



An
Coimisiún
Pleanála

Inspector's Report ACP-323620-25

Development	House and associated site works.
Location	Boycetown, Kiltale, Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	2560472
Applicant(s)	Shane McGann
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Barry McGann
Observer(s)	None
Date of Site Inspection	10 th December 2025
Inspector	Emma Gosnell

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1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.176ha, is located within the rural node of Kiltale in the townland of Boycetown in south county Meath. The town of Trim is located c. 7.5km to the north-west.
- 1.2. The site is bounded to the west by the graveyard of Kiltale Church of the Assumption, to the south by the L-6202 local road, to the east by a detached bungalow, and to the north and north-east by a large agricultural field.
- 1.3. The wider area is generally low density residential in character with large, detached dwellings which are setback from the road being the predominant housing form. The village national school and parish hall are located to the south-east and north-east of the site respectively.
- 1.4. The rectangular appeal site itself is greenfield in character (existing as an undeveloped gap site in this part of the village) and is similar in scale to the plots of the existing houses to the east. It comprises of the narrow southern finger of a larger agricultural field which lies to the north of a number of houses fronting the L-6202 at this location. The south portion of the site fronting the road features a drainage ditch, thick hedgerow and trees with the remainder of the site given over to grassland. The site's eastern boundary comprises of a tall hedgerow with its west boundary composed of a c. 2m high blockwork boundary wall, brambles and a line of semi-mature trees. The site is delineated from the field to the north by a post and wire fence. There is an overhead electricity cable running north-south across site. The site is accessed via an existing agricultural access on its south-west side.
- 1.5. There are no Protected Structures or National Monuments within or adjoining the application site and it is not the subject of Protected Views or a Tree Protection Order.

2.0 Proposed Development

- 2.1. The proposed development comprises of the construction of a 1.5-storey, 4-bed dwelling (c. 200sq.m) with a pitched roof profile (max. ridge height of c. 6.94m), the opening of a new vehicular entrance to the site (including new laneway/ right of way to access the agricultural lands to the rear of the site) and connection to existing public services together with all associated site development works.

- 2.2. Further Information (FI) stage matters related to the proposed site access, foul drainage arrangements and response to third party issues raised and gave rise to no changes to the design or layout of the proposal.

3.0 Planning Authority Decision

3.1. Decision

Permission granted on 18/08/2025 subject to 10 no. conditions including the following:

"4. (a) Existing hedgerows, trees and shrubs on site shall be preserved except where to be removed to facilitate the proposed entrance and to comply with condition 5 below.

(b) The applicants shall carry out landscaping and boundary treatments as per the submitted plan received 10/05/2025 and 27/07/2025.

(c) Landscaping shall commence no later than the first planting season following commencement of development on site.

(d) Any trees or hedging which die, are removed or become seriously damaged or diseased, within a period of 5 years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development and assimilate it into the surrounding area.

5. (a) The applicant shall provide and maintain unobstructed sightlines of 90 metres to the nearside edge of the road from a setback of 2.4 metres, in accordance with TII document DN-GEO-03060, from the entrance. The nearside road edge shall be visible over the entire sight distance.

(b) The entrance layout shall comply with the Meath Rural Design Guide - the face of the entrance piers shall be at least 3 metres from the edge of the road and the entrance gate shall be recessed at least 7 metres from the edge of the road.

(c) Road drainage shall be provided in compliance with the Department of Transport "Guidelines for Road Drainage - 2nd Edition, 2022". Any drainage pipe installed shall be at least 300mm in diameter and in any case be no less than the nearest downstream pipe diameter.

Reason: In the interest of traffic safety and orderly development."

3.2. Planning Authority Reports

3.2.1. Planning Reports

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

Planner's Report (02/07/2025) – Initial Application Stage

Key points of note raised in the report are as follows:

- *Principle of Development* - proposal for a dwelling compliant with 'RN – Rural Node' zoning and the applicant has sufficiently demonstrated their local need to live in this rural area/ their compliance with Meath's Rural Settlement Strategy (Section 9.4) on the basis of their residency in the local area for a substantial period of time.
- *Siting and Layout* – siting in setback position from road acceptable on basis it respects building line established by houses to east and proposal constitutes infilling of a gap site and therefore would not exacerbate ribbon development.
- *Design* - scale, design and materiality of house acceptable. Dwelling's east-west orientation is acceptable on basis of maximising solar gain.
- *Landscaping and Boundaries* – proposal that trees will only be removed where necessary to facilitate the development noted. Given site's location adjoining a heavily trafficked road, it is considered bats unlikely to roost in trees on site.
- *Access* – PA not satisfied with positioning of shared entrance and access laneway against eastern boundary on basis of potential to affect residential amenity of house to immediate east. Existing agricultural entrance should be reused. **This matter formed part of FI request.**
- *Servicing* – proposals to source water from Kiltale Group Water Scheme (letter of consent provided) and to utilise a surface water soakpit are acceptable. Proposal to connect to public sewer network is not substantiated by confirmation of feasibility (CoF) etc. from Uisce Eireann (UE). **This matter formed part of FI request.**

A request for Further Information (FI) issued on 02/07/2025 in relation to 4 no. items.

The applicant's response to the FI request was received on 27/07/2025 and consisted of a cover letter, revised drawings, letters from the landowner and supporting legal documentation, a CoF from UE, a letter from Kiltale Water Group, and a report from ID Environmental Consultants. The response was not found to be significant.

Planner's Report (18/09/2025) – Further Information Stage

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

- *Item 1 (siting of access road)* – applicant justifies positioning with reference to maximising the proposed dwelling's solar gain (amenity spaces facing west). PA note that no concerns were raised by resident of property to immediate east who did not make a submission. Following consultation with PA's Transportation Department, it was determined original proposal (access road along east boundary) was acceptable.
- *Item 2 (foul drainage capacity)* – following applicant's submission of a pre-commencement inquiry, UE CoF confirmed connection to public water mains feasible subject to upgrades and wastewater connection feasible without upgrades.
- *Item 3 (response to issues raised in third party observation)* – documentary evidence has been submitted that confirms observer is not the landowner and that landowner consent has been provided to the applicant to make the application; tree removal will only be allowed to facilitate the proposed entrance and will be controlled by condition; proposed house is setback from tree roots and will not give rise to material damage to same; no suitable bat roosting features on site with limited potential for bat foraging impact; PA satisfied with scale and design of dwelling; site located in flood zone C and is not at risk of flooding.
- *Item 4 (material alterations to proposal requiring readvertising)* – does not arise.

Permission was granted for the full proposal subject to conditions (as per Section 3.1).

3.2.2. Other Technical Reports

Initial Application Stage

Transportation Department (undated, referred to in PA report) – PA confirmed in email of 09/12/2025 that this advice was verbal rather than written, with no details of same being available to the Commission.

Public Lighting Department (undated) – no objections raised.

Further Information Stage

None received.

3.3. Prescribed Bodies

No submission received.

3.4. **Third Party Observations**

Initial Application Stage

2 no. third party submissions were received at planning application stage from a local Councillor (Cllr. Aisling Dempsey) and a neighbouring property owner (Barry McGann). I have summarised the issues raised therein by theme:

- *Principle of Development* – Cllr. expresses support for proposal.
- *Design and Siting* – no contextual elevations submitted. House orientation and design of south elevation is inappropriate.
- *Landscaping/ Boundaries* – inadequate detail provided on western site boundary, extent of mature tree removal and impact on tree roots.
- *Protected Species* - potential bat roosts on site. Further assessment required re: impact of proposal on bats and breeding birds.
- *Drainage* – inadequate detail on soakaway proposal/drainage issue in area.
- *Procedural* – issues raised in respect to legal ownership of site.

Further Information Stage

None received.

4.0 **Planning History**

None found.

5.0 **Policy Context**

5.1. **National Policy**

Project Ireland 2040 – National Planning Framework (NPF) (2025):

- NPO 24: housing in rural areas under urban influence.
- NPO 28: siting and design criteria for rural housing.

Climate Action Plan (2024 & 2025).

National Biodiversity Action Plan (NBAP) 2023-2030.

Our Rural Future Rural Development Policy 2021-2025.

Development Management Guidelines for Planning Authorities (2013).

Spatial Planning and National Roads Guidelines for Planning Authorities (2012).

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

Sustainable Rural Housing Guidelines for Planning Authorities (2005).

5.2. **Regional Policy**

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

- RPO 4.80: provision of single houses in rural areas under strong urban influence based on consideration of demonstrable economic or social need.
- RPO 4.81: siting and design criteria for rural housing.

5.3. **Development Plan**

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

Zoning

Section 11.14.6 (Land Use Zoning Categories) - site is zoned 'RN – Rural Nodes' with the objective 'To provide for small-scale infill development including community facilities and supporting services serving local needs while maintaining the rural nature of the node'. 'Residential' is a permitted use under the RN zoning subject to compliance with the Rural Settlement Strategy.

Rural Settlement Strategy

Objective RUR DEV SO 5: To support the vitality and future of Nodes for rural development and ensure a functional relationship between housing in Nodes and the rural area in which they are located.

Section 9.2 (Rural Settlement Strategy) and Policy RUR DEV SP 2 (to satisfy same).

Section 9.3 (Rural Area Types), Map 9.1 (Rural Area Types Development Pressure) – site located in 'Area 1 - Rural Area under Strong Urban Influence'

Policy RD POL 1: To ensure that individual house developments in rural areas satisfy the housing requirements of persons who are an intrinsic part of the rural community in which they are proposed, subject to compliance with normal planning criteria.

Policy RD POL 2: To facilitate the housing requirements of the rural community as identified while directing urban generated housing to areas zoned for new housing development in towns and villages in the area of the development plan.

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

Section 9.4 (Persons who are an Intrinsic Part of the Rural Community) - The Planning Authority recognises the interest of persons local to or linked to a rural area, who are

not engaged in significant agricultural or rural resource related occupation, to live in rural areas. For the purposes of this policy section, persons local to an area are considered to include:

- Persons who have spent substantial periods of their lives, living in rural areas as members of the established rural community for a period in excess of five years and who do not possess a dwelling or who have not possessed a dwelling in the past in which they have resided or who possess a dwelling in which they do not currently reside.

Section 9.5.1 Development Assessment Criteria - The Planning Authority will also take into account the following matters in assessing individual proposals for one-off rural housing:

- The housing need background of the applicant(s) in terms of employment, strong social links to rural areas and immediate family as defined in Section 9.4 Persons who are an Intrinsic Part of the Rural Community;
- Local circumstances such as the degree to which the surrounding area has been developed and is trending towards becoming overdeveloped;
- The degree of existing development on the original landholding from which the site is taken including the extent to which previously permitted rural housing has been retained in family occupancy. Where there is a history of individual residential development on the landholding through the speculative sale of sites, permission may be refused;
- The suitability of the site in terms of access, wastewater disposal and house location relative to other policies and objectives of this plan;
- The degree to which the proposal might be considered infill development.

Sections 9.5.2 (Ribbon Development), 9.5.3/ Policy RD POL 7 (Occupancy Condition).

Section 9.5.4 (Rural Nodes) and Policy RD POL 8 (Persons Part of the Rural Community).

Objectives RD OBJ2 (compliance with Meath Rural Design Guide), RD OBJ4 (character of area), RD OBJ 8 (quality boundary treatments), RD OBJ 9 (protect trees and hedgerows), RD OBJ 10 and 11 (design guidance for infill proposals).

Housing Design Guidance

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

Section 9.6.1 and Policy RD POL 9: To require all applications for rural houses to comply with the 'Meath Rural House Design Guide' (Appendix 13).

Landscape/ Natural Heritage

Section 9.16 (Roadside Boundaries): Occasionally, the removal of substantial lengths of roadside boundaries is proposed as part of an element of improving visibility at the junction of a new entrance onto a road. Where an alternative site is available and

otherwise suitable, applicants and Planning Authorities should consider a location that avoids the necessity for widespread boundary removal.

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

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

Site located within the 'Central Woodlands' are which has a high landscape character value and a moderate landscape character sensitivity.

Drainage/ Servicing/ Parking

Section 9.6.1 (Access and Other Ancillary Works).

Sections 9.18 (Technical Requirements) and 9.18.1 (One-Off Houses: Sight Distances and Stopping Sight Distances Policy) and RD POL 43 (sightlines).

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

Section 9.18.3 (Wastewater Disposal) and Policies RD POL 46 – RD POL 53.

Sections 11.9.1, Table 11.2, DM OBJ 89 (Car Parking).

6.0 Natural Heritage Designations

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

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

- c. 6 km from River Boyne and River Blackwater SPA (Site Code 004232).
- c. 6km from River Boyne and River Blackwater SAC (Site Code 002299).

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

- c. 5.5km from Trim pNHA (Site Code 001357).
- c. 8.5km from Rathmoylan Esker pNHA (Site Code 000557).

7.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendix 1 of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no

real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

8.0 Water Framework Directive Screening

I have concluded, on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment (refer to form in Appendix 2 for details).

9.0 The Appeal

9.1. Grounds of Appeal

A third party appeal from Barry McGann was received on 10/09/2025. The grounds of appeal (GOA) can be summarised as follows:

- *Tree Removal* – concerns raised in respect to impact of proposal on mature trees along site's roadside boundary.
- *Impact on Protected Species* – appellant has observed bat activity in area (in vicinity of field to north) and considers that some of trees on site may contain bat roosts. Further assessment of impact of proposal on bats and breeding birds required to ensure no adverse impact.
- *Western Boundary* – details provided on same not accurate and there are a boundary wall and a line of native species trees (mainly sycamore) in situ. Excavations/ groundworks could damage the tree root protections zones.
- *Survey Issues* - issues raised with the validity of the Bat and Breeding Birds Memo submitted by the applicant in terms of lack of professional credentials, lack of input by qualified ecologist and arborist and inadequacies in the bat survey methodology.
- *Surface Water Drainage* – whilst PA determined that surface water infiltration test is not required for one-off houses unless specific concerns raised regarding ground

conditions, appellant state they raised such concerns at application stage on basis of their observations of poor soakage capacity of local soil and localised flooding.

- *Design & Visual Amenity* – applicant did not submit contextual elevations and impact of proposal on street is unclear. House orientation does not address the public road and blank gable design of south elevation is inappropriate for village and does not take full advantage of passive solar gain/ sustainable design.
- *Procedural* – site plans omit details of important site features (i.e. mature trees).

9.2. Applicant Response

The applicant, in their response dated 09/10/2025, seek to clarify the following:

- *Ownership* - appellant is not the owner of the site. Site owner is applicant's uncle.
- *Drainage* – appellant obstructed the carrying out of a percolation test on the site, notwithstanding PA's view percolation test not required (public mains connection).
- *Protected Species* – comprehensive ecological assessment was undertaken at FI stage. This determined that there was no significant ecological risk.
- *Procedural* – appeal is vexatious and motivated by personal interest.
- *Other* – applicant is contending with difficult personal circumstances. They wish to reside near the family home and are an active/ committed member of community.

The applicant's response to the GOA is accompanied by a cover letter from the applicant's agent (McMahon Bennett) dated 09/10/2025, a Passive House Designer Certificate and a copy of ID Environmental Consultant's FI response (dated 09/07/2025) updated to include a 'statement of authority' which gives an overview of the professional credentials and experience of the project environmental consultants.

Points Raised in Letter from Agent

Trees

- some tree removal to facilitate the access is inevitable, but entrance position and design have been carefully considered in order to minimise disturbance to roadside boundary hedge.
- proposal is stepped back from the (predominantly ash) trees which line the south boundary so as not to damage the roots of same.
- Ash trees are suffering from ash dieback and their removal will improve road safety.

Protected Species

- report of ID Environmental Consultants is robust, addresses the appellant's points and sets out clear findings in respect to birds, bats and trees.
- bat roosts and breeding bird nests do not occur in roadside hedges due to noise and disturbance, and applicant is willing to provide further evidence of this if required by the Commission.

Drainage

- applicant has consulted with PA case planner who, in turn, has consulted with PA's Environmental Section who have advised that no soakaway testing is required as on basis of there being no flood risk to the site. Notwithstanding, the appellant is open to directing their stormwater to the public sewer.

Design & Visual Amenity

- contiguous elevations have been provided by the applicant.
- proposal is compliant with Meath Rural Design Guide.
- layout/ orientation responds to constraint posed by access/ right of way.
- use of rooflights avoids overlooking of neighbouring properties.

Solar Gain

- proposal satisfies planning/ building regulations & takes advantage of solar gain.
- proposal has been designed by a certified passive house designer.

9.3. **Planning Authority Response**

The PA, in their response received 24/09/2025, state that the matters raised by appellant were addressed by the PA in the course of their assessment of the planning application (as per their reports of 02/07/2025 and 18/09/2025) and they seek that the Commission uphold their decision to grant permission for the proposal.

9.4. **Observations**

None received.

9.5. **Further Responses**

9.5.1. ***Appellant's Response***

The appellant in, in their further response received 07/11/2025, seek to clarify the following in response to the applicant's response dated 09/10/2025:

- *Survey Issues* – concerns as detailed in Section 9.1 reiterated and further concerns raised in respect to professional status/ transparency. Appellant notes that applicant's claims in respect to species and conditions of trees are unsubstantiated by arborist report or photographic survey and states that they did not give the applicant's agent permission to access the site to conduct a site assessment.
- *Protected Species* – applicant's view that bats/ birds do not roost/ breed adjoining roads is disputed on basis that L-6202 is a low traffic rural road. Appellant reiterates that they have observed bat activity in and around the site.
- *Western Boundary* – reiterates concerns re: omission of mature sycamore trees and boundary wall along same from site plans given their ecological and visual function, and potential for proposal to damage their tree roots. The applicant includes (undated) photographs of the subject trees as part of their submission.
- *Surface Water Drainage* – applicant's response does not adequately address the issues raised in GOA. Claim that area is not at risk of flooding is inaccurate and view that drainage in area is poor/ worsening (due to impact of recent development and land reclamation in the vicinity) is reiterated. Appellant of the view that proposed soakaway is insufficient to manage volume of pluvial surface water run-off and raised concerns about flood risk impact on third party properties. Appellant contends that a storm drain runs along the front boundary of the site (they provide a map indicating its location).
- *Foul Drainage* – concerns raised about capacity of local sewerage infrastructure to accommodate the proposal and related maintenance/ carbon emissions concerns.
- *Design & Visual Amenity* – proposed design is unsuited to its rural context, lacks architectural quality, fails to make a positive contribution to character of the area and is inconsistent with established rural vernacular.
- *Solar Gain/ Energy Performance* – appellant is qualified and experienced in field of sustainable building design and energy performance and highlights design deficiencies in the house's solar orientation arising from its context and ope arrangement.

The submission is accompanied by a Drainage Map, undated photograph of trees along the western boundary, a close-up photo of the condition of the leaves on these trees, and an aerial map illustrating the location of the line of trees along the site's

western boundary. It is also accompanied by a further letter from the appellant (dated 04/10/2025) responding to the applicant's submission of 09/10/2025 as follows:

- Appellant has been in possession of site for over 12 years/ is the beneficial owner and applicant has/ had no right to apply for planning permission in respect to same.
- Applicant/ their agents have no entitlement to access the appellant's lands.
- Concerns in respect to applicant's ecological report are reiterated.
- There is an ongoing dispute between the families of the appellant and applicant which the appellant has sought to resolve.
- Appellant's objections are made on planning grounds only.

9.5.2. **Planning Authority Response**

The PA, in a further response received 31/10/2025, state that they note the applicant's response to the appeal and that they are satisfied that the matters raised by appellant were addressed by the PA in the course of their assessment of the planning application (as per their reports of 02/07/2025 and 18/09/2025) and they seek that the Commission uphold their decision to grant permission for the proposal.

10.0 **Assessment**

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

- Principle of Development
- Siting and Design
- Access
- Ecology
- Drainage
- Other Matters

10.1. **Principle of Development**

- 10.1.1. The site is zoned 'RN – Rural Node' with the objective 'To provide for small-scale infill development including community facilities and supporting services serving local needs while maintaining the rural nature of the node'. The principle of developing a

house on a site with a RN land use zoning is acceptable subject to applicant's compliance with the Meath Rural Settlement Strategy and other relevant MCDP policy.

- 10.1.2. The proposed development is located on lands designated as 'Area 1 - Rural Area under Strong Urban Influence' as per Section 9.3 of the MCDP where the housing requirements of the rural community will be facilitated. Section 9.4 (Persons who are an Intrinsic Part of the Rural Community) states that the PA recognises the interest of persons local to or linked to a rural area, who are not engaged in significant agricultural or rural resource related occupation, to live in rural areas. For the purposes of this policy section, persons local to an area are considered to include those who have spent substantial periods of their lives, living in rural areas as members of the established rural community for a period in excess of five years and who do not possess a dwelling or who have not possessed a dwelling in the past in which they have resided or who possess a dwelling in which they do not currently reside.
- 10.1.3. The applicant has submitted a range of documentation to support their establishment of local need. These documents include a completed Meath Local Need Form with details of the applicant's residency in the parental home in Kiltale from 1990-2019 and 2021-present and confirmation that the applicant is not a homeowner; a letter from a local sports club in Kiltale in respect to their longstanding membership of same; letter from local priest confirming that the applicant is a parishioner of Kiltale parish since birth; a letter from local Credit Union and related proof of address (at parental home in Kiltale) dated 2024; a letter from the local national school confirming the applicant was a student of same from 1995-2003; and, copies of bank statements from 2021, 2023 and 2024 addressed to the applicant's at their home address in Kiltale.
- 10.1.4. Having reviewed the information submitted, I am satisfied that sufficient evidence has been provided to demonstrate that the applicant has spent a substantial period of their life living in the local area and that they are intrinsically linked to the local area. As such, I am satisfied that the applicant complies with the Meath Rural Settlement Strategy as explained in Section 5.3 of this report.

10.2. **Siting and Design**

- 10.2.1. The PA were satisfied that the siting of the proposed house respected the existing building line and did not give rise to ribbon development on account of its infilling of a

gap site, and they considered that its design and materiality were compliant with the Meath Rural Design Guide.

- 10.2.2. The appellant is of the view that, as no contextual elevations were submitted, the proposal's impact on what they consider to be the streetscape cannot be assessed. They further consider that the east-west orientation and south gable of the house do not appropriately address the public road or take full advantage of the site's aspect in terms of solar gain or respond to the established rural vernacular or its context in terms of its design.
- 10.2.3. The applicant, in their response to the appeal, note that adequate drawings have been provided, that the proposed layout responds to the constraint posed by the access road/ right-of-way and that the design of the house complies with the Meath Rural Design Guide.

Siting/ Layout

- 10.2.4. The proposal comprises the infilling of a gap site which exists on the north side of the L-6202 between the grounds of Kiltale Church of the Assumption and a detached residential dwelling c. 35m to its east. Whilst the existing residential development on the north side of this road constitutes a form of ribbon development (i.e. where 5 or more houses exist on any one side of a given 250m of road frontage) as defined by Section 9.5.2 of the MCDP, I am satisfied that the proposal to develop on an existing gap in the rural cluster at this location would not exacerbate this pattern or give rise to coalescence of different areas of ribbon development.
- 10.2.5. Having considered the information on file, I note that whilst the orientation of the proposed house differs from that of neighbouring properties to the east, its siting (c. 13.5m from carriageway) is generally consistent with the common building line fronting the L-6202 (i.e. setback c. 14-15m from the public road) established by same. I am satisfied that this positioning will mitigate the visibility of the 1.5 storey dwelling from the public road and I also note that the retention and supplementation of the south boundary with semi-mature hawthorn hedging and native trees will further assist in this regard. In light of the foregoing, and considering the existing pattern of residential development on both the north and south sides of the L-6202 at this location (where the detached dwellings are generally setback/ screened from and do not address the public road), I am satisfied that the proposal is well integrated into its context and would

not give rise to a negative impact on visual amenity (nor on the residential amenity of the dwelling to the east re: overbearance, privacy and visual intrusion on account of its 1.5 storey height, siting and setback c.15m from the shared boundary which is to be retained in situ). The issue of siting of the proposed access road is dealt with in Section 10.3 of this report.

- 10.2.6. The appellant has also raised concerns in respect to impact of the siting of the proposal on a line of existing (native) trees along the western site boundary and, in particular, how the related excavations and groundworks could damage their root protection zones. In this regard, I draw the Commission's attention to the fact that the proposed site plan provides no details in respect to this line of semi-mature trees and that there is also no arboricultural drawing or report on file. Notwithstanding, I note from the proposed site plan that the dwelling would be sited in a setback position c. 7.5m from the western boundary. Section 9.6 (Rural Residential Development: Design and Siting Considerations) states that care should be taken to ensure that an appropriate distance is maintained between tree root systems and building foundations, so neither is compromised. Whilst the plan provides no definition of what constitutes such a distance, I note that the proposal does not rely on significant earthworks; involves the decommissioning of an existing (agricultural) access road sited parallel to the line of trees along the western boundary; and, does not proposed the felling or other interference with these trees, and therefore complies with RD OBJ 9 which seeks to promote the retention of mature trees in order to protect the rural character of the area. In light of the foregoing considerations, I am satisfied that the proposal is not likely to give rise to a negative impact on the line of trees along the site's western boundary, whose ecological and visual function will remain as is.

Architectural Design

- 10.2.7. The proposal is for a 1.5 storey dwelling with a narrow, simple, traditional linear form and a pitched roof profile. Its materials comprise of a dark corrugated roof, white render walls with areas of timber cladding and predominately linear opes of aluclad. Appendix 13 of the MCDP (Rural Design Guide) sets out guidance on, inter alia, building form, scale/ proportions and detailing and, having considered the proposed architectural design against this guidance, I am satisfied that it is fully compliant with same.

- 10.2.8. The Rural Design Guide (Section 2.3.1 Orientation) encourages single room plan dwellings oriented north-south (such as that proposed) on the basis that their rooms receive direct sunlight from different aspects during the course of a day with large windows and roof lights assisting with further passive solar gain. On this basis, I consider the orientation (and open design) of the proposal to be acceptable.
- 10.2.9. The built character of the immediate area comprises of predominantly 1/1.5 storey detached dwellings of various scales, architectural styles, designs and forms set on large plots. Having considered the varied built character of the locality, I am satisfied that the proposal is not at odds with same.
- 10.2.10. I note the enclosures provided as part of the applicant's response to the GOA (09/10/2025) and the appellant's further response (07/11/2025) in respect to passive house design certification, sustainable building design and energy performance professionals, and compliance with the Building Regulations etc. However, I note that such matters are covered by a separate statutory code and have no bearing on the assessment of the proposal against MCDP policy as outlined above.

10.3. Access

- 10.3.1. The appellant raises concerns in respect to the impact of the proposed vehicular access on mature trees along site's roadside boundary and rejects the applicant's contention that the mature ash trees which line the site's southern boundary are suffering from 'ash dieback' and that this justifies their removal.
- 10.3.2. The applicant is of the view that some tree removal to facilitate the proposed vehicular access is inevitable and note that its position and design have been carefully considered in order to minimise disturbance to roadside boundary hedging/ ash trees.
- 10.3.3. The PA sought to strike a balance between the retention (and supplementation) of the site's southern hedgerow, trees and shrubs (condition no. 4) and the provision of safe vehicular access (90m sightlines to nearside edge of road from a setback of 2.4m) in compliance with TII document DN-GEO-03060 (condition no. 5(a)).
- 10.3.4. Having inspected the site, and in comparing the existing and proposed site layout plans, I note the impact of the new vehicular access and aforementioned 90m sightlines on the southern boundary, where tree and vegetation removal will be required (particularly on the south-east side of the site where the new access will be

located). In this regard, Section 9.16 (Roadside Boundaries) and Policy RD POL 41 allow for the removal of hedgerows adjoining roads in connection with traffic safety/ improving visibility at a new road junction, with Policy HER POL 37 requiring mitigation by provision of the same type of boundary. I note the applicant's proposals to close-up the existing agricultural entrance and for the supplementing of the existing boundary hedge with new semi-mature hawthorn hedging and native species trees to help screen the dwelling. I consider same to be acceptable and in compliance with the aforementioned development plan policies and I recommend the attachment of a condition to ensure the protection and provision of these site boundaries where the Commission are minded to grant permission.

- 10.3.5. A question has been raised as to whether the relocation of the shared access laneway from the western site boundary to the eastern site boundary would give rise to nuisance to the neighbouring dwelling or otherwise impact on the residential amenity of same. I note that this residential property already fronts onto a busy local road with its living and private amenity spaces backing on to active agricultural lands, with ongoing potential for noise and disturbance arising from farming activities on same. Having regard to this baseline, I do not consider there is potential for the relocated access to impact negatively on the amenity of the adjoining house.

10.4. **Ecology**

- 10.4.1. The GOA raise concerns in respect to the impact of the proposal on protected species, specifically on bats and breeding birds (and on trees), and outline various queries with the nature and extent of the professional credentials and ecological survey information provided in the planning application documentation incl. the lack of an arboricultural report, dusk bat surveyor photographic evidence from within the appeal site.
- 10.4.2. The applicant is of the view that a comprehensive ecological assessment has been undertaken (Bat and Breeding Birds Memo prepared by ID Environmental Consultants (09/07/2025) submitted at FI stage) which determined that the proposal gives rise to no significant ecological risk on the basis that the appeal site is unsuitable for breeding birds and for bat roosts on account of its location adjoining a busy/ noisy and artificially lit road. Notwithstanding, they are amenable to providing the Commission with further information where required.

Bats

- 10.4.3. The appellant states that they have observed bat activity in and around the appeal site. No evidence of same is submitted as part of their GOA and I note that the PA did not raise any concerns regarding the impact of the proposal on bat roosting or foraging.
- 10.4.4. The applicant's Bat and Breeding Birds Memo concludes that the site has negligible suitability for bat roosting (on the basis of no suitable roosting features being identified on site) and low suitability for bat foraging. On this basis, they conclude that the removal of a small number of trees (to facilitate the new vehicular access on south-east corner) will not significantly affect the site's foraging or navigational value for bats.
- 10.4.5. Having reviewed the memo, I note that it provides no specific details on the nature or extent of the bat survey that was carried out and no information at all on the timing of the survey. However, the survey does appear (from the figures provided in the memo) to have been based on a visual inspection of the site's southern boundary trees undertaken from the public road (the L-6202) rather than from within the site itself. The survey makes no specific reference to the existing trees along the site's western boundary (notwithstanding, I note that these are not proposed for felling and are also unlikely to be suitable for bat roosting in my opinion on account of their size, height, trunk width which give rise to a lack of suitable roosting features such as holes/ cavities and lack of ivy cover). Whilst the aforementioned gaps in the bat survey methodology are a concern, I note that the applicant's access to the appeal site and the extent of ecological surveying undertaken was likely to have been constrained by the ongoing legal ownership disputes between the parties (as detailed in Section 10.6). The Commission may still wish to seek clarification on this matter given the issues outlined with the bat roost survey undertaken and the fact that, if bat roosts are found to be present on the site, a derogation license from the NPWS would be required.
- 10.4.6. Notwithstanding, having considered the information on file and having walked the site and inspected the site boundaries, I am satisfied that the site's use for bat foraging will be largely unaffected (with the exception of the removal of some trees/ hedging to facilitate the new access) on account of the retention in situ of part of the southern boundary and the full western and eastern boundaries. Noting same and the results of the visual inspection survey outlined in the Bat and Breeding Birds Memo, I also consider that the partial removal of trees and hedgerows along the south boundary will not impact on bat roosting on account of these features' lack of suitability as bat roosts (as discussed in paragraph 10.4.5). In this latter regard, I also do not agree with the

appellant's view that the L-6202 is a lowly trafficked road (therefore, suitable for bats), having regard to the volume and nature (incl. multiple large trucks) of the traffic observed during my site inspection.

Birds

- 10.4.7. The applicant's Bat and Breeding Birds Memo provides that no impacts to breeding birds will occur so long as site trees and vegetation are removed outside the bird nesting season (which can be secured by condition in line with the 1976 Wildlife Act). Whilst no detail is provided as to whether or not a survey of breeding birds was undertaken, I note the supplementary native planting proposed on the site and concur with the applicant's proposed mitigation measure, and recommend that such a condition is attached where the Commission are minded to grant permission.

10.5. **Drainage**

Foul

- 10.5.1. The appellant has raised concerns about the capacity of local sewerage infrastructure to accommodate the proposal and related maintenance/ carbon emissions issues. It is detailed in answer to Q.20 on the application form that a new connection is proposed to the public sewer and, in this regard, I note that the UE CoF confirmed that the applicant's proposed wastewater connection feasible without upgrades (i.e. where no maintenance/ related issues arise). On this basis I am satisfied that the applicant's concerns are unfounded and I consider that the scheme's foul water servicing arrangements are a matter capable of being addressed by condition should the Commission be minded to grant permission.

Surface

- 10.5.2. Issues in respect to the scheme's surface water drainage design, poor ground drainage and localised flooding were raised by observers at application stage.
- 10.5.3. There is some ambiguity on the file in respect to the surface water management proposals. The applicant in their response to the appeal refers to a proposed public mains connection, but I note that it is detailed in answer to Q.20 on the application form that their proposed surface water disposal will be via a soakpit rather than the public sewer/ drain.

- 10.5.4. The PA determined that the use of a proposed soakaway was acceptable and that surface water testing was not required for one-off houses unless specific concerns raised regarding ground conditions and/ or flood risk to the site. Notwithstanding, in the interests of completeness, the applicant sought to carry out a percolation test on the site and states that they were obstructed from doing so by the appellant.
- 10.5.5. The appellant disputes the PA's view that the localised flood risk and ground drainage conditions are not such that they require an infiltration/ percolation test in respect of the proposed soakpit and they seek that the Commission request further hydrological testing and/ or a drainage impact assessment.
- 10.5.6. The MCDP SFRA illustrates the site's location in Flood Zone C with no incidences of fluvial flooding in the vicinity of the site, with www.floodinfo.ie (accessed on 08/12/2025) also showing no past pluvial flooding events in or around the site. Having visited the site on 10/12/2025, I observed no evidence of boggy/ saturated ground conditions or vegetation that would be indicative of the soil having poor infiltration characteristics, prone to ponding or being unsuitable for a soakaway. On this basis, I consider that the scheme's surface water servicing arrangements are a matter capable of being addressed by condition should the Commission be minded to grant permission. However, where the Commission are of a different view, I note that the applicant states in their response to the GOA of 09/10/2025 that they would be open to directing their stormwater to the public sewer.

Water

- 10.5.7. The applicant is proposing to source their potable water from the Kiltale Group Water Scheme and has provided a letter of consent in respect to same with their application. This proposal was acceptable to both the PA and UE.

10.6. **Other Matters**

Residential Standards

- 10.6.1. Having reviewed the information on file, I am satisfied that the proposal complies with the applicable standards and requirements in relation to floor areas, room sizing and dimensions, storage, private open space, design and siting etc. set out under the 2005 and 2007 Housing Guidelines (as required under FDP Objective DMSO19 – New

Residential Development) and Section 9.6 (Rural Residential Development: Design and Siting Considerations) of the MCDP and the Meath Rural House Design Guide.

Legal Issues

- 10.6.2. An issue in respect to the site's legal ownership was raised by the appellant (Barry McGann) at application stage and again in their response of 07/11/2025 where they state that they have been the beneficial owner and in possession of the appeal site for over 12 years (no evidence of same is provided as part of their submissions). The applicant, in their response to the appeal (09/10/2025), states that their uncle is the site's legal owner.
- 10.6.3. I note that in answer to Q.10 (Legal Interest of Applicant in the Land or Structure) on the planning application form it is stated that a Martin McGann (not the applicant) is the owner of the lands with the intention being that the site shall be acquired after planning permission is granted. A letter of consent addressed to the applicant (dated 29/04/2025) from Martin McGann is also provided as part of the application documentation, with a copy of a conditions of sale and land registry documentation provided as part of the RFI (which also refer to a Martin McGann).
- 10.6.4. The matter of legal ownership was addressed by the PA as item no. 3 of their RFI, which sought that the applicant respond to the third party issues raised (incl. land ownership issue). The PA concluded that the appellant's claim that he is the landowner was incorrect on the basis of the letter of consent submitted with the application and their own independent land registry verification checks.
- 10.6.5. In light of the foregoing, and as per the guidance set out under Section 5.13 of the Development Management Guidelines for Planning Authorities (2007), a grant of permission does not amount to a determination of title, and the Commission is entitled to rely on the prima facie evidence before it in respect to the site's legal ownership. Section 34(13) of the Planning and Development Act further provides that if the applicant lacks title or owner's consent to do works permitted by a planning permission, the permission does not give rise to an entitlement to carry out the development.

Procedural

- 10.6.6. The appellant draws the Commission's attention to site features omissions in the application drawings, and the applicant rebuts same. Having inspected the site, and

reviewed the information on file, I am satisfied that I have sufficient information before me to continue to assess the development subject of this appeal.

- 10.6.7. The applicant contends that the appeal is vexatious. I consider that the GOA raises genuine planning and environmental issues, and I am satisfied as to its validity on this basis.

11.0 AA Screening

- 11.1.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.
- 11.1.2. The appeal site is located c. 6km from nearest Natura 2000 sites (River Boyne and River Blackwater SPA (Site Code 004232) and River Boyne and River Blackwater SAC (Site Code 002299)), there are no watercourses on or immediately adjoining the site, with the closest watercourses being the Boycetown River (EPA Code IE_EA_07B030200) and River Skane (EPA Code IE_EA_07S010510) which flow in close proximity to the appeal site (within c. 450m and c. 900m respectively). These watercourses, which are separated from the appeal site by a bank of agricultural land and intervening rural housing, connect to the River Boyne and River Blackwater SPA (Site Code 004232) and River Boyne and River Blackwater SAC (Site Code 002299) c. 6km to the north and north-west of the appeal site.
- 11.1.3. I am satisfied that, due the significant separation distance and hydrological buffer involved, these Natura 2000 sites would not be within the zone of influence of a development of this nature and scale.
- 11.1.4. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:
- The small scale and residential nature of the development,
 - The distance of the development from European Sites, the nature of intervening habitats, and the absence of significant ecological pathways to any European Site.
- 11.1.5. I conclude, on the basis of objective information, that the proposed development would not have likely significant effects on any European Site, either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore

Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

12.0 Recommendation

I recommend a GRANT of permission subject to the following conditions.

13.0 Reasons and Considerations

Having regard to the location of the site on lands zoned 'RN – Rural Node' with the objective 'To provide for small-scale infill development including community facilities and supporting services serving local needs while maintaining the rural nature of the node' and to the planning policies, objectives and development standards of the Meath County Development Plan 2021-2027, and specifically to Section 9.3, 9.4, 9.6 and 9.16, Appendix 13, Objective RD OBJ 9, and Policies HER POL 37 and RD POL 41, to the nature, scale and design of the proposed development relative to adjoining dwellings, and to the existing pattern of development in the wider area, it is considered that subject to compliance with the conditions set out below, the proposed development is an acceptable form of development at this location, would not seriously injure the amenities of adjoining properties, and would therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further information received by the planning authority on the 27th July 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
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2.	<p>(a) Existing hedgerows, trees and shrubs on site shall be preserved except where to be removed to facilitate the proposed entrance and to comply with condition 5 below.</p> <p>(b) The applicants shall carry out landscaping and boundary treatments as per the submitted plan received 10/05/2025 and 27/07/2025.</p> <p>(c) Landscaping shall commence no later than the first planting season following commencement of development on site.</p> <p>(d) Any trees or hedging which die, are removed or become seriously damaged or diseased, within a period of 5 years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of biodiversity and the visual amenities of the area.</p>
3.	<p>(a) Prior to the commencement of development, details of the proposed boundary to the L-6202 local road and access point shall be submitted for agreement in writing to the planning authority.</p> <p>(b) Site access arrangements, and the provision and maintenance of visibility splays, shall comply with the requirements of the planning authority for such works.</p> <p>Reason: In the interests of road safety.</p>
4.	<p>The developer shall ensure that the development is served by adequate water supply and/or wastewater facilities and shall enter into a connection agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network within 6 months of this grant of retention permission.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
5.	<p>The disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>Reason: To prevent flooding and in the interests of public health.</p>

Commented [EG1]: I originally went with the PA's recommended condition here as couldn't find an equivalent in ACP standard conditions under Transportation or Rural Housing etc. - I have now simplified

Commented [EG2]: Removed reference to attenuation

6.	<p>(a) where deemed necessary by the ESB, the existing overhead electrical cable which traverses the site shall be relocated underground at the developer's expense. This work shall be done to the requirements of the relevant utility company.</p> <p>(b) all public service cables for the development, including electrical and telecommunications cables and associated equipment, shall be located underground throughout the site.</p> <p>Reason: In the interest of visual and residential amenity.</p>
7.	<p>All public services to the permitted development, including electrical, telephone cables and associated equipment shall be located underground throughout the entire site.</p> <p>Reason: In the interest of amenity.</p>
8.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: To safeguard the amenity of property in the vicinity.</p>
9.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the</p>

	Development Contribution Scheme made under Section 48 of the Act be applied to the permission.
10.	<p>(a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter [unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant]. Prior to commencement of development, the applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.</p> <p>(b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation. This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.</p> <p>Reason: To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted [to meeting essential local need] in the interest of the proper planning and sustainable development of the area.</p>

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.

Emma Gosnell
Planning Inspector
19th December 2025

Appendix 1: Form 1 - EIA Pre-Screening

Case Reference	ACP-323620-25
Proposed Development Summary	House and associated site works.
Development Address	Boycetown, Kiltale, Co. Meath
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. No Screening required.	

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

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ACP-323620-25
Proposed Development Summary	House and associated site works.
Development Address	Boycetown, Kiltale, Co. Meath
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development is for 1 no. rural dwelling house and related works and it comes forward as a standalone project, and it does not involve the use of substantial natural resources or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.

Location of development (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>The development is situated on a greenfield site adjoining another detached dwelling at Boycetown, Kiltale, Co. Meath.</p> <p>The River Skane is located c. 900m to the north-east and the Boycetown River is located c. 450m to the west, with these watercourses providing indirect hydrological links with River Boyne and River Blackwater SPA (Site Code 004232) and River Boyne and River Blackwater SAC (Site Code 002299) c. 6km to the north/ north-west.</p> <p>The development is removed from sensitive natural habitats, dense centres of population and designated sites identified significance in the County Development Plan.</p>
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the nature of the proposed development, its location removed from sensitive habitats/ features; likely limited magnitude and spatial extent of effects; and, absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 2			
WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ACP-323620-25	Townland, address	Boycetown, Kiltale, Co. Meath
Description of project		The proposal comprises of the construction of a house and all associated site works – see Section 2.0 of Inspector’s Report for further details.	
Brief site description, relevant to WFD Screening,		Greenfield, relatively flat rural site. Located in Flood Risk Zone C. River Skane (SKANE_030, IE_EA_07S010510) is located c. 900m to the north-east. Moderate WFD Status and At Risk Boycetown River (BOYCETOWN_010, IE_EA_07B030200) is located c. 450m to the west. Poor WFD Status and At Risk Drainage ditch runs along front boundary of site. Trim Groundwater Body (IE_EA_G_002) below site at Poor WFD Status and at risk.	
Proposed surface water details		Surface water soakaway to naturally infiltrate into the subsoil.	
Proposed water supply source & available capacity		Kiltale Public Group Water Scheme.	
Proposed wastewater treatment system & available capacity, other issues		Connection to public foul sewer.	
Others?		n/a	
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 Skane (transitional)	c. 900m to north-east	SKANE_030, IE_EA_07S01 0510	Moderate	At Risk	Agriculture, etc.	No direct pathways. Potential indirect pathway via groundwater and surface water.
Boycetown River (transitional)	c. 450m to west	BOYCETOWN_010, IE_EA_07B03 0200	Poor	At Risk	Agriculture, etc.	No direct pathways. Potential indirect pathway via groundwater and surface water.
Trim Groundwater Body (groundwater)	Below site	Trim IE_EA_G_002	Poor	At Risk	Agriculture, etc.	Direct pathway via soakaway.

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	Water body 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
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							'uncertain' proceed to Stage 2.
1.	Silt-laden surface water discharges/ contaminated surface water discharges	SKANE River_030, BOYCETOWN River_010 Trim Groundwater Body IE EA G 002	Surface water run-off	Water pollution	Best Practice Construction/ Site Management.	No	Screened Out - No Remaining Risk
2.	Contaminated groundwater discharges	SKANE River_030, BOYCETOWN River_010 Trim Groundwater Body IE EA G 002	Surface water run-off	Water pollution	Best Practice Construction/ Site Management.	No	Screened Out - No Remaining Risk
3	Alterations to natural hydrology, hydraulic conditions, functioning, and hydrogeology	SKANE River_030, BOYCETOWN River_010 Trim Groundwater Body IE EA G 002	Surface water run-off	Water pollution.	Best Practice Construction/ Site Management.	No	Screened Out - No Remaining Risk
OPERATIONAL PHASE							

4.	Surface water/ groundwater pollution events from plant/ storm overflows	SKANE River_030, BOYCETOWN River_010 Trim Groundwater Body IE_EA_G_002	Surface water system (new)	Water pollution, Pluvial flood risk	- Attachment of conditions to ensure compliance with PA and UE standards in terms of foul drainage and potable water. - Soakaway standard, best practice design, installation and maintenance.	No	Screened Out - No Remaining Risk
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STAGE 2: ASSESSMENT

Details of Mitigation Required to Comply with WFD Objectives

Surface Water

Development/Activity e.g. culvert, bridge, other crossing, diversion, outfall, etc	<u>Objective 1:Surface Water</u> Prevent deterioration of the status of all bodies of surface water	<u>Objective 2:Surface Water</u> Protect, enhance and restore all bodies of surface water with aim of achieving good status	<u>Objective 3:Surface Water</u> Protect and enhance all artificial and heavily modified bodies of water with aim of achieving good ecological potential and good surface	<u>Objective 4: Surface Water</u> Progressively reduce pollution from priority substances and cease or phase out emission, discharges and losses of priority substances	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)

			water chemical status		
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	Describe mitigation required to meet objective 4:	
Construction/ Site Clearance Works	Best Practice Construction/ Site Management.	Best Practice Construction/ Site Management.	N/A	N/A	Yes
Surface Water measures/ soakaways	Soakaway standard, best practice design, installation and maintenance.	Soakaway standard, best practice design, installation and maintenance.	N/A	N/A	Yes
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:	
Construction/ Site Clearance Works	Best Practice Construction/ Site Management.	Best Practice Construction/ Site Management.	N/A	Yes
Soakpit	Soakaway standard, best practice design, installation and maintenance.	Soakaway standard, best practice design, installation and maintenance.	N/A	Yes
Wastewater/ Potable Water	Attachment of conditions to ensure compliance with PA and UE standards in terms of foul drainage and potable water.	Attachment of conditions to ensure compliance with PA and UE standards in terms of foul drainage and potable water.	N/A	Yes