



An
Coimisiún
Pleanála

Inspector's Report PL-501527-MH-26

Development	Permission to revise the red line site boundary
Location	Connells Cross, Bective , Navan , Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	2660346
Applicant(s)	Eimear Daly
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Eimear Daly
Observer(s)	None
Date of Site Inspection	13 th August 2026
Inspector	Aisling MacNamara

1.0 Site Location and Description

- 1.1. The site is located at Connells Cross, Bective, Navan in County Meath. The site is located within the rural area. The site contains a recently constructed house. Access is from the R161 Navan to Trim road. There are existing residential properties and a farmyard complex located to the southwest. The site is in proximity to the junction of the R161 and L4008 Robinstown road.

2.0 Proposed Development

- 2.1. Permission is sought for the revision of the red line site boundary to address condition 4(b) from that granted under previous planning permission PRR24/60887. The area of the site is 0.537ha.
- 2.2. The proposal is for a revision to the boundary line of the development.

3.0 Planning Authority Decision

3.1. Decision

By order dated 21st May 2026, the planning authority decided to refuse permission for the following reason:

Having consideration to the nature of the proposed development as indicated on the plans and particulars submitted including the construction of a domestic entrance onto the R132 which is identified as a Strategic Corridor on Map 9.2 of the Meath County Development Plan 2021-2027, the proposal is considered to materially contravene policies RD POL 38, RD POL 39 and RD POL 40 of said plan and the associated section 9.15.3 Development Assessment Criteria. Accordingly to grant the proposed development by itself, or by the precedent which the grant of permission would represent, could lead to a proliferation of similar type developments, would reduce the capacity of the road, and would interfere with the safety and free-flowing nature of traffic on the road, would adversely affect the use of the Strategic Corridor and would therefore be contrary to the above policy in the

Meath County Development Plan 2021-2027 and contrary to the proper planning and sustainable development of the area.

Note – the reference to the R132 is clerical error. This site is accessed from the R161.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the case planner of 14/05/2026 recommends refusal.

3.2.2. Other Technical Reports

- Transportation Department – recommends refusal – In accordance with CDP RD POL38 & 39 advocate against creating unnecessary or excessive individual entrances onto strategic routes to protect their capacity.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

24/60887 – Eimear Daly – Grant – permission for a new 4 bedroom two storey type dwelling, domestic garage, new entrance arrangement, waste water treatment system and all associated site works on this site. Significant further information/revised plans submitted on this application

Condition 4 (a) Prior to the commencement of development, the applicant shall submit a revised layout, for written agreement of the planning authority, demonstrating the entrance layout in compliance with TII Publication DN-GEO-03036. There shall not be any hazards within the Clear Zone. b) The existing entrance at the south of the landholding shall be permanently closed within one month of the opening of the new entrance. Reason: In the interest of traffic safety.

5.0 Policy Context

5.1 Development Plan

Meath County Development Plan 2021-2027 (as varied)

The site is located on lands zoned RA Rural Area.

Chapter 9 Rural Development Strategy

9.15.2 Regional and County Roads (Refer Map 9.2)

It is vitally important that new housing in rural areas that is located along non-national routes is located in such a manner as to avoid endangering public safety by way of a traffic hazard. There are a number of regionally and locally important functions of certain regional and county road type routes that act as particularly important transport links that traverse Co. Meath.

RD POL 38 To ensure that all development accessing off the county's road network is at a location and carried out in a manner which would not endanger public safety by way of a traffic hazard.

RD POL 39 To identify and protect those non-national roads of regional or local importance from unnecessary and excessive individual access/egress points, which would prejudice the carrying capacity and ultimately the function of the road.

RD POL 40 To restrict new accesses for one-off dwellings where the 80km per hour speed limit currently applies in order to safeguard the specific functions and to avoid the premature obsolescence of identified regional and important county link roads (see Map No 9.2.) through the creation of excessive levels of individual entrances and to secure the investment in non-national roads.

9.15.3 Development Assessment Criteria

Exceptions to the above policies relating to regional and county roads will be considered on their merits in the following circumstances:

- For those who have a location specific rural housing need on family owned lands and cannot provide access onto any other non-identified regional or county road and therefore need to access one of the regional or county roads identified on Map No. 9.2. In this circumstance, the applicant will be encouraged to maximise the potential of an existing entrance. The onus shall

be on the applicant to demonstrate that they have no other access or suitable sites within their landholding, and;

- Where an existing dwelling with a vehicular entrance that is not considered to constitute a traffic hazard is to be demolished and replaced with a new dwelling.

New development proposals onto certain regionally and locally important county road type routes that act as particularly important transport links that traverse Co. Meath shall be assessed having regard to:

- Avoiding unnecessary new accesses, for example where access could be provided off a nearby county road.
- Ensuring that necessary new entrances are located in such a manner as to provide effective visibility for both users of the entrance and users of the public roads so that opportunities for conflicting movements are avoided.
- Avoiding the premature obsolescence of regional roads in particular, through creating excessive levels of individual entrances.

Map 9.2 Management of Future Access to Strategic Corridors – shows the R161 Regional Road

5.4 Natural Heritage Designations

River Boyne and River Blackwater SAC is c 16m from the site, located on the eastern side of the R161.

River Boyne and River Blackwater SPA is c 483m from the site.

6.0 EIA Screening

The proposed development does not come within the definition of a 'project' for the purposes of EIA, that is, it does not comprise construction works, demolition or intervention in the natural surroundings. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

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

- The gate in question is not a domestic or residential entrance. This gate and portion of land is in fathers ownership and is used by father in order to gain access to the back of his house and garden. Therefore the gate cannot be permanently closed.
- The gate shares an access point onto the regional road R161 with appellant s home house. The brown gate is the gate in question. The white gate is the entrance to home house. There is large clear zone in front of both gates which member of appellants home house already use before entering R161. Therefore there will be no increase in traffic entering R162.
- The brown gate has always and is currently used when services such as fuel deliveries are provided to appellants father's house. It is vital that access to the brown gate be preserved as this is the only point of access on her father's land to the back of his house and garden.
- As part of the approved 24/60887, appellant was granted a separate entrance point to R161. Once this new entrance is functional, the brown gate in question will not be used to gain access to appellants dwelling as this not on appellant's property and is solely used for services to enter through the back of the father's house and garden.

Note a request for oral hearing was refused on 25/08/2026. The Commission concluded that the appeal can be dealt with adequately through written procedures.

7.2. Planning Authority Response

The planning authority responded to the grounds of appeal, summarised as follows:

- All matters regarding this have been previously addressed in the Executive Planners reports and the planning authority wish to rely on the content of same in response to the first party appeal.
- Request ACP uphold the decision of the planning authority.

7.3. **Observations**

None

7.4. **Further Responses**

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:

8.2. **Principle of development and traffic considerations**

8.2.1. The proposed development is located on the R161 road which is a heavily trafficked road designated under the Meath County Development Plan as a strategic corridor road and the function of the road is to be protected. The proposed development is located within the 100kph speed limit.

8.2.2. Under 24/60887, permission was granted to the applicant for a new rural house that is located within a larger family landholding shown in blue on the site location map and which contains the applicant's family / father's home to the south of the land. The family / father's home is accessed from a pre existing shared entrance with two gate access points from the R161. It appears from a review of streetview images that this entrance was constructed between 2011 and 2017 as part of the alterations to the alterations / upgrades to the road network. One gate is to the main driveway to the existing house. One gate is to the land that is the site of 24/60887 and which was originally in pasture. There is also an existing farmyard located to the northwest of the existing family house which is outside of the family landholding marked in blue.

- 8.2.3. In the assessment of the 24/60887 application, the planning authority requested further information to address issues raised by the Council's Transportation Section regarding the originally proposed access for the new house. Revised drawings were submitted at further information stage showing an altered red site boundary and access arrangements. Under the permission, the new house is to be accessed from a new entrance to the R161 located further north of the existing double shared entrance.. Condition 4 was attached as per the recommendation of the Transportation Department. Condition 4(a) requires that prior to commencement of development, the applicant submit a revised layout for agreement demonstrating the entrance layout in compliance with TII DN-GEO-03036 and that there shall be no hazards within the clear zone. Condition 4(b) requires that the existing entrance at the south of the landholding be permanently closed within one month of opening the new entrance. This relates to the gateway to the former pasture land. The applicant submitted compliance under 4(a) which was approved by the planning authority. Condition 4(b) remains outstanding and the applicant submitted a new application (the subject application) to alter this aspect of the permission. The development is currently under construction. The permitted entrance has not yet been opened up.
- 8.2.4. Under 24/60887, the use of the permitted development site changed from pasture to residential with the new house served by a new entrance. As such, the pre existing agricultural gate to the original pasture was effectively made defunct and condition 4(b) requires the closure of this gate. The applicant now wishes to retain this gate access and has submitted the subject application to alter the development boundary for the residential site so that it excludes the agricultural gate and thereby allows for the retention of this gate. The applicant states that the gate and land are in the ownership of her father and that this access is required to gain access to the back of his house and garden and is used for services such as fuel deliveries.
- 8.2.5. The planning authority has refused permission for the revised boundary as it would allow the existing gateway entrance to be retained. This refusal states that the proposal would materially contravene policies RD POL38, RD POL39 and RDPOL40 and section 9.15.3 Development Assessment Criteria and that the proposal could lead to a proliferation of similar proposals, would interfere with the safety and free flowing nature of traffic on the road and would adversely affect the use of strategic corridor. The refusal is on foot of a report from the Transportation Department

recommending refusal stating that the proposal would result in the creation of unnecessary or excess individual entrances onto a strategic route and that the 24/60887 permission was granted on the basis that the new entrance would be a replacement entrance and not an additional one and as such was not creating an additional entrance on the R161.

- 8.2.6. Along the boundary between the new house and the southern land, there are two existing gateways – one is to the rear of the applicant's fathers house and one is to the farmyard outside of the family landholding. The fathers house is served by a main access from the other gate at the entrance. The farmyard is served by a main access from the L4008 Robinstown road. The proposed drawings submitted with this subject application show that it is proposed to plant a new hedge boundary along the relocated red site boundary, thus allowing for a side access from the existing agricultural gate to the rear of the existing house and to the farmyard. There is existing access between the land at the front and rear of the house and I am satisfied that the main entrance serves the needs of the main house. I do not consider that the applicant has provided sufficient justification to show that the pre existing gate access is needed.
- 8.2.7. Objective RD39 is to identify and protect non national roads of regional importance from unnecessary and excessive individual access / egress points which would prejudice the carrying capacity and function of the road. I am satisfied that the proposal which would ultimately allow for the permitted new entrance to the permitted house, the existing main entrance to the fathers house and the existing entrance for ancillary side access to the fathers property , results in an excessive proliferation of access points without justification onto a busy strategic regional road and that this compromises the strategic function of this road. I am satisfied that the proposal contravenes objective RDPOL39 of the CDP.. The proposal would adversely affect the use and function of a major road and I consider permission should be refused.
- 8.2.8. Objective RD38 is to ensure that all development accessing off the county's road network is located and carried out in a manner which would not endanger public safety by way of traffic hazard. In this regard, the proposal does not result in any changes to the location of existing or permitted entrances and does not result in any

material intensification of use. It is not clear that there would be an additional safety risks associated with the revised boundary.

- 8.2.9. Objective RD POL40 is to restrict new accesses for one off dwellings where the 80km/hr speed limit applies in order to safeguard the function of strategic roads. In this regard, the site is located on a stretch with 100km/hr speed and in any case, the objective is to avoid creation of excessive levels of individual entrances and to secure investment in non national roads.

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements of section 177U of the Planning & Development Act, 2000 (as amended).
- 9.2. The subject site is located c 16m from the River Boyne and River Blackwater SAC, which is located on the opposite / eastern side of the R161. The River Boyne and River Blackwater SPA is c 483m from the site.
- 9.3. Having regard to the nature, scale and location of the subject development, 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 nature of the proposal, being a boundary alteration to a permitted development,
 - the lack of hydrological or ecological pathways between the subject development proposal and the European site network,
 - The location of the site separated from the River Boyne and River Blackwater SAC by the regional road and the lack of hydrological or ecological pathways between the subject development proposal and the European site network.
- 9.4. I conclude on the basis of objective information, that the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects.
- 9.5. Likely significant effects are excluded and therefore Appropriate Assessment (under section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

- 10.1. 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.
- 10.2. 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.
- 10.3. 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.
- 10.4. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

- 11.1. I recommend permission be refused.

12.0 Reasons and Considerations

Having regard to

- (i) the location of site within the rural area on the R161 and the designation of this road under the Meath County Development Plan as having a strategic corridor function,
- (ii) objective RDPOL39 to protect non national roads of regional importance from unnecessary and excessive individual access / egress points which prejudice the carrying capacity and function of the road,
- (iii) the development permitted under PRR24/60887 including the location of the permitted new entrance to serve the permitted new

house and condition 4(b) which requires that the existing entrance at the south of the landholding shall be permanently closed within one month of the opening of the new entrance,

- (iv) the nature and context of existing development in the area, including the existing entrance points to the regional road,

it is considered that the proposal to alter the development boundary of the permitted development to allow for the retention of the existing gateway entrance to south of the site, without satisfactory justification to show that this existing gateway entrance is required, would result in the creation of unnecessary and excessive access / egress points, which prejudice the function of the road. The proposed development would be contrary to objective RDPOL39 of the Meath County Development Plan 2021-2027 and would adversely affect the use and function of a major road by traffic.

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

16th September 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	501527
Proposed Development Summary	Permission to revise the red line site boundary
Development Address	Connells Cross, Bective , 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.	
☐ 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: _____