



An
Coimisiún
Pleanála

Inspector's Report PL-500178-MH

Development	Retention of alterations to garage, previously granted and permission for external timber cladding to elevations and all site works
Location	Mabestown, The Ward, Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	2560697
Applicant(s)	Patrick Dowdall
Type of Application	Retention and Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party v. Refusal
Appellant(s)	Patrick Dowdall
Observer(s)	None
Date of Site Inspection	13 January 2026
Inspector	Cáit Ryan

1.0 Site Location and Description

- 1.1. The site is located at Mabestown, The Ward, Co. Meath, approx. 7km north west of the N2/M50 junction (Junction 5), and approx. 5km south of Ashbourne. The site is located on local road L-5024-11. It is a rural area, characterised by farmland and clusters of one-off housing.
- 1.2. The site is bounded
 - to the east by a single dwelling house and stables to rear
 - to the west by a single dwelling house which forms part of a small cul-de-sac development of detached houses
- 1.3. The site comprises 0.68ha and is relatively flat. There is an existing former single-storey dwelling house near the site's roadside frontage. On site visit it was noted that much of the built fabric of this dwelling including the roof and previous extensions have been removed and other site clearance works had been carried out. The garage structure subject of this appeal is set back at least 35m from the roadside frontage and 7m from the western site boundary. There are a further 2no. sheds north east of this garage structure, near the eastern site boundary, the larger of which is described as a barn structure and the smaller building as stables.

2.0 Proposed Development

- 2.1. Permission is sought for
 - (a) Retention of alterations to garage, previously granted under P.A. Ref. 2460107
 - (b) Installation of external timber cladding to elevations of existing garage and all ancillary site and other works.
- 2.2. The garage proposed to be retained comprises 70sqm. Plans and particulars on file show the proposed external cladding consists of horizontal timber larch cladding. A perspective view of the garage proposed to be retained, including the proposed installation of timber cladding, has been submitted with the application.
- 2.3. The cover letter submitted with the application outlines that this application has been

prepared in response to a warning letter.

- 2.4. Following a request for Further Information (FI), a planting proposal was submitted. Other minor changes to internal layout of the garage are also shown in the FI response.
- 2.5. The site is served by existing public water mains. There is an existing sewage treatment system and percolation area on site. Drawings on file show existing surface water drainage pipe connected to existing watercourse.

3.0 Planning Authority Decision

3.1. Decision

Following a request for Further Information (FI), retention permission was refused by the planning authority for the following 3no. reasons:

1. Based on the lack of robust information submitted in the form of a robust business case to support the application, it is considered that the Applicant has not demonstrated a satisfactory locational justification or need for a development of this nature at this rural un-serviced location and the Planning Authority is not satisfied that the proposed development could not reasonably be located within a defined settlement. Therefore, the proposed development would result in a haphazard form of development and intensification of development on a rural site, would establish an undesirable future precedent for developments of this kind and would be contrary to the policies and objectives of the Meath County Development Plan 2021 – 2027 and be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed development by reason of its design, layout and use would be out of character with the existing house types and pattern of development in this rural area. The proposal would constitute a disorderly form of development which would impact negatively on the residential amenity of the adjacent properties and that would be out of character with the pattern of development in the area. Accordingly, to grant the proposed development

would seriously injure the residential amenities and depreciate the value of adjacent properties in the vicinity, would set an undesirable precedent for similar future developments in the area, would interfere with the character of the area, would detract from the residential amenity of the area and therefore, would be contrary to the proper planning and sustainable development in the area

3. Based on the information submitted, in particular the absence of any documentation in relating to the need for the proposed structure, it is not considered that the Applicant has not demonstrated a justification or need for a garage of this scale at this location. The proposed development would, therefore, establish an undesirable future precedent for developments of this kind and be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports (dated 26 August 2025 and 26 September 2025)

The basis for the planning authority's report includes:

First Assistant Planner's report -

- Notes permitted garage had 46.75sqm floor area. Proposed garage is 70sqm.
- Considers uses shown for garage are not typical of ancillary structure, and there has been no justification for change of use. Motor vehicles storage use, paintshop and bike display/store would lend themselves to commercial use, inappropriate in a rural area without a business plan/justification.

Recommendation for FI reflects Planner's Report.

Second Assistant Planner's report considers –

- neither a business plan nor justification for the need for the proposed development provided
- landscaping plan appears to come within 3m of permitted wastewater treatment system, contrary to EPA Code of Practice 2021.

- Scale and bulk of garage would create undesirable precedent in rural area
- Recommendation to refuse retention permission reflects Planner's Report

3.2.2. Other Technical Reports

None

3.3. Prescribed Bodies

None

3.4. Observations to the Planning Authority

None

4.0 Planning History

Subject site

P.A. Ref. 24/60107: Split decision in 2024 -

- Permission granted for demolition of extension to rear of dwelling house and construction of new extension, and domestic garage.
- Refusal for barn conversion to 3no. accommodation units, for 3no. reasons

Condition 3 of the grant of permission is:

The garage and store shall not be used for human habitation for commercial purposes or for any other purposes incidental to the enjoyment of the dwelling.

Reason: In the interests of the proper planning and development of the area & residential amenity.

In terms of detail, this description of development also proposed a new site entrance. This matter is discussed at Section 7.5 of this report.

P.A. Ref. 24/60724: Permission refused in 2025 for alterations to existing site entrance and relocation of telephone pole, change of use of barn into 2no. self-catering units and storage, change of use of stables to laundry room, wastewater treatment system and percolation area. Significant FI received included (in response

to FI Item 2) details relating to use of the garage permitted by P.A. Ref. 2460107.

3no. refusal reasons are summarised as –

- Contrary to Development Plan policies ED POL 43 and ED POL 64, haphazard form, intensification of development and undesirable precedent
- Garage would constitute disorderly backland development, out of character with pattern of development and would depreciate value of property in vicinity
- Adequate separation distances between structure subject of retention and wastewater treatment system granted by P.A. Ref. 2460107 not demonstrated, proposed wastewater treatment system not demonstrated to adequately manage wastewater disposal. Prejudicial to public health.

5.0 Policy Context

5.1. Meath County Development Plan 2021-2027

Chapter 11 – Development Management Standards and Land Use Zoning

Objectives

The site is zoned RA Rural Area, where it is an objective to protect and promote in a balanced way, the development of agriculture, forestry and rural-related enterprise, biodiversity, rural landscape, and built and cultural heritage. Primary objective is to protect and promote the value and future sustainability of rural areas. Agriculture, forestry, tourism and rural related resource enterprises will be employed for the benefit of local and wider population.

Uses open for consideration include Workshop (only where ancillary to an existing dwelling where it is demonstrated that the proposed activity is carried out by a resident of the dwelling, with no visiting members of the public).

Chapter 9 – Rural Development Strategy

The site is located within a Rural Area under Strong Urban Influence. The key challenge is to facilitate housing requirements of the rural community while directing urban generated housing to areas zoned for new housing in towns and villages.

5.2. Natural Heritage Designations

The site is not within or adjacent to any European sites. The nearest European sites are (approx.) -

- Malahide Estuary SPA (004025) : 10km to east
- Malahide Estuary SAC (000205): 10km to east
- Rogerstown Estuary SAC (000208): 12km to north east
- Rogerstown Estuary SPA (004015): 12km to north east
- Baldoyle Bay SAC (000199): 16km to south east
- Baldoyle Bay SPA (004016): 16km to south east
- Rye Water Valley/Carlton SAC (001398): 14km to south west

There are no Natural Heritage Areas on site or in the vicinity. Nearest proposed NHAs are (approx.) –

- Malahide Estuary pNHA (00020): 10km to east
- Rogerstown Estuary pNHA (000208): 10km to east
- Feltrim Hill pNHA (001208): 11km to south east
- Baldoyle Bay pNHA (000199): 16km to south east
- Rye Water Valley/Carlton pNHA (001398): 14km to south west
- Royal Canal pNHA (2103): 8.5km to south

5.3. EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of this first party appeal against the planning authority's decision to

refuse may be summarised as follows:

- Requests Commission to assess application de novo, in context of permitted development and applicant's use of site as long-term family home

Planning history

- P.A. Ref. 2460107 is parent permission relating to the development. Condition 3 is that garage and store shall not be used for human habitation, commercial or any purposes other than those incidental to enjoyment of the dwelling. Conversion of existing barn to 3no. accommodation units was omitted.
- Works to renovate and extend the existing house have commenced. Garage subject of retention is on the site of the permitted garage.
- P.A. Ref. 2460724: Application for ancillary works to parent permission and reuse of barns for tourist related accommodation was refused. Applicant does not propose a tourism business in short term and did not appeal decision
- Applicant currently resides elsewhere. Permitted garage allows applicant to take bikes out of paid storage.
- Garage is not for any purpose other than domestic/ancillary to enjoyment of house. Applicant considered garage would function better with small amount of additional space, for storage of bikes, furniture, building supplies and tools for permitted works, and is willing to sign affidavits/legal agreements

Current appeal

- FI Item 1 response confirmed the garage is not for commercial purposes. Planning authority has erred in their belief that it will be commercial. As no commercial activity is proposed, applicant cannot provide business plan.
- FI Item 2 response indicated applicant was amenable to changing finish/other alterations. 50sqm garage was permitted. Garage subject of retention is 70sqm. This is not a significant increase. Use is exactly as per permitted.
- Given the site size, garage to the rear of the site, lower height than originally permitted, well screened from neighbours and not visually prominent, it is unclear how residential amenities would be impacted

- Applicant is amenable to amend finish and remove windows where required to remove any perception that it is of residential nature, and install roller shutter. Internal subdivision was to allow space to be managed better, and to heat or light only the rooms being worked in.
- Applicant does not or will not be operating a motorcycle business, is a motorbike enthusiast, currently owns 10 bikes listed a number of which are collectibles and are for 'display'. Bike repairs and resprays to applicant's own bikes are done as a hobby, not as a business. Design of the garage is not of a commercial scale or nature. Applicant does not carry out his trade from the shed, although some surplus tools are kept there.
- Proposal complies with Development Plan NF OBJ 15, INF POL 18, Chapter 11 and other relevant Section 28 guidelines
- There were no submissions/observations or representations from councillors. Application was not referred to and no submission were received from prescribed bodies. Application was not referred to internal departments.
- Design of the as-built garage is consistent with that permitted, albeit permitted garage did not stipulate finishes, and is consistent with character of the area.
- Older structures/barns on site are not structurally sound or secure enough to operate as a garage or storage. No uses are proposed to these buildings. If Commission consider it appropriate to reduce garage use on site, limiting the use of these structures may provide such an opportunity
- No material or significant issue with proposed entrance which replaces existing entrance, improving sightlines and moves entrance from existing house. No traffic issues with minor relocation of entrance. Applicant is happy to pay for relocation of existing ESB pole at new entrance
- Compliance with EPA Code of Practice 2021 is easily achievable. Applicant is happy to accept a condition requiring a landscape plan be agreed. A garage was permitted at the general location of the constructed garage.

6.2. Planning Authority Response

The planning authority's response to the grounds of appeal states that it is satisfied that the subject proposal was appropriately considered through the course of the assessment as detailed in the Planning Officer's reports dated 26/08/2025 and 26/09/2025. The planning authority respectfully requests the Commission to uphold the decision to refuse permission.

6.3. **Observations**

None

7.0 **Assessment**

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

- Use of Structure Proposed to be Retained
- Impacts on Visual and Residential Amenities
- Wastewater Treatment System
- Vehicular Entrance

7.2. **Use of Structure Proposed to be Retained**

7.2.1. I consider that the key issues to be assessed in respect of the garage proposed to be retained are the impacts of the increased size of the garage over that previously permitted by P.A. Ref. 2460107 and the use of this extended structure.

7.2.2. The garage proposed to be retained comprises 70sqm. The permitted garage shown on P.A. Ref. 2460107 comprises 47sqm (drawing titled Existing Cottage and Proposed Garage; Sheet No. 103 on P.A. Ref. 2460107 refers), which represents a 23sqm increase in floor area.

General

7.2.3. The cover letter lodged with the application outlines that the application has been

prepared in response to a warning letter, and that all residential characteristics have been removed from the proposal, and the garage will only be used for motor vehicle storage and uses ancillary to the dwelling on site.

- 7.2.4. In terms of the plans and particulars on file and the existing site context as viewed on site, I note that substantial works regarding removal of built fabric to the separate existing dwelling house on site have been carried out, including demolition of previous extensions. As such the footprint of this dwelling shown on the lodged drawings would appear to be incorrect. In addition, while the permitted extension to this dwelling has not been constructed, the indicative footprint of the permitted extension is not shown on the drawings on file. As such, I do not consider that the 'As per Planning Site Layout Plan' (Drawing No. A.03.01.4) is correct with regard to this detail.
- 7.2.5. The floor plan of the garage on drawing titled 'Garage as Existing' (Drawing No. A.03.02.1) comprises rooms shown as bike store/display (31.26sqm), bike workshop, paintshop and store, plant and WC, all of which are served by windows. There is a 1.8m wide double-door entrance on the east elevation.
- 7.2.6. As viewed on site visit, it was noted that there are no windows on the south elevation, there is one small window on the west elevation and 3no. windows on the north elevation, the most westerly of which has been boarded/blocked up. The double-door entrance on the east elevation is in place. The final external finish to the structure had not been applied to all elevations at time of writing.
- 7.2.7. The 'Garage to be Retained' (Drawing No. A.03.02.3; dated 04 09 2025) submitted as Further Information shows the floor plan to comprise a bike store/display (49.36sqm), 14.25sqm storage room (in lieu of 'paintshop' shown on the application originally lodged) and separate store and plant. It shows 2no. windows on the south elevation, and 1no. on the north elevation. A wider (2.87m) outward opening entrance is shown on the east elevation, proposed to replace the current narrower access. Proposed external finish is shown on the east elevation as existing white painted sand & cement rendered block walls. All other three elevations are shown as proposed horizontal timber larch cladding.
- 7.2.8. Based on the internal layout shown on the FI 'Garage to be Retained' (Drawing No.

A.03.02.3), whereby the main bike store/display is proposed to be served by 2no. windows only, and the existing WC is shown to be omitted in this floor plan, I consider that this overall internal layout would not lend itself to being used as a habitable dwelling.

Potential Use(s) of Garage Proposed to be Retained

- 7.2.9. With regard to the planning authority's Refusal Reasons 1 and 3, I note that there are some similarities. Reason 1 refers to a lack of robust information in the form of a robust business case to support the application such that the applicant has not demonstrated a satisfactory locational need for a development of this nature at this rural unserved location. Reason 3 refers to the lack of any documentation relating to the need for the proposed structure such that the applicant has not demonstrated a need for a garage of this scale at this location, and that the proposed development would establish an undesirable precedent.
- 7.2.10. I note the FI Item 1 response confirms that the garage is not intended to be used as a commercial garage, and will only be used by the applicant for personal use.
- 7.2.11. The applicant's grounds of appeal states the garage is not for any purpose other than domestic/ancillary to enjoyment of the house, that he is a motorbike enthusiast, does not or will not be operating a motorcycle business, that he owns 10 bikes some of which are collectibles and are for 'display', are not for commercial display or resale, bike repairs and resprays to applicant's own bikes are done as a hobby and not as a business, and the garage design is not of a commercial scale or nature.
- 7.2.12. As outlined previously, the garage proposed to be retained is 23sqm larger than the 47sqm garage permitted by P.A. Ref. 2460107. The garage proposed to be retained is annotated to be 29.78m north east of the 'existing' dwelling house. I note that the drawings on P.A. Ref. 2460107 show that the permitted extension would extend approx. 21.4m north of the 'original' cottage form on site. As such, the garage proposed to be retained would be closer to the permitted dwelling house extension than the 29.78m currently annotated.
- 7.2.13. While I note the overall 70sqm large size of this garage, having regard to the internal layout shown to be amended, and in noting the information lodged with the application and the appeal relating to the applicant's use of the garage proposed to

be retained, I consider that the information provided on file is sufficient to demonstrate that the proposed development would not be used as a commercial premises. In addition, as outlined above, I note the relative proximity of the permitted house extension to the garage proposed to be retained, and that there is a single access only to the overall 0.68ha site, i.e., the garage would not be served by a separate vehicular access.

- 7.2.14. With regard to the site's location within the RA Rural Area zoning, I note that uses open for consideration include workshop, only where ancillary to an existing dwelling where it is demonstrated that the proposed activity is carried out by a resident of the dwelling, with no visiting members of the public. Subject to the development being restricted to uses incidental to the enjoyment of the dwelling house and not being used for commercial purposes, I consider that notwithstanding its relatively large size, that the garage proposed to be retained would be acceptable at this location, and would not be inconsistent with the RA Rural Area zoning in this regard. Should the Commission be minded to grant permission, it is recommended that a condition is attached restricting the use of the structure, similar to Condition 3 of P.A. Ref. 2460107.
- 7.2.15. For completeness, I note that Reason 1 in the planning authority's decision refers to development resulting in a haphazard form of development and intensification of development on a rural site. The applicant's grounds of appeal state that older structures/barns on site are not structurally sound or secure enough to operate as a garage or storage area, and that no uses are proposed to these buildings.
- 7.2.16. I note the location of the 2no. existing buildings, namely the large barn structure and the smaller stables building, a short distance to north east of the garage. Notwithstanding that there are existing outbuildings on site, I note that no new uses to these 2no. structures are proposed.
- 7.2.17. Having regard to the generous 0.68ha site size and its overall configuration which is roughly rectangular, the existing mature screening along much of east and west site boundaries and the garage's min. 35m set back from the public road, I do not consider that the provision of a 70sqm garage, which is 23sqm larger than that previously permitted (by P.A. Ref. 2460107), would result in a haphazard form of development. In addition, with regard to the use of the garage, subject to the

attachment of a condition stipulating that the garage proposed to be retained shall be restricted to uses incidental to the enjoyment of the dwelling house, I do not consider that the development proposed to be retained would result in intensification of development on a rural site.

7.2.18. In this regard I consider that the applicant has adequately demonstrated a need for a development of this nature at this location, and I do not consider that Reasons 1 and 3 of the planning authority's decision would be warranted.

7.2.19. In terms of detail, the matter of proposed timber cladding is discussed elsewhere in this report in terms of visual impact. With regard to works proposed to be retained and carried out, namely internal alterations, modifications to windows and access doors and installation of the timber cladding to 3 of the external elevations, no suggested details for a timeframe for the carrying of these works are set out in the plans and particulars on file. Should the Commission be minded to grant permission, it is recommended that the works proposed to be carried out are required to be implemented within 4 months of final grant of permission. I consider that this matter could be adequately addressed by condition.

7.3. Impacts on Visual and Residential Amenities

Impacts on Visual Amenities

7.3.1. The principle visual impact of the garage proposed to be retained would be of the south elevation, as viewed from the public road to the south of the site.

7.3.2. In terms of design and scale of the garage proposed to be retained, this garage differs from that previously permitted whereby its ridge height is very marginally lower, has a shallower pitch and has been extended to the south and to the west. These comparative details are indicatively shown on drawing Garage To Be Retained (Drawing No. A.03.02.3), submitted as Further Information. Horizontal timber larch cladding is proposed to be installed on the south, west and north elevations. The east elevation shown as sand and cement render does not face the public road. The increased size of this structure over that previously permitted would not be easily discernible from the public road. I consider that the increased building size and the proposed timber cladding would be acceptable in terms of visual impact, and that the development proposed to be retained and the proposed works would

not adversely impact on the visual amenities of the area.

- 7.3.3. In terms of detail, should the Commission consider that the timber larch cladding is not appropriate in terms of visual impact, it may wish to omit this external finish and to substitute same with an alternative finish, such as render. This matter could be addressed by way of condition.

Impacts on Residential Amenities

- 7.3.4. Having regard to the garage's location minimum 7m and 21m from the western and eastern site boundaries respectively, and the single storey nature of this structure, I do not consider that the garage's extended size would give rise to adverse impacts on the residential amenities of adjoining properties in terms of overshadowing or overlooking.
- 7.3.5. With regard to the use of the garage proposed to be retained, as outlined in the preceding section, I consider that the matter of uses being restricted to those ancillary to the enjoyment of the dwelling house could, should the Commission be minded to grant, be confirmed by condition.
- 7.3.6. I note that the planning authority's Reason 2 states that the proposed development by reason of its design, layout and use would be out of character with the existing house types and pattern of development in this rural area, that it would constitute a disorderly form of development, would seriously injure the residential amenities and depreciate the value of adjacent property and set an undesirable precedent.
- 7.3.7. However, as outlined previously, I consider that having regard to the overall site size, distance of the garage proposed to be retained from adjoining site boundaries, including its set back from the public road, I do not consider that the proposed development would result in a disorderly form of development in terms of its impacts on the visual and residential amenities of the area, and while there is an increase in the size of the garage proposed to be retained, this increased size over that previously permitted would not significantly alter the view of same from the public road. Having regard to the recent planning history of the subject site, all information on file and having visited the site, I do not consider that the development proposed to be retained would depreciate the value of adjacent property and set an undesirable precedent.

- 7.3.8. Accordingly, I do not consider that Reason 2 of the planning authority's decision would be warranted.
- 7.3.9. In terms of detail, I note that the second Planner's Report raises concerns that planting would appear to be proposed within 3m of the permitted wastewater treatment system. I note that the FI Drawing To Be Retained Site Layout Plan (Drawing No. A.03.01.5; dated 04 09 2025) shows Prunus Serrulata (Cherry Blossom) between the south elevation of the garage and the existing percolation area. While the site is relatively flat and the garage would be visible from the public road, I do not consider that screen planting at this location is required on visual amenity grounds, and accordingly, should the Commission be minded to grant, it is not recommended that a new landscape plan would be required to be submitted for the written agreement of the planning authority by way of condition in this instance.

7.4. Wastewater Treatment System

- 7.4.1. The grounds of appeal include that compliance with EPA Code of Practice 2021 is easily achievable, the applicant is happy to accept a condition requiring a landscape plan be agreed, and that the garage was permitted at the general location of the constructed garage.
- 7.4.2. The 3no. refusal reasons in the planning authority's decision on the subject appeal do not relate to the wastewater treatment system.
- 7.4.3. The first Planner's Report on file does not raise any issues relating to wastewater treatment, save for the first Planner's Report noting Refusal Reason 3 on P.A. Ref. 2460724. This report notes also that surface water is managed via a soakpit, the watercourse, which is contrary to the submitted application form. I note that the application form indicates surface water disposal is to soakpit. This is in contrast to the drawings on file which annotate existing surface water drainage pipe connected to existing watercourse.
- 7.4.4. The FI request does not include any matters relating to wastewater. The second Planner's Report regarding the FI Item 2 response notes the landscape planting would appear to be within 3m of the permitted wastewater treatment system which would be contrary to the EPA Code of Practice 2021 in terms of separation distances and could create preferential flows from tree roots.

- 7.4.5. There are no internal planning authority reports on the subject appeal case.
- 7.4.6. The drawings on file show that the garage proposed to be retained would be 4.5m north of the existing percolation area/subsurface pipework as per P.A. Ref. 2460107. This is slightly closer than that previously permitted. While the drawing titled 'As per Planning Site Layout Plan' (Drawing No. A.03.01.4) which references P.A. Ref. 2460107 does not annotate this separation distance, I estimate that the comparative distance from the previously permitted garage is approx. 6m.
- 7.4.7. As such, while the garage is slightly closer to the permitted percolation area shown, I do not consider that there is a significant difference between the location of the garage proposed to be retained in the subject appeal and that previously permitted vis-à-vis the percolation area. I do not consider that the garage proposed to be retained would be in breach of minimum separation distances outlined at Table 6.2 (Minimum separation distances from the entire DWWTS) in the EPA Code of Practice – Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10), 2021.
- 7.4.8. In terms of detail, I note documentation on P.A. Ref. 2460724 includes a second Planner's Report, which outlines in the assessment of FI Item 5 response (relating to wastewater treatment) that as the existing permitted wastewater treatment system on site does not accord with EPA Code of Practice 2021, retention permission of the 'garage' should be refused.
- 7.4.9. As discussed at Section 7.2, I consider based on all information on file, and subject to the attachment of a condition restricting the use of the garage proposed to be retained, that retention of this structure would not be in conflict with this EPA Code of Practice.
- 7.4.10. As outlined above, this issue was not raised by the planning authority in the subject appeal and does not form one of its reasons for refusal. Based on all information on file, I do not consider that refusal of permission on grounds of non-compliance with EPA Code of Practice 2021 would be warranted in this instance.

7.5. Vehicular Entrance

Subject appeal – description of development and grounds of appeal

- 7.5.1. The grounds of appeal include that there is no material issue with the proposed

entrance, it improves sightlines, moves entrance away from existing house, no traffic issues and the applicant is happy to pay for relocation of existing ESB pole at the proposed entrance.

7.5.2. However, I note that the description of development as per the public notices does not refer to a vehicular entrance. While I note that it includes ‘...and all ancillary site and other works’, I do not consider that re-positioning of a vehicular entrance comes within the scope of ‘other works’. Accordingly, as a new vehicular entrance and the closing up of an existing entrance have not been adequately described in the public notices, I do not consider that a grant of permission for same within the scope of ‘other works’ would be appropriate in this instance.

7.5.3. Furthermore, having regard to all plans and particulars on file, I note that the drawings on file do not annotate any new or modified vehicular entrance, save for a perspective drawing which is discussed further below. For completeness, I draw to the Commission’s attention the following -

- Drawing titled ‘As per Planning Site Layout Plan’ (Drawing No. A.03.01.4) shows ‘Existing site entrance’.
- Drawing titled ‘To Be Retained Site Layout Plan (Drawing No. A.03.01.5) shows ‘Existing site entrance’ in the same location as that shown on ‘As per Planning Site Layout Plan’. No details are annotated showing a ‘new’ or ‘proposed’ vehicular entrance on either drawing, nor are any poles indicated.

7.5.4. In terms of detail, on site visit I noted that there was a pole in place along the site’s roadside frontage, a short distance west of the existing vehicular entrance.

7.5.5. I note that there is a perspective drawing of the subject site on the cover sheet to the drawings lodged with the application and the FI response drawings. This drawing shows a relocated vehicular entrance in the context of the permitted extension to the dwelling house and other buildings on site. However, notwithstanding that a revised vehicular entrance location is shown on the perspective drawing, I do not consider that this drawing would form the basis on which any revised vehicular entrance would be reasonably assessed or permitted.

7.5.6. Having regard to all information on file, I consider that there are no detailed, scaled plans or particulars on file relating to a proposed vehicular entrance, or

modifications/relocation of an existing entrance. In addition, I note that there are no new or revised drawings included with the applicant's grounds of appeal.

7.5.7. Accordingly, I am satisfied that a proposed new or modified vehicular entrance does not form part of the proposed development.

7.5.8. Should the Commission be minded to grant permission to retain alterations to the garage and permission for the installation of external cladding to same, it is recommended that a condition is attached confirming that a new or re-positioned vehicular entrance is not permitted pursuant to this grant of permission, in the interests of clarity.

Vehicular entrance – recent planning history

7.5.9. However, for completeness, I highlight below for the Commission's information details of recent planning history relating to a new site entrance at this site.

7.5.10. I refer the Commission to the planning history outlined at Section 4.0 of this report.

7.5.11. The split decision on P.A. Ref. 2460107 -

- Granted permission for demolition of extension to rear of dwelling house and construct new extension, and domestic garage.
- Refused permission for barn conversion to 3no. accommodation units, for 3no. reasons

7.5.12. The description of development as per public notices includes a 'new site entrance'. New site entrance is not specified in either the 'grant' or 'refusal' split decision on P.A. Ref. 2460107, in terms of the elements described at 'Recommendation' in the Chief Executive's Order. However, Refusal Reason 3 states:

'The proposal, i.e., the conversion of an agricultural structure to 3no. residential units served by a separate entrance would result in the creation of a multiplicity of entrances in close proximity to each other which would endanger public safety by reason of traffic hazard'.

7.5.13. Accordingly, I consider that the 'new site entrance' was not granted pursuant to P.A. Ref. 2460107. This proposed entrance shown on the lodged plans and particulars on P.A. Ref. 2460107 is located at the western end of roadside frontage. A separate entrance is shown to serve the proposed extended dwelling house.

7.5.14. The subsequent P.A. Ref. 2460724 application included the 'proposed alterations to the existing site entrance (location, size and design) with new gates and piers, proposed relocation of telephone pole'. The 3no. refusal reasons did not include any traffic/transportation issues.

7.5.15. In conclusion, neither a new vehicular entrance nor modifications to the existing vehicular entrance west of the dwelling house have been permitted pursuant to the decisions on P.A. Ref. 2460107 and P.A. Ref. 2460724, and no information has been presented to demonstrate that a modified vehicular entrance has been permitted along the roadside frontage of the subject site.

7.6. Other Issue – Development Contributions

7.6.1. The 2no. Planner's Reports on file state that domestic/residential extensions below 100sqm are exempt from development contributions as per Meath County Development Contributions Scheme 2024-2029.

7.6.2. I have viewed this Development Contributions Scheme (DCS) on www.meath.ie, which I note to be effective from 1st January 2024. This DCS does not have specific contribution requirements for garages/sheds, save for a levy for conversions of garage to habitable use. While it states that exemptions and reductions shall not apply to permissions for retention of development, given that no levy is included for the provision of garages within the curtilage of a dwelling house, I consider that no development contribution would be required in this instance. Accordingly, should the Commission be minded to grant, it is recommended that no development contributions are applied in this instance.

8.0 Appropriate Assessment Screening

8.1.1. I have considered the proposed development comprising retention of alterations to garage, previously granted under P.A. Ref. 2460107 and permission to install external timber cladding to elevations of existing garage and all ancillary and other works at Mabestown, The Ward, Co. Meath, in light of the requirements S177U of the Planning and Development Act 2000 as amended.

8.1.2. The subject site comprises 0.68ha. The site is located in a rural area, and there are a number of houses to its west and one house to its east. There is a single storey

dwelling house on site, whereby much of the built fabric including the roof has been removed. There are 2 outbuildings of differing size on site, described as a barn and stables. The site is not located within or adjacent to a European site. The nearest European sites are:

- Malahide Estuary SPA (004025): 10km to east
- Malahide Estuary SAC (000205): 10km to east
- Rogerstown Estuary SAC (000208): 12km to north east
- Rogerstown Estuary SPA (004015): 12km to north east
- Baldoyle Bay SAC (000199): 16km to south east
- Baldoyle Bay SPA (004016): 16km to south east
- Rye Water Valley/Carlton SAC (001398): 14km to south west

8.1.3. The development comprises retention of retention of alterations to garage, previously granted under P.A. Ref. 2460107, whereby the garage proposed to be retained is 23sqm larger than that previously permitted (from permitted 47sqm to 70sqm), and permission to install external timber cladding to elevations of existing garage and all ancillary and other works.

8.1.4. No nature conservation concerns were raised in the planning appeal.

8.1.5. I note that a stream is shown to run in a north/south direction along the western boundary of the site. The lodged drawings show 'existing surface water drainage pipe connected to existing watercourse'. In terms of detail, in contrast the lodged application form indicates that surface water disposal is to soakpit.

8.1.6. The structure would be served by an existing connection to public watermain. There is an existing sewage treatment system and percolation area on site.

8.1.7. The planning authority considered that there are no apparent direct hydrological links from the subject site to a Natura 2000 site. It concluded that 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 sites, and considered that a Stage 2 Appropriate Assessment (Natura Impact Statement) is not required in this instance.

8.1.8. The stream shown along the western site boundary is shown on Tailte Éireann mapping (www.tailte.ie) including on historic 25inch OS mapping. This stream is not

assigned on www.catchments.ie mapping.

8.1.9. It is considered that the proposed project, individually or in combination with another plan or project will not have a significant effect on any European sites.

8.1.10. 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 nature of the proposed development
- The distance of the subject site from the nearest European site and the lack of direct hydrological connection
- Taking into account the screening determination by the planning authority

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.

9.0 Water Framework Directive

9.1.1. The assessment of proposed development with reference to the Water Framework Directive (WFD) is set out at Appendix 2.

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

10.0 Recommendation

10.1. Permission with conditions is recommended.

11.0 Reasons and Considerations

Having regard to the recent planning history of the subject site, specifically P.A. Ref. 2460107, the provisions of the Meath County Development Plan 2021-2027 as it relates to RA Rural Area zoning, the design, layout and scale of the development proposed to be retained and the proposed development, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained and the proposed development would not be injurious to the visual and residential amenities of the area, would not be prejudicial to public health and would be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1.	<p>The development shall be carried out and retained in accordance with the plans and particulars submitted with the application, as amended by Further Information received by the planning authority on 8th day of September 2025, except as may be otherwise required by the following conditions.</p> <p>Reason: To clarify the plans and particulars for which permission is granted.</p>
2.	<p>(a) The works proposed to be carried out as shown on the plans and particulars lodged with the application shall be implemented within 4 months of final grant of planning permission.</p> <p>(b) The proposed landscape planting shown directly south of the existing garage structure on drawing titled To Be Retained Site Layout Plan (Drawing No. A.03.01.5, dated 04 09 2025) and received as Further Information by the planning authority on 8th September 2025, shall not be</p>

	<p>implemented.</p> <p>Reason: In the interest of clarity and orderly development.</p>
3.	<p>The garage shall be used solely for a purpose that is incidental to the enjoyment of the dwelling on site and shall not be used as a self-contained dwelling unit, or for any business, trade, commercial activity or other non-domestic use.</p> <p>Reason: To regulate the use of the building and to protect residential amenities in the interest of the proper planning and sustainable development of the area.</p>
4.	<p>For the avoidance of doubt, no amendments to the existing vehicular entrance to the subject site are permitted pursuant to this grant of planning permission.</p> <p>Reason: In the interest of clarity.</p>

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

Cáit Ryan

Senior Planning Inspector

30 January 2026

Appendix 1 - Form 1

Form 1 - EIA Pre-Screening

Case Reference	PL-500178-MH
Proposed Development Summary	Permission to (a) retain alterations to garage previously granted under P.A. Ref. 24/60107 and (b) install external timber cladding to elevations of existing garage and ancillary and site works
Development Address	Mabestown, The Ward, Co. Meath
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	
	<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 checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.	

EIA is Mandatory. No Screening Required	
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	

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

Inspector: _____ Date: _____

Appendix 2

Water Framework Directive

Screening the need for Water Framework Directive

Assessment Determination

The subject site is located at Mabestown, The Ward, Co. Meath.

The site comprises 0.68ha and is relatively flat. There is an existing former single-storey dwelling house near the site's roadside frontage. Much of the built fabric of this dwelling including the roof and previous extensions have been removed and other site clearance works have been carried out. The garage structure subject of this appeal is set back at least 35m from the roadside frontage and 7m from the western site boundary. There are a further 2no. sheds north east of this structure, near the eastern site boundary, the larger of which is described as a barn structure.

There is an existing wastewater treatment system on site. Water connection is from public watermain.

The site plan shows a watercourse along the western site boundary, and annotates existing surface water drainage pipe connected to existing watercourse. For completeness, it is noted that the application form states that the surface water disposal is to soakpit. No soakpits/soakaways are shown on the various site plans on file.

This indicated watercourse along the western site boundary is not shown on www.catchments.ie. The nearest watercourse to the subject site on www.catchments.ie is approx. 185m south east of the site on the opposite side of L5024, namely WARD_020; IE_EA_08W010070. The EPA name for this waterbody is Irishtown 08.

However, Tailte Éireann mapping (including historic 25inch mapping) shows a (un-named) watercourse on opposite side of road to the subject site, which

continues approx. 420m in a southerly direction towards a watercourse. This watercourse to the south is also identified as WARD_020 and IE_EA_08W010070, although no EPA name is stated. This watercourse (WARD_020) flows in a north west to south east direction at this location.

The proposed development comprises of both retention and proposed development as follows -

- (a) Retention of alterations to garage, previously granted under P.A. Ref. 2460107, and
- (b) Installation of external timber cladding to elevations of existing garage and all ancillary site and other works.

The nature and scale of the development proposed to be retained and the proposed development are set out at Section 2.0 of the main report. In brief, a 47sqm garage was previously permitted at the subject site (P.A. Ref. 2460107 refers). The extended garage proposed to be retained comprises 70sqm.

No water deterioration concerns were raised in the planning appeal. The planning authority (in the second Planner's Report) considered landscaping proposals shown at Further Information stage appeared to be within 3m of the permitted wastewater treatment system which would be contrary to the EPA Code of Practice 2021. [The planning authority's 3no. reasons for refusal do not relate to this Code of Practice, wastewater treatment or the development being prejudicial to public health].

I consider that the planting proposals (submitted in the FI response to the planning authority) shown directly south of the extended garage proposed to be retained, and close to the wastewater treatment plant's percolation area, is not required to address any visual impact matters such as to screen the garage, and as such it is recommended in the main report that this proposed planting be omitted, should the Commission be minded to grant.

I have assessed the garage structure proposed to be retained and the proposed installation of the timber cladding, 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. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The small scale nature of the works proposed to be retained and the very minor nature of the proposed works, and
- The distance of any watercourse along the western site boundary to WARD_020 (IE_EA_08W010070)

Conclusion

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