the main dwelling. The development included for additional landscaping and boundary treatments, new wastewater treatment plant and percolation area and all associated site works. Significant further information/revised plans submitted on this application.

The reason for refusal was as follows:

Policies HER POL 6 and HER POL 8 respectively of the Meath County Development Plan 2021 – 2027 seeks “To protect the Outstanding Universal Value of the Unesco World Heritage Site of Bru na Boinne in accordance with the relevant guidelines and national legislation, so that its integrity, authenticity and significance are not adversely affected by inappropriate development or change’...and...’To ensure that development within the UNESCO World Heritage Site of Bru na Boinne shall be subject to the Development Management Assessment Criteria set out in Appendix 8 and Development Management Guidelines in Chapter 11’. The applicant was requested to provide a Heritage Impact Assessment (HIA) in respect of the

proposed development prepared in accordance with the International Council on Monuments and Sites (ICOMOS) publication Guidance on Heritage Impact Assessments for Cultural World Heritage Properties (2011). The document provided to the Planning Authority in response to the Request for Further Information has NOT been prepared in accordance with the above provisions. Accordingly, to permit the proposed development would materially contravene the aforementioned policy provisions of the Meath County Development Plan 2021-2027 and would be contrary to the proper planning and sustainable development of the area.

ABP Ref. PL.17.241532 / PA Ref. SA120758 (Board Order dated 18/04/2013):
Permission Granted by ABP following a 1st Party Appeal Against MCC's Decision to refuse permission for 9 short stay self catering units: 3 new self catering units (Block A) change of use from ancillary accommodation to 3 self catering unit (Block B) granted under SA803426 Retention and completion of 2 new self catering units (Block C) Change of use from ancillary accommodation to 1 self catering unit (Block D) granted under SA803426 including an upgraded wastewater treatment system from that previously granted under SA803426 and a new site entrance and all associated site works.

Relevant conditions include:

2. The proposed development shall be amended as follows:

(a) The car parking area to the north of Block B shall be reduced to 14 car parking spaces only.

(b) The width of the proposed access driveway crossing the front of the main farmhouse and wrapping around the south and western sides of the historical building complex shall be reduced to a 3m wide driveway and comprise of a gravel finish.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual amenity

3. the self-catering units shall be used for short stay holiday accommodation only (maximum of three months) and shall not be used as a permanent place of residence. The units shall not be separately sold or leased from the main residential unit on site.

PA. Ref. SA803426: Permission Granted (10/06/2009) for 1) demolition of existing hay barn and outbuildings 329m sq. 2) The refurbishment of the existing dwelling house 179m sq. the refurbishment of the existing stables to be used ancillary to the house 73m sq. and the refurbishment of the existing forge to be used as a playroom and gym ancillary to the house 134m sq. 3) The construction of a storey and a half style rear extension to the existing house 226m sq. 4) single storey side extension to the existing stables 23m sq. 5) A new waste water treatment plan and percolation area 6) new site entrance and all associated site works.

P.A. SA801731: Permission Refused (28/07/2008) to renovate and extend the existing house to form a new guest house, renovation, extension and conversion of existing forge building into therapy and wellness centre, renovation, conversion and extension of existing stable block into craft produce store, new vehicular entrance onto public road, car parking, services and utilities and a new secondary treatment system.

P.A. SA800002: Permission Refused (03/04/2008) to renovate and extend the existing house to form a new guest house, renovation, extension and conversion of existing forge building into therapy and wellness centre, renovation, conversion and extension of existing stable block into organic and craft produce store, construction of a new 1.5 storey house for the facility manager, new vehicular entrance onto public road, car parking, services and utilities and a new secondary treatment system.

5.0 Policy & Legislative Context

5.1. National Policy & Legislation

5.1.1. Circular Letter: EUIPR 3/2022

European Union (Planning and Development) (Displaced Persons from Ukraine Temporary Protection) Regulations 2022

The Regulations are made under Section 3 of the European Communities Act 1972 and give effect to Council Directive No 2001/55 EC and Council Implementing Decision EU 2022/382 of 4 March 2022, to provide immediate protection in EU countries for persons displaced by the Russian invasion of Ukraine, including the need to provide emergency accommodation and support to these displaced persons.

The Regulations provide that the provisions of the Planning Act (other than the environmental considerations in Sections 181A to 181C) will not apply to certain classes of development by or on behalf of a State Authority i.e a Minister of the Government or the Commissioners of Public Works in Ireland, for the purposes of providing temporary protection to displaced persons as specified in the Regulations.

The classes of development listed in the Schedule for the purposes of providing temporary protection to displaced persons comprise:

- Reception and integrations facilities;*
- Residential accommodation, including ancillary recreational and sporting facilities;*
- Medical and other health and social care accommodation;*
- Education and childcare facilities, including ancillary recreational and sporting facilities;*
- Emergency management coordination facilities;*
- Structures or facilities ancillary to development referred to above, including administration and storage facilities; and*
- Infrastructure and other works ancillary to the above development.*

The classes of development listed include the temporary change of use and repurposing of existing buildings and facilities, and temporary new-build accommodation and structures to address this emergency.

The provisions of the Planning and Development Act 2000 (other than the environmental considerations in Sections 181A to 181C) will not apply to the specified classes of development in the Schedule only for so long as the Regulations are in force, which duration is linked to the duration of temporary protection activated by European Union Council Decision EU 2022/382 of 4 March 2022.

After this time the removal, demolition or alteration of any temporary structure and the discontinuance of any temporary use and, in so far as is practicable, the restoration of the land to its condition prior to the commencement of the development, will be required, unless the development is permitted, exempted or otherwise regularised by a provision of the Planning and Development Act 2000 or the Planning and Development Regulations 2001, as amended.

In accordance with the Temporary Protection Directive 2001/55/EC, the duration of temporary protection activated by European Union Council Decision EU 2022/382 of 4 March 2022 shall be for an initial period of one year. Unless terminated under the terms of Article 6(1)(b) of the Directive, that period shall be extended automatically by six monthly periods for a maximum of one year. At any time, the European Commission may propose to the Council to end the temporary protection, based on the fact that the situation in Ukraine is such as to permit the safe and durable return of those granted temporary protection, or propose that the Council extend the temporary protection by up to one further year. As such, the maximum extended period for the duration of Temporary Protection Decision EU 2022/382 may be for a total period of three years from 4 March 2022.

5.1.2. S.I. No. 306 of 2022 - European Union (Planning and Development) (Displaced Persons from Ukraine Temporary Protection) Regulations 2022

Purpose and scope of regulations outlined above.

5.1.3. Comprehensive Accommodation Strategy for International Protection Applicants 2024

The Government's Comprehensive Accommodation Strategy published on 27th March 2024, seeks to address the current accommodation shortfall for International Protection applicants while reforming the system over the longer term to ensure that the state will always be able to meet its international commitments. The strategy aims to provide a new model for International Protection applicants with a multi strand approach which will see a move away from full reliance on private providers and towards a State-owned accommodation. Its goals are to expand capacity to around 35,000 places by 2028, reduce reliance on hotels and emergency settings, and ensure all accommodation meets national standards. The strategy seeks fair geographic distribution, improved integration supports, and stronger community

engagement. It also prioritises cost efficiency, contingency planning, and the development of Reception and Integration Centres alongside community-based options for vulnerable applicants. Overall, it intends to deliver a sustainable, humane, and legally compliant system.

5.1.4. National Planning Framework First Revision 2025

The National Planning Framework (NPF) sets out the strategic vision for shaping the future growth and development of Ireland the year 2040. It emphasises compact growth, strengthened rural economies and communities, a strong economy supported by enterprise, innovation and skills, the sustainable management of environmental resources and enhanced amenity and heritage as part of wider strategic outcomes and priorities. Of relevance to the subject appeal, Chapter 3 Effective Regional Development of the NPF and NPO 34 supports tourism development by way of tapping the economic potential of regional and rural areas in the region. Chapter 9 Climate Transition and Our Environment and policies NPO 89, NPO 90 and NPO 91 underline the importance of protection, conservation and enhancement of the natural, cultural and built heritage and protection and management of the landscape.

5.1.5. Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy

The Regional Spatial & Economic Strategy for the Eastern and Midland Regional provides a regional framework for the implementation of the NPF which guides the future growth of the region. It supports sustainable economic growth and rural diversification of town, villages and the countryside and the development of tourism in conjunction with cultural/built heritage and landscape and green infrastructure protection. Relevant regional policy objectives in this regard include RPO 6.7, RPO 6.15, RPO 7.22, RPO 7.23, RPO 7.27, RPO 7.28, RPO 9.29 and RPO 9.30.

5.1.6. Ministerial guidelines

- EPA Code of Practice 2021: “Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)”. (The EPA Code).
- Wastewater Treatment Manuals – Treatment Systems for Small Communities, Business, Leisure Centres and Hotels (1999). (The EPA Hotels Code).

5.2. Development Plan

5.2.1. Meath County Development Plan 2021-2027

The Meath Development Plan 2021-2027 is the operative plan for the area.

Zoning:

The site is zoned RA – ‘Rural Areas’ with the accompanying objective ‘*To protect and promote in a balanced way, the development of agriculture, forestry and sustainable rural-related enterprise, community facilities, biodiversity, the rural landscape, and the built and cultural heritage*’.

The Development Plan provides the following guidance relating to RA zoned areas:

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

Relevant Policies and Objectives:

Rural Enterprise and Tourism

The policies and objectives set out within Chapter 4 (Economy and Employment Strategy) are relevant in the consideration of the tourism use of the proposed short-stay holiday homes. The following policies relating to rural enterprise (Section 4.11.1) and holiday homes (Section 4.29.2) were cited as part of the Planning Authority’s reason for refusal:

- ED POL 16: To support the location of a once off medium to large-scale rural enterprise only in instances where it is demonstrated, to the satisfaction of the Council, that the enterprise can be more readily accommodated in a rural setting than in a designated settlement centre and subject to standard development management considerations being applied.
- ED POL 18: To support rural entrepreneurship and the development of micro businesses (generally less than 10 no. employees) in rural areas where environmental and landscape impact is minimal and such developments do

not generate significant or undue traffic. This policy shall not apply to sites accessed from the National Road Network.

- ED POL 19: To support and facilitate sustainable agriculture, agri-food, horticulture, forestry, renewable energy and other rural enterprises at suitable locations in the County.
- ED POL 23: To support the development of activity tourism facilities, in appropriate locations, within the County subject to standard development management considerations being applied.
- ED POL 26: Meath County Council shall positively consider and assess development proposals for the expansion of existing authorised industrial or business enterprises in the countryside where the resultant development does not negatively impact on the character and amenity of the surrounding area. In all instances, it should be demonstrated that the proposal would not generate traffic of a type and amount inappropriate for the standard of the access roads. This policy shall not apply to the National Road Network.
- ED POL 69: To facilitate, where appropriate, the conversion of former demesnes or estate dwellings and their outbuildings into tourism facilities subject to good Planning and architectural conservation practice. (Refer to Chapter 8 Cultural Heritage, Natural Heritage, Landscape and Green Infrastructure and Appendix 5).
- ED POL 72: To require new holiday home / self-catering developments to located within either established settlements or at established tourism / recreation facilities, other than those developments involving the renovation / conversion of existing buildings.

Other relevant policies from Chapter 4 include ED POL 1, ED POL 2 & ED POL 7 relating to the economic and employment strategy for the county; ED POL 43 & ED POL 45 relating to tourist infrastructure including accommodation and; ED POL 64 & ED POL 70 relating to holiday homes.

Of particular relevance is the Development Plan Policy:

- ED POL 41: To co-operate with Fáilte Ireland, Tourism Ireland, Boyne Valley Tourism, Louth County Council, and any other relevant bodies in the

implementation of the Boyne Valley Tourism Strategy 2016-2020 and Ireland's Ancient East Programme.

The Tourism Strategy identifies the region as suffering from a lack of accommodation being a significant deterrent among tour operators for scheduling the area for overnight stays and supports the broadening of the bednight stock through more contemporary forms of accommodation particularly the promotion of rural based tourism enterprises.

The 2020 Tourism Strategy has been succeeded by the Boyne Valley Tourism Strategy & Action Plan 2024-2030. The Strategy includes accommodation as an area of focus with intention to actively engage and target investors to achieve accommodation growth in the Boyne Valley.

Cultural and Natural Heritage

Archaeology

The subject site contains a recorded National Monument under Ref. ME020-069 which is described as a 16th/17th century Sheephouse.

Appendix 9 of the Development Plan sets out the National Monuments in State Care & Register of Historic Monuments.

Section 8.6 (Archaeological Heritage) of the Development Plan outlines a number of relevant policies, objectives and criteria relating to National Monuments including HER POL 1 (protection of sites, monuments, places, areas or objects), HER POL 4 (requiring archaeological impact assessments as part of the development management process), HER OBJ 2 (sensitive design in vicinity of a Recorded Monument or Zone of Archaeological Potential) and HER OBJ 3 (protect important archaeological landscapes from inappropriate development).

UNESCO World Heritage Site - Brú na Bóinne

The subject site is located within the Buffer Area of the Brú na Bóinne UNESCO World Heritage Site. Section 8.6.1 (UNESCO World Heritage Site – Bru na Boinne) contains a number of policies relating to the protection of UNESCO WHS including HER POL 6, HER POL 8 and HER OBJ 11.

Appendix 8 (UNESCO World Heritage Site and Brú na Bóinne) contains (a) Planning Guidance and Supporting Information and (b) Brú na Bóinne World Heritage Site Management Plan

Architectural Heritage

The site is located adjacent to six Protected Structures to the north which include a terrace of 5no. estate worker houses and 1no. Gate Lodge.

Section 8.7.1 includes polices to protect the setting of Protected Structures (HER POL 16) and to ensure applications includes submission of appropriate documentation (HER POL 17).

Section 8.7.3 (Historic Building Stock and Vernacular Architecture) includes Policy Objective HER OBJ 23 relating to the sensitive design of extensions to traditional buildings.

Landscape

Landscape Character

The subject site is located within the Boyne Valley Landscape Character Area as contained within the Meath Landscape Character Assessment (Appendix 5 of the Development Plan).

Section 8.17.6 of the Development Plan sets out a number of policies and objectives relating to landscape capacity and requirement to protect and enhance landscapes, ensure management of development in regard to landscapes and submission of a landscape and visual impact assessment where appropriate. These policies include HER POL 52, HER OBJ 49 and HER OBJ 50.

Views and Prospects

Appendix 10 and Map 8.6 of the Development Plan contain the listed Views and Prospects in County Meath. The subject site is located within proximity to one view and prospect (View 61) at the Hill at Graveyard at Sheepphouse with views directed towards the north, east and west and is of national significance. The view is described as follows:

Expansive view of settled lowland with extensive urbanisation and industry visible to the east and north. Views to the north are extensive and encompass

important cultural landscape of significance. Much woodland to north and west

Section 8.18 (Views and Prospects) of the Development Plan Contains HER OBJ 56 which seeks to preserve the views and prospects set out in Appendix 10.

Rural Development Strategy

The policies and objectives set out within Chapter 9 (Rural Development Strategy) are relevant in the consideration of the proposed development's location within a rural area. Strategic objectives include; RUR DEV SO 1, RUR DEV SO 6, RUR DEV SO 8 and RUR DEV SO 10 which aim to sustain the vitality and viability of rural areas through environmentally, socially and economically sustainable development, promote economic diversification and rural enterprise growth including tourism while protecting the visual quality of rural areas through sensitive design.

Development Management Standards

Chapter 11 sets out the relevant development management standards applicable to the proposed development including parking standards (Section 9) and Section 11.5.28 relating to Short-Term Letting.

Environmental Protection

Section 9.18.1 and Policies RD POL 44, RD POL 45, RD POL 46, RD POL 47, , RD POL 49, RD POL 50, RD POL 51, RD POL 52 and RD POL 53 of the Development Plan outline requirements for protection of groundwater, Boyne Catchment and Natura 2000 sites and sets specific criteria for wastewater disposal. The following policies are of particular relevance to the proposed development:

- **Policy RD POL 48:** To ensure all septic tank/proprietary treatment plants and polishing filter/percolation areas satisfy the criteria set out in the Environmental Protection Agency 'Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent ≤10)' (2021) (or any other updated code of practice guidelines) in order to safeguard individual and group water schemes.
- **Policy RD POL 52:** To ensure wastewater treatment plants discharging into the Boyne catchment or to coastal Natura 2000 sites are suitably maintained

and upgraded in advance of any additional loadings beyond their capacity in order to protect water quality, as required.

- **Policy RD POL 53:** To promote good practice with regard to the siting and design of septic tanks and the maintenance of existing tanks. A high level of scrutiny will be placed on applications within 2km of watercourses in the Boyne catchment. Proposals in this area shall not have an adverse impact on local water quality that could affect the qualifying interests of the cSAC and SPA.

Sections 8.8 (Natural Heritage), Section 11.1.3 (Environmental Impact Assessment) and 11.1.4 (Appropriate Assessment) and Policies/Objectives HER POL 31, HER POL 32, HER POL 34, HER OBJ 33 and HER OBJ 34 are also relevant relating to the protection of biodiversity, Natura 2000 sites and requirements for EIA and AA.

5.3. Natural Heritage Designations

The following natural heritage designations are located in the general vicinity of the proposed development site:

- Dowth Wetland pNHA (Site Code: 001861) located 0.7km to the west;
- Boyne River Islands pNHA (Site Code:001862) located 1km to the north-east;
- King William's Glen pNHA (Site Code: 001804) located 1.8km to the north.

The following Natura 2000 sites are located within the vicinity of the subject site:

- River Boyne and River Blackwater SAC (Site Code: IE0002299) – c. 0.6km W
- River Boyne and River Blackwater SPA (Site Code: IE0004232) – c.0.65km W
- Boyne Estuary SPA (Site Code: 004080) – c.5.84km E
- Boyne Coast and Estuary SAC (Site Code: 001957) – c.7.1km
- River Nanny Estuary & Shore SPA (Site Code: 004158) – c. 10.3km
- North-West Irish Sea SPA (Site Code 004236) – c. 11.1km

5.4. EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this

report). The proposed development is of a CLASS specified in Part 2, Schedule 5 of the Planning and Development Regulations 2001 (as amended) but is sub-threshold being a Class 12(c) '*Holiday villages which would consist of more than 100 holiday homes outside built-up areas; hotel complexes outside built-up areas which would have an area of 20 hectares or more or an accommodation capacity exceeding 300 bedrooms*'. 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.

5.5. Water Framework Directive

I note designated waterbodies must be improved to at least good ecological status per the requirements of the Water Framework Directive. I have carried out a screening assessment in Appendix 4 in relation to impacts related to the requirements of the Water Framework Directive. Noting that the applicant has failed to demonstrate that the proposed and existing on-site wastewater treatment system and soil polishing filter complies with the EPA Code, I have concluded that it cannot be ruled out that the proposed development will not pose a risk to surface and ground water bodies. Given the proximity to the River Boyne, the proposed development may prevent the future attainment of a 'Good' water status and may result in the deterioration of existing water quality of the River Boyne waterbody and the Drogheda and Trim ground waterbody's which would not be consistent with the Water Framework Directive. Accordingly, I recommend that permission be refused in relation to this issue. I alert the Commission that this is a new issue in the context of the subject appeal.

6.0 The Appeal

6.1. Grounds of Appeal

The first party appeal provides a response to the reason for refusal which includes a planning rationale and justification for having the decision overturned.

Tourism in the Area

- The appellant contends that the Council failed to recognise the exceptional tourism context relating to where the proposed development is situated. The appellant highlighted the site's context in terms of the Brú Na Bóinne Visitor Centre (6-minute drive) and other key tourism sites within proximity. The appeal notes the investment in the Knowth Visitor Experience at Bru Na Boinne with expected additional 14,00 visitors per year.
- The grounds of appeal provides a direct response to each of the policies cited by the planning authority in the reason for refusal.
- In response to Policy ED POL 16, the appellants argue that the proposed development will complement the relaxing experience offered by the existing rural enterprise and re-iterate the site's location in proximity to Newgrange and associated sites which act as a unique selling point. It is suggested that the enterprise must be accommodated in its current rural setting.
- In response to Policy ED POL 18, the appellant contends that the development will facilitate growth of a rural enterprise without significant landscape impact or without generating significant amount of traffic given the scale of increase of 9 homes to 15 homes and conversion of the existing dwelling.
- In response to Policy ED POL 19, the appellant argues that the Council have not specified where a 'suitable location' within the county is for rural enterprises and contends that the subject site, a rural enterprise complies with this policy.
- In response to Policy ED Pol 23, the appellant contends that the increased capacity within the subject site will boost nearby 'activity tourist' locations such as Funtasia Water Park or the Battle of the Boyne Visitor Centre and will help to retain tourists within the area with subsequent benefits for local businesses.
- In response to Policy EP POL 26, the appellant's highlights that the site is an established and authorised business operating for 11 years. The appeal contends that the additional holiday homes will be sensitively integrated ensuring minimal disruption to the surrounding landscape and local character

with negligible increases in traffic generated and will be entirely appropriate for the existing access roads. The appellant suggested that they would be content to provide a traffic survey as additional information should the commission consider appropriate.

- In response to Policy ED POL 69, the grounds of appeals state the proposal is compliant as it adheres to good planning and architectural practices relating to transformation of former demesnes, estate dwellings, and their outbuildings into tourism facilities.
- In response to Policy ED POL 72, the appellant contends that the proposal is to add new holiday homes to an existing previously granted tourism accommodation facility to meet the growing tourism demand.
- It is concluded that the grounds of appeal demonstrate that the proposed use of the site as holiday accommodation is an acceptable form of development for the area and can be provided in a manner which contributes to the rural economy.

6.2. **Planning Authority Response**

In a letter dated 17/07/2025, the planning authority noted the first party appeal and issues raised within. The planning authority indicated that they were satisfied that the all matters outlined within the appeal were considered in the course of their assessment of the planning application as detailed within the Planning Officer Report dated 27th May 2025. The planning authority requested that An Coimisiun Pleanala uphold the decision to Refuse Permission.

6.3. **Observations**

No observations received.

6.4. **Further Responses**

None.

7.0 **Assessment**

7.1. 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 are as follows:

- The principle and nature of the proposed development & Compliance with Development Plan Policy
- Design, Layout, Residential Amenities, Landscape and Heritage
- Access and Parking
- Site Services

7.2. **The principle and nature of the proposed development & Compliance with Development Plan Policy**

7.2.1. The subject site comprises an existing residential dwelling and 9no. short stay self-catering units, previously permitted under ABP Ref. PL.17.241532 (PA Ref. SA120758). The proposed development comprises the provision 6no additional short-stay holiday homes and retention for the change of use of the residential dwelling to a short-stay holiday home. The site is located outside of a settlement within a rural area. This area is zoned RA 'Rural Areas' with the accompanying objective 'To protect and promote in a balanced way, the development of agriculture, forestry and sustainable rural-related enterprise, community facilities, biodiversity, the rural landscape, and the built and cultural heritage'. Under the current Development Plan, short stay accommodation or similar are not indicated as permissible or open for consideration. Section 11.14.2 of the Development Plan notes 'any use not listed in the permissible or open for consideration categories is deemed not to be acceptable in principle' although the Plan also notes 'such uses will be considered on their individual merits and will only be permitted if they enhance, complement, are ancillary to, or neutral to the zoning objective'.

7.2.2. As referred by the planning authority, the policies and objectives set out under Chapter 4 – Economy and Employment Strategy, specifically those relating to

tourism are relevant in establishing the principle and acceptability of the proposed extension of the previously permitted (under ABP Ref. PL.17.241532 / PA Ref. SA120758) and constructed short-stay accommodation units.

- 7.2.3. It is understood that since 2023, the existing permitted short-stay self-catering units within the site have and currently are occupied by displaced persons from Ukraine under temporary protection as per S.I. No. 306 of 2022 - European Union (Planning and Development) (Displaced Persons from Ukraine Temporary Protection) Regulations 2022. Circular EUIPR 3/2022 clarifies that the provisions of the Planning and Development Act 2000, as amended will not apply to certain classes of development (such as the subject site) for the purposes of providing temporary protection of displaced persons (including the need to provide emergency accommodation). Should the regulations be no longer in force, after this time, any temporary structure shall be removed/demolished and any temporary use shall be discontinued, and in so far as is practicable, the restoration of the land to its condition prior to the commencement of the development will be required.
- 7.2.4. The Planning Authority's reason for refusal indicated that the applicant had failed to provide a robust planning justification for the proposed development/development for retention owing to being located outside an established settlement and due to the present use for those displaced by conflict (as outlined above). The Planning Authority emphasised Policy ED POL 69 (relating to the conversion of former demesnes or estate dwellings and their outbuildings into tourism facilities) and Policy ED POL 72 (requiring new holiday home/self-catering development be located within either established settlements or at established tourism/recreation facilities) of which the development was considered to be contrary alongside rural enterprise policies ED POL 16, ED POL 18, ED POL 19, ED POL 23 and ED POL 26. The Planner's Report considered that the proposed development effectively seeks new units for those persons displaced by conflict with the premise of changing the units to tourism use once the war in Ukraine ceases and considered the applicant failed to justify or provide sufficient evidence that the existing units operate as short-term accommodation or that a viable business model exists to support further expansion. The planning authority's assessment considered the development was generally acceptable when assessing standard development management considerations.

- 7.2.5. The appellant's grounds of appeal provides a response to each of the policies identified by the planning authority in their reason for refusal, contending the suitability of the proposed development. In summary, the appellants argues that the Council failed to acknowledge the site's exceptional tourism context within the Brú na Bóinne area, close to key attractions such as the Battle of the Boyne Visitor Centre and Knowth Visitor experience. The appeal contends the proposal represents a modest, well-integrated expansion of an established tourism enterprise in operation for 11 years and is subsequently compliant with Development Plan policies. The scheme is said to complement nearby tourism offerings, support the rural economy, and meet growing visitor demand while avoiding significant landscape or traffic impacts. Overall, the appellants maintain the development aligns with Meath's tourism objectives and should be considered appropriate at this location.
- 7.2.6. Having regard to the current use of the property, I do not consider that the regulations under S.I. No. 306 of 2022 which provides for the temporary use of the property for displaced persons has permanently changed the permitted tourism use at this location. The use of the property for this purpose is expressly provided under legislation and is limited in duration. Given the temporary occupancy of the units and requirements under the legislation to revert to previous use following cessation of the regulations (i.e. end of the Russian invasion of Ukraine), I do not consider that the current use as a planning impediment to the proposed expansion. I also note the Government's 'Comprehensive Accommodation Strategy for International Protection Applicants' document adopted in March 2024, by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) which is intended to address immediate accommodation need and provide a pathway towards state accommodation in place of reliance on private providers.
- 7.2.7. I am satisfied that the established use within the site is short-stay tourist accommodation, that the proposed development seeks for the expansion and intensification of the established tourism use rather than the introduction of a new or untested enterprise. The proposed development would see an increase of self-catering units from 9no. to 15no. together with the inclusion of the main house.
- 7.2.8. I consider that the Development Plan policies are largely facilitative of rural enterprises or tourism facilities where they are at established facilities and or consist of the conversion of existing buildings/former demesnes or estate dwellings subject

to normal development management (including conservation and environmental) considerations.

- 7.2.9. I am satisfied that the proposed development which provides for an extension to an existing short stay tourism facility aligns with the Council's policy framework as promoting sustainable tourism within the Boyne Valley as set out under section 5.2 above. I am of the view that the proposed development has the potential to consolidate an existing rural enterprise and tourist facility within proximity to the major heritage sites at Brú na Bóinne and the Batte of the Boyne Visitor Centre. This is consistent with the objectives of the Boyne Valle Tourism Strategy 2020 (as supported under Policy ED POL 41) and subsequent document Boyne Valley Tourism Strategy 2024-2030, both of which identify accommodation growth as an area of focus.
- 7.2.10. I note Section 11.5.28 of the Development Plan refers to legislation requiring residential homes for short-term tourism type lettings to obtain planning permission where located within rent pressure zones (which was extended to cover the entire country under the Residential Tenancies (Amendment) Act 2025). The application includes for retention of the change of use of the residential dwelling to use as short-stay accommodation. Policy ED POL 69 facilitates, where appropriate the conversion of former demesnes or estate dwellings into tourism facilities. The submitted plans indicate that the dwelling will not be subdivided and I consider the change of use will not adversely impact the conservation of the building. Having regard to the wider nature of the site for short-stay accommodation use, I consider the change of use to be acceptable and in-keeping with Development Plan policy.
- 7.2.11. In reference to the Planning Authority's reason for refusal, it stated that if permitted, the proposed development would materially contravene said policies of the Development Plan. In considering whether the proposed development would constitute a material contravention of the Development Plan, I am satisfied that the relevant policy wording is not definitive or prescriptive and allows for a degree of judgement and discretion in its application. While the Planning Authority have formed the view that the proposal does not fully align with the intent of the policy for the specific reason that the accommodation is currently housing displaced Ukrainians, I do not consider that this equates to a material contravention of the Plan. In my opinion, the policy provides scope for interpretation based on site-specific

circumstances and I am satisfied that the proposal can be appropriately assessed within that context. I therefore, do not consider that a material contravention arises in this instance.

7.3. Design, Layout, Residential Amenity and Landscape and Heritage

- 7.3.1. A number of the cited policies by the planning authority in the reason for refusal (and as responded to by the appellant) refers to the requirement to meet standard development management considerations, good planning and conservation practice and to ensure environmental and landscape impact is minimal. As such, I consider it appropriate to address issues relating to the design and impact of the development on the surrounding area and landscape. I have addressed other development management considerations including access and car parking and site services in subsequent sections below.
- 7.3.2. The subject site contains a recorded National Monument (RMP Ref. ME021-048) described as a 16th/17th century Sheepphouse. The site lies within the Boyne Valley Landscape Character Area 5, designated as of exceptional value and high sensitivity within Appendix 5 the Development Plan. The site is located within the buffer zone of the Brú na Bóinne World Heritage Site. There are a number of relevant protected views and prospects nearby which include Hill at Graveyard at Sheepphouse (View 61) located to the south-east of the site. The site is located adjacent to recorded Protected Structures which includes a gate lodge (RPS Ref. 90714) and five terrace former estate worker houses (RPS Ref. 90715 – 90719) located to north of the site.
- 7.3.3. I note the Planning Authority's report refers to the residential dwelling which is subject to retention for change of use as a Protected Structure. The dwelling within the subject site is not listed on the Council's current Record of Protected Structures. I do not consider that there is any procedural issues associated with the original application relating to the requirement for the public notices to indicate the presence of a Protected Structure within the application site boundary.

Design & Layout

- 7.3.4. The existing site consists of a main dwelling (formerly a historic farmhouse) with a cluster of single storey restored and new buildings (accommodating 9no. short-stay units) arranged in a courtyard layout to rear (north). Permission is sought for six additional short stay units within five single storey buildings in a courtyard

arrangement similar to existing located to the north of the existing structures. I consider that the single storey height, natural finishes and layout is in-keeping with the existing buildings and provides a coherent addition rather than a separate complex. I further consider that the structures are set-back sufficiently from the nearby Protected Structures comprising the terrace and gate lodge to the north so as to ensure the development will not adversely impact the character and special interest of the structures. The submitted landscape plan indicates retention of existing mature hedgerow and trees to the eastern boundary with proposed planting of native trees across the site which will provide adequate screening to further limit the visual impact of the development from the wider area. Overall, I consider that the design approach is sensitive and proportionate to the site's rural setting and historic context.

Residential Amenities

- 7.3.5. The planning authority raised no concern relating to the impact of the development on adjacent dwellings and I am similarly satisfied that, given the site's separation distance and existing and proposed boundary planting that there will be no significant issues relating to overlooking, reductions in daylight/sunlight or overbearing impacts.
- 7.3.6. The planning authority considered that the apparent use of the development for emergency accommodation rather than short-term tourism units, the applicant had not demonstrated that the proposed units comply with the standards set out within the Quality Housing for Sustainable Communities potentially resulting in substandard amenity for occupants. As per the above section, I am satisfied that the current use of the property reflects temporary protection measures which is time limited and existing units will revert to tourism use following cessation of relevant legislation. Therefore, I do not consider that that standards for residential dwellings apply to the proposed development.

The Development Plan does not include any policy or criteria for area standards for self-catering/short-stay tourism accommodation and it is understood that there is no relevant requirement within ministerial guidelines relating to tourist accommodation standards. It is understood that Failte Ireland have their own standards for self-catering accommodation relating to classification although this is not a statutory

requirement under planning unless explicitly stated to be complied with under policy. The Development Plan has no stipulation in this regard.

Landscape Character, Protected Views and Brú na Bóinne

- 7.3.7. The site visit clarifies that the property sits within an elevated location within a local context which is characterised by a rolling landscape screened by mature hedgerows and trees.
- 7.3.8. The submitted Landscape and Visual Impact Assessment demonstrates that the site is not visible from the core area of the Brú na Bóinne World Heritage Site or from designated protected views and prospects within proximity to the subject site and the Boyne Valley.
- 7.3.9. Having undertaken a site visit and reviewed the submitted documentation, I am satisfied that the proposed buildings will integrate effectively with the existing cluster and that the development will not diminish the scenic or cultural value of the Boyne Valley Landscape Character Area. The proposed development complies with the Development Plan objectives for the protection of the Brú na Bóinne World Heritage Site and its buffer zone.

Archaeology and National Monuments

- 7.3.10. As indicated, the site is located within proximity to archaeologically rich landscape associated with Brú na Bóinne and the Battle of the Boyne site. The site contains a national monument (RMP Ref. ME021-048) described as a 16th/17th century Sheephouse. A range of further recorded monuments and protected structures occur in the wider area.
- 7.3.11. The Development Applications Unit of the DoHLGH (DAU), in its submission of October 2024, advised that a Heritage Impact Assessment in accordance with UNESCO's 2022 Guidance and Toolkit be sought as further information, having regard to the potential for impacts on the Outstanding Universal Value (OUV) of the World Heritage Site. Further Information was subsequently requested.
- 7.3.12. An Archaeology Impact Assessment (AIA) and Archaeological Assessment Report (which relates to test trenching of the site) accompanied the original assessment and further updated assessment (April 2025) was submitted at FI stage.

- 7.3.13. The updated AIA included details of the archaeological investigations including test trenching. The report noted that there is one site within the RMP, a 16th/17th century farmhouse (ME044-069), which lies adjacent to the development. However, it was considered that the RMP has been subject to modern development and will not be adversely impacted by the development. The reports notes that no features of archaeological significance were identified within the development sites. As such, no direct impacts upon known archaeological and heritage assets are anticipated. The AIA considered the site to have a low potential for prehistoric remains.
- 7.3.14. The report included an assessment of indirect effects and in particular, effects on the World Heritage Sites at Brú na Bóinne which were identified as potential for visual impacts. The report concludes that the development will have low to negligible indirect effects. Standard archaeological monitoring was recommended.
- 7.3.15. The DAU, in its submission of May 2025, confirmed no further objection to the development subject to standard archaeological monitoring. The planning authority similarly considered that the further information adequately addressed earlier concerns.
- 7.3.16. Having regard to the information submitted and the assessment undertaken by the DAU and Planning Authority, I am satisfied that subject to an archaeological monitoring condition, no significant adverse archaeological or heritage impact would arise.
- 7.3.17. I consider that the proposed design and layout of the development to be appropriate to the rural and historic context of the site. The development will not give rise to undue impacts to the residential amenity of neighbouring dwellings, the landscape character of the Boyne Valley or the setting of the Brú na Bóinne World Heritage Site and associated National Monuments. I am satisfied that the proposal is acceptable in design, landscape and heritage terms.

7.4. Access and Parking

- 7.4.1. A number of the Development Plan policies relating to rural enterprises and tourism facilities explicitly require development in rural locations ensure development does not result in undue traffic.

- 7.4.2. Access to the site is via the existing entrance from the local road to the east. The proposed development, which seeks to increase the number of self-catering units from nine to fifteen and to include the main dwelling as short stay accommodation, will utilise the established entrance. The submitted site layout indicates a total of 17no. car parking spaces which is in excess of the Development Plan standard of 1 space per unit under Table 11.2. No accessible car parking spaces have been indicated on site plans as required under Section 11.9.1 (5% for schemes in excess of 10no. spaces). Car parking bays would appear to align with the dimensions set out under Table 11.3 of the Development Plan. Having regard to Development Plan standards, it may be appropriate to reduce the car parking to a maximum of 16no. which should include provision for accessible car parking. In this regard, I noted during the site visit that the courtyard area and based on site plans, that the courtyard area is generous in area to allow for sufficient and safe turning movements. It may be appropriate to require a revised layout to be agreed with the Planning Authority, in the event of a grant of permission.
- 7.4.3. The Transportation Department of MCC raised no objection to the proposed access or parking arrangements subject to compliance with the Department of Transport's Guidelines for Road Drainage (2nd Edition, 2022). I note that both considered similar under the previous refused application under P.A. Ref. 23457.
- 7.4.4. The appellant highlights the suitability of the site in terms of traffic generation and access indicating that the site is not directly located off a National Road Network (relating to Policy ED POL 18) and contends that the increase in traffic generated by the new holiday homes will be negligible and entirely appropriate for the existing access roads. The appellant indicates that they would be happy to provide a traffic survey as additional information should the Commission consider it necessary.
- 7.4.5. I note from the planning history of the site that concerns had previously arisen under the assessment of the parent permission (ABP Ref. PL17.241532 / PA Ref. SA120758) relating to the location of the access to the site and parking within the courtyard based on the architectural heritage of the site. The Board granted permission for the use of the eastern entrance (as currently used) with a 3m wide gravel driveway circulating to south and west of the main dwelling and cluster providing access to 10no. car parking spaces to the north of the site. The permitted

car parking under the parent permission was never implemented and car parking was provided within the courtyard.

- 7.4.6. During the site visit, I observed that the courtyard finish and general presentation of the space is of a high standard. While vehicles were present within the courtyard, I consider that the overall setting of the main dwelling and building cluster alongside the quality of appearance and surface finish remains intact. The main dwelling and courtyard to rear continues as the principal focus of the complex rather than an area of car parking and its use for parking has not, in my view, diminished the visual or conservation value of the site.
- 7.4.7. The existing entrance off the local road (L16012) to the east has a width of 3.85m and is set-back from the road edge by c. 5.7m-7.4m. The L16012 serving the subject site is a narrow local road serving a small number of rural dwellings and agricultural entrances. While the speed limit is 80km (as clarified by the Transportation Department of MCC), observed speeds are likely to be substantially lower due to the limited forward visibility and presence of residential accesses along the route. The road is secondary in nature, with the realigned section to the west providing the main north-south connection from the Battle of the Boyne Centre.
- 7.4.8. Under the parent permission (ABP Ref. PL17.241532), concerns regarding sightlines and access location were fully considered. The Board accepted the use of the current entrance for reasons relating to visual amenity. I maintain a similar view in that provision of an additional entrance would adversely impact the landscape and architectural character of the site.
- 7.4.9. In my view, the increase from nine to fifteen short-stay units would generate a modest increase in traffic movements (subject to limitation of car parking). Having regard to the limited scale of intensification and the capacity of the local road network, I do not consider that the development would give rise to any material increase in traffic safety.
- 7.4.10. Having regard to the planning history, the absence of technical objection from the Council, the comments of the Department of Housing, Local Government and Heritage and my own site observations, I am satisfied that the existing access and the courtyard arrangement represent the most appropriate and least intrusive solution in this sensitive setting. While the access road is of limited width and

sightlines, I consider it is acceptable within the context of the local road environment and in light of the limited additional traffic generation associated with the proposal, the development is acceptable in terms of traffic safety, capacity and visual and heritage impact and relevant policies of the Meath County Development Plan 2021–2027.

7.5. Site Services

Surface Water Drainage

The applicant proposes to manage surface water through a soakaway system stated as designed in accordance with BRE 365. The design is informed by on-site infiltration testing which recorded an infiltration rate of 1.31 E-06 m/sec indicating that the subsoil is suitable for infiltration-based drainage. The soakaway has been dimensioned to accommodate runoff from the calculated impermeable area of 504sq.m, incorporating climate change allowances and BRE 365's 24-hour maximum limit for half empty times. The Environmental Section of MCC reviewed the further information and confirmed that the proposed surface-water arrangements are acceptable in principle subject to standard drainage conditions including ensuring separation of foul and surface water and compliance with GDSDS guidance. On the basis of the information submitted, I consider that the proposed surface water drainage to be acceptable.

Water Supply

- 7.5.1. Documentation with the application indicate that it is proposed to connect to public water mains. A pre-connection enquiry from Uisce Eireann (dated 15/03/2024) was submitted with the application which indicates that no infrastructure upgrade is required and a connection can be made to the 100mm Asbestos Water Main adjacent to the site. The planning authority acknowledged the proposed water supply and indicate no objection. I consider this may be addressed by way of agreement with Uisce Eireann prior to commencement of development.

Wastewater Treatment

- 7.5.2. The development description indicates that the proposed development includes a new wastewater treatment plan and percolation area. It is understood that the existing WWTP as granted permission under P.A. Ref. SA120758 and ABP ref.

PL17.241532 / P.A. Ref. SA120758 serves the existing residential dwelling and 9no. short-stay tourist accommodation units.

- 7.5.3. The subject site is not located within a flood zone.
- 7.5.4. The initial application included submission of a Site Characterisation Report and details of the soakaway design per BRE 365. The planning authority requested further information requiring the applicant to demonstrate that the existing wastewater treatment system is functioning properly and is adequately sized to accommodate the effluent generated from the proposed development (and is in compliance with the EPA 2021 Code of Practise for Domestic Waste Water Treatment Systems (PE≤10) and the EPA Waste Water Treatment Manual Treatment Systems for Small Communities, Business, Leisure Centres and Hotels).
- 7.5.5. The further information response included a Site Characterisation Report and details of the soakaway design per BRE 365. The response by the applicant's consultant indicated that the site characterisation report was carried out for the proposed development and it is proposed to upgrade the existing WWTS. A review of these documents suggest that there were no subsequent updates to the calculations or reports/drawings for the new WWTP which is assessed against EPA 2021 standards and the proposed BRE 365 soakaway save for a minor update to the 'Site Overview' drawing appended to the Site Characterisation Report (SCR). This drawing included an additional annotation 'Existing Percolation Area' within an area to the north of the existing buildings. No further details are provided relating to the upgrading of the existing WWTS.
- 7.5.6. I note that one of the five proposed buildings to be constructed is located within the existing percolation area for the existing WWTP as indicated on the 'Site Overview' drawing appended to the Site Characterisation Report received as part of the further information submitted to the planning authority.
- 7.5.7. No justification or reasoning for this has been provided. The Environment Wastewater Section of MCC considered that the applicant's response fully addressed the concerns and recommended conditions be attached in the event of a grant of permission which was subsequently noted within the Planning Authority's report.

- 7.5.8. I consider the EPA Wastewater Treatment Manual for Small Communities, Business, Leisure Centres and Hotels (1999) as the relevant guidance document. The Commission should note that whilst the 2021 EPA Code of Practice relates to guidance for domestic wastewater treatment systems, it sets out a methodology for site assessment, selection and installation and maintenance of such systems, which I also consider relevant to the proposed development.
- 7.5.9. The Site Characterisation Form indicates that the estimated Population Equivalent of 24 (PE) for the proposed development is based on provision of 6no. 2-bedroom flats (4PE) which reflects the 6no. proposed short stay accommodation units. The documentation has not clarified whether the existing WWTP will continue to serve the main dwelling and other existing short-stay units (with an equivalent of c. 40PE).
- 7.5.10. From the Site Characterisation Form, the aquifer is stated as locally important, with high vulnerability (a review of Geological Survey Ireland's GIS Mapping confirms same). The Groundwater Protection Response Category is identified as 'R1', which is detailed in Table E1 (Response Matrix for DWWTSs) of the EPA Code of Practice Domestic Wastewater Treatment Systems, as being 'acceptable subject to normal good practice'.

The depth of the trial hole was 2.1 metres, and no bedrock was encountered at this point. The soil/sub-soil is classified as silt/clay with a crumb and blocky structure, with firm compactness. The report noted that the trial hole '*displayed well drained soil and subsoil*'. The site overview drawing indicates the probable groundwater flow in a south-west direction.

In respect of the percolation characteristics of the soil, the subsurface test result is indicated as 38.22min/25mm. The surface test result is stated as 35.89min/25mm. The comments on the results claim that there is adequate subsoil percolation well suited for underlying a polishing filter as per EPA COP 2021. My site visit coincided prior and during sustained rainfall. Observations from my site visit did not indicate any drainage or surface water issues. Based on the information contained within the Site Characterisation Form, I am satisfied that the site is suitable for wastewater and percolation works to serve the proposed additional 6no. new short stay units only.

Having considered the separation distances required between the WWTS and relevant adjoining features as per the guidance set out Table 4 of the 1999 EPA

Wastewater Treatment Manual, I am satisfied that the proposal meets the minimum requirements in respect of same.

Notwithstanding acceptability of the proposed WWTS to serve the proposed 6no. short stay units, I consider that inadequate information has been provided to confirm that the existing WWTS adequately functions and/or will continue to do so should the proposed development be implemented. I have particular concerns relating to the positioning of a proposed building over the existing percolation area to the north of the existing buildings which is likely to render the percolation area obsolete. The proposed WWTS has been designed to serve the new short stay units only, and I have serious concerns that should the new system accommodate the main dwelling and existing accommodation, the system will be overloaded with potential for inadequate treatment and discharge to ground or nearby surface water features. Due to inadequate information and the current proposals put forward, I consider there is potential that the development will give rise to a risk to public health and environmental protection. I therefore consider that the proposed development is contrary to Section 9.18.2 and Policies RD POL 46, RD POL 47, RD POL 48, RD POL 51, RD POL 52 and RD POL 53 of the Meath County Development Plan 2021-2027. I recommend to the Commission that permission is refused.

On the basis that the Commission is not satisfied that the existing WWTP can continue to function as it previously did with the new proposal, I note that this is a new issue in the context of the appeal and in the interests of natural justice, the Commission can consider issuing a S137 Notice to the first party.

8.0 Appropriate Assessment (AA) Screening

- 8.1.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended. See Appendix 3 AA Screening Determination. The subject site is located approximately 480m of the River Boyne and River Blackwater SAC (site code: 002299) and within 530m of the River Boyne and Blackwater SPA (site code: 004232). The River Boyne leads to the Boyne Estuary SPA (site code: 004080), c. 5.8km, the Boyne Coast and Estuary SAC (Site Code: 001957), c. 7.1km and the North West Irish SEA SPA (Site Code 004236), c. 11.1km from the site.

- 8.1.2. The application is for retention permission of the change of use of the main dwelling within the property from domestic residence to short stay holiday home and permission for a proposed development comprising the construction of 6 short stay holiday homes, landscaping and boundary treatment, a new waste water treatment plant and percolation area and all associated site works.
- 8.1.3. Having considered the nature, scale and location of the project, I conclude, on the basis of objective information, and noting the precautionary principle, that it is not possible to exclude that the proposed development alone will give rise to significant effects on the River Boyne and River Blackwater SAC (site code: 002299), the River Boyne and Blackwater SPA (site code: 004232), the Boyne Estuary SPA (site code: 004080), the Boyne Coast and Estuary SAC (Site Code: 00195) and the North West Irish SEA SPA (Site Code 004236) European Sites in view of the conservation objectives for these sites. Appropriate Assessment is required.
- 8.1.4. The reason for this conclusion is as follows:
- The failure to demonstrate that the existing wastewater treatment system is or will continue to be in compliance with EPA standards for the treatment and safe disposal of foul water and the consequent threat to groundwater and surface water in the vicinity.
- 8.1.5. Noting the above conclusion this would be contrary to Section 8.9.2 and Objectives HER OBJ 33 and HER OBJ 34 to protected Natura 2000 sites and I recommend that permission be refused in relation to this issue. As above, I note that this is a new issue and it may be appropriate to issue a S137 Notice.

9.0 **Recommendation**

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

10.0 **Reasons and Considerations**

Having regard to the proposed location of new buildings directly over the existing percolation area and the absence of any technical evidence demonstrating that the existing wastewater treatment system can continue to function thereafter, the

Commission is not satisfied that the existing system could remain operational or compliant with the EPA Code of Practice. No alternative drainage arrangements for the existing dwelling and nine established short-stay units have been provided. The proposed wastewater treatment system has been designed to serve only the six new units and, on the basis of the information submitted, is not suitable to serve the entire development. In these circumstances, adequate collection, treatment and disposal of wastewater from the overall development has not been demonstrated.

Given the site's proximity to the River Boyne and River Blackwater SAC (002299), the River Boyne and River Blackwater SPA (004232), and the hydrological connection via groundwater, the Commission cannot conclude, on the basis of the application documentation, that the development would not give rise to significant adverse effects on the qualifying interests and conservation objectives of these European Sites. Furthermore, it has not been demonstrated that the development would not result in deterioration of water quality or hinder the attainment of Good Status under the Water Framework Directive.

The proposed development is therefore contrary to the EPA Code of Practice for Domestic Waste Water Treatment Systems (2021), the EPA Wastewater Treatment Manual – Treatment Systems for Small Communities, Business, Leisure Centres and Hotels (1999), and Policies RD POL 48, RD POL 52 and RD POL 53 of the Meath County Development Plan 2021–2027.

It is therefore considered that the proposed development would be prejudicial to public health and would 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.

David Freeland
Planning Inspector
18th November 2025

Form 1 - EIA Pre-Screening

Case Reference	
Proposed Development Summary	The development consists of the retention for the change of use from domestic residence to 6 holiday homes.
Development Address	"Sheephouse Country Courtyard@, Sheephouse Donore , Co. Meath A92NXT7
	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.	
<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 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.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2)	Class 12(c) Holiday villages which would consist of more than 100 holiday homes outside built-up areas; hotel complexes outside built-up areas which would have an area of 20 hectares or more or an accommodation capacity exceeding 300 bedrooms.

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

Screening Determination required (Complete Form 3)

No

Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	
Proposed Development Summary	The development consists of the retention for the change of use from domestic residence to 6 holiday homes.
Development Address	“Sheephouse Country Courtyard@, Sheephouse Donore , Co. Meath A92NXT7
This preliminary examination should be read with, and in the light of, the rest of the Inspector’s Report attached herewith.	
<p>Characteristics of proposed development</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 proposed development comprising 6no. short-stay holiday homes and retention for the change of use of a residential dwelling to short-stay holiday homes is a standalone project requiring no demolition and no substantial excavation. It does not require the use of substantial natural resources or give rise to significant risk of pollution or nuisance. The development, by virtue of its type (holiday homes), 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>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The development is located within an established cluster of buildings comprising a 16th/ 17th-century farmhouse (a recorded National Monument) and associated outbuildings arranged around a courtyard. The site lies within a rural area characterised by agricultural land, dispersed housing and forms part of the wider Boyne Valley landscape.</p> <p>The site is situated within the Buffer Zone of the Brú na Bóinne UNESCO World Heritage Site, though outside its Core Area and outside any protected views or prospects identified in the Development Plan. The submitted Landscape and Visual Impact Assessment indicates that the proposed development there is low to negligible visibility from the core areas of the World Heritage Site or from designated protected viewpoints, and the site is screened by existing buildings, boundary vegetation and topography.</p> <p>The site is not located within or immediately adjoining any European sites (0.48–0.53km from the site) or habitats of limited absorption capacity. The site is within an already developed complex, and its capacity to</p>

	<p>absorb the proposed scale of additional built form is high.</p> <p>Overall, the receiving environment is not of a sensitivity that would give rise to likely significant environmental effects from a project of this nature and scale.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Given the nature and scale of the proposal comprising six additional short-stay tourism units within an existing developed courtyard complex, any potential impacts are limited in magnitude and spatial extent. No demolition, significant excavation, or resource-intensive activity is proposed.</p> <p>Potential environmental effects would relate primarily to increases in human activity associated with additional short-term occupation. These effects are localised and of limited intensity. The development will not adversely alter landscape character, will not affect the setting of protected views, the Brú na Bóinne WHS, or the National Monument on site, having regard to its scale, siting, and the existing pattern of development.</p> <p>There is no potential for significant emissions, pollution, noise, traffic, or risk of major accidents. No transboundary or complex cumulative effects arise, and the proposal does not interact with other developments in a manner that would give rise to in-combination effects of significance under the EIA Directive.</p> <p>Subject to standard site-service requirements, the scale and form of the development are such that no likely significant effects on environmental factors listed in section 171A of the Act are anticipated.</p>
Conclusion	
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA is not required.</p>	

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 3

Appropriate Assessment Screening

Screening for Appropriate Assessment	
Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	The application is for Retention Permission of the change of use of the main dwelling within the property from domestic residence to short stay holiday home and Permission for; the construction of 6 short stay holiday homes; Landscaping and boundary treatment; A new waste water treatment plant and percolation area and all associated site works. The total floor area of the development is 402sq.m.
Brief description of development site characteristics and potential impact mechanisms	<p>The site extends to 1.49ha and is located approximately 480m of the River Boyne and River Blackwater SAC (site code: 002299) and within 530m of the River Boyne and Blackwater SPA (site code: 004232). The River Boyne leads to the Boyne Estuary SPA (site code: 004080), c. 5.8km, the Boyne Coast and Estuary SAC (Site Code: 001957), c. 7.1km and the North West Irish SEA SPA (Site Code 004236), c. 11.1km from the site.</p> <p>The site is underlain by a locally important aquifer with high vulnerability. There is no surface water bodies or drainage ditches within/adjacent to the site.</p> <p>Surface water will be directed to a proposed soakaway.</p> <p>An on-site wastewater treatment system is proposed and is has not been demonstrated that it accords with EPA Code such that untreated wastewater may escape to groundwater.</p> <p>The groundwater is an indirect hydrological connection to the River Boyne.</p>
Screening report	Y – ‘Appropriate Assessment Screening Report’ prepared by Panther Ecology LTD.
Natura Impact Statement	N

Relevant submissions	No submissions received.
-----------------------------	--------------------------

The submitted AA Screening Report identifies a hydrological link to the River Boyne. The report assumes that the proposed WWTS will prevent emissions to any Protected Site. However, the adequacy of this system alongside the existing wastewater system in the site has not been demonstrated to accord with the EPA Code of Practice. Therefore, the potential for emissions to groundwater cannot be excluded.

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
River Boyne and River Blackwater SAC (site code: 002299)	Conservation objectives dated 3rd December 2021.	c.0.48km	In-direct connection via groundwater.	Y
River Boyne and River Blackwater SPA (site code: 004232)	Conservation objectives dated 2nd July 2024.	c.0.53km	In-direct connection via groundwater.	Y
Boyne Estuary SPA (site code: 004080)	Conservation objectives dated 26 th February 2013.	c. 5.8km	In-direct connection via groundwater.	Y
Boyne Coast and Estuary SAC (Site Code: 001957)	Conservation Objectives dated 31 st October 2012.	c. 7.1km	In-direct connection via groundwater.	Y
River Nanny Estuary & Shore SPA (Site Code: 004158)	Conservation Objectives dated 21 st September 2012.	c. 10.3km	No pathway/hydrological connection	N
North-West Irish Sea SPA (Site Code 004236)	Conservation objectives dated	c. 11.1km	In-direct connection via groundwater.	Y

	19 th September 2023			
--	------------------------------------	--	--	--

¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: River Boyne and River Blackwater SAC (site code: 002299) <u>Qualifying Interests</u> River Lamprey Lampetra fluviatilis (1099) Salmon Salmo salar (1106) Otter Lutra lutra (1355) Alkaline fens (7230) Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)* (91E0)	Indirect: Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution. Potential impacts via groundwater pollution and onward to surface water from the on-site wastewater treatment system due to close proximity to the River Boyne and this SAC. Direct: N/A	Potential negative affect on conservation objectives related to water quality.
	Likelihood of significant effects from proposed development (alone): Yes	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
	Impacts	Effects

<p>Site 2: River Boyne and River Blackwater SPA (site code: 004232)</p> <p><u>Qualifying Interests</u></p> <p>Kingfisher Alcedo atthis (A229)</p>	<p>Indirect:</p> <p>Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution.</p> <p>Potential impacts via groundwater pollution and onward to surface water from the on-site wastewater treatment system due to close proximity to the River Boyne and this SPA.</p> <p>Direct: N/A</p>	<p>Potential negative affect on conservation objectives related to water quality.</p>
	<p>Likelihood of significant effects from proposed development (alone): Yes</p>	
	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</p>	
<p>* Where a restore objective applies it is necessary to consider whether the project might compromise the objective of restoration or make restoration more difficult.</p>		
	<p>Impacts</p>	<p>Effects</p>
<p>Site 3: Boyne Estuary SPA (site code: 004080)</p> <p><u>Qualifying Interests</u></p> <p>Shelduck Tadorna tadorna (A048)</p> <p>Oystercatcher Haematopus ostralegus (A130)</p> <p>Golden Plover Pluvialis apricaria (a140)</p> <p>Grey Plover Pluvialis squatarola (A141)</p> <p>Lapwing Vanellus Vanellus (A142)</p>	<p>Indirect:</p> <p>Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution.</p> <p>Potential impacts via groundwater pollution and onward to surface water from the on-site wastewater treatment system due to close proximity of stream which flows to this SAC.</p> <p>Direct: N/A</p>	<p>Potential negative affect on conservation objectives related to water quality.</p>

<p>Knot <i>Calidris canutus</i> (A143)</p> <p>Sanderling <i>Calidris alba</i> (A144)</p> <p>Black-tailed Godwit <i>Limosa limosa</i> (A156)</p> <p>Redshank <i>Tringa tetanus</i> (A162)</p> <p>Turnstone <i>Arenaria interpres</i> (A169)</p> <p>Little Tern <i>Sterna albifrons</i> (A195)</p> <p>Wetlands (A999)</p>		
	Likelihood of significant effects from proposed development (alone): Yes	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
* Where a restore objective applies it is necessary to consider whether the project might compromise the objective of restoration or make restoration more difficult.		
	Impacts	Effects
<p>Site 4: Boyne Coast and Estuary SAC (Site Code: 001957)</p> <p><u>Qualifying Interests</u></p> <p>Estuaries (1130)</p> <p>Mudflats and sandflats not covered by seawater at low tide (1140)</p> <p>Salicornia and other annuals colonizing mud and sand (1310)</p> <p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) (1330)</p>	<p>Indirect:</p> <p>Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution.</p> <p>Potential impacts via groundwater pollution and onward to surface water from the on-site wastewater treatment system due to close proximity to the River Boyne and this SAC.</p> <p>Direct: N/A</p>	<p>Potential negative affect on conservation objectives related to water quality.</p>

<p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) (1410)</p> <p>Embryonic shifting dunes (2110)</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('white dunes') (2120)</p> <p>Fixed coastal dunes with herbaceous vegetation ('grey dunes') (2130)</p>		
	Likelihood of significant effects from proposed development (alone): Yes	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
* Where a restore objective applies it is necessary to consider whether the project might compromise the objective of restoration or make restoration more difficult.		
	Impacts	Effects
<p>Site 5: North-West Irish Sea SPA (Site Code 004236)</p> <p><u>Qualifying Interests</u></p> <p>Red-throated Diver <i>Gavia stellata</i> (A001)</p> <p>Great Northern Diver <i>Gavia immer</i> (A003)</p> <p>Fulmar <i>Fulmarus glacialis</i> (A009)</p> <p>Manx Shearwater <i>Puffinus puffinus</i> (A013)</p> <p>Cormorant <i>Phalacrocorax carbo</i> (A017)</p>	<p>Indirect:</p> <p>Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution.</p> <p>Potential impacts via groundwater pollution and onward to surface water from the on-site wastewater treatment system due to close proximity of stream which flows to this SPA.</p> <p>Direct: N/A</p>	<p>Potential negative affect on conservation objectives related to water quality.</p>

<p>Shag Phalacrocorax aristotelis (A018)</p> <p>Common Scoter Melanitta nigra (A065)</p> <p>Black-headed Gull Chroicocephalus ridibundus (A179)</p> <p>Common Gull Larus canus (A182)</p> <p>Lesser Black-backed Gull Larus fuscus (A183)</p> <p>Herring Gull Larus argentatus (A184)</p> <p>Great Black-backed Gull Larus marinus (A187)</p> <p>Kittiwake Rissa tridactyla (A188)</p> <p>Roseate Tern Sterna dougallii (A192)</p> <p>Common Tern Sterna hirundo (A193)</p> <p>Arctic Tern Sterna paradisaea (A194)</p> <p>Little Tern Sterna albifrons (A195)</p> <p>Guillemot Uria aalge (A199)</p> <p>Razorbill Alca torda (A200)</p> <p>Puffin Fratercula arctica (A204)</p> <p>Little Gull Hydrocoloeus minutus (A862)</p>		
	Likelihood of significant effects from proposed development (alone): Yes	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	

--	--

* Where a restore objective applies it is necessary to consider whether the project might compromise the objective of restoration or make restoration more difficult.

--	--

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

It is not possible to exclude the possibility that the proposed development alone would result in significant effects to the River Boyne and River Blackwater SAC, the River Boyne and Blackwater SPA, the Boyne Estuary SPA, the Boyne Coast and Estuary SAC and the North West Irish SEA SPA. An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage.

Screening Determination

Significant effects cannot be excluded

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 it is not possible to exclude that the proposed development alone will give rise to significant effects on River Boyne and River Blackwater SAC, the River Boyne and Blackwater SPA, the Boyne Estuary SPA, the Boyne Coast and Estuary SAC and the North West Irish SEA SPA European Sites in view of the conservation objectives for these sites.

Appropriate Assessment is required.

This determination is based on:

- The failure to demonstrate that the wastewater treatment system is in compliance with EPA standards for the treatment and safe disposal of foul water and the consequent threat to groundwater and surface water in the vicinity.

Appendix 4

Water Framework Directive Screening and Assessment

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
<p>Step 1: The application is for Retention Permission of the change of use of the main dwelling within the property from domestic residence to short stay holiday home and Permission for; the construction of 6 short stay holiday homes; Landscaping and boundary treatment; A new wastewater treatment plant and percolation area and all associated site works.</p> <p>Site Area 1.49ha</p> <p>Total floor area 402sqm.</p> <p>An on-site wastewater treatment system is proposed and it has not been demonstrated that it accords with EPA Code such that untreated wastewater may escape to groundwater.</p>			
An Bord Pleanála ref. no.	ABP-322883-25	Townland, address	Sheephouse Donore , Co. Meath
Description of project		The application is for Retention Permission of the change of use of the main dwelling within the property from domestic residence to short stay holiday home and Permission for; the construction of 6 short stay holiday homes; Landscaping and boundary treatment; A new waste water treatment plant and percolation area and all associated site works. The total floor area of the development is 402sq.m.	
Brief site description, relevant to WFD Screening,		The site is located on a locally elevated location uphill, c. 590m from the River Boyne_180 Waterbody to the west and north of the site with the Drogheda (IE_EA_G_025) and Trim (IE_EA_G_002_) Ground Waterbodies.	

	<p>The site is adjoining by a number of terrace dwellings to the north with wider area characterised by rural one-off dwellings, agricultural lands and Battle of the Boyne site to the north.</p> <p>The water supply for the development is stated to be from public water mains.</p> <p>The Site Characterisation Report noted that bedrock was not encountered at 2.1m depth.</p> <p>The proposed wastewater treatment system is to be located at a level on the site lower than the existing and proposed buildings.</p>
Proposed surface water details	Soakpit proposed to the south-east of existing buildings.
Proposed water supply source & available capacity	Connection to public water mains. Point of connection not shown on site plans.
Proposed wastewater treatment system & available capacity, other issues	The applicant has failed to demonstrate that the wastewater treatment system and soil polishing filter would comply with the EPA Code.
Others?	
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection	

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	590m to the west	Boyne_180 (Code: IE_EA_07B042200)	Good	Not at risk.	No pressures.	Surface run-off and groundwater.
Groundwater Waterbody	Underlying site	Drogheda (IE_EA_G_025)	Good	At risk.	No pressures.	Surface run-off and groundwater.
	Underlying site	Trim (IE_EA_G_002)	Good	At risk.	No pressures.	Surface run-off and groundwater

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Boyne_180 (Code: IE_EA_07 B042200)	Via land sloping towards watercourse on site and adjacent lands	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice	No	Screened out
2.	Ground	Drogheda (IE_EA_G_025)	Pathway exists	Spillages.	As above	No	Screened out
3.	Ground	Trim (IE_EA_G_002)	Pathway exists	Spillages.	As above	No	Screened out
OPERATIONAL PHASE							
3.	Surface	Boyne_180 (Code: IE_EA_07 B042200)	Via land sloping towards watercourse on site and adjacent lands	Surface Water to watercourse Transmission from inadequately treated	Soakpit for surface water run-off. Inadequate measures in relation to WWTP which could lead to	Yes No	Screened in

				wastewater (not demonstrated to EPA Code) via groundwater to a watercourse	transmission to a watercourse.		
4.	Ground	Drogheda (IE_EA_G_025)	Pathway exists	On-site wastewater treatment system not demonstrated to be in compliance with EPA Code	None	Yes	Screened in
5.	Ground	Trim (IE_EA_G_002)	Pathway exists	On-site wastewater treatment system not demonstrated to be in compliance with EPA Code	None	Yes	Screened in
DECOMMISSIONING PHASE							
5.	NA						

STAGE 2: ASSESSMENT				
Details of Mitigation Required to Comply with WFD Objectives				
Groundwater				
Development/Activity e.g. abstraction, outfall, etc.	<u>Objective 1: Groundwater</u> Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater	<u>Objective 2 : Groundwater</u> Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status*	<u>Objective 3:Groundwater</u> Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	
Development Activity 3:	Required to demonstrate existing	Required to demonstrate	WWTP to EPA Code.	No - applicant has failed to

Operation phase, surface water	and proposed WWTP and soil polishing filter to comply with EPA Code as potential transmission via groundwater to watercourses	existing and proposed WWTP and soil polishing filter to comply with EPA Code.		demonstrate compliance.
Development Activity 4: Operation phase, groundwater	Required to demonstrate existing and proposed WWTP and soil polishing filter to comply with EPA Code	Required to demonstrate existing and proposed WWTP and soil polishing filter to comply with EPA Code.	WWTP to EPA Code.	No - applicant has failed to demonstrate compliance.

Noting that the applicant intends to build over the existing percolation area of the existing WWTP, the applicant has failed to demonstrate that the existing on-site wastewater treatment system and soil polishing filter complies with the EPA Code, I have concluded that it cannot be ruled out that the proposed development will not pose a risk to ground water or surface water bodies in the vicinity.

Given the proximity to the River Boyne, the proposed development may prevent the future attainment of a 'Good' water status and may result in the deterioration of existing water quality of the Drogheda Groundwater Waterbody, the Trim Groundwater Waterbody and River Boyne surface waterbody which would not be consistent with the Water Framework Directive

