



An
Coimisiún
Pleanála

Inspector's Report PL-500087-MH

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| Development | The demolition of existing garden shed and boundary wall, the subdivision of existing residential site, the construction of a detached two storey dwelling on A1 zoned lands (to be known as No. 32B Pinebrook, Kildalkey Road, Trim), connection to all public services, proposed boundary treatment and all associated site works |
| Location | 32 Pinebrook, Kildalkey Road, Trim, Co. Meath |
| Planning Authority | Meath County Council |
| Planning Authority Reg. Ref. | 2560324 |
| Applicant | Padraic Campbell |
| Type of Application | Permission |
| Planning Authority Decision | To grant permission with conditions |
| Type of Appeal | Third Party |
| Appellants | Pinebrook Residents Association |
| Observers | None |
| Date of Site Inspection | 23 rd January 2006 |
| Inspector | Trevor Rue |

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1.0 Site Location and Description

- 1.1. The application site is in a housing estate known as Pinebrook, about 1 kilometre of the north of the town centre of Trim. There are 64 houses in the estate, which is laid out as a series of cul-de-sacs to the north of Kildalkey Road. The site is located at a T junction between two cul-de-sacs which run from east to west and from south to north. It has a stated area of 0.061 hectares and comprises the curtilage and environs of a two-storey detached dwelling.
- 1.2. The two-storey dwelling has a pitched roof that runs parallel to the east/west cul-de-sac. An attached one-storey flat with a shallow pitched roof, 32A Pinebrook, sits forward and to the south and east of the main part of the structure. The front lawn is open to the adjoining public footpath to the west and south. There are two in-curtilage parking spaces accessed from the south/north cul-de-sac. The eastern portion of the site accommodates a grassed area to the side of No. 32A, a shed with a mono-pitch roof, and a rear garden enclosed by a concrete block wall. The western, southern and eastern sides of the shed are built into the wall.
- 1.3. In addition to the application site, there are four semi-detached dwellings on the eastern side of the south/north cul-de-sac (33 to 36 Pinebrook). There is an extensive area of amenity space to the west and north of that cul-de-sac. To the east of the site there is a two-storey property, 37 Pinebrook.

2.0 Proposed Development

- 2.1. It is proposed to demolish the garden shed and the boundary wall to its east, to subdivide the residential site by means of a new 1.8-metre-high wall, and to construct a 99-square-metre two-bedroom, two-storey detached dwelling on the southern part of the site. The separating distance between the existing flat the proposed dwelling would be 2.304 metres.
- 2.2. The proposed dwelling would have a pitched roof running parallel to the east/west cul-de-sac. Its ridge height would be at the same level as that of the existing dwelling, No. 32. The ground floor would have a brick finish, the upper floor would be rendered and the roof would be covered in slates or tiles.

- 2.3. The only window proposed at first-floor level on the south elevation would serve an *en suite* bathroom. It is proposed to install opaque glazing in the window and to restrict it from opening by more than 100 millimetres.
- 2.4. The site layout plan is notated to indicate that the existing vehicular access from the south/north cul-de-sac is to be upgraded to a dual entrance. It is proposed to provide two extra car-parking spaces to the front of the new dwelling and to install a metal rail to mark the front garden boundary. Permeable paving and a soak pit would be used to encourage surface water filtration to substrata. Private open space 92 square metres in area would be provided to the rear of the dwelling, enclosed by a new 1.8-metre-high wall.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On 22nd September 2025, Meath County Council decided to grant permission subject to eight conditions. Conditions 1, 2 and 5 required adherence to submitted plans and particulars but Condition 2(b) required a darker brick finish. Condition 3 restricted the hours of construction. Condition 4 dealt with surface water disposal. Conditions 6 to 8 specified development contributions.

3.2. Planning Authority Reports

- 3.2.1. **Planning reports** dated 22nd May and 25th September 2025 provided the reasoning for the authority's decision. The main points were as follows:
- The proposed house would be oriented to the west and would align with the existing row of houses. Its layout is therefore appropriate. It would have large symmetrical square window openings on the front façade on both floors. This modern design approach is suitable for this location. The existing houses have a red brick finish and the proposed brick finish with a light colour may appear inconsistent. The house design seems to meet the minimum internal standards set out in the 2007 Quality Housing Guidelines.
 - The proposed house being broadly in line with the front and rear building lines of the host dwelling is not likely to give rise to overbearance. Taking into

account layout and orientation, the proposed development is not likely to result in undue overshadowing of adjoining property. Its impacts on adjoining amenities would be generally acceptable.

- Provision for private open space is acceptable. The proposal for car parking within the curtilage of the property is acceptable in principle and complies with minimum standards. The probability of flooding is low, less than 0.1%.

3.2.2. The Council's **Transportation Department** commented that the existing entrance is too narrow to facilitate both dwellings. There was no objection to the proposed development, subject to a condition requiring submission of a revised layout demonstrating an access on the southern boundary.

3.3. **Prescribed Bodies**

3.3.1. Uisce Éireann did not respond to the planning authority's referral but corresponded directly with the applicant (see Section 7.2.3 below).

3.4. **Third Party Submissions**

3.4.1. The Council received submissions from Pinebrook Residents Association and from 20 individual residents of Pinebrook, the substance of which were repeated in the grounds of appeal.

4.0 **Planning History**

4.1. **001540:** On 25th September 2000, permission was granted for retention and completion of the demolition of the existing garage and the construction of a new larger garage and utility room extension to the side and rear of the dwelling at 32 Pinebrook. The following condition was attached:

7. The existing public foul sewer shall be encased in 150mm 3n 20 concrete where it passes under the proposed extension and the sewer pipe shall be bridged with lintels when passing through walls. A new manhole shall be constructed on the existing pipe line to allow for inspection and maintenance, all manholes shall be provided with heavy duty manhole covers.

Reason: *In the interest of orderly development.*

4.2. **TA30340:** On 24th October 2003, permission was granted for retention of a single-storey granny flat (now known as No. 32A) to the side of 32 Pinebrook.

4.3. **TA140142:** On 17th April 2014, the Council decided to grant permission for demolition of the existing garden shed and construction of a detached two-storey dwelling and a 2.0-metre-high boundary wall with gated access to provide for off-street parking at 32 Pinebrook. Following a third-party appeal (**243373**), An Bord Pleanála refused permission on 9th September 2014 for the following reasons:

1. Having regard to the restricted nature of this prominent corner site, which results from the extent of development on the parent site, it is considered that the proposed development, by reason of its scale, form and layout, would give rise to a cramped form of development, would constitute the overdevelopment of a restricted site, and would appear as an ungainly addition to the local streetscape. The proposed development would, therefore, seriously injure the visual amenities of the area, and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the scale and design of the proposed house, which has been designed to accommodate a six-person household, it is considered that the proposed development would provide insufficient floor space for this size of household, would fail to comply with the minimum floor areas and room dimensions set out in the “Quality Housing for Sustainable Communities Best Practice Guidelines” issued by the Department of the Environment, Heritage and Local Government (2007), and would result in a sub-standard house that would seriously injure the residential amenity of future occupants. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposed vehicular entrance in a two-metre high wall would have seriously deficient sightlines for vehicles exiting across the footpath. Accordingly, such vehicles would pose an inherent risk to pedestrians, which would be exacerbated when reversing. The proposed development would, therefore, endanger public safety and would be contrary to the proper planning and sustainable development of the area.

4.4. **2460422:** On 2nd August 2024, the Council decided to refuse permission for demolition of the existing garden shed and boundary wall and construction of a detached two-storey dwelling at 32 Pinebrook for the following reasons:

1. The proposed development, a two-story dwelling, due to its scale, bulk, layout, design, and form on a prominent corner site, would be incongruous and out of context

with the established pattern and character of residential development in the area. The proposed development would seriously injure the amenities and depreciate the value of property in the vicinity, would set an undesirable precedent for further such development, and would therefore be contrary to the proper planning and sustainable development of the area.

2. The proposed development would create a traffic hazard as a result of the intensification of turning movements at the junction of the estate road and, if permitted, endanger public safety by reason of a traffic hazard or obstruction to road users or otherwise.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. Sheet 38(a) of the Meath County Development Plan 2021-2027 indicates that the application site is zoned A1, Existing Residential. The objective of the zoning, set out in Section 11.14.6 of the Plan, is to protect and enhance the amenity and character of existing residential communities. Section 11.14.6 goes on to say that development proposals on these lands primarily consist of infill and the extension and refurbishment of existing properties. The principle of such proposals is normally acceptable subject to the amenities of surrounding properties being protected and the use, scale, character and design of any development respecting the character of the area.
- 5.1.2. DM OBJ 18 of the Plan states that a minimum of 16 metres' separation between directly opposing rear or side windows above ground-floor level shall generally be observed in the case of detached, semi-detached or terraced units. DM OBJ 21 requires a minimum distance of 2.3 metres to be provided between dwellings for the full length of the flanks in all developments of detached, semi-detached and end of terrace houses. DM POL 7, read with Table 11.1, requires a minimum area of 30 square metres of private open space in conjunction with a two-bed house. DM OBJ 89 and Table 11.2 indicate that in intermediate and peripheral locations, the maximum car-parking provision should be two spaces per dwelling unit.
- 5.1.3. Section 11.5.19 of the Plan states that infill development relates to development located in gaps between existing buildings in built-up urban areas. The Council will

support infill development on appropriate sites that make the most sustainable use of serviced land and existing urban infrastructure. DM OBJ 42 is that infill development shall take account of the character of the area and where possible retain existing features such as building line, height, railings, trees and gateways.

- 5.1.4. Section 11.5.21 of the Plan states that larger corner sites may allow for a variation in dwelling design, however, proposals should more closely relate to adjacent dwellings, albeit with a modern design in order to avoid a pastiche development. At the discretion of the planning authority there may be some relaxation in private open space and car-parking standards for this type of proposal.
- 5.1.5. Section 6.5 of the Development Plan refers to a commitment by the local authorities in the Greater Dublin Area to the use of Sustainable Urban Drainage Systems (SuDS) in all new public and private developments. It states that effective implementation of this policy will ensure that any future development does not increase flooding or pollution of water bodies. SuDS aim to mimic the natural drainage of a site. Section 6.10.1 describes SuDS as effective technologies which aim to reduce flood risk, improve water quality and enhance biodiversity and amenity. INF OBJ 14 of the Plan is to require the use of SuDS for new developments in accordance with the Greater Dublin Regional Code of Practice for Drainage Works.

5.2. National Planning Framework

- 5.2.1. The First Revision to the National Planning Framework was published in April 2025. Section 1.2 states that the major policy emphasis on renewing and developing existing settlements will be continued, rather than allowing the continual expansion and sprawl of cities and towns out into the countryside at the expense of town centres and smaller villages. The target is for at least 40% of all new housing to be delivered within the existing built-up areas of cities, towns and villages on infill and/or brownfield sites. It is stated in Section 4.5 that to enable brownfield and infill development, planning policies and standards need to be flexible, focusing on design-led and performance-based outcomes, rather than specifying absolute requirements in all cases.

5.3 Guidelines on Quality Housing for Sustainable Communities

5.3.1. The Quality Housing Guidelines were published by the Department of the Environment, Heritage and Local Government in 2007. Table 5.1 sets out space provision and room sizes for typical dwellings. For a two-bed, four-person, two-storey house, the target gross floor area is 80 square metres; the aggregate living area is 30 square metres; the aggregate bedroom area is 25 square metres; and the storage area is 4 square metres.

5.4. Design Manual for Urban Roads and Streets

5.4.1. The Design Manual for Urban Roads and Streets (DMURS) was published by the Department for Transport, Tourism and Sport and the Department for Environment, Community and Local Government in 2013 and updated in May 2019. Section 4.4.5 and Table 4.2 indicate that for a road with a speed of 30 kilometres per hour, the required sight splays are 23 metres in each direction (that is the Y distance) from a maximum of 2.4 metres back from the point of access (the X distance). In difficult circumstances the X distance may be reduced to 2.0 metres where vehicle speeds are slow and flows on the minor arm are low.

5.5. Greater Dublin Regional Code of Practice for Drainage Works Version Draft 6.0

5.5.1. This Code of Practice applies to seven local authority areas including Co. Meath. Section 3 sets out drainage requirements and includes the following points:

- The proposed development shall be drained on a completely separate system. Rainwater should be infiltrated to the ground and/or discharged via a SuDS system to a surface-water drain or watercourse while all other effluent including wastewater from washing machines, dishwashers and other sources shall discharge to the foul-drainage systems.
- The developer shall take all necessary precautions to avoid causing any damage or interference with flow in existing public sewers. Any damage or interference shall be rectified at the developer's expense. This is especially important during the construction phase of the development.

5.5.2. Section 4 of the Code of Practice deals with planning and construction and includes the following points:

- Developers are responsible for locating, providing for and if necessary protecting all existing pipelines on site.
- The lines of all private drainage crossing the site must be established and incorporated in the proposed scheme with the owner's permission.
- Developers are responsible for establishing the adequacy of any existing private drainage to which they propose to connect their developments and for obtaining all necessary permission from the owners.

5.5.3. Section 6 of the Code of Practice states that no building may be constructed over the line of a public sewer. A minimum clear distance of 3 metres is required to be maintained between sewers and all structures on site, including foundations. This distance will be increased if the sewer is greater than 3 metres deep. Section 7 states that no sewer shall be diverted, re-laid or altered without the express written permission of the local sanitary authority [now Uisce Éireann]. Proposals for sewer diversions including all necessary future wayleaves should be submitted to [Uisce Éireann] for written approval. Any diversion shall not adversely affect the hydraulic capacity or maintenance of the sewer.

5.6. Natural Heritage Designations

5.6.1. The application site is not within any Natura 2000 European site of nature conservation importance. The nearest Natura 2000 sites to the site are:

- The River Boyne and River Blackwater Special Area of Conservation (SAC), about 320 metres to the south, designated for alkaline fens, alluvial forests, river lamprey, salmon and otter; and
- The River Boyne and River Blackwater Special Protection Area for birds, also about 320 metres to the south.

5.6.2. The application site is not in any Natural Heritage Area (NHA). The nearest NHA which does not overlap with a Natura 2000 site is Jamestown Bog, about 8 kilometres to the north. There are 27 proposed NHAs in Meath, including Trim Wetlands, which is described in Table 2 of the Natura Impact Report in Volume 4 of the Development Plan as potentially linked to the River Boyne and River Blackwater SAC.

6.0 Environmental Impact Assessment Screening

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

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. The grounds of appeal are summarised below. The summary includes some additional points made by residents in their objections at application stage:

- There are already two rented dwellings on the site: No. 32, a four-bed house and No. 32A, a two-bed apartment with a separate entrance and separate metering. There is concern about a third rental property on the site. There is no need for the development, which appears to be speculative. What is to stop the applicant changing the internal layout to create two more single bedrooms?
- It is difficult to see how a house could be fitted into this tight corner. It would look out of place and be visually obtrusive. Nowhere in the estate is there a two-bed, two-storey house. The proposed house would leave minimal rear garden space for the prospective occupant.
- Four mature trees and hedging, which border the rear wall of the application site and afford privacy to neighbouring properties, are not indicated on the site layout plan. The house would overlook existing properties, affect the privacy of surrounding neighbours on all sides and block light at different times of the day, affecting different houses as the sun moves.
- The submitted drawings are misleading as there does not appear to be enough space for two cars in the proposed driveway. Moreover, drivers exiting the proposed parking spaces would be unable to see round the boundary wall of

the house behind. Sightlines would be inadequate, giving rise to a blind spot. A car would need to be out on the footpath before there was clear sight of the road. There is a playschool at the end of the road and children regularly run up and down on their way to it.

- This area has significant movement of cars four times a day due to the presence of the playschool: from 7am to 9.30am; from 11.30am to 1pm; from 3pm to 4.30pm; and from 5.30pm to 7pm. There are already significant traffic movements related to Nos. 32 and 32A and the residents are concerned about further traffic movements related to the proposed house. It is also necessary to factor in construction traffic, which would cause disruption and upset. As the site is on a corner, it has no spare parking spaces for machinery and workers' vehicles. It is essential that these roads are kept clear for emergency services; there was unfortunately an emergency within the last few months.
- The sewerage system in Pinebrook has been under pressure for many years with raw sewage coming up from manholes at the entrance to the estate on Kildalkey Road. (A photograph was exhibited). It is a frequent occurrence to see a drainage truck with high-pressure jetting equipment visiting the estate to deal with blocked sewers. The pipe on leaving the estate flows through Elder Grove (to the south west) where there are similar problems. The system badly needs to be upgraded.
- An additional dwelling with toilets, showers and sinks would put unwarranted further pressure on an already burdened system. Given the state of the system, the precautionary principle must be applied. The claim that SuDS measures would reduce the volume of surface water going into the public storm sewer is at variance with the experiences of the residents.
- There were two recorded incidents in 2024 alone, on 29th April and 28th November. The Council sent out a power-jet truck to clear blockages in Christmas Week 2024. Weeks later, the sewers were again blocked and the resident of No. 34 was obliged to hire a private environmental drain services company at significant expense at various dates during February 2025. Repairs were also carried out to a pipe situated under the application site. The company's report for 5th February stated "*unblocked 6 inch line very hard for jet*

2 past after 25 meters and took multiple jets to clear line". Its report for 7th February stated *"line is half full of scale"* and *"cutter need to remove scale"*.

- A camera inspection revealed two dips under No. 32A on the line which, the appellants understand, is intended to serve the proposed house. The main manhole that serves the other four properties in this row (Nos. 33 to 36) is on the site and within the footprint of the proposed building. The sewers are not buried deeply and are fragile and could be impacted by the foundations of the proposed house. If the development were to proceed, drains would have to be moved to allow access to the other four houses, which would be problematic.
- The map provided by Uisce Éireann which purports to show the layout of sewers in the estate is inaccurate. Given the problems they have encountered, the residents know where the sewer actually is. A rough map was provided, which shows the drain running immediately behind the buildings at Nos. 36 to 33, under No. 32A and under the existing garden shed before linking to a sewer on the opposite side of the east/west cul-de-sac. The map also indicates a manhole between the side entrance to the apartment and the garden shed.

7.2. Applicant's Response

7.2.1. The applicant's views, set out in a planning report which accompanied the application, in a letter responding to a request for further information from the planning authority, and in a response to the third-party appeal, may be summarised as follows:

- The proposed development represents a modest infill development on a suitable site which would fit in with the established pattern of development of the area. It has been well designed to integrate with the surrounding dwellings. National and County Development Plan policy supports this type of infill development to increase housing stock in urban areas.
- The applicant has taken on board the concerns raised in the Council's first reason for refusal in the previous application 2460422. The development in its current form would not injure the amenities of the area and would have no impact on the value of neighbouring properties in the vicinity due to its reduced footprint, bulk and scale and appropriate separation distances.

- The suggestion that there is no need for the development is unacceptably negative in a housing crisis. The applicant is seeking to develop a single house which could provide a much needed dwelling for a young couple. It is normal to have a mix of house types in a development. The proposal complies fully with all planning standards. The tenure of a dwelling in a residential estate is not a proper planning consideration. Concern about a possible change to the internal layout to provide more bedrooms could be addressed by a condition.
- There would be a separation distance of 22 metres between the southern side of the proposed house and the existing dwellings to the south. The separation distance of between the proposed house and the dwelling to the east would be 21 metres. The separation distances between first-floor windows would ensure there would be no overlooking. The proposed house would be sufficiently distant from the existing houses that it would not cause any loss of light to them. The proposed house would be located to the west and north of the existing houses and therefore could not interfere with their natural light.
- A traffic consultant was engaged to advise as to the best design and access arrangements to overcome the Council's second refusal reason in Application 2460422. Two access options were submitted to the Council's Transport Engineer. In the course of a telephone consultation, he agreed that the most appropriate option would be to use the existing access for the proposed house and advised that this would address the concerns of the Transport Section.
- A review of the Council's website provided no evidence of planning permission having been obtained for a playschool at 31 Pinebrook. An unauthorised development is not a legitimate consideration in the determination of an application for another development.
- The traffic generated by a single dwelling would not give rise to a hazard. Construction traffic would be temporary and would have to adhere to normal health and safety requirements. The applicant is happy to submit a construction management plan if deemed necessary. There is sufficient space for construction traffic to park.
- Meath County Council, Uisce Éireann and a report by consulting engineers all confirm that there is sufficient capacity in the sewerage system to cater for the

proposed development. The proposed single two-bedroom dwelling would not place an unreasonable burden on the system. The objections relate to standard maintenance issues rather than capacity.

7.2.2. The report by the applicant's traffic consultants may be summarised as follows:

- Towards the west of the rectangular application site is a 5.0-metre-wide cul-de-sac with grass verges and footpaths along both sides. To the south west this cul-de-sac road forms a simple priority T junction with an estate road that leads to a grass amenity area and provides vehicular access to a crèche and over 30 residential units. On-street parking was observed to take place at intervals along these roads, with the majority of vehicles being kept on driveways. Some of these driveways have been extended to facilitate additional parked vehicles. The principle of direct vehicular access with associated traffic turning movements is therefore well established in this area.
- When residents undertake traffic turning movements by driving into or reversing from these driveways, there are momentary obstructions within the driver's sightlines taking the form of parked vehicles, trees or lighting columns within the grass verge. This is not unexpected or unusual within a residential estate.
- Traffic surveys undertaken in the vicinity of the application site identified that during the typical morning peak hour of 8.15am to 9.15am and the typical afternoon peak hour of 5pm to 6pm, no more than 30 trips were generated from this residential estate. Eighty-fifth percentile speeds of 23.5 kilometres per hour in the westbound direction and 25.6 kilometres per hour in the eastbound direction were recorded.
- The TRICS [Trip Rate Information Computer System] 2025(a) database is accepted by local authorities and An Coimisiún Pleanála as an appropriate traffic-modelling tool. It indicates that the proposed single dwelling could generate one inbound and one outbound trip in the morning peak hour and one inbound and one outbound trip in the afternoon peak hour. Therefore, the proposed dwelling is likely to have a negligible traffic impact on the adjacent road links and road network.
- It is proposed to access the application site from the existing site access off the cul-de-sac to the west of the site. This access would lead to a designated

parking area within the site for the existing and proposed residential units. DMURS indicates that sightlines of 2.0 metres by 23.0 metres are needed in both directions to and from the site access. Drawing 125-A13-SP01 was attached to the report to show that the proposed access would meet these visibility requirements.

- The proposed parking areas would allow two vehicles to park adjacent to each property, thus complying with the parking standards set out in the Development Plan. A series of swept-path assessments were undertaken to identify traffic manoeuvres turning into and out of the paved parking area from the existing site access. These assessments are shown on Drawing 125-A13-SP01.

7.2.3. The report by the applicant's consulting engineers and their responses to points of objection made at application stage may be summarised as follows:

- An official of Meath County Council confirmed by email that there are separate storm-water and foul-drainage networks serving the Pinebrook Estate. He stated that only on one occasion that he could recall was foul sewage overflowing on Kildalkey Road. On that occasion, the blockage was back towards Trim.
- The storm-water drainage network serving the Pinebrook Estate discharges to a dedicated storm sewer on Kildalkey Road. The Council has confirmed that there are no existing storm-water record drawings. The proposed SuDS measures shown on the site layout plan, including permeable paving and a soakaway, would contribute significantly reduced volumes of surface water to the public storm sewer.
- A gravity sewer with a 225-millimetre diameter can typically accommodate flows from up to approximately 210 residential units. Based on records received from Uisce Éireann, the 225-millimetre foul sewer running through the Pinebrook Estate is estimated currently to receive discharge from 128 residential units upstream of the manhole at Kildalkey Road. The proposed addition of a single dwelling would therefore remain well within the sewer's capacity, representing only a minor increase of approximately 0.8% in the total number of units contributing to the public foul sewer.

- Uisce Éireann, having reviewed a pre-connection enquiry by the applicant's architects, has provided written confirmation that, in regard to water and wastewater, the proposed development is feasible without any infrastructure upgrade. The applicant must submit a connection application and be granted and sign a connection agreement with Uisce Éireann.
- Uisce Éireann provided a map of its current infrastructure adjacent to the application site. The map shows a foul sewer running close to the rear of the back gardens of 36 to 32 Pinebrook to a manhole identified as SN79577404 in the footpath immediately to the south of the site. A note added to the map states that it is a general guide only based on the best available information provided by local authorities and should not be solely relied on in the event of excavations or other works being carried out in the vicinity. The onus is on the parties carrying out such works to ensure the exact location of Uisce Éireann's underground network(s) is identified prior to those works being carried out.
- The engineering consultant advised the applicant to carry out further investigation to ascertain suitable connection points to the storm and foul networks adjacent to the site. He also recommended that testing is carried out to confirm that the soil is suitable for infiltration. His overall conclusion was that the development proposal aligns with best practice, with no anticipated adverse impact on the local drainage system.

7.3. Planning Authority Response

- 7.3.1. The planning authority was satisfied that all matters outlined in the appeal were considered in the course of its assessment of the planning application. It requested the Commission to uphold its decision.

8.0 Assessment

8.1. Issues

- 8.1.1. Having inspected the site and considered in detail the documentation on file for this third-party appeal, it seems to me that the main planning issues are:

- whether the proposed development is acceptable in principle at this location;

- its effects on the character of the surrounding area;
- its effects on the residential amenity of neighbouring properties;
- its effects on the safety and convenience of road users; and
- its effects on the sewerage system in the area.

8.2. Acceptability in Principle

- 8.2.1. It is proposed to build a single house on a piece of mainly open ground at the end of a row of existing buildings located in a built-up urban area. In the Meath County Development Plan, the application site is zoned A1, Existing Residential, where infill development is acceptable in principle. This provision of the Development Plan is consistent with the National Planning Framework target for at least 40% of all new housing to be delivered within existing built-up areas.
- 8.2.2. Applicants for planning permission on A1 sites are not required to show a need for new residential accommodation. There is no restriction on the tenure of new dwellings. However, the acceptability in principle of the proposed development is subject to the character and amenity of the area being protected.

8.3. Effects on the Character of the Area

- 8.3.1. While the appearance of the existing building on the application site differs in several respects from that of the surrounding buildings, it is not noticeably out of place. That is because it is of similar height and has similar materials to those of its neighbours. The positioning and proportions of window openings are also similar. I judge that the proposed house, while smaller in footprint, would be compatible in height and form with adjacent properties. A condition could be imposed to require details of materials, colours and textures of all the external finishes to be approved by the planning authority prior to the commencement of development. Subject to that condition, I consider that the development would not be visually obtrusive.
- 8.3.2. Some variation in house types is generally preferable to monotonous repetition. I see nothing objectionable in the introduction of a two-bedroom house into this area. Private open-space provision would be more than adequate. The proposed layout exceeds minimum internal space standards. The proposed arrangement of bedrooms depicted on the proposed first-floor plan would not easily lend itself to subsequent changes to provide more bedrooms and there is no evidence that the applicant intends

to make such changes. Taking all these matters into consideration, I am satisfied that the proposed house would be in keeping with the character of the area.

8.4. Effects on Residential Amenity

- 8.4.1. A single tree is depicted on the proposed layout plan on the eastern boundary of the site, adjoining No. 37, but it not stated whether it is existing or proposed. Should the Commission decide to permit the proposed development, it could attach a condition to require all existing mature trees and hedges on that boundary to be retained. I am satisfied that, with such a condition in place, the design of the proposed house and the separation distances between it and the existing properties to the east, south and north would ensure that there would be no undue effects on the residential amenity of any neighbouring property by reason of overlooking, overbearance or overshadowing.

8.5. Effects on the Safety and Convenience of Road Users

- 8.5.1. It is apparent from the submitted drawings that the proposed upgrade of the existing vehicular access to a dual entrance does not involve any increase in its width. While the Council's Transportation Department expressed the view that the existing entrance is too narrow to facilitate the proposed development, the Council was nonetheless willing to approve the development on the basis of the submitted drawings. The narrowness of the access could impede traffic progression on the south/north cul-de-sac in the event that one vehicle was attempting to leave the site at exactly the same time that another was waiting to enter it. However, as the volume of traffic using the cul-de-sac is low, this scenario does not represent a significant traffic hazard.
- 8.5.2. The proposed car-parking provision of two spaces for the new house is within the maximum standard laid down in the Development Plan. I am persuaded that Drawing 125-A13-SP01, attached to the report of the applicant's traffic consultants, demonstrates that there is enough room on the site for the proposed extra parking spaces and that adequate sightlines (albeit with a reduced X distance) would be available at the point of access. It is clear from the drawing that with the proposed house in place the boundary wall of No. 37 would not be visible from the access and therefore would not block the sightlines. However, the drawing does not show the proposed metal rail boundary to the front garden, which would obstruct the sightline to the left emerging and should therefore be omitted.

- 8.5.3. My site inspection took place around midday on a Friday. I saw pre-school-age children being escorted to and from what seemed to be a childcare facility at 31 Pinebrook, which is about 60 metres from the application site on the opposite side of the east/west cul-de-sac. I did not see any unsupervised children or any running. Some vehicle movements appeared to be associated with the facility but there was no traffic congestion. Nothing I saw suggested that the proposed development would be a significant traffic hazard to children or place undue strain on the road network.
- 8.5.4. Nearly all construction projects cause some unavoidable disruption and inconvenience to neighbours while work is in progress. The proposed development is likely to result in a temporary increase in off-site roadside parking but the developer would be required to keep the roads open for traffic, including emergency vehicles. If permission is granted, working hours could be restricted and the developer could be required to submit and agree a construction management plan to minimise the impact of construction activities on local residents. All things considered, I am not persuaded that it would be justifiable to withhold planning permission on traffic-related grounds.

8.6. Effects on the Sewerage System

- 8.6.1. I am satisfied that the use of SuDS measures to deal with storm-water runoff from the proposed development would be consistent with Development Plan policy and would offer the potential benefits of reduced flood risk, improved water quality and enhanced biodiversity and amenity.
- 8.6.2. I accept that there have been serious problems with the operation of the sewerage system in the vicinity of the application site, which have created inconvenience for the residents. However, the evidence indicates that these problems were caused by individual blockages in existing pipework rather than by lack of capacity in the overall network. I have no good reason to doubt the evidence of the applicant's consulting engineers that the 225-millimetre foul sewer running through the Pinebrook Estate has more than enough capacity to receive discharges from one additional dwelling. Uisce Éireann has confirmed that the proposed development is feasible without upgrading wastewater infrastructure. Nevertheless, the physical impact of the proposed development on existing sewerage must also be considered.
- 8.6.3. During my inspection, I confirmed the presence of a circular manhole embedded in the footpath outside the southern boundary of the application site, in the position indicated

as SN79577404 on Uisce Éireann's infrastructure map. I noted the presence of other circular manholes in the Pinebrook Estate in positions indicated on that map. These included manholes at the entrance to the estate on Kildalkey Road. Photographs of sewage overflowing from these manholes are attached to the appellants' statement. I also saw two rectangular manholes within the application site, between the existing garden shed and the side entrance to the apartment at No. 32A. The map attached to the appellants' statement should show a single manhole at that location.

- 8.6.4. I accept the appellants' evidence, based on their personal knowledge, that there is a drainage pipe running close to the backs of Nos. 36 to 33 and under No. 32A. That pipe was described as a public foul sewer in Condition 7 of the planning permission (001540) granted in 2000 for the garage and utility room extension to No. 32, which later became the apartment known as No. 32A. The condition required the sewer to be encased in concrete where it passes under the extension and bridged with lintels when passing through walls. It also required a new manhole to be constructed on the pipeline to allow for inspection and maintenance.
- 8.6.5. The map provided by Uisce Éireann shows other foul sewers in the area set well back from the houses they serve and it seems to me to be at least possible that there is a foul sewer close to the rear boundary of the application site in the general position depicted on that map. One can only speculate as to why there are two manholes rather than one adjacent to No. 32A and whether they are connected by a pipe running perpendicular to the drainage line identified by the residents. It seems possible that at least one of the manholes relates to the storm-water drainage network for which there are no existing record drawings. It may or may not be significant that the manholes are located close to a downpipe at a back corner of No. 32A.
- 8.6.6. The appellants have not explained why they believe a drainage pipe runs under the existing garden shed and then under the road, bypassing the manhole identified as SN79577404. However, the possibility cannot be excluded that the proposed development, including the foundations of the proposed house and the proposed wall separating the residential site, would disrupt the existing sewerage arrangements.
- 8.6.7. The Greater Dublin Regional Code of Practice for Drainage Works places responsibility on the applicant for locating and if necessary protecting all existing pipelines on the site. The applicant did not take the opportunity when presenting his

evidence in this appeal to rebut the appellants' concern about the physical impact of the proposed development on existing sewerage. In this evidential void, I cannot be confident that the development would not involve building over a sewer or sewers and I cannot assume that suitable mitigating measures or alternative arrangements could be devised. I therefore conclude that planning permission should not be granted.

9.0 Appropriate Assessment Screening

9.1. Having considered the nature, location and modest scale of the proposed development, the nature of the receiving environment as a built-up urban area, the nature of the foreseeable emissions therefrom, the distance from the nearest European site and the absence of any known hydrological link between the application site and any European site, I am content on the basis of objective information that the development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects. I therefore conclude that the carrying out of an appropriate assessment under Section 177V of the Planning and Development Act 2000 is not required.

10.0 Water Framework Directive

10.1. The application site is located about 390 metres from the River Boyne. The proposed development comprises the demolition of a garden shed and boundary wall and the construction of a detached two-storey dwelling. No water deterioration concerns were raised in the planning appeal.

10.2. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive (WFD) which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.3. The reasons for this conclusion are the nature and modest scale of the works, the distance from nearest water body and the lack of known hydrological connections.

10.4. I conclude 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.

11.0 Recommendation

11.1. I recommend to the Commission that planning permission be refused.

12.0 Reasons and Considerations

12.1. On the basis of the available information, the Commission is not satisfied that the proposed development would not impact on the integrity or operation of existing foul sewers serving adjacent properties in this location and that the proposed development would not 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.



TREVOR A RUE

Planning Inspector

13th February 2026

Appendix A: Form 1 – EIA Pre-Screening

| | |
|---|---|
| Case Reference | <i>PL-500087-MH</i> |
| Proposed Development Summary | <i>Demolition of a garden shed and boundary wall and construction of a detached two-storey dwelling</i> |
| Development Address | <i>32 Pinebrook, Kildalkey Road, Trim, Co. Meath</i> |
| 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"/> <i>Yes, it is a 'Project'. Proceed to Q2.</i> |
| 2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)? | |
| <input checked="" type="checkbox"/> <i>No, it is not a Class specified in Part 1. Proceed to Q3.</i> | |
| 3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds? | |
| <input checked="" type="checkbox"/> <i>Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2).</i> | State the Class and state the relevant threshold <i>Class 10(b)(i) Threshold: 500 dwelling units</i> |
| 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)? | |
| No <input checked="" type="checkbox"/> | Pre-screening determination conclusion remains as above (Q1 to Q3). |

Inspector: *Trevor A Rue*

Date: 13th February 2026

TREVOR A RUE

Appendix B: Form 2 – EIA Preliminary Examination

| | |
|--|---|
| Case Reference | <i>PL-500087-MH</i> |
| Proposed Development Summary | <i>Demolition of a garden shed and boundary wall and construction of a detached two-storey dwelling</i> |
| Development Address | <i>32 Pinebrook, Kildalkey Road, Trim, Co. Meath</i> |
| This preliminary examination should be read with, and in the light of, the rest of the Inspector’s report attached herewith. | |
| Characteristics of the 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) | <p>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</p> <p><i>The development has a modest footprint, comes forward as a standalone project and does not require the use of substantial natural resources. It does not give rise to a risk of significant pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster and is not vulnerable to climate change. It does not present a significant risk to human health.</i></p> |
| 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>Briefly comment on the location of the development, having regard to the criteria listed.</p> <p><i>The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan.</i></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) | <p>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</p> <p><i>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, the 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 Planning and Development Act 2000.</i></p> |

| Conclusion | |
|---|------------------------------|
| Likelihood of Significant Effects | Conclusion in respect of EIA |
| <i>There is no real likelihood of significant effects on the environment.</i> | <i>EIA is not required.</i> |

Inspector: Trevor A Rue

Date: 13th February 2026

TREVOR A RUE