



Inspector's Report

PL-500943-MH-26

Development

the development will consist of change of use of existing dwelling to 11 guest ensuite bedrooms for ancillary accommodation and all site works. Significant Further Information/Revised Plans submitted on this application

Location

Limekiln Hill , Navan , Co. Meath

Planning Authority

Meath County Council

Planning Authority Reg. Ref.

2560924

Applicant(s)

Sumbury on Thames Ltd

Type of Application

Permission

Planning Authority Decision

Grant Permission + Conditions

Type of Appeal

First Party Normal Planning Appeal

Appellant(s)

Sumbury on Thames Ltd

Observer(s)

None

Date of Site Inspection

8th May 2026

Inspector

Aisling MacNamara

1.0 Site Location and Description

- 1.1. The proposed development relates to a site containing an existing two storey Ma Dwyer's Guesthouse and an existing single dormer dwelling. Both properties are served by their own vehicular entrances to the Dublin Road.
- 1.2. The southern and northern boundaries of the site adjoin existing residential properties and the rear western boundary adjoins the open space areas of The Way housing estate development. The River Boyne flanks the eastern side of the Dublin Road. There is a bus stop to the front of the guesthouse and footpaths either side of the road.

2.0 Proposed Development

- 2.1. Permission is sought for the following:

Change of use of existing dwelling to 11 guest ensuite bedrooms for ancillary accommodation to Ma Dwyer's guest accommodation including modifications to elevations and revised internal plan layout. The works include:

- blocking up existing entrance to dwelling;
- a new mono pitch plant room / store to rear;
- provision of 17 no. car parking spaces at rear with entrance via existing entrance / exit to Ma Dwyer's;
- replace existing front boundary with stone wall to match Ma Dwyers;
- form new emergency entrance on the east side of Ma Dwyers with a designated route to the rear of the development;
- upgrade existing mains services on site;
- construct retaining wall to side and rear of site to include landscaping together with associated site works.

The area of the site is 0.39ha

The floor area of existing buildings is 357sqm.

The floor space of proposed works is 265sqm.

The proposals were revised at further information stage. The revisions include amendments to the entrance, car parking and cycle parking facilities.

3.0 Planning Authority Decision

3.1. Decision

By order dated 9th February 2026, the planning authority decided to grant permission subject to 11 conditions.

Condition 2 relates to finishes.

Condition 3 states the following:

The development hereby permitted shall be used as a guest house accommodation or as Class 6, and for no other class within Part 4 of Schedule 2 of the Planning & Development Regulations 2001-2025 and shall be maintained as a single planning unit with the existing bed and breakfast on site and shall not give rise to any subdivision or individual sale of units unless otherwise authorised by a separate grant of permission. For the avoidance of doubt this permission does not include uses as permanent residential accommodation.

Reason: In the interests of clarity and to prohibit an unacceptable change of use.

Condition 4 relates to sightlines at entrance of 49m from 2.4m setback in accordance with DMURS.

Condition 5 requires accessible car parking and access zone.

Condition 6 relates to electric vehicle charge points.

Condition 7 sets out required measures in relation to flood risk management and access works.

Condition 8 relates to surface water drainage requirements.

Condition 9 relates to waste management.

Condition 10 relates to landscaping and boundary treatment.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the Case Planner dated 21st October 2025 recommends further information.
- Further Information was requested by the planning authority on 22nd October 2025 in relation to 10 items:
 - (1) Subject property is occupied, clarify if site is already in use as accommodation in line with main Ma Dwyer's building and seek retention if required.
 - (2) Provide statement of current status of any outstanding responses to live planning applications for exemption certificates and address.
 - (3) Submit planning statement detailing how extension to permitted B&B is appropriate given current use does not align with parent permission or conditions.
 - (4) Detail the current occupancy of the existing facility.
 - (5) Provide timeline of intended occupancy and clarify if and when it is proposed to return the site to B&B use which is open to public as per parent permission.
 - (6) Clarify if any phased accommodation and public B&B use is proposed and outline how this approach is supported by planning policy.
 - (7) Proposed emergency access point may be impacted by planned works for Navan Cycle Scheme – R147 Marth's Bridge to Circular Road scheme. Consult with Council's Active Travel Section and submit revised site layout with any amendments to footpath and roadway adjacent to site to facilitate safe access and demonstrate sightlines.
 - (8) Submit revised site layout demonstrating car parking that does not result in blocked in parking.
 - (9) Submit revised cycle parking layout addressing design and quantum issues.
 - (10) May be required to readvertise if response is significant.
- Response to Further Information request received on 22nd December 2025. This was deemed significant and new public notices were advertised.

The applicant states that the existing house and bed and breakfast are currently providing temporary accommodation to Ukrainian beneficiaries of temporary protection under SI306/2022 European Union (Planning and Development)(Displaced Persons from Ukraine Temporary Protection) Regulations 2022. The applicant is now seeking

permission to extend the existing bed and breakfast and to operate it on a long term basis as a standard bed and breakfast once the temporary exemption ceases.

Notwithstanding the application, the applicant reserves the right to avail of exempted development provisions under class 14(h) and class 20F of Planning and Development Regulations 2001-2025 where applicable.

- The second report of the case planner dated 6th February 2026 recommends grant of permission.

3.2.2. Other Technical Reports

- Environment Flooding – Surface Water Section 20/10/2025

Flooding – Site is highly vulnerable development partially in flood zone B; if not refused, request further information in relation to flood issues.

Surface water treatment and disposal – development broadly meets the requirements for collection, treatment and disposal of surface water; if granted, address design issues prior to development.

- Environment Flooding – Surface Water Section 21/10/2025

Flooding – development is minor development as per OPW Guidelines and as such Justification Test does not apply. However commensurate assessment of risks of flooding needs to be undertaken. No objection to proposed retention permission subject to addressing flood related issues – provision of compensatory storage on site, safe access and details of amendments to public road/ footpath, details of vulnerable services and utilities on site, submit flood emergency action plan.

Surface water treatment and disposal – development broadly meets the requirements for collection, treatment and disposal of surface water; if granted, address design issues prior to development.

- Transportation Department

Report of 10/10/2025 recommends further information.

Report of 28/01/2026 – considers FI response and no objection subject to conditions.

3.3. Prescribed Bodies

- Health Service Executive (Environmental Health Officer)

Report of 16/01/2026 – FI response reviewed. Notes mature tree and existing green area to be removed to facilitate access and car parking arrangements. Recommends applicant submits landscaping proposals to incorporate green planting and SuDS measures to increase rainwater assimilation capacity. All water used for drinking shall be from rising main and not via storage tank. A designated waste storage area to be provided to separate storage with drainage. Use best practice to ensure building contributes to climate action, energy saving, water recycling and conservation measures.

Report of 26/09/2025 raises observations in relation to drinking water supply, waste storage, climate action design.

3.4. Third Party Observations

None received.

4.0 Planning History

- 4.1. The planner's report sets out a detailed background to the planning history. The following is of relevance:

Main Guesthouse site:

- 97/1463 – Patrick Kerrigan – grant – permission to demolish existing dwelling and erect new dwelling to include domestic & bed & breakfast accommodation & driveway
- 98/2236 – Kerrigan – grant – permission to retain 4 no. additional bedrooms as Bed and Breakfast accommodation, 4 no. additional car spaces to the front, Bed and Breakfast signage at front entrance, boiler room to the rear and general site layout
- NA50423 (ABP 17.217321, Aug 2006) – Patrick Kerrigan – grant – permission for the demolition of existing dwelling to the north side of Ma Dwyer's bed and breakfast, blocking up existing entrance to same and extending existing stone wall along front boundary. Extending existing bed and breakfast accommodation from 9 no guest bedrooms with 1 no resident's bedroom to 20 guest bedrooms and 1 no resident's bedroom, extend breakfast room and lounge which includes two storey extension to side/rear on the north side and single storey extension to rear on the south side

together with providing 13 no additional car parking spaces, bin storage area and ancillary site works. Further Information has been submitted and the changes made include reduction of no of guest bedrooms to 19.

Northern bungalow site:

- 93/907 – grant – permission to erect residence and domestic garage

4.2. The planner's report refers to Section 5 exemption certificate applications NS/25007 and NS525085. The applicants response letter at further information stage indicates that these have been withdrawn.

5.0 Policy Context/ Legislation

5.1. Meath County Development Plan 2021-2027 (includes variations 1,2 & 3)

Navan is designated a Key Town in the Settlement Hierarchy. These are large economically active service and/or county towns that provide employment for their surrounding areas and with high-quality transport links and the capacity to act as growth drivers to complement the Regional Growth Centres. The core strategy indicates that the population of Navan is targeted to increase from 30,173 in 2016 to 36,073 in 2027.

The site is zoned in the Navan settlement plan for A1 Existing Residential where the objective is *"To protect and enhance the amenity and character of existing residential communities"*. The guidance states the following: *"Lands identified as 'Existing Residential' are established residential areas. Development proposals on these lands primarily consist of infill developments 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."* 'B&B/Guesthouse' is permitted in principle.

Chapter 4 Economy and Employment Strategy

4.28 Tourism Sectors

4.29 Accommodation

4.29.2 Holiday Homes

ED POL 64 To facilitate the development of a variety of quality tourist accommodation tourist types, at suitable locations, throughout the County.

ED POL 68 To positively consider the (part) conversion of existing dwellings to Bed & Breakfasts (B&Bs) and Guest houses, to be operated by the owner-occupier of the dwelling. Applications for new build B&Bs /guest houses will in the first instance be evaluated as private dwellings and the objectives and standards applicable in that area type (e.g. large town, rural town, rural area etc) will be applied.

Chapter 11 Development Management Standards and Land Use Zoning Objectives

Section 9 Parking Standards

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

Table 11.2 Car Parking states 'B&B / Guesthouse' – 1 car space per bedroom,

Residential car parking can be reduced at the discretion of the Council, where development is proposed in areas with good access to services and strong public transport links;

Volume 2 Written Statement and Maps for Settlements

Navan

NAV OBJ 13 To support the implementation of the recommendations of the Boyne Valley Tourism Strategy.

5.2. Boyne Valley Tourism Strategy 2024-2030

Recommendations

7. Secure investment in sustainable accommodation in key tourism clusters.

MEATH: While south Meath has a stronger accommodation base across guest houses, self-catering and hotels, inc. 4 star hotels with conference spaces, this is weaker in north Meath. North Meath (Navan) is also challenged by providers (e.g., manor houses) focused upon private events over transient leisure and business tourism visitors. The low supply of accommodation with charm across the Boyne Valley was raised as a concern by professional travel buyers.

Opportunity - Attract investment in accommodation to meet the needs of independent visitors (e.g., lodge style accommodation in nature) and group visitors (e.g., quality hotels with charm within strolling distance of towns and villages) with a particular focus on Louth Drogheda and Meath Navan.

5.3. **Relevant National or Regional Policy / Ministerial Guidelines**

Development Management Guidelines for Planning Authorities, 2007

7.3 Basic criteria for conditions Certain basic criteria have often been suggested as a guide to deciding whether to impose a condition. These include whether the condition is:

Necessary;

Relevant to planning;

Relevant to the development to be permitted;

Enforceable;

Precise;

Reasonable.

In addition, it is useful before deciding to impose a condition to consider what specific reason can be given for it: if the only reason which can be framed is a vague, general one, the need for or relevance of the condition, or its validity, may be questionable.

7.3.1 Conditions should be necessary

7.3.2 Conditions should be relevant to planning

7.3.5 Conditions should be reasonable

7.6 Conditions relating to occupation of buildings

5.4. **Planning and Development Regulations 2001 (as amended)**

Article 6 Exemptions relate to classes of development in Part 1 of Schedule 2, subject to article 9.

Article 9 lists restrictions on exemptions including 9(1)(a)(i) *If the carrying out of such development would – contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act*

Article 10 sets out development consisting of change of use within any one of the classes in Part 4 of schedule 2 is exempted development subject to restrictions including (b) contravene a condition attached to a permission and (c) be inconsistent with any use specified or included in such a permission.

Schedule 2

Part 1 Exempted Development – General

Change of use

Class 14(h) and (i) relate to change of use from guesthouse to use as accommodation / reception centre for protected persons.

Temporary structures and uses

Class 20F relates to temporary use by or on behalf of the State to accommodate or support displaced persons or persons seeking international protection of certain structures.

Part 4 Exempted development – Classes of Use

CLASS 6 Use as a residential club, a guesthouse or a hostel (other than a hostel where care is provided).

5.5. **S.I. 306/2022 European Union (Planning and Development) (Displaced Persons for Ukraine Temporary Protection) Regulations 2022**

The regulations provide that the provisions of the Planning and Development Act 2000 do not apply to specific classes of temporary development carried out by, or on behalf of, a State Authority.

The classes of development include *‘residential accommodation, including ancillary recreational and sporting facilities’*

The classes of development listed in the Schedule may include the change of use and repurposing of existing buildings and facilities, and temporary new-build accommodation and structures to address the urgent need to provide emergency accommodation and support to displaced persons from the conflict in Ukraine.

The exemption expires in 2027.

5.6. **Natural Heritage Designations**

The site is within 9m of the River Boyne and River Blackwater SPA and River Boyne and River Blackwater SAC which are located to the eastern side of the Dublin Road.

6.0 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.

7.0 The Appeal

7.1. Grounds of Appeal

A first party appeal has been received from the applicant. The grounds of appeal are summarised as follows:

- The appeal is against condition no. 3. The applicant does not accept the rationale provided for the subject condition and seeks to remove the condition in order to align with the legal planning provisions.
- The condition as currently worded prohibits the applicant from availing of legal planning provisions particularly class 14 and class 20F within Part 4 of Schedule 2 of Planning and Development Regulations 2001-2025. The inclusion of the condition is unnecessary as the continued use of a guesthouse to provide accommodation to persons seeking emergency accommodation does not constitute development.
- The proposed development, as approved by the Council is to provide an extension to the existing Ma Dwyer's Guesthouse. The subject property is currently a residential dwelling and is being used to provide accommodation for Ukrainian refugees in compliance with the provisions set out under S.I. 306/2022, European Union (Planning and Development)/(Displaced Persons from Ukraine Temporary Protection) Regulations 2022, which states that the provision of the Planning Act will not apply to certain classes of development by or on behalf of a State Authority, for the purposes of providing temporary protection to displaced persons as specified in the Regulations. The existing use of both the house and main bed and breakfast constitutes exempted development in accordance with the provisions of Article 3. This is a temporary exemption after which the property would have to revert to its approved use. It is

contended that Condition 3 as currently worded prohibits the applicant from availing of legal planning provisions particularly class 14(h) and class 20F within Part 4 of Schedule 2 of Planning and Development Regulations 2001-2025. The condition is ultra vires the powers of the planning authority.

- The condition is unnecessary as the use of the guesthouse to provide accommodation on a short to medium term to persons seeking emergency accommodation does not result in a 'material change in use' and does not constitute 'development'. It is submitted there would be no discernible change to the use of the building other than the socio-economic class associated with the inhabitants occupying the building, which should not be taken into consideration. The planning authority should not include conditions prohibiting accommodation to people of particular socioeconomic backgrounds. The appeal submission includes details of court judgements and ABP decisions and Inspectors reports in support of the appellants case.
- The subject site is a permitted guesthouse which is a use that falls within class 6, Part 4, Schedule 2 of the Regulations. Reference set out of class 6 and Article 10(1) of the Regulations.
- There are no conditions on the planning permission for the original guesthouse prohibiting accommodation to people of a particular socioeconomic background. Nor do they preclude the guesthouse from accepting block bookings of rooms. The continued use of Ma Dwyers and the approved extension as a guesthouse which leases rooms to the relevant state bodies responsible for emergency accommodation complies with the planning status of the property. There is no material change of use. The proposed use does not constitute development.
- The applicant wishes to operate as standard bed and breakfast once the temporary exemption ceases.
- The condition is unnecessary as it interferes with the rights of the property owner to avail of legal planning exemptions.
- The blanket restriction imposed by condition 3 which prohibits residential accommodation regardless of its operational characteristics is unnecessarily rigid and not required for proper planning and sustainable development. Such a prohibition is disproportionate.

7.2. **Planning Authority Response**

The planning authority has responded to the grounds of appeal. The planning authority has reviewed the issues raised in the appeal submission and is satisfied that the issues have been substantively addressed in the planning reports dated 21/10/2025 and 06/02/2025. The Commission is respectfully requested to uphold the decision of the planning authority to grant permission for this much needed community facility.

Observations

None

8.0 **Assessment**

8.1. Having examined the application details and all other documentation on file, including all submissions received in relation to the appeal and inspected the site and having regard to relevant policies and guidance, I consider that the main issues in the appeal are as follows:

- determination of the appeal
- condition 3 restrictions of use

8.2. **Determination of the appeal**

- 8.2.1. This is a first party appeal against condition 3 of a grant of permission for change of use of dwelling to 11 guest ensuite bedrooms for ancillary accommodation to an existing guesthouse including associated works. Condition 3 restricts the use of the permitted development.
- 8.2.2. Where an appeal is made against a condition, section 139 of the Planning and Development Act 2000 (as amended) allows the Commission to restrict its determination to the condition only and to not carry out a de novo assessment of the proposed development.
- 8.2.3. I am satisfied that, having regard to the nature of condition 3, that the determination by the Commission of the application as if it had been made to it in the first instance would not be warranted.

8.2.4. I recommend that the Commission use its discretion and give directions relating to the attachment, amendment or removal by the planning authority of condition 3.

8.3. **Condition 3 restrictions of use**

- 8.3.1. The proposed development relates to a site that contains the existing Ma Dwyer's guesthouse on the southern part of the site and an existing dormer bungalow on the northern part of the site. The guesthouse has permission for bed and breakfast use under NA50423 (ABP 17.217321). The guesthouse contains 27 bedrooms, check in reception, guest breakfast rooms, guest lounge, kitchen, laundry room and bedding store. The existing dwelling contains 5 bedrooms. The existing guesthouse and dwelling are currently providing temporary accommodation to Ukrainian beneficiaries of temporary protection. This use is being carried out in accordance with S.I. No.306/2022 European Union (Planning and Development) (Displaced Persons from Ukraine Temporary Protection) Regulations 2022. The Regulations have been extended until 2027. Under the current application, it is proposed to change the use of the existing dwelling to provide 11 guest ensuite bedrooms for ancillary accommodation to the guesthouse including associated works. The applicant intends to operate as standard bed and breakfast once temporary protection Regulations cease, however notwithstanding wish to reserve their right to avail of exempted development provisions under class 14(h) and class 20F of the Planning and Development Regulations 2001 as amended (Schedule 2, Part 1).
- 8.3.2. In the subject application, the planning authority granted permission for the proposed change of use of the dwelling to ancillary guest accommodation subject to conditions. Condition 3 states that the development permitted shall be used as a guesthouse accommodation or as Class 6 (i.e. use as residential club, guesthouse or hostel other than where care is provided), and for no other class within Part 4 of Schedule 2 of the Planning & Development Regulations 2001-2025, that it shall be maintained as a single planning unit and that for the avoidance of doubt the permission does not include use as permanent residential accommodation.
- 8.3.3. The appeal is submitted against this condition no.3. The appellants argue that the condition interferes with their rights to use the development in accordance with the relevant Regulations which allow for use of the guesthouse to accommodate certain persons under class 14 or class 20F of Planning and Development Regulations 2001 (as amended) and that the condition is not necessary.

- 8.3.4. The Development Management Guidelines for Planning Authorities set out guidelines in relation to conditions. Section 7.3.1 states that conditions should be necessary. The Guidelines state *“It should also be borne in mind that a condition is not necessary where what is sought by the condition is clearly provided for in the plans and particulars by reference to which the permission is being granted.”* In this regard I note that the development description and drawings clearly describe that the application is for *‘change of use of existing dwelling to 11 guest ensuite bedrooms for ancillary accommodation to Ma Dwyer’s Guest Accommodation’*. I do not consider that there is any ambiguity in what the proposed use is. A standard condition is attached to permissions stating that development is to be carried out and completed in accordance with the plans and particulars submitted. Having regard to the description and the standard condition, there is clarity regarding what is being permitted. I do not consider that it is necessary to attach a condition to clarify that the permission is for development of ancillary guesthouse use.
- 8.3.5. The condition restricts the use of the guesthouse to class 6 uses only and for no other class. This restricts the use to residential club, guest house or hostel (excluding where care is provided). In principle, I do not consider that it is necessary to attach a condition to restrict the use to class 6 uses only as a change of use within class 6 is otherwise a form of exempted development (subject to restrictions) under Article 10 of the Planning and Development Regulations.
- 8.3.6. It is open to the Commission to attach a condition to restrict the use of the ancillary guesthouse to tourist use. The Meath County Development Plan contains objectives EDPOL64 and EDPOL68 to positively consider tourist accommodation including bed and breakfast and guesthouses. Objective NAV13 of the CDP is to support the implementation of the Boyne Valley Tourism Strategy. The Boyne Valley Tourism Strategy indicates that there is a particular need for quality hotels and more ‘niche’ accommodation with charm for independent visitors. The proposal for a small scale guesthouse is not within these categories and as such I do not consider that there is a particular need to restrict the use of the building to any type of tourist use only.
- 8.3.7. I also consider that restricting the use to tourist use only may restrict the applicants ability to execute the permission. The existing permission for the current guesthouse under NA50423(ABP17.217321) does not contain a condition restricting the use of the development and is currently being used temporarily to accommodate displaced persons

and is not being used for tourists. The 11 bed ancillary guest accommodation in the existing dwelling is reliant on the main guesthouse for services such as reception, breakfast rooms, laundry, guest lounge etc. There is also shared parking and an external pedestrian link connecting the two buildings. The applicant would not be able to operate the 11 bed ancillary accommodation without the services of the main guesthouse. Section 7.3.5 of the Guidelines states that conditions should be reasonable. Should a condition be attached to restrict the ancillary guest accommodation to 'tourist' use only, it would mean that the applicant would not be able to execute the permission until the use of the main guesthouse reverts back to a tourist use and use for displaced person accommodation ceases. I do not consider that this would be reasonable.

- 8.3.8. The applicant argues that condition no.3 interferes with their rights to avail of the statutory forms of exempted development. In this regard, I am not satisfied that there is justification to interfere with exempted development rights.
- 8.3.9. In light of the nature, scale and context of the development, I do not consider that it is reasonable to restrict the use of the development so that it is use or is not used certain classes. However, I do consider that a condition should be attached to ensure that the building is not used as a permanent long term residence for any future occupant.
- 8.3.10. The existing dwelling is a separate building contained within the overall development site. In the interests of orderly development, I do consider that a condition should be attached to regulate the use of the development so that the lands within the red site boundary are kept in single ownership and that the buildings are not separately let or transferred.
- 8.3.11. Having regard to the above, I recommend that condition be amended to remove the restriction specifying that it is for only guesthouse or class 6 uses and no other class, but to specify that it shall not be used as a permanent residence and that the overall site shall be kept within single ownership.

9.0 AA Screening

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or project would not be likely to give rise to significant effects on the River Boyne and Blackwater SAC and River Boyne and Blackwater SPA or any other European site in view of the

conservation objectives of those sites and Appropriate Assessment (and submission of NIS) is not required.

This determination is based on:

- scientific information provided in the screening report,
- the scale of development on fully serviced lands,
- weak pathway connections to European sites,
- possible impacts identified would not be significant in terms of site specific conservation objectives and would not undermine qualifying features
- no mitigation measures aimed at avoiding or reducing impacts are required.

10.0 Water Framework Directive

An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.

Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.

Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

I recommend that condition number 3 be amended.

12.0 Reasons and Considerations

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act 2000 (as amended) to:

AMEND condition number 3 to the following:

Prior to commencement of development the applicant shall enter into a legal agreement with the planning authority under Section 47 of the Planning and Development Act 2000 (as amended), specifying that:

- (a) The lands encompassed by the application site as outlined in red on the plans and particulars received by the planning authority shall be held in single ownership and the proposed 11 bed ancillary accommodation building shall not be used, sold, let or otherwise transferred or conveyed, save as part of the main guesthouse.
- (b) The proposed development shall not be used as a permanent place of residence by any person.

Reason: To regulate the use of the development and in the interests of orderly development.

Reasons and Considerations

Having regard to the residential land use zoning of the site in the Meath County Development Plan 2021-2027, the location of the existing dwelling on the site of an existing permitted bed and breakfast, the nature of the proposal to change the use of the existing dwelling to use as accommodation which is ancillary to the permitted bed and breakfast, and to the small scale of the proposal, it is considered that that there is no need to clarify by condition that the development is to be used only for guesthouse accommodation or class 6 use (under the Planning and Development Regulations 2001 as amended). However, it is considered necessary to amend the condition to require that the overall site is kept in single ownership and control and to require that the accommodation

is not used on a permanent long term basis as a residence, in the interests of orderly development and to regulate the use of the development.

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.

Aisling Mac Namara
Planning Inspector

8th June 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	500943
Proposed Development Summary	The development will consist of change of use of existing dwelling to 11 guest ensuite bedrooms for ancillary accommodation and all site works. Significant Further Information/Revised Plans submitted on this application
Development Address	Limekiln Hill , Navan , Co. Meath
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(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)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here

☒ 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?	
☒ 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.
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold.	EIA is Mandatory. No Screening Required
☐ 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 ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: AA Screening Determination Template Test for likely significant effects

Screening for Appropriate Assessment	
Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	The development will consist of change of use of existing dwelling to 11 guest ensuite bedrooms for ancillary accommodation and all site works.
Brief description of development site characteristics and potential impact mechanisms	Existing developed urban site in use for dwelling. Site is accessed from Dublin Road. The River Boyne (Natura 2000 sites) flanks the western boundary of the road.
Screening report	Yes 'Habitats Directive Screening of a Proposed Development in Limekiln, Dublin Road, Navan, Co.Meath (McLoughlin)' dated August 2025 Concludes: <i>It is of the opinion of the author that an AA of the proposed development is not required as it can be excluded, on the basis of objective information provided in this report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites.</i>
Natura Impact Statement	No
Relevant submissions	-
Planning authority	Planning authority concludes that the proposed project individually or in combination with another plan or project will not have a significant effect on any European site and stage 2 NIS not required.
Step 2. Identification of relevant European sites within zone of influence using the Source-pathway-receptor model	

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
River Boyne and River Blackwater SAC 002299	Alkaline fens [7230] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Lampetra fluviatilis (River Lamprey) [1099] Salmo salar (Salmon) [1106] Lutra lutra (Otter) [1355] Conservation objectives: NPWS Conservation Objective Series Dec 2021	9m	Indirect	yes
River Boyne and River Blackwater SPA 004232	Kingfisher (<i>Alcedo atthis</i>) [A229] NPWS Conservation Objective Series July 2024	9m	Indirect	yes
Step 3 Describe the likely effects of the project (if any, alone or in combination) on European sites				
AA Screening matrix				
Site name	Qualifying interests and conservation objectives	Possibility of significant effects (alone) in view of the conservation objectives of the site		

River Boyne and River Blackwater SAC 002299	As above	Construction: Removal of vegetation. Pollutant emissions impacting on water quality. Visual and noise, dust emissions. Operational: Emissions to surface water. Foul discharge – to public mains via petrol interceptor Visual and noise disturbance.	No direct impact on QI habitats or species. There are no direct surface water hydrological links between the area of development and the SAC. The Dublin Road separates the site from the SAC. Due to the developed urban nature of the site, the small size and scale of development, significant effects on QI are not likely by reason of deterioration in water quality, noise or visual intrusion.
		Likelihood of significant effects from proposed development (alone): no	
		Is there likelihood of significant effects occurring in combination with other plans or projects: no	
River Boyne and River Blackwater SPA 004232	As above	As above	No direct impact on QI habitats or species. There are no direct surface water hydrological links between the area of development and the SAC. The Dublin Road separates the site from the SPA. Due to the developed urban nature of the site, the small size and scale of development, significant effects on QI are not likely by reason of deterioration in water quality, noise or visual intrusion.
		Likelihood of significant effects from proposed development (alone): no	

		Is there likelihood of significant effects occurring in combination with other plans or projects: no
¹ Summary description / cross reference to NPWS website is acceptable at this stage in the report ² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species ³ if no connections: N		

Conclusion:

I conclude that the proposed development (alone or in combination with other plans and projects would not result in likely significant effects on European sites. No further assessment is required for the project. No mitigation measures are required to come to this conclusion.

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or project would not be likely to give rise to significant effects on the River Boyne and Blackwater SAC and River Boyne and Blackwater SPA or any other European site in view of the conservation objectives of those sites and Appropriate Assessment (and submission of NIS) is not required.

This determination is based on:

- scientific information provided in the screening report,
- the scale of development on fully serviced lands,
- weak pathway connections to European sites,
- possible impacts identified would not be significant in terms of site specific conservation objectives and would not undermine qualifying features
- no mitigation measures aimed at avoiding or reducing impacts are required.