



An
Coimisiún
Pleanála

Inspector's Report

ACP-323727-25

Development	9 Dwellings and all other site works.
Location	Kilberry, Navan, Co Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	2540
Applicant(s)	Gene Reilly
Type of Application	Outline / Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Patrick Lynch
Observer(s)	None
Date of Site Inspection	17 th November 2025
Inspector	Stephen Ward

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1.0 Site Location and Description

- 1.1. The site is located within the small rural settlement node of Kilberry, approximately 4km north of the built-up environs of Navan. The settlement is mainly comprised of a cluster of detached dwellings, several commercial enterprises, and associated community facilities, all generally located around the junction of two regional roads (R162 & R163).
- 1.2. The site itself (area 2.38ha) is undeveloped and is annexed from a larger agricultural holding to the south and further east. The eastern end of the site bounds onto an existing detached dwelling and associated outbuildings and gardens etc. The northern end of the site bounds onto the R163 road and is lined by a continuous hedgerow and other adjoining features such as seating and a water pump. The northern side of the R163 contains a number of detached residential properties and a pub/restaurant. At its western end, the site bounds onto the rear of a motor sales/hire business along the R162 road. The site levels fall gently from northeast to southwest.

2.0 Proposed Development

- 2.1. In summary, outline permission is sought for the construction of 9 detached dwellings, while full permission is sought for the roads, footpaths, and ancillary services to facilitate the development.
- 2.2. Each dwelling would be served by an individual wastewater treatment system and soil polishing filter. Surface water will be diverted to soak pits within the individual sites, while surface water associated with the access road shall be diverted to an attenuation/soakaway area at the southern end of the site. Water supply is proposed via public mains.
- 2.3. Access is proposed off the R163 road, and the proposed access road would roughly bisect the site in a north-south direction. Five plots would be located on the eastern side of the site, while 4 plots and a public open space (along the R163) would be located on the western side. One of the houses at the northeast corner would access directly onto the R163.

3.0 Planning Authority Decision

3.1. Decision

By Order dated 27th of August 2025, MCC made a decision to grant outline permission and permission subject to 16 conditions.

3.2. Planning Authority Reports

3.2.1. Further Information

Following the initial assessment of the application, MCC issued a Further Information Request. The issues raised can be summarised as follows:

1. Submit SuDS compliant surface water proposals in accordance with the Greater Dublin Strategic Drainage Study (GDSDS) and Greater Dublin Regional Code of Practice.
2. Submit confirmation of feasibility from Uisce Eireann.
3. Submit landscape and boundary treatment plan.
4. Clarify how it is proposed to comply with RD POL 8 in the CDP with regard to housing for persons who are an intrinsic part of the rural community.
5. Submit revised site layout plan to include proposals for sightlines, footpaths along R163 and within site, crossings, turning bay etc.
6. Public lighting proposals.
7. Invitation to address the third-party submission received.
8. Advice relating to public notice of significant additional data.

3.2.2. Planning Reports

The assessment is outlined in two reports, i.e. the initial report recommending further information and the subsequent report on the applicant's response. The assessment can be cumulatively summarised under the headings below.

Principle of development

- The proposal is acceptable in accordance with the 'RN – Rural Node' zoning in the CDP.

- Having regard to the size of the application and the current pace of housing delivery, it is considered that the proposal could be accommodated in accordance with the CDP Core Strategy.
- The development would provide attractive housing options in line with Objective RD OBJ 1 of the CDP and will bring vibrancy and arrest population decline.
- The applicant's further information response has satisfactorily clarified that RD POL 8 can be addressed in future individual applications for the houses. The applicant's contention about the need for housing in the area is also accepted.

Design and Layout

- A 'generalised' house design has been submitted and is generally in keeping with the Meath Rural Design Guide and policy RD POL 9 of the CDP.
- The density of 4uph is acceptable for this rural node.
- Proposals are acceptable in relation to CDP provisions for: building lines; separation distances; dwelling design, size and mix; and open spaces.
- The applicant's further information response has satisfactorily outlined proposals for landscaping and boundary treatment.
- Public lighting proposals are acceptable subject to agreement by condition.

Neighbouring Amenities

- Separation distances are sufficient, and no significant impacts are expected.

Access, Traffic and Parking

- Subject to conditions, the applicant's further information response satisfactorily addresses issues relating to sightlines, access, footpaths etc.

Site Services and Flooding

- The applicant's further information response has included an Uisce Eireann Pre-Connection Enquiry, which is considered acceptable.
- The applicant's further information response includes surface water proposals which are acceptable to the planning authority.

Part V

- Not applicable as the site does not have a residential land use zoning.

Appropriate Assessment

- The proposed development (entire project), by itself or in combination with other plans and developments in the vicinity, would not be likely to have a significant effect on European Site(s). In light of this, it is considered that a Stage 2 Appropriate Assessment (Natura Impact Statement) is not required.

Environmental Impact Assessment

- The proposed development is not a development type listed under Part 1 or 2 of Schedule 5 of the Planning & Development Regulations 2001-2025 nor is it considered a sub-threshold development for the purposes of Schedule 7 Planning & Development Regulations 2001-2025 and will not on its own or cumulatively with other projects result in significant effects on the environment and as such an EIAR is not required.

3.2.3. Other Technical Reports

- Transportation – The initial report recommended further information as per point 5 of the further information request. The subsequent report outlined that there were no objections subject to conditions.
- Public Lighting - Proposals can be agreed subject to conditions.
- Environment (Surface Water & Flooding) - The development is within Flood Zone C and is acceptable in terms of flood risk. The initial report recommended further information on surface water proposals as per point 1 of the further information request. The subsequent report outlined that the response was unacceptable and that a grant of permission would be contrary to relevant guidelines and would materially contravene policy INF POL 16 of the CDP.
- Environment (Wastewater) – The proposals for wastewater have been examined and there is no objection subject to conditions.
- Broadband Officer – Recommends a condition to require agreement on the provision of telecommunications infrastructure.

3.2.4. Conditions

The conditions of the MCC decision are largely of standard nature. However, notable conditions can be summarised as follows:

4. Outlines that the dwelling designs shall be subject to a 'permission consequent' application. Each dwelling hereby permitted shall be a single-storey unit.
5. Prior to occupation of any unit, the prospective occupier shall submit documentation for the written agreement of the PA demonstrating compliance with section 9.4 and 9.5 of the CDP 2021-2027.
6. Occupancy conditions shall apply.
7. Part V provisions shall apply.
8. Revised details to be agreed for sightlines, compliance with DMURS and other traffic/road-related requirements.
9. Surface water proposals to be agreed that are SuDS compliant and in accordance with the Greater Dublin Strategic Drainage Study (GDSDS) and Greater Dublin Regional Code of Practice.
10. On-site WWTSSs shall be in accordance with EPA Code of Practice 2021.
16. Section 48 Development Contribution (amount unspecified).

3.3. Prescribed Bodies

HSE (Environmental Health) – Recommends the correct installation and maintenance of the wastewater treatment systems and soil polishing filters; a maintenance plan for the surface water system; additional landscaping to increase rainwater assimilation; energy efficient buildings.

DAU (Archaeology) - Recommends that a condition pertaining to pre-development testing be included in any grant of planning permission that may issue.

3.4. Third Party Observations

The planning authority received one submission from the appellant. It contends that the proposal would materially contravene the CDP in relation to unsustainable development in a rural area.

4.0 Planning History

P.A. Reg. Ref. 2473: Application for the construction of 9 no. bungalows, proprietary waste water treatment system and percolation areas inclusive of service road and ancillary services. Deemed Withdrawn.

P.A. Reg. Ref. 221616: Application for outline permission for the construction of 8 no. houses consisting of bungalows and storey and a half residences, proprietary waste water treatment systems and percolation areas inclusive of service road and ancillary services. Refused on 9th February 2023. In summary, the reasons for refusal related to:

1. The siting, design and layout would form a visually obtrusive feature which would not integrate with the surrounding landscape and would materially contravene RD OBJ 2, RD OBJ 8, and RD OBJ 9 of the CDP 2021-2027.
2. The proposal fails to provide the minimum site size of 0.2ha (0.5 acres) as required by RD OBJ 15.
3. The proposed design would result in a substandard level of residential amenity for existing properties and prospective occupants.

P.A. Reg. Ref. 221608: Application for permission for the construction of two no. bungalows, proprietary waste water treatment systems and percolation areas inclusive of service road, public lighting and ancillary services. Refused on 8th February 2023. In summary, the reasons for refusal related to:

1. Failure to establish a rural housing need in accordance with policy RD POL 8 would be contrary to the Sustainable Rural Housing Guidelines FOR Planning Authorities and the CDP 2021-2027.
2. The siting, design and layout would form a visually obtrusive feature which would not integrate with the surrounding landscape and would materially contravene RD OBJ 2, RD OBJ 8, and RD OBJ 9 of the CDP 2021-2027.
3. The proposal fails to provide the minimum site size of 0.2ha (0.5 acres) as required by RD OBJ 15.

5.0 Policy Context

5.1. National/Regional Policy & Guidance

5.1.1. The National Planning Framework (NPF), First Revision, April 2025 is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. Key elements of the NPF include commitments towards 'compact growth', 'strengthened rural economies and communities', 'sustainable mobility', 'sustainable management of environmental resources', 'transition to a carbon neutral and climate resilient society', and 'enhanced amenity and heritage'. Chapter 5 'Planning for Diverse Rural Places' acknowledges that rural areas make a major contribution to Ireland's identity and to overall national development.

5.1.2. Relevant National Policy Objectives (NPOs) include the following:

NPO 24: Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.

NPO 25: Target the reversal of rural decline in the core of small towns and villages through sustainable targeted measures that address vacant premises and deliver sustainable reuse and regeneration outcomes.

NPO 26: Continue to support the proportionate growth of and appropriately designed development in rural towns that will contribute to their regeneration and renewal, including interventions in the public realm, the provision of amenities, the acquisition of sites and the provision of services.

NPO 27: Continue to support programmes for 'new homes in small towns and villages' with local authorities, public infrastructure agencies such as Uisce Éireann and local communities to provide serviced sites with appropriate infrastructure to attract people to build their own homes and live in small towns and villages.

NPO 28: Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:

- In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements;
- In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

NPO 29: Project the need for single housing in the countryside through the local authority's overall Housing Need Demand Assessment (HNDA) tool and county development plan core strategy processes.

NPO 43: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

NPO 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.

- 5.1.3. The Sustainable Rural Housing Guidelines for Planning Authorities (2005) outlines that in supporting sustainable housing development patterns in rural areas, planning authorities should identify the needs of rural communities in the development plan process and manage pressure for overspill development in the rural areas closest to the main cities and towns. Development plans should identify the location and extent of rural area types set out in section 5.3.2 of the NSS¹, including rural areas under strong urban influence; stronger rural areas; structurally weaker rural areas; and areas with clustered settlement patterns. Having identified the rural area types,

¹ Since superseded by the National Planning Framework

planning authorities should then tailor policies that respond to the different housing requirements of urban / rural communities and the characteristics of rural areas.

5.1.4. Chapter 4 of the Guidelines deals with development management and provides guidance aimed at ensuring that all the necessary information and documentation is assembled to facilitate an efficient and thorough consideration of applications.

5.1.5. The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) set out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements.

5.1.6. Other relevant national Guidelines include:

- Design Manual for Urban Roads and Streets (DMURS) (2019).
- Framework and Principles for the Protection of the Archaeological Heritage Department of Arts, Heritage, Gaeltacht and the Islands 1999.
- Environmental Protection Agency Code of Practice: Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10), 2021.
- Water Services Guidelines for Planning Authorities (Draft), Department of Housing, Planning and Local Government, January 2018.

5.1.7. The primary statutory objective of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031 (RSES) is to support implementation of Project Ireland 2040 and the economic and climate policies of the Government by providing a long-term strategic planning and economic framework. Relevant Regional Policy Objectives (RPOs) can be summarised as:

RPO 4.78: Development plans should support the development of a 'New Homes in Small Towns and Villages' initiative.

RPO 4.79: Local authorities shall identify and provide policies that recognise the contribution that small towns, villages and rural areas contribute to social and economic wellbeing.

RPO 4.80: Local authorities shall manage urban generated growth in Rural Areas Under Strong Urban Influence (i.e. the commuter catchment of Dublin, large towns and centres of employment) and Stronger Rural Areas by ensuring that in these

areas the provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area, and compliance with statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

RPO 4.83: Support the consolidation of the town and village network to ensure that development proceeds sustainably and at an appropriate scale, level and pace in line with the core strategies of the county development plans.

5.1.8. Other relevant regional guidelines include:

- The Greater Dublin Strategic Drainage Study (2005).
- Greater Dublin Regional Code of Practice for Drainage Works.

5.2. **Meath County Development Plan 2021-2027 (Inc. Variations 1-3)**

5.2.1. Volume 1, the written statement, contains the policies and objectives of the Development Plan and comprises 11 chapters.

5.2.2. Chapter 2 'Core Strategy' outlines that there will be a focus on investment in rural towns, villages and rural nodes to combat the decline of rural areas. It projects a population increase of 5,150 to 2027 for 'Villages, Rural Nodes, and Open Countryside'. It states that Chapter 9 sets out the relevant policies and objectives in respect of residential development in rural nodes and the open countryside.

5.2.3. Chapter 5 'Movement Strategy' outlines the need to develop a sustainable transport system and promote measures to increase the use of public transport, while also increasing the modal share for walking and cycling in towns and villages. It recognises that some essential travel will continue to be made by cars and goods vehicles and facilitates improvement in road infrastructure.

5.2.4. Chapter 6 'Infrastructure' includes section 6.10 'Surface Water and Flood Risk Management'. Relevant provisions include the following:

INF POL 16 - To ensure that all planning applications for new development have regard to the surface water management policies provided for in the GDSDS.

INF OBJ 15 - To require the use of SuDS in accordance with the Greater Dublin Regional Code of Practice for Drainage Works for new developments (including extensions).

INF POL 31 - To protect and develop, in a sustainable manner, the existing groundwater sources and aquifers in the County and to manage development in a manner consistent with the protection of these resources.

- 5.2.5. Chapter 8 'Cultural and Natural Heritage Strategy' highlights the exceptional heritage value of the county and its relevance to development proposals. Relevant provisions can be summarised as follows:

HER POL 1 - Protects sites, monuments, places, areas, objects of stated categories.

HER POL 2 - To protect all sites and features of archaeological interest discovered subsequent to the publication of the Record of Monument and Places.

HER POL 3 - To require archaeological impact assessments, geophysical survey, test excavations or monitoring as appropriate.

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.

HER POL 53 To discourage proposals necessitating the removal of extensive amount of trees, hedgerows and historic walls or other distinctive boundary treatments.

- 5.2.6. Chapter 9 'Rural Development Strategy' aims to encourage the continued sustainable development of rural communities without compromising physical, environmental, natural and heritage resources. Relevant provisions can be summarised as follows:

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.

Map 9.1 – Kilberry is within a 'Rural Area Under Strong Urban Influence'.

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.

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.

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 outlines criteria for 'Persons who are an Intrinsic Part of the Rural Community'.

Section 9.5 outlines criteria for the assessment of one-off rural housing in all areas.

Section 9.5.4 outlines that the housing needs of those members of the rural community who are not part of the agricultural/horticulture community as set out at section 9.4 will be facilitated in the extensive network of rural nodes. Rural nodes are designated for limited development at a sustainable scale for immediate local need through the development of clusters. It is anticipated that each rural node can cater for a small population increase from their current population base over the period of the Plan.

RD POL 8 To ensure that the provision of housing in all rural nodes shall be reserved for persons who are an intrinsic part of the rural community. In all cases applicants shall certify to the satisfaction of the Planning Authority that they have been a rural resident for a minimum of 5 years. The node shall be within 12 km of their current place of residence.

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

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

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.

RD OBJ 1 To support rural nodes located across the County in offering attractive housing options to meet the needs of the established rural communities and to support existing local community facilities such as schools, post offices, recreational facilities and childcare facilities etc.

RD OBJ 2 To seek to ensure that new residential development in rural nodes is in accordance with 'the Meath Rural Design Guide' and is of a design and layout compatible with the character of its setting including the requirement to provide footpaths where appropriate.

RD OBJ 9 To promote the retention of field boundaries and mature trees and hedgerows to protect the rural character of the area.

RD OBJ 10 To ensure that proposals for infill development take account of the character of the area and where possible retain existing features such as building line, height, railings, hedgerows, trees, gateways etc.

RD OBJ 15 To require a minimum site area of 0.2 hectares (0.5 acres) for each residential unit in rural nodes where serviced by an individual waste water treatment plant.

5.2.7. Chapter 11 sets out the 'Development Management Standards and Land Use Zoning Objectives' to be applied in the assessment of planning applications. Relevant provisions include the following:

11.5 – Residential Standards

DM POL 4: To require that all proposals for residential development demonstrate compliance with the Sustainable Residential Development and Compact Settlements Guidelines 2024 and the associated Design Manual, or any updates thereof.

DM OBJ 11: Existing trees and hedgerows of biodiversity and/or amenity value shall be retained, where possible.

DM POL 9: To support the retention of field boundaries for their ecological/habitat significance, as demonstrated by a suitably qualified professional. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, mitigation by provision of the same boundary type will be required.

11.5.3 – Density

DM OBJ 27: Standalone residential developments comprising of 9 residential units or less shall be exempt from the requirement to provide 15% open space. In all such cases the private amenity space serving each dwelling shall exceed the minimum requirement.

11.9.1 – Parking Standards

DM OBJ 89 - Car parking shall be provided in accordance with Table 11.2 and associated guidance notes.

11.14.6 – Land Use Zoning Categories – The objective for ‘RN Rural Nodes’ is ‘To provide for small-scale infill development including community facilities and supporting services serving local needs while maintaining the rural nature of the node’.

5.3. **Natural Heritage Designations**

The closest Natura 2000 sites are the River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA, both located c. 4km to the southeast and southwest of the site.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

The decision of MCC to grant outline permission and permission has been appealed by Patrick Lynch of Navan, Co. Meath. The grounds of the appeal can be summarised as follows:

- The applicant has failed to demonstrate compliance with RD POL 8. The further information response lacks any detail and contains merely unsubstantiated comments and hearsay.

- The proposal would result in the suburbanisation of this rural location, which is contrary to RD POL 3. It is not a small infill site given that it involves 9 houses on a site area of 5.8 acres.
- The site is c. 6.4km or a 10-min drive from Navan town centre and would promote and facilitate unsustainable travel patterns.
- The application does not include percolation tests for each of the 9 sites. The 9 wastewater treatment systems may represent an over intensification that would affect groundwater.
- The destruction of c. 200m of hedgerow along the front site boundary may be contrary to DM POL 9 and would detract from the rural character of the site.
- Based on land ownership as indicated on the site location map, the applicant may not own the entire site, and the application may be invalid.
- It is an unsustainable and highly speculative proposal which should be refused.

6.2. Applicant Response

The applicant's response to the appeal can be summarised under the headings below.

Planning Authority Assessment

- The planning authority conducted a detailed and thorough examination and decided to grant permission in accordance with the MCDP 2021-2027.
- The appellant's observation to the planning authority was noted, including the contention that it would materially contravene the CDP. However, as outlined in the MCC Planner's report, any such argument would be difficult to sustain given the 'plan led' nature of the project, the zoning of the site as a 'Rural Node', and the explicit support for residential development in such zones.
- The further information response has satisfactorily demonstrated how consequent housing applications will address compliance with RD POL 8.

Responses to Specific Points Raised

- The further information response and the subsequent assessment by the Planning Authority have demonstrated full compliance with RD POL 9. Future housing applications will address 'local need', and it is not accepted that the application lacks detail or is based on hearsay.
- The proposal would not result in the suburbanisation of the rural area contrary to RD POL 3. It is within a 'Rural Node' (not zoned RA 'Rural Area') and is consistent with the CDP objective to provide for small scale infill development as a viable alternative to one-off rural housing.
- It is not accepted that the proposal would result in unsustainable travel patterns. It is served by public transport, and the intended occupants would be already resident within 12km of the site and looking to live proximate to their family homes to facilitate support of their families and wider community.
- The file contains professionally certified percolation tests and site assessments for all 9 residential sites.
- Although hedgerow removal is undesirable, it is often necessary in the interests of traffic and public safety. It is acknowledged that there will be implications for Kilberry given its designation as a 'Rural Node', but this will be mitigated by the proposed landscaping scheme.
- The applicant's ownership is delineated on submitted maps. Sight distances at access points were shown in the further information response. The application was fully assessed by the planning authority, and its decision makes it clear that any grant of permission does not undermine individual land ownership rights.
- The application is not speculative as the applicant has owned the land for a considerable period. The proposal is in full compliance with the CDP and is not considered unsustainable.

6.3. Planning Authority Response

The response outlines that the proposal was appropriately considered in the MCC Planner's reports. It states that it is located in the heart of a designated rural node and is served by public transport, and that it fully accords with the CDP.

6.4. Observations

None.

7.0 Assessment

7.1. Introduction

7.1.1. I have 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 prescribed bodies, and I have inspected the site and had regard to the relevant local/regional/national policies and guidance. I consider that the substantive issues to be considered in this appeal are as follows:

- The principle of the development
- Density, design, and layout
- Traffic
- Surface Water – New Issue
- Water Supply
- Wastewater
- Other Issues.

7.2. The principle of the development

7.2.1. The appeal has raised concerns about the principle of housing development at this location. It has been submitted that the proposal would lead to the suburbanisation of this rural area and would encourage unsustainable travel patterns given its proximity to Navan and would be contrary to CDP 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'*.

7.2.2. I note that the site is within a designated 'Rural Node' as per the CDP, the objective for which is *'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 CDP sets out further 'Guidance' in relation to this zoning category as follows:

Rural Nodes are intended to provide a viable alternative to settlement in the open countryside and to support small –scale infill development by providing the rural community with an opportunity to choose more rural-style housing than is provided within villages and towns. Rural nodes are to develop as local centres for rural catchments, with growth appropriate to cater for local demand, by facilitating the development of small scale and home-based enterprise among members of the rural community.

7.2.3. I consider that the proposed development, involving a small-scale housing development within the node, would be consistent with the ‘Rural Node’ CDP objective for the site. I acknowledge that the wider area is designated as a ‘Rural Area Under Strong Urban Influence’. However, the designated rural node provides a more sustainable alternative to one-off rural housing in the open countryside, consistent with CDP objective RD OBJ 1. Furthermore, consistent with principles outlined in the NPF and RSES, the Compact Settlement Guidelines (S. 3.3.5 (i)) support the provision of serviced sites as an alternative to rural one-off housing. The proposal for 9 houses is of only small scale, and I do not consider that it would significantly impact on the CDP Core Strategy.

7.2.4. The appeal also contends that the application has not demonstrated compliance with RD POL 8:

‘To ensure that the provision of housing in all rural nodes shall be reserved for persons who are an intrinsic part of the rural community. In all cases applicants shall certify to the satisfaction of the Planning Authority that they have been a rural resident for a minimum of 5 years. The node shall be within 12 km of their current place of residence.’

7.2.5. In response to this matter, the applicant has outlined that all permitted houses will be subject to a ‘permission consequent’ application and that the particular housing needs of the applicants regarding compliance with RD POL 8 can be addressed at this time. The planning authority has accepted the applicant’s response, and I consider that it is a reasonable approach. An appropriate occupancy condition should apply in the event of a grant of permission.

7.2.6. Having regard to the foregoing, I am satisfied that the principle of the development is consistent with the CDP and relevant policies/objectives in the RSES and NPF.

7.3. Density, design, and layout

- 7.3.1. The proposed development involves the provision of 9 houses within an overall stated site area of 2.38ha, resulting in a density of c. 3.78 units per hectare (uph).
- 7.3.2. The CDP (s. 11.5.3) outlines that, in general, the number of units to be provided on a site should be determined with reference to 'Sustainable Residential Development and Compact Settlements Guidelines' (2024) or any update thereof. It acknowledges that there may be instances where specified densities cannot be achieved due to specific circumstances such as site constraints, but states that all developments should strive to achieve the prescribed density.
- 7.3.3. In relation to 'Rural Towns and Villages (<1,500 population)', the CDP does not specify a numeric density range. It states that density should respond to '*the existing scale, form and character of existing development and to the capacity of services and infrastructure*', which is consistent with the Compact Settlement Guidelines (Table 3.7).
- 7.3.4. In this case, the potential density is mainly constrained by the need to provide individual wastewater treatment systems for each dwelling and CDP objective RD POL 15 – '*To require a minimum site area of 0.2 hectares (0.5 acres) for each residential unit in rural nodes where serviced by an individual waste water treatment plant*'. Apart from site no. 5, the proposed sites would exceed the 0.2 ha standard. Site no. 5 has a stated site area of 1967m², which would be 98.35% of the required 0.2ha standard. Given the marginal nature of the shortfall in just 1 of the 9 sites, I do not consider that this would constitute a material contravention of RD POL 15. And even if the Commission does consider this a material contravention, I am satisfied that, in principle, permission could be granted in accordance with s. 37(2)(a) of the Planning and Development Act 2000 (as amended). Alternatively, the Commission could include a condition to increase the size of site no. 5 through the reduction of other site sizes (e.g. site no. 3 (2270m²)).
- 7.3.5. Apart from the absence of public wastewater infrastructure, I would also acknowledge that Kilberry has a limited supply of social and physical infrastructure to accommodate increased densities. It has an established pattern of low-density development, and it is noted that the adjoining dwellings to the east and north of the site are on similarly large sites.

- 7.3.6. Having regard to the foregoing, I am satisfied that the proposed density is acceptable in accordance with the relevant provisions of the CDP and the Compact Settlement Guidelines.
- 7.3.7. With regard to design and layout, the CDP (RD OBJ 2) seeks ‘to ensure that new residential development in rural nodes is in accordance with *‘the Meath Rural Design Guide’ and is of a design and layout compatible with the character of its setting including the requirement to provide footpaths where appropriate’*. Section 4 and Appendix D of the Compact Settlement Guidelines also outline guidance in relation to ‘Quality Design and Placemaking’.
- 7.3.8. Having reviewed the Meath Rural Design Guide, I note that it mainly applies to the design and layout of individual houses. Given that this is an application for outline permission for houses, I consider that the design and layout of the individual houses can be appropriately assessed at the ‘permission consequent’ stage. This will enable full assessment with policy RD POL 9 of the CDP – *‘To require all applications for rural houses to comply with the ‘Meath Rural House Design Guide’*. I note that condition no. 4 of the MCC decision limits the proposed houses to single-storey only, but I do not consider that this would be necessary in this case.
- 7.3.9. The layout of the development is relatively simple and is largely defined by the need to provide sites of 0.2ha along the public road and either side of a central access road. The large sites ensure that requirements such as separation distances, parking and private open space can be easily achieved. And while public open space is not provided at the usual CDP standard of 15%, CDP objective DM OBJ 27 outlines that *‘Standalone residential developments comprising of 9 residential units or less shall be exempt from the requirement’*. I am satisfied that the proposed private and public open space is acceptable in this case.
- 7.3.10. The appeal also raises concerns about the loss of hedgerow along the roadside boundary and suggests that this may be contrary to DM POL 9. I note that DM POL 9 and other provisions of the CDP (HER POL 37, HER POL 53, RD OBJ 9, RD OBJ 10, DM OBJ 11,) variously support/encourage the retention of hedgerows where possible. However, the removal of hedgerow is not prohibited and therefore there would be no material contravention of the CDP. Furthermore, the CDP (e.g. DM POL 9 & HER POL 37) acknowledge that mitigation can be provided in the form of

replacement planting. Accordingly, in the event of a grant of permission, I consider that a condition should be attached requiring a replacement hedgerow along the roadside boundary. An existing water pump along the roadside boundary should also be retained and relocated accordingly.

- 7.3.11. Having regard to the foregoing, I am satisfied that the proposed design and layout is acceptable subject to conditions and further assessment of detailed design at 'permission consequent' stage.

7.4. Traffic and movement

- 7.4.1. It is proposed to create a new access at a central point along the existing roadside boundary, which is c. 160m in length. The application demonstrates that sightlines of 70m will be achieved to the nearside edge of the road in both directions. I am satisfied that this is acceptable in accordance with DMURS standards given that a 50km/hr speed limit applies at this location. It is proposed to provide a 2m wide footpath along the entire length of the roadside boundary, which will appropriately connect to the existing footpath to the west of the site.
- 7.4.2. An internal access road with footpaths and public lighting will run through the site. I note that the proposed road design is relatively wide (6m), long and straight, and accordingly I would have concerns about excessive vehicle speeds within a residential development. However, I am satisfied that this could be satisfactorily addressed by attaching a condition requiring traffic calming measures to be agreed in compliance with DMURS.

7.5. Surface Water – New Issue

- 7.5.1. As previously outlined, the planning authority requested further information on surface water proposals. The subsequent MCC Planner's Report (26/8/25) outlined that a report on the proposal from MCC Environment Department was still outstanding and, in the absence of same, deemed the applicant's response to be acceptable. Condition no. 9 of the MCC decision requires SuDS-compliant surface water proposals to be agreed.
- 7.5.2. However, the MCC file does contain a second report from the Environment Department (dated 22/8/25). It outlines concerns of inadequate surface water details

to make an informed decision and concludes that a grant of permission cannot be recommended. The concerns can be summarised as follows:

- Inadequate detail in relation to inverts, cover levels, pipe sizes and gradients.
- The drawing submitted with the further information is the same as the original drawing submitted.
- The surface water outfall discharges to an existing green field, which is not acceptable. There is no evidence that it would discharge to an existing drainage ditch or watercourse.
- Proposals are contrary to the GSDSDS Regional Drainage Policies Volume 2 and the Greater Dublin Region Code of Practice for Drainage Works.
- The proposal would materially contravene policy INF POL 16 of the CDP.

7.5.3. At the outset, I would highlight that the file documentation sent by MCC to the Commission appears to omit part of the applicant's further information response, i.e. the documentation '*prepared by Joseph O'Reilly, Engineer and by Dr. Robert Meehan*' in response to item no. 1 of the F.I. Request. The Commission's file does not contain any 'further information' documentation prepared by Joseph O'Reilly (Engineer) or Dr. Robert Meehan. The MCC 'ePlan Online Planning Details'² does not appear to include any 'Further Information Received' documentation from Joseph O'Reilly (Engineer) but does include a report from Dr. Robert Meehan (EurGeol). However, it should be noted that this report is simply a copy of a report submitted with the original application (dated 20th February 2025). Therefore, it did not contain any 'further information' in the first instance (as was effectively pointed out in the MCC Environment Department Report of 22/8/25).

7.5.4. I have considered the 'Greater Dublin Strategic Drainage Study, Regional Drainage Policies Technical Document, Volume 2, New Development'. Section 6 deals with 'Stormwater Drainage Design', with section 6.8.6.1 addressing 'soakaways'. It states the following:

'Although soakaways have been applied to Highway drainage, their use for anything other than roof water is generally not advised, as the high sediment loads from road runoff usually cause blockage problems within 20 years. These problems can be

² Accessed 8th December 2025

avoided by appropriate upkeep, which involves routine removal and replacement of sand layers on an annual basis, but this philosophy of high maintenance levels is not attractive to local authorities. The whole life cost evaluation of this approach would probably not make this drainage solution the most cost effective approach for most situations’.

- 7.5.5. Similar to the above recommendation to limit soakaway use to roof water, section 3.15 of the Greater Dublin Regional Code of Practice for Drainage Works (Version Draft 6) outlines that ‘*Soakaways, filter drains and similar infiltration systems may be used for the disposal of surface water from buildings and paved areas..*’. In this regard I consider that ‘*paved areas*’ refers to the type of paving associated with individual sites rather than including an access road as currently proposed.
- 7.5.6. Having regard to the foregoing, I consider that the GDSDS and the Code of Practice do not encourage the use of soakaways for anything other than roofs and paving associated with individual buildings, which is contrary to the proposed approach of using soakaways to cater for the entire development. The GDSDS and Code of Practice are supported by the MCDP³ and, therefore, I also consider that the proposed approach would be contrary to the MCDP. However, I would note that the requirement of INF POL 16 is that all applications ‘have regard’ to the surface water management policies provided for in the GDSDS. This application (i.e. the EurGeol report) has had regard to GDSDS and, accordingly, I do not consider that there is a material contravention of INF POL 16 as suggested in the MCC Environment Department report of 22/8/25.
- 7.5.7. Having regard to the aforementioned policy presumption against the wholesale use of soakaways as proposed, I consider that any potential consideration of their use would at least have to be subject to demonstration of a high level of detail and compliance with relevant standards to comprehensively address potential blockage and maintenance problems. However, consistent with the report from the MCC Environment Department, I do not consider that adequate detail has been submitted to justify the proposed approach. Accordingly, I consider that permission should be refused on this basis. I do not consider that this important matter should be

³ See policies/objectives INF POL 16, INF OBJ 15

addressed as a condition of permission given that the principle of the approach (i.e., soakaway rather than discharge to sewer or watercourse) is not supported.

- 7.5.8. I acknowledge that the issue of surface water was not raised in the context of the appeal. Therefore, the Commission may consider this (including the MCC Environment Department report of 22/8/25) to be a **'new issue'** and may wish to seek the views of the parties on the matter. However, I would also highlight that the matter was already raised in the MCC Further Information Request and the applicant's response appears to have simply copied previously submitted reports and drawings. In the event that the Commission decides to pursue this matter further, it may also wish to request MCC to submit a full copy of the applicant's further information response (including the documentation *'prepared by Joseph O'Reilly, Engineer and by Dr. Robert Meehan'* in response to item no. 1) in the interest of clarification. However, as previously outlined, this would appear to be simply copies of documentation submitted with the original application.

7.6. **Water Supply**

- 7.6.1. The application proposed to supply water via the public mains. However, it did not include any correspondence with Uisce Eireann and the MCC further information request (Item 2) subsequently requested documentary evidence of correspondence confirming the feasibility of connection. It stated that this may take the form of a Pre-Connection Enquiry (PCE) or a Confirmation of Feasibility (COF). The applicant's response included a PCE, and this was deemed to be acceptable as per the MCC Planner's report.
- 7.6.2. I note that the PCE correspondence from Uisce Eireann outlines that the enquiry is being assessed to confirm whether or not it is technically feasible based on a range of considerations including available capacity and the connection location.
- 7.6.3. The MCDP does not specify a policy approach on the level of certainty required from Uisce Eireann to support applications involving a public mains connection. Therefore, the MCC further information request for a PCE or COF would appear to be based on an operational approach. Similarly, the Draft Water Services Guidelines for Planning Authorities published by the Department of Housing, Planning and Local

Government (January 2018) does not require confirmation of feasibility at planning application stage, except in the case of Strategic Housing Development.

- 7.6.4. I understand that Kilberry is served by the Navan Mid-Meath Water Resource Zone. I have reviewed the Uisce Eireann Water Supply Capacity Register⁴, which confirms that this supply has available capacity to support 2034 population targets (Level of Service Improvement Required). This means that leakage reduction and/or capital investment will be required to maintain/improve levels of service as demand increases. These proposals will be developed & prioritised through the National Water Resources Plan and investment planning process.
- 7.6.5. Therefore, despite the absence of Confirmation of Feasibility from Uisce Eireann, it would appear that there is capacity to accommodate the limited water demands associated with this small-scale development. In the event of a grant of permission, I consider that a standard condition should apply requiring a connection agreement with Uisce Eireann.

7.7. Wastewater

- 7.7.1. The appeal outlines concerns that the application does not include percolation tests for each of the 9 sites and that the 9 wastewater treatment systems may represent an over intensification that would affect groundwater.
- 7.7.2. In this regard, CDP policy RD POL 48 is *'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'*. I have reviewed the file, and I can confirm that the application does include site characterisation and assessment forms for each of the 9 sites. As per section 7.3 of this report, I acknowledge that one of the sites (no. 5) is marginally smaller than the minimum site size of 0.2ha as per RD OBJ 15, but I consider that this matter could be satisfactorily addressed as previously suggested.
- 7.7.3. The site characterisation forms identify that the Aquifer Category is 'Poor' (PI) and that the groundwater vulnerability is 'Extreme'. The trial holes for the sites did not

⁴ Website accessed 9th December 2025

generally encounter bedrock or the water table. However, the trial holes for sites 6 & 9 did encounter shale bedrock at depths of 1.45m and 1m respectively. The topsoil was generally classified as 'silt loam', while the subsoil was a mixture of sandy/gravelly silt with occasional cobbles and boulders.

- 7.7.4. As per Table E1 of the Code of Practice (CoP), the Groundwater Protection Response Matrix (R2¹) indicates that wastewater treatment is acceptable subject to normal good practice. It states that where domestic water supplies are located nearby, particular attention should be given to the depth of subsoil over bedrock such that the minimum depths required in Chapter 6 are met and the likelihood of microbial pollution is minimised.
- 7.7.5. The Site Assessments outline that three percolation test holes were used in the subsurface percolation test for subsoil, which resulted in percolation values ranging from c. 9min/25mm to c. 18min/25mm. I am satisfied that the tests were carried out in accordance with the CoP and that the test conditions and results are consistent with the site conditions observed on my site inspection.
- 7.7.6. The Site Assessments conclude that the sites are 'suitable for development'. They recommend that a mechanical aeration system followed by a soil polishing filter is installed for all sites in accordance with EPA guidelines 2021. I note that this is consistent with the interpretation of the percolation values as outlined in Table 6.4 of the CoP.
- 7.7.7. The recommended treatment system has a PE of 6 and a polishing filter area of 90m², which complies with the requirements as per Table 10.1 of the CoP. The depth of unsaturated soil and/or subsoil beneath the invert level of gravel is stated to be 0.9m in accordance with Table 6.3 of the CoP.
- 7.7.8. I note that the proposed wastewater treatment systems would comply many of the minimum separation distances as outlined in Table 6.2 of the CoP. However, the site assessment forms acknowledge the presence of a surface water ditch at the northeastern boundary of the site. And while it is stated that this ditch will be 10 metres from proposed soil polishing filters (as required by Table 6.2), the site layout plan indicates that the polishing filters for sites 1 & 3 would be only 3.8 – 4.7 metres from the drainage ditch. Furthermore, while the polishing filters are at least 5 metres from surface water soakaways, the soakaways are not located down-gradient of the

polishing filters as per Table 6.2. The EPA Code of Practice states that if any of these requirements cannot be met on a new site, the site is not suitable for the installation of a domestic wastewater treatment system. Having regard to the foregoing, I consider that the proposal does not satisfy the criteria set out in the Code of Practice as required by CDP policy RD POL 48. Accordingly, I consider that permission should be refused on this basis.

7.8. Other Issues

- 7.8.1. Although the planning authority received a submission from the Department of Housing, Local Government and Heritage recommending pre-development testing, no such condition was attached to the MCC decision. In the event of a grant of permission I recommend that an appropriate condition should apply.
- 7.8.2. Based on the site location map submitted, the appeal has queried whether the applicant owns the entire site and whether the application may be invalid. I acknowledge that some of the site boundaries (in red) extend outside the applicant's land ownership (marked in blue). However, this relates to the roadside boundary area, and it is not uncommon to include parts of the public road within the site boundaries of an application. I am satisfied that the applicant has demonstrated sufficient legal interest for the purposes of the application/appeal decision. Furthermore, the provisions of s.34(13) of the Planning and Development Act 2000 (as amended) outline that a person shall not be entitled solely by reason of a grant of permission to carry out any development.

8.0 Water Framework Directive Screening

- 8.1. The impact of the proposed development in terms of the WFD is set out in Appendix 2 of this report. There are no existing watercourses on or immediately adjoining the site. There is an existing drainage ditch along the north-eastern site boundary. The nearest watercourse is a tributary of the River Boyne located c. 140m to the south of the site. The site is underlain by the Wilkinstown groundwater body.
- 8.2. According to OPW mapping (www.floodinfo.ie), there are no past or predicted flooding events associated with the site. The closest Natura 2000 sites are the River

Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA, both located c. 4km to the southeast and southwest of the site

- 8.3. As per Appendix 2, I have outlined the potential pathways between the site and the relevant waterbodies and potential impacts at construction and operational stages. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.
- 8.4. I have outlined that there is a residual risk of surface and groundwater pollution at operational stage as a result of inadequate proposals for the collection, treatment and disposal of surface water and wastewater associated with the proposed development. Accordingly, I am not satisfied that the proposed development would not result in a risk of deterioration of waterbodies (Boyne River and Wilkinstown Groundwater body) or that it would not jeopardise these waterbodies in reaching their WFD objectives.
- 8.5. Therefore, in accordance with Appendix 2 of this report, I conclude on the basis of objective information that the proposed development would not comply with WFD Objectives. The reasons for this conclusion are as follows:
- The nature and scale of the proposed development.
 - The proximity of the proposed development to waterbodies and the hydrological connections to same.
 - The potential to impact on the water quality and hydrological regime of the waterbodies as a result of inadequate proposals for the collection, treatment and disposal of surface water and wastewater.
- 8.6. However, in light of my over-riding concerns about surface water and wastewater, I do not consider that further WFD assessment is required in this case.

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.
- 9.2. The subject site is located c. 4km from the nearest Natura 2000 sites (River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA) and there are no watercourses on or immediately adjoining the site. In section 8 of this report, I have outlined concerns about impacts on a watercourse (c. 140m to the south) which is linked to the River Boyne and River Blackwater SAC/SPA (>4km downstream). Notwithstanding this concern, I am satisfied that, due the significant separation distance and hydrological buffer, these Natura 2000 sites would not be within the zone of influence of a development of this nature and scale.
- 9.3. 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.
- 9.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Environmental Impact Assessment 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.

11.0 Recommendation

I recommend that permission should be **REFUSED** for the reasons and considerations outlined below.

12.0 Reasons and Considerations

1. Having regard to the proposals for the disposal of all surface water associated with the development to on-site soakaways and the inadequate design details for same, it is considered that the proposed development fails to demonstrate a sustainable drainage system in accordance with the recommendations of the Greater Dublin Regional Code of Practice for Drainage Works and the Greater Dublin Strategic Drainage Study Regional Drainage Policies (2005), both of which are supported by the Meath County Development Plan 2021-2027 (INF OBJ 15 & INF POL 16).

Furthermore, having regard to the proposed installation of wastewater polishing filters within 10 metres of a drainage ditch and down-gradient of proposed soakaways, it is considered that the proposed development would not satisfy the criteria set out in the Environmental Protection Agency 'Code of Practice for Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)' (2021), which would be contrary to Policy RD POL 48 of the Meath County Development Plan 2021-2027.

Having regard to the foregoing, it is considered that the surface water and wastewater associated with the proposed development would pose an unacceptable risk of flooding and pollution of groundwater and surface water bodies in the vicinity of the site and would be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Stephen Ward
Senior Planning Inspector

15th December 2025

Appendix 1

Form 1 - EIA Pre-Screening

Case Reference	ACP-323727-25
Proposed Development Summary	Construct 9 Dwellings and all other site works
Development Address	Kilberry, Navan, 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	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Part 2, Class 10(b)(i) – Construction of more than 500 dwelling units.</p>

<p>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)?</p>	
<p>Yes <input type="checkbox"/></p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ Date: _____

Appendix 1

Form 2 - EIA Preliminary Examination

Case Reference	ACP-323727-25
Proposed Development Summary	Construct 9 Dwellings and all other site works
Development Address	Kilberry, Navan, Co Meath
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 proposal is for just 9 dwellings and associated site works on a site of c. 2.38ha. No demolition works are proposed. The development is significantly below the class threshold of 500 dwellings.</p> <p>The project due to its size and nature would not give rise to significant use of resources or production of waste during both the construction and operation phases. Proposals for on-site surface water and wastewater disposal need to be considered in terms of pollution, flooding, and risks to human health.</p> <p>The proposed development, by virtue of its type, does not pose a risk of major accident and/or disaster, and is not vulnerable to climate change.</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 site is located in the designated rural node of Kilberry. There is a concentration of similar low-density housing in the area.</p> <p>The nearest Natura 2000 sites are the River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA, both located c. 4km to the southeast and southwest of the site.</p> <p>The site is not within a designated ACA and there are no Protected Structures on or immediately adjoining the site. The site is located in the vicinity of Kilberry church and graveyard and associated monuments, Recorded Monument Nos ME018-022---- and ME018-022001.</p> <p>The CDP classifies the local landscape character as 'Lowland', which is of moderate value/sensitivity.</p>

	<p>Having regard to the above and the simple nature and limited scale of the proposed development, I am satisfied that impacts on environmental sensitivities can be adequately assessed in this case without the need for EIA.</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>Due to the small scale of the development, the construction stage will not be significant in terms of duration or complexity. Any potential for archaeological impact can be suitably mitigated by condition.</p> <p>The main operational impacts would be limited to traffic, visual amenity, and the surface water and wastewater emissions to the site. These elements would be subject to standard assessment/design. And while I have outlined concerns about surface water and wastewater, I am satisfied that this can be assessed without potential for significant environmental effects that would require EIA.</p> <p>There would be no significant cumulative impacts with other projects.</p>
Conclusion	
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>

Inspector: _____ Date: _____

Appendix 2
Water Framework Directive Screening Determination

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	323727-25	Townland, address	Kilberry, Navan, Co Meath
Description of project		Construction of 9 dwellings and all other site works.	
Brief site description, relevant to WFD Screening		<p>The site is located within the small rural settlement node of Kilberry, approximately 4km north of the built-up environs of Navan. The site itself (area 2.38ha) is undeveloped and is annexed from a larger agricultural holding. The site levels fall gently from northeast to southwest.</p> <p>There are no existing watercourses on or immediately adjoining the site. There is an existing drainage ditch along the north-eastern site boundary. The nearest watercourse is a tributary of the River Boyne located c. 140m to the south of the site. The site is underlain by the Wilkinstown groundwater body.</p>	
Proposed surface water details		<p>Surface water will be diverted to soak pits within the individual sites, while surface water associated with the access road shall be diverted to an attenuation/soakaway area at the southern end of the site.</p> <p>See section 7.5 of this report for further details.</p>	

<p>Proposed water supply source & available capacity</p>	<p>Water supply will be provided from the Uisce Eireann public mains. (the Navan Mid-Meath supply).</p> <p>A review of the Uisce Eireann Capacity Register (Published August 2025) on 9/12/2025 confirms that the supply has available capacity to meet 2034 population targets (level of service improvement required). See section 7.6 of this report for further details.</p>					
<p>Proposed wastewater treatment system & available capacity, other issues</p>	<p>Each dwelling would be served by an individual wastewater treatment system and soil polishing filter.</p> <p>See section 7.7 of this report for further details.</p>					
<p>Others?</p>	<p>According to OPW mapping (www.floodinfo.ie), there are no past or predicted flooding events associated with the site.</p> <p>The closest Natura 2000 sites are the River Boyne and River Blackwater SAC and River Boyne and River Blackwater SPA, both located c. 4km to the southeast and southwest of the site.</p>					
<p>Step 2: Identification of relevant water bodies and Step 3: S-P-R connection</p>						
<p>Identified water body</p>	<p>Distance to (m)</p>	<p>Water body name(s) (code)</p>	<p>WFD Status (2019 – 2024)</p>	<p>Risk of not achieving WFD Objective e.g. at risk, review, not at risk</p>	<p>Identified pressures on that water body</p>	<p>Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)</p>
<p>River (Boyne)</p>	<p>c. 140m to south of site</p>	<p>BOYNE_160 IE_EA_07B042100</p>	<p>Good</p>	<p>At risk</p>	<p>Hydromorphology, Domestic Wastewater, Agriculture</p>	<p>Wastewater & Surface water run-off, groundwater</p>

Groundwater	Underlying site	Wilkestown IE_EA_G_010	Poor	At Risk	Agriculture	Wastewater & Surface water via the overlying soil.	
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 'uncertain' proceed to Stage 2.
1.	Surface	BOYNE_160 IE_EA_07B04 2100	Surface / ground water run-off from the site via overland flows and existing drainage ditch to northeast.	Siltation, pH (Concrete), hydrocarbon spillages.	None.	No. Having regard to the limited scale of the works, the application of standard construction practice, and the separation distance from the river, I am satisfied that there would be no significant risk.	Screened out.
2.	Ground	Wilkestown IE_EA_G_010	Via the overlying soil.	As above.	None.	No. Having regard to the limited scale of the works and the application of standard construction practice, I am satisfied that there would be no significant risk.	Screened out.

OPERATIONAL 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 'uncertain' proceed to Stage 2.
1.	Surface	BOYNE_160 IE_EA_07B04 2100	Surface water run-off from the site. Wastewater emissions via groundwater. Existing drainage ditch to northeast of site.	Hydrocarbon spillage / pollution, siltation, wastewater pollution.	Surface water collection, treatment and disposal to on-site soak pits. On-site wastewater disposal via mechanical aeration systems and soil polishing filters.	Yes. As outlined in sections 7.5 and 7.7 of this report, I am not satisfied with the surface water and wastewater proposals. Accordingly, there would be a residual risk in terms of the quantity and quality of discharges from site, which could be linked to this waterbody.	Screened In.
2.	Ground	Wilkestown IE_EA_G_010	Surface water run-off and wastewater emissions.	As above.	As above.	As above.	Screened In.
DECOMMISSIONING PHASE							
	N/A	N/A	N/A	N/A	N/A	N/A	N/A