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## **Meath County Council**

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Corporate Affairs and Governance

24<sup>th</sup> September 2021

Mr. Niall Cussen,  
Office of the Planning Regulator,  
4<sup>th</sup> Floor, Park House,  
191-193A North Circular Road,  
Dublin 7, D07 EWW4

Email: [plans@opr.ie](mailto:plans@opr.ie)

Re: Adoption of Meath County Development Plan 2021-2027 – Submission Reference No. MH-C52-293

Dear Regulator,

I wish to advise you that the elected members concluded their deliberations on the Material Amendments to the Draft Meath County Development Plan 2021-2027 (Meath CDP) in accordance with S12(10) of the Planning and Development Act 2000-2021 (hereafter referred to as 'the Act') at a Special Planning Meeting held between Monday 21<sup>st</sup> September and Wednesday 22<sup>nd</sup> September.

Following conclusion of the member's deliberation the Chief Executive made the development plan pursuant to Section 12(14) of the Act.

At all times throughout the process and at the start of each session, members were reminded of Section 12(11) of the Act whereby it was stated that in making a development plan members shall be restricted to considering the proper planning and sustainable development of the area to which the plan relates and to the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being for the Government or and Minister of the Government. This advice was repeated at various stages throughout the meeting by the Chief Executive and Planning Department staff. At all times the Council's Law Agent was present to reinforce the obligations of the elected members under the legislation and to assist with any questions they had.

Members were also informed of their obligations under the Ethical Framework for the Local Government Service and the Code of Conduct for Councillors.

In accordance with Section 31AM(6)(a), I am required to notify you of the decisions made by the elected members which, in the opinion of the planning authority, do not comply with the recommendations made by your office as part of the public consultation on the Material Amendments to the Draft CDP (submission reference MH-C52-293).

In the table below, I set out all those relevant material amendments in which you made specific recommendations and where the members in their considerations under S 12(10) of the Act decided otherwise, by way of a roll call vote:

<b>OPR MA Recommendation No. 2 (A-I)</b>	
<b>Proposed Material Amendment No.</b>	<b>Ashbourne Amendment No.8 (see CE Report, Vol 02, pg 25)</b>
<b>Chief Executive's Recommendation</b>	Plan be made <u>without</u> the Material Amendment as displayed
<b>Member's determination in accordance with Section 12(10)(a)</b>	Plan be made <u>with</u> the Material Amendment as displayed
<b>Members reasons for not complying with OPR Recommendation MA 02 (a)</b>	<ul style="list-style-type: none"> <li>*No guidelines around sound</li> <li>*Engineering and natural solutions exist to eliminate sound and light from motorway,</li> <li>*Cycleway and path links will be provided to the site,</li> <li>*No history of flooding on the site</li> </ul>
<b>Result of Vote where Members were asked to Accept or Reject the Chief Executive's Recommendation</b>	Accept - 15 Reject - 19 Absent - 5

<b>Proposed Material Amendment No.</b>	<b>Athboy Amendment No.3 (see CE Report, Vol 02, pg 46)</b>
<b>Chief Executive's Recommendation</b>	Plan be made <u>without</u> the Material Amendment as displayed
<b>Member's determination in accordance with Section 12(10)(a)</b>	Plan be made <u>with</u> the Material Amendment as displayed
<b>Members reasons for not complying with OPR Recommendation MA 02 (b)</b>	<ul style="list-style-type: none"> <li>*No impact on Core Strategy</li> <li>*Intention of landowner to develop a nursing home which is a much needed service in the community,</li> <li>*No other lands available in the town for this type of development,</li> <li>*Elements of the site not in a flood zone and engineering solutions could be used as part of the development management process,</li> <li>*Site is zoned under the Meath County Development Plan 2013-2019</li> </ul>
<b>Result of Vote where Members were asked to Accept or Reject the Chief Executive's Recommendation</b>	Accept - 5 Reject - 31 Absent - 4

<b>Proposed Material Amendment No.</b>	<b>Clonard Amendment No.1 (see CE Report, Vol 02, pg 53)</b>
<b>Chief Executive's Recommendation</b>	Plan be made <u>without</u> the Material Amendment as displayed
<b>Member's determination in accordance with Section 12(10)(a)</b>	Plan be made <u>with</u> the Material Amendment as displayed
<b>Members reasons for not complying with OPR Recommendation MA 02 (c)</b>	<ul style="list-style-type: none"> <li>*Only land zoned for community with a small amount of residential for local need,</li> <li>*Proximity to the M4 corridor,</li> <li>*Good transport links,</li> <li>*Developments like this are required to keep small villages alive</li> </ul>
<b>Result of Vote where Members were asked to Accept or Reject the Chief Executive's Recommendation</b>	Accept - 1 <u>Reject - 34</u> Absent - 5

<b>Proposed Material Amendment No.</b>	<b>Bettystown/Laytown/Mornington/Donacorney (East Meath) Amendment No.5 (see CE Report, Vol 02, pg 91)</b>
<b>Chief Executive's Recommendation</b>	Plan be made <u>without</u> the Material Amendment as displayed
<b>Member's determination in accordance with Section 12(10)(a)</b>	Plan be made <u>with</u> the Material Amendment as displayed
<b>Members reasons for not complying with OPR Recommendation MA 02 (d)</b>	<ul style="list-style-type: none"> <li>*Site currently has planning permission for a driving range,</li> <li>*Need to address issues with regards to lack of tourism facilities,</li> <li>*Need to encourage tourism,</li> <li>*This is the only site available for this facility,</li> <li>*Flood issues can be addressed as part of the development management process with mitigation measures.</li> </ul>
<b>Result of Vote where Members were asked to Accept or Reject the Chief Executive's Recommendation</b>	Accept - 13 <u>Reject - 21</u> Absent - 6

<b>Proposed Material Amendment No.</b>	<b>Moynalty Amendment No.1 (see CE Report, Vol 02, pg 170)</b>
<b>Chief Executive's Recommendation</b>	Plan be made <u>without</u> the Material Amendment as displayed
<b>Member's determination in accordance with Section 12(10)(a)</b>	Plan be made <u>with</u> the Material Amendment as displayed
<b>Members reasons for not complying with OPR Recommendation MA 02 (g)</b>	<ul style="list-style-type: none"> <li>*Only available site in Moynalty that is serviced and where landowner is willing to develop,</li> <li>*Site will not compromise the Architectural Conservation Area of Moynalty and will allow for modest local development,</li> <li>*Would reduce the number of people seeking to build one-off houses in the area</li> </ul>
<b>Result of Vote where Members were asked to Accept or Reject the Chief Executive's Recommendation</b>	Accept - 2 <u>Reject - 29</u> Absent - 8 Abstain - 1

<b>Proposed Material Amendment No.</b>	<b>Navan Amendment No.5 (see CE Report, Vol 02, pg 178)</b>
<b>Chief Executive's Recommendation</b>	Plan be made <u>without</u> the Material Amendment as displayed
<b>Member's determination in accordance with Section 12(10)(a)</b>	Plan be made <u>with</u> the Material Amendment as displayed
<b>Members reasons for not complying with OPR Recommendation MA 02 (h)</b>	<ul style="list-style-type: none"> <li>*Across the road from a Strategic Employment site,</li> <li>*Adjoins existing ribbon development,</li> <li>*A link road is proposed between the Trim and Dublin roads,</li> <li>*Full services along the route,</li> <li>*Current SHD application up the road</li> </ul>
<b>Result of Vote where Members were asked to Accept or Reject the Chief Executive's Recommendation</b>	Accept - 1 <u>Reject - 34</u> Absent - 5

<b>Proposed Material Amendment No.</b>	<b>Slane Amendment No.4 (see CE Report, Vol 02, pg 227)</b>
<b>Chief Executive's Recommendation</b>	Plan be made <u>without</u> the Material Amendment as displayed
<b>Member's determination in accordance with Section 12(10)(a)</b>	Plan be made <u>with</u> the Material Amendment as displayed
<b>Members reasons for not complying with OPR Recommendation MA 02 (j)</b>	*Site is currently used for tourism purposes, *Sustainable employment on the site
<b>Result of Vote where Members were asked to Accept or Reject the Chief Executive's Recommendation</b>	Accept - 16 <u>Reject - 18</u> Absent - 6

<b>Proposed Material Amendment No.</b>	<b>Summerhill Amendment No.2 (see CE Report, Vol 02, pg 235)</b>
<b>Chief Executive's Recommendation</b>	Plan be made <u>without</u> the Material Amendment as displayed
<b>Member's determination in accordance with Section 12(10)(a)</b>	Plan be made <u>with</u> the Material Amendment as displayed
<b>Members reasons for not complying with OPR Recommendation MA 02 (k)</b>	*Only some of the site is subject to flooding and this can be addressed under the development management process, *Site is adjacent to support services for the elderly, *Close to motorway and trainline, *Core Strategy Neutral
<b>Result of Vote where Members were asked to Accept or Reject the Chief Executive's Recommendation</b>	Accept - 7 <u>Reject - 25</u> Absent - 8

<b>Proposed Material Amendment No.</b>	<b>Trim Amendment No.6 (see CE Report, Vol 02, pg 246)</b>
<b>Chief Executive's Recommendation</b>	Plan be made <u>without</u> the Material Amendment as displayed
<b>Member's determination in accordance with Section 12(10)(a)</b>	Plan be made <u>with</u> the Material Amendment as displayed
<b>Members reasons for not complying with OPR Recommendation MA 02 (i)</b>	*Tourism objective would provide motor home facilities to enhance tourism in Trim and surrounding environment, *Community facilities would allow for a much needed crematorium, *A site specific flood risk assessment has been done as part of a previous planning application, *Core Strategy Neutral
<b>Result of Vote where Members were asked to Accept or Reject the Chief Executive's Recommendation</b>	Accept - 9 <u>Reject - 20</u> Absent - 11

<b>MA Recommendation No. 3</b>	
<b>Proposed Material Amendment No.</b>	<b>Rural Development Strategy (see CE Report, Vol 01, pg 38 superseded by legal advice attached in Appendix 2)</b>
<b>Chief Executive's Recommendation</b>	Plan be made <u>without</u> the Material Amendment as displayed
<b>Member's determination in accordance with Section 12(10)(a)</b>	*Plan be made <u>with</u> the Material Amendment as displayed
<b>Members reasons for not complying with OPR Recommendation MA No. 03</b>	*Members recommended the plan be made with the material amendment pending the publication of the soon to be published Rural Planning Guidelines and a variation could be done if required, *Draft Plan does not to take into account the population increase as per the RSES , *OPR Recommendation does not recognise the needs of the people of Meath
<b>Result of Vote where Members were asked to Accept or Reject the Chief Executive's Recommendation</b>	Accept - 0 <u>Reject - 37</u> Absent - 3

\* In rejecting the Chief Executive's Recommendation, Members accepted that minor modifications would be required to the Material Amendment such as updating National Policy and references. A copy is attached in Appendix 1 of this letter.

<b>MA Recommendation No. 4</b>	
<b>Proposed Material Amendment No.</b>	<b>Ratoath Amendment No. 03 Flood Risk Management in support of OPW submission No. MH-C52-21 (see page 56 of Vol 1 of CE Report)</b>
<b>Chief Executive's Recommendation</b>	Plan be made <u>with</u> the Material Amendment as displayed <u>subject to a minor modification</u>
<b>Member's determination in accordance with Section 12(10)(a)</b>	Plan be made <u>with</u> the Material Amendment as displayed in relation to <b>Ratoath Amendment No. 3 only</b> . The Chief Executive's recommendation for all other amendments was accepted.
<b>Members reasons for not complying with OPR Recommendation MA NO. 04.</b>	* €1 million has been spent on the culvert which has alleviated any flood risk, *Will facilitate playing fields for the school
<b>Result of Vote where Members were asked to Accept or Reject the Chief Executive's Recommendation</b>	Accept - 2 <u>Reject - 34</u> Absent - 4

<b>MA Recommendation No. 5</b>	
<b>Proposed Material Amendment No.</b>	<b>Dunshaughlin Amendment No. 2 (see CE Report, Vol 02, pg 82)</b>
<b>Chief Executive's Recommendation</b>	Plan be made <u>without</u> the Material Amendment as displayed
<b>Member's determination in accordance with Section 12(10)(a)</b>	Plan be made <u>with</u> the Material Amendment as displayed
<b>Members reasons for not complying with OPR Recommendation MA NO. 05</b>	*A service station will compliment the motorway *Proposal accords with EU Policy , *NTA has been seeking to provide a similar facility in Derrockstown, *Need to bring jobs to the village, *Commuter demand on the M3, *Adjacent to the proposed train station as part of Navan Rail, * Any issues relating to flooding would be dealt with as part of the development management process, *Alternative suggested sites would not be suitable *Funded by private developer and not tax payer
<b>Result of Vote where Members were asked to Accept or Reject the Chief Executive's Recommendation</b>	Accept - 0 <u>Reject - 30</u> Absent - 9 Abstain - 1

I attach also a copy of the Chief Executive's Report, Volumes 1-3, on the Material Alterations.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Maguire', written over a horizontal line.

Jackie Maguire  
Chief Executive Officer

**Enclosed:**

Appendix 1 – Updated Chapter 9 Rural Development Strategy incorporating material amendments

Appendix 2 – Legal Advice from Council's law agent, Regan McEntee & Partners Solicitors

<http://countydevelopmentplanreview.meath.ie/stage-3-chief-executives-report-prepared-on-public-submissions/>



# **APPENDIX 1**

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## Chapter 9

# Rural Development Strategy as per Material Amendment no. 9.1 with minor modifications.

Meath County  
Development Plan  
~~2013-2019~~ **2021-2027**

Consolidated version

Volume 1  
Written Statement



comhairle chontae na mí  
meath county council



## CHAPTER ~~10-9~~ RURAL DEVELOPMENT STRATEGY

### ~~10.1~~ 9.1 Rural Development Context

County Meath is a predominantly rural county in terms of land use, with a large rural population. The rural landscape which includes scenic river valleys and rolling farmland provides a tranquil setting. Rural areas within Meath are home to a diverse range of uses ranging from agriculture and equine industries, centres of local food production, recreational and tourist activities, established villages and one-off rural housing. Ensuring the continued vitality and viability of the rural area is a significant issue for the county, particularly in terms of how best to manage sometimes competing social, economic and environmental considerations. This chapter sets out the rural settlement strategy which is informed by the Core Strategy set out in Chapter 2 of this Development Plan and the Regional Planning Guidelines for the Greater Dublin Area 2010-2022.

In addition, Meath County Council is cognisant of the Pilot CEDRA Rural Economic Development Zones (REDZ) initiative launched by the Department of the Environment, Community & Local Government in May 2015 with funding allocated for a potential 18 pilot initiatives across the country at different levels of scale. REDZ are defined as functional rather than administrative geographic areas that reflect spatial patterns of local economic activities and development processes (i.e. they are sub-county zones within which most people live and work). The pilot scheme is open to all Local Authorities in cooperation with their relevant REDZ communities and is a further source of potential funding to support rural economic development. It will be the strong intention of Meath County Council to make an application to the DoECLG for the inclusion of such a scheme in County Meath as part of the national pilot programme.

Under the REDZ Scheme Meath County Council/Meath Enterprise was successful in its application in 2015 to develop a Digital Hub at the Kells Enterprise Centre. It is intended that the Hub will then be marketed to new start-up companies to function as incubation space and as a location for training programmes in digital innovation. Funding of €75,000 has been allocated to the project.

#### Goal

To encourage the continued sustainable development of rural communities without compromising the physical, environmental, natural and heritage resources of the County.

To realise this goal, the Planning Authority has identified a series of key strategic objectives relating to the county and rural development generally, and has devised more detailed objectives specific to development types and rural area types.

#### Strategic Objectives

It is a strategic objective of Meath County Council:

RUR DEV SO 1 To support the continued vitality and viability of rural areas, environmentally, socially and commercially by promoting sustainable social and economic development.

RUR DEV SO 2 To identify and protect rural resources such as locally and regionally important aquifers and water sources from development which would prejudice their sustainable future usage.

RUR DEV SO 3 To identify and protect known or potential aggregate resources, where feasible, from development which would prejudice their sustainable future usage.

RUR DEV SO 4 To recognise the strategic roles the county will play in the regional and national context in terms of recreation, heritage conservation, natural resources and food production, and to ensure compatibility between this plan and regional and national strategies.

RUR DEV SO 5 To support the vitality and future of ~~Graigs~~ **Nodes** for rural development and ensure a functional relationship between housing in ~~Graigs~~-**Nodes** and the rural area in which they are located.

RUR DEV SO 6 To protect and enhance the visual qualities of rural areas through sensitive design.

RUR DEV SO 7 To support the continuing viability of agriculture, horticulture and other rural based enterprises within rural areas and to promote investment in facilities supporting rural innovation and enterprise with special emphasis on the green economy, in the context of sustainable development and the management of environmental resources.

RUR DEV SO 8 To support and protect the existing economic base and seek to diversify the economy through both inward investment and the promotion of agriculture, forestry and tourism- related industries in rural areas.

RUR DEV SO 9 To ensure that plans and projects associated with rural development will be subject to an Appropriate Assessment Screening and those plans or projects which could, either individually or in-combination with other plans and projects, have a significant effect on a Natura 2000 site (or sites) undergo a full Appropriate Assessment.

RUR DEV SO 10 To promote rural economic development by recognising the need to advance the long term sustainable social and environmental development of rural areas and encouraging economic diversification and facilitating growth of rural enterprises. ~~Having regard to the CEDRA Rural Economic Development Zones (REDZ) pilot initiative launched in May 2015, Meath County Council strongly supports an application to be made to the DoECLG for inclusion of a REDZ scheme in County Meath as part of the national pilot programme.~~

## ~~10.1~~ **9.2 Rural Settlement Strategy**

Meath County Council recognises the long tradition of people living in rural areas and promotes sustainable rural settlement as a key component of delivering more balanced regional development. Rural development should be consolidated within existing villages and settlements that can build sustainable rural communities as set out in the **National Planning Framework (NPF) and Regional Spatial and Economic Strategy for the Eastern and Midlands Region (RSES)**. ~~National Spatial Strategy 2002-2020 and Regional Planning Guidelines for the Greater Dublin Area 2010-2022~~. The Development Plan seeks to accommodate rural generated housing needs<sup>1</sup> where they arise, subject to local housing need criteria and development management standards. The Department of the Environment, Heritage and Local Government published Sustainable Rural Housing Guidelines for Planning Authorities in April 2005 and issued a circular SP5/08 which provides advice and guidance in relation to local need and occupancy conditions.

<sup>1</sup> Urban generated housing is housing in rural locations sought by people living and working in urban areas, including second homes / holiday homes whereas rural generated housing is defined as housing needed in rural areas within the established rural community by people working in rural areas or in nearby urban areas. Source: Guidelines for Sustainable Rural Housing

## Goal

To ensure that rural generated housing needs are accommodated in the areas they arise, subject to satisfying good practice in relation to site location, access, drainage and design requirements and that urban generated rural housing needs should be accommodated within built-up areas or land identified, through the development plan process.

## Strategic Policies

It is a strategic policy of Meath County Council:

RUR DEV SP 1 To adopt a tailored approach to rural housing within County Meath as a whole, distinguishing between rural generated housing and urban generated housing in rural areas recognising the characteristics of the individual rural area types.

RUR DEV SP 2 To ensure that individual house developments in rural areas satisfy the housing requirements of persons who are an intrinsic part of the rural community in which they are proposed, subject to compliance with normal planning criteria. An assessment of individual rural development proposals including one-off houses shall have regard to other policies and objectives in this Development Plan, and in particular Chapter 8 Section 8.6.1 9.6.7 UNESCO World Heritage Site of Brú na

## ~~10.2~~ 9.3 Rural Area Types

The Meath County Development Plan 2007-2013 identified three area types in the county following detailed research and assessment. It is considered appropriate, to retain the three area types in this County Development Plan as there has been no significant change in the characteristics of these areas or their socio-economic profile in the intervening period. Given the current economic climate and decreased number of planning applications it is considered that there remains a need to stimulate development in certain rural areas of County Meath.

The three rural area types are identified on Map ~~9.1~~ 10.1 and are described as follows:

### Area 1 - Rural Areas under Strong Urban Influence

Key Challenge: To facilitate the housing requirements of the rural community while directing urban generated housing development to areas zoned for new housing in towns and villages in the area of the development plan.

This area exhibits the characteristics of proximity to the immediate environs or close commuting catchment of Dublin, with a rapidly rising population and evidence of considerable pressure for development of housing due to proximity to such urban areas. This area includes the commuter-belt and peri-urban<sup>2</sup> areas of the county, and are the areas that are experiencing the most development pressure for one-off rural housing. These areas act as attractive residential locations for the inflow of migrants into the county.

## Policies

It is the policy of Meath County Council:

RD POL 1 To ensure that individual house developments in rural areas satisfy the housing requirements of persons who are an intrinsic part of the rural community in which they are proposed, subject to compliance with normal planning criteria.

<sup>2</sup> Peri Urban areas are parts of the open countryside that have been subjected to very high levels of urban generated adjustment.

RD POL 2	To facilitate the housing requirements of the rural community as identified while directing urban generated housing to areas zoned for new housing development in towns and villages in the area of the development plan.
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RD POL 3	To protect areas falling within the environs of urban centres in this Area Type from urban generated and unsightly ribbon development and to maintain the identity of these urban centres.
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### Area 2 - Strong Rural Areas

Key Challenge: To maintain a reasonable balance between development activity in the extensive network of smaller towns and villages and housing proposals in the wider rural area.

This area is underpinned primarily by relative levels of residential stability compared to Area Type 1 within a well developed town and village structure and in the wider rural area around them. This stability is supported by a traditionally strong agricultural economic base and the level of individual housing development activity in these areas tends to be lower than that within Area Type 1 and confined to certain areas.

This area type is to be found in rural areas along a spine from the north of the county east of and including Kells as far as Oldcastle. The environs of Athboy and Slane are also included in this category. This area has less of a tradition of urban settlement. It is under more moderate pressure for one off housing development than the areas under strong urban influence.

### Policies

It is the policy of Meath County Council:

RD POL 4	To consolidate and sustain the stability of the rural population and to strive to achieve a balance between development activity in urban areas and villages and the wider rural area.
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RD POL 5	To facilitate the housing requirements of the rural community as identified while directing urban generated housing to areas zoned for new housing development in towns and villages in the area of the development plan.
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### Area 3 - Low Development Pressure Areas

Key Challenge: To arrest population and economic decline.

This area type covers much of the north-western, western and south-western parts of the county. This area is associated with relatively high levels of residential stability above average percentages of family households and high rates of agricultural employment. In addition, it is characterised by the lowest average population densities. This area has the weakest urban structure within the county and the rural housing policy applicable should reflect same.

### Policy

It is the policy of Meath County Council:

RD POL 6	To accommodate demand for permanent residential development as it arises subject to good practice in matters such as design, location and the protection of important landscapes and any environmentally sensitive areas.
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This Development Plan identifies Policies for one off rural housing – referring to housing outside of the development boundaries of any settlements identified in the Settlement Strategy in chapter 3 (i.e. on unzoned lands/**rural area**). Meath County Council will assess applications for rural dwellings on the basis of the policies set down for each Area Type above and the criteria set out below.

### 10.3 9.4 Persons who are an Intrinsic Part of the Rural Community

The Sustainable Rural Housing Guidelines outline that Planning Authorities in formulating policies recognise the importance to rural people of family ties and ties to a local area such as parish, townland or the catchment of local schools and sporting clubs. It also delivers positive benefits for rural areas and sustains rural communities by allowing people to build in their local areas on suitable sites.

The Planning Authority will support proposals for individual dwellings on suitable sites in rural areas relating to natural resources related employment where the applicant can:

- Clearly demonstrate a genuine need for a dwelling on the basis that the applicant is significantly involved in agriculture. In these cases, it will be required that the applicant satisfy the Planning Authority with supporting documentation that the nature of the agricultural activity, by reference to the area of land and/or the intensity of its usage, is sufficient to support full time or significant part time occupation. It is also considered that persons taking over the ownership and running of family farms and/or the sons and daughters of farmers would be considered within this category of local need. The applicant shall satisfy the Planning Authority as to the significance of their employment. Where persons are employed in a part time capacity, the predominant occupation shall be farming / natural resource related. It should be noted, that where an applicant is also a local of the area, the onus of proof with regard to demonstrating the predominance of the agricultural or rural resource employment shall not normally be required.
- Clearly demonstrate their significant employment is in the bloodstock and equine industry, forestry, agri-tourism or horticulture sectors and who can demonstrate a need to live in a rural area in the immediate vicinity of their employment in order to carry out their employment. In these cases, it will be required that the applicant satisfy the Planning Authority with supporting documentation that the nature of the activity, by reference to the area of land and/or the intensity of its usage, is sufficient to support full time or significant part time occupation. The applicant shall satisfy the Planning Authority as to the significance of their employment. Where persons are employed in a part time capacity, the predominant occupation shall be bloodstock and equine industry, forestry, agri-tourism or horticulture related. It should be noted, that where an applicant is also a local of the area, the onus of proof with regard to demonstrating the predominance of the agricultural or rural resource employment shall not normally be required.

The Planning Authority recognises the interest of persons local to or linked to a rural area, who are not engaged in significant agricultural or rural resource related occupation, to live in rural areas. For the purposes of this policy section, persons local to an area are considered to include:

- Persons who have spent substantial periods of their lives, living in rural areas as members of the established rural community for a period in excess of five years and who do not possess a dwelling or who have not possessed a dwelling in the past in which they have resided or who possess a dwelling in which they do not currently reside;
- Persons who were originally from rural areas and who are in substandard or unacceptable housing scenario's and who have continuing close family ties with rural communities such as being a mother, father, brother, sister, son, daughter, son in law, or daughter in law of a long established member of the rural community being a person resident rurally for at least ten years;
- Returning emigrants who have lived for substantial parts of their lives in rural areas, then moved abroad and who now wish to return to reside near other family members, to work locally, to care for older members of their family or to retire, and;



- Persons, whose employment is rurally based, such as teachers in rural primary schools or whose work predominantly takes place within the rural area in which they are seeking to build their first home, or is suited to rural locations such as farm hands or trades-people and who have a housing need.

The Planning Authority also recognises that exceptional health circumstances may require a person to live in a particular environment or close to family support. In such cases, the exceptional health circumstances would require supporting documentation from a registered medical practitioner and a disability organisation supporting a planning application. In the absence of any significant environmental, access or traffic reasons for refusal and the proposal adheres to sensitive design and siting criteria, the Planning Authority will consider granting planning permission, subject where appropriate to conditions regarding occupancy.

Where an applicant for a one off house in the countryside can demonstrate, by the submission of documentary evidence, that their original dwelling was sold due to unavoidable financial circumstances, such applications will be considered on their individual merits, where the applicant satisfies local housing need criteria. This consideration does not override the other normal assessment criteria as set out in this Development Plan for a one off house.

Where an applicant has resided in a rural area for a considerable period of time, being a period of time in excess of the previous 10 consecutive years, in a dwelling attached to their business, such as farming, and the business inclusive of dwelling house is being sold for retirement or other circumstances, such applications will be considered on their individual merits, where the applicant satisfies local housing need criteria. The Planning Authority will facilitate preplanning consultation in such circumstances.

## ~~10.4~~ **9.5 All Areas**

### ~~10.5.1~~ **9.5.1 Development Assessment Criteria**

The Planning Authority will also take into account the following matters in assessing individual proposals for one off rural housing:

- The housing need background of the applicant(s) in terms of employment, strong social links to rural areas and immediate family as defined in Section ~~9.4~~ ~~10.4~~ Persons who are an Intrinsic Part of the Rural Community;
- Local circumstances such as the degree to which the surrounding area has been developed and is trending towards becoming overdeveloped;
- The degree of existing development on the original landholding from which the site is taken including the extent to which previously permitted rural housing has been retained in family occupancy. Where there is a history of individual residential development on the landholding through the speculative sale of sites, permission may be refused;
- The suitability of the site in terms of access, wastewater disposal and house location relative to other policies and objectives of this plan;
- The degree to which the proposal might be considered infill development.

### ~~10.5.2~~ **9.5.2 Ribbon Development**

Ribbon development is considered to be a high density of almost continuous road frontage type development, for example where 5 or more houses exist on any one side of a given 250 metres of road frontage. (Please note that in all instances where ribbon development is referred to in this Development Plan, the example contained in Appendix 4 of the Sustainable Rural Housing Guidelines for Planning Authorities as published by the DoEHLG in April 2005 shall apply). Whether a given proposal will exacerbate such ribbon development or could be considered will depend on:

- The type of rural area and circumstances of the applicant;
- The degree to which the proposal might be considered infill development, and;
- The degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the development.

Meath County Council will endeavour to arrive at a balanced and reasonable view in the interpretation of the above criteria taking account of local circumstances, including the planning history of the area and development pressures.

#### ~~10.5.3~~ **9.5.3 Occupancy Conditions**

Meath County Council is committed to attaching occupancy conditions in accordance with the Sustainable Rural Housing Guidelines and Circular SP 5/08 issued by the Department of Environment, Community and Local Government.

#### Policy

It is the policy of Meath County Council:

RD POL 7	To attach an occupancy condition to all individual one off rural dwellings, including those located in <b>Nodes Graigs</b> , on unzoned land/ <b>rural area</b> , pursuant to Section 47 of the Planning and Development Act 2000-2012, restricting the use of the dwelling to the applicant, as a place of permanent residence. The period of occupancy will be limited to a period of 7 years from the date of first occupation. No such occupancy condition shall be imposed with respect to housing located in Rural Area Type 'Low Development Pressure Area'.
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**The following amendments (highlighted in Blue Text were previously agreed by the Elected Members as part of proposed material amendment no. 9.1)**

~~10.5 — Graigs (Appendix 16)~~

~~The experience in terms of the operation of the 'Graig' policy since the 2007 County Development Plan was adopted has been mixed and given the household allocation for Meath in the Regional Planning Guidelines (and as allocated within Chapter 3 Settlement and Housing Strategy) it is recognised that there may be some scope to facilitate the development of housing within Graigs where the applicant can demonstrate a local housing need in accordance with the policies and Development Assessment criteria set down for the relevant rural area type above and the policies set down below:~~

~~Objectives~~

~~It is the objective of Meath County Council:~~

<del>RD-Obj-1</del>	<del>To support Graigs located across the County in offering attractive housing options to meet the needs of the established rural communities and to support existing local community facilities such as schools, post offices etc.</del>
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<del>RD-Obj-2</del>	<del>To seek to ensure that new residential development in Graigs is in accordance with 'the Meath Rural Design Guide' and is of a design and layout compatible with the character of its setting. Suburban type developments will not be permitted.</del>
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~~Policy~~

~~It is the policy of Meath County Council:~~

<del>RD-POL-8</del>	<p><del>To ensure that the provision of housing in all Graigs shall be reserved for persons who are an intrinsic part of the rural community and comply with the local housing need criteria and policies set down within the relevant rural area type in this Chapter.</del></p> <p><del>The following exceptions may apply:</del></p>
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- (a) Where a person cannot secure an appropriate site in their native rural area consideration will be given to permission for a rural dwelling within a Graig (maximum distance of 10km from the family home);
- (b) Where a person previously owned a dwelling and is no longer in possession of that dwelling due to unavoidable financial circumstances.

#### 9.5.4 Rural Nodes

The housing needs of those members of the rural community who are not part of the agricultural/horticulture community as set out at section 9.3 will be facilitated in the extensive network of rural nodes.

The majority of rural nodes, (see Table 9.2) comprise largely of unserved rural areas with limited social and community infrastructure. Rural nodes are designated for limited development at a sustainable scale for immediate local need through the development of clusters. It is anticipated that each rural node can cater for a small population increase from their current population base over the period of the Plan.

Consideration of planning applications for development within the nodes will have regard to the role and form of the node within the wider rural area with particular care being taken that these settlements do not compete with designated villages in the services they provide or the role and function they play within the rural area.

Detailed siting and design guidance including best practice examples and layouts in terms of the development of the rural nodes will be provided in the Meath Rural House Design Guide when reviewed.

The Council will support infill development on appropriate sites in rural nodes which make the most sustainable use of serviced land and existing public infrastructure. The Council will also promote the clachan tradition of clustering houses together in the modern context. Cluster Housing Schemes in rural nodes should be developed in a sustainable way respecting the unique aspects of the village and the site itself, whilst also responding to current economic and social needs.

Residential use of the upper floors of commercial properties is positively encouraged and can make a positive contribution to the regeneration of rural nodes. Where external alterations are proposed to facilitate the conversion of existing premises to residential use these will only be permitted where they are in keeping with the host building and the character of the surrounding rural area in terms of design, scale and use of materials.

**Table 9.2 Rural Nodes**

<b>Ashbourne MD - Rural Nodes</b>
<b>Ardcath</b>
<b>Bellewstown</b>
<b>Clonalvy</b>
<b>Curragha</b>
<b>Cushinstown</b>
<b>Edoxtown</b>
<b>Lismullin</b>
<b>Oberstown</b>

<b>Kells MD - Rural Nodes</b>
<b>Ballinacree</b>
<b>Ballinlough</b>
<b>Castletown</b>
<b>Cortown</b>
<b>Dromone</b>
<b>Drumbarragh</b>
<b>Fordstown</b>
<b>Kilallon</b>
<b>Kilbeg</b>
<b>Kilberry</b>
<b>Kilskeer</b>
<b>Meath Hill</b>
<b>Newcastle</b>
<b>Oristown</b>
<b>Rathkenny</b>
<b>Rathmore</b>
<b>Teervurcher</b>
<b>Wilkinstown</b>

<b>Laytown-Bettystown MD - Rural Nodes</b>
<b>Yellow Furze</b>

<b>Grangegeeth</b>
<b>Lobinstown</b>
<b>Monknewtown</b>
<b>Newtown</b>

<b>Navan MD - Rural Nodes</b>
<b>Bective</b>
<b>Bohermeen</b>
<b>Boyerstown</b>
<b>Robinstown</b>

<b>Ratoath MD - Rural Nodes</b>
<b>Batterstown</b>
<b>Culmullin</b>
<b>Drumree</b>
<b>Dunsany</b>
<b>Kilcloon</b>
<b>Kiltale</b>
<b>Moynalvy</b>

<b>Trim MD - Rural Nodes</b>
<b>Ballinabrackey</b>
<b>Castlejordan</b>
<b>Coole</b>
<b>Dunderry</b>
<b>Kilbride</b>
<b>Killyon</b>
<b>Hill of Down</b>
<b>Rathcore</b>

## Policies

It is the policy of the Council:

**RUR-POL-15 RD POL 8**

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

Detailed documentary evidence shall be submitted to support the foregoing applications as follows:

- Completed Local Housing Needs Assessment Form;
- Details of all places of residence of the applicant over the previous 5 years;
- Documentary evidence of the applicants Intrinsic Links to the area which shall include, where applicable, : Copy of applicant entry on Electoral Register, Evidence of attendance at Local School confirmed in writing by the School, Evidence of Membership of local community/sports groups; letter from a Financial Institution confirming address, Utility bills confirming address.
- Health/ Financial/Unacceptable accommodation circumstances (Refer to RURPol 11- 13.)

The Planning Authority may seek additional information to that set out above if considered necessary.

### Objectives

It is the objective of the Council:

**RUR-OBJ-14 RD OBJ 1**

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

**RUR-OBJ-15 RD OBJ 2**

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

**RUR-OBJ-16 RD OBJ 3**

To promote the development of central brownfield sites in rural nodes, if existing, as appropriate. Suburban type developments or multiple housing developments will not be permitted.

**RUR-OBJ-17 RD OBJ4**

All development in rural nodes should take cognisance of the prevailing scale, pattern of development and services availability.

~~RUR OBJ 18~~ **RD OBJ 5**

To promote the development of local craft/artisan facilities in Rural Nodes, of a design and layout reflective of its rural setting.

~~RUR OBJ 19~~ **RD OBJ 6**

To promote the provision of childcare facilities within rural nodes to meet local demand and encourage the location of such facilities near schools where possible.

~~RUR OBJ 20~~ **RD OBJ 7**

To encourage the provision of local small-scale convenience shops, exclusive of service stations, at an appropriate scale in rural nodes where there is a clear deficiency in retail provision, subject to the protection of residential amenity and the rural character of the area.

~~RUR OBJ 21~~ **RD OBJ 8**

To require the provision of high quality, durable, appropriately designed, secure boundary treatments in rural nodes reflective of the rural environment in all developments.

~~RUR OBJ 22~~ **RD OBJ 9**

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

~~RUR OBJ 23~~ **RD OBJ 10**

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

~~RUR OBJ 24~~ **RD OBJ 11**

To require that infill proposals accord with the relevant Development Management Standards contained in this Plan and should contribute positively to the renewal of these areas and to the established character and amenities of the area.

~~RUR OBJ 25~~ **RD OBJ 12**

To promote residential use above shops and other business premises subject to compliance with the relevant Development Management Standards s contained in this Plan

~~RUR OBJ 26~~ **RD OBJ 13**

To promote the clachan tradition of clustering houses together in rural nodes while respecting the unique aspects of the node and the site itself. An overall indicative scheme layout shall be provided as part of the first planning application on the subject landholding.

~~RUR OBJ 27~~ **RD OBJ 14**

To require the provision of footpaths and public lighting as part of residential development in rural nodes, as appropriate.



**RUR OBJ 28 RD OBJ 15**

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

## 10.6 9.6 Rural Residential Development: Design and Siting Considerations

Traditional buildings in the countryside evolved in response to their setting and function on the land. They blend sympathetically with their surroundings and do not appear incongruous in the landscape. It is essential that similar care is exercised in the siting and design of new buildings to ensure that they too can integrate harmoniously with their surroundings and thereby protect the amenity and character of the countryside of County Meath. Meath County Council has prepared design guidelines for rural houses and it is the policy of the Council to implement these guidelines through the development management process. The guidelines are included in Appendix 13 15 of the Development Plan.

### Policy

It is the policy of Meath County Council:

RD POL 9	To require all applications for rural houses to comply with the 'Meath Rural House Design Guide'.
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The determination of whether a new building integrates into the landscape is not a test of invisibility; rather it requires an assessment of the extent to which the development of the proposed site, including necessary site works, will blend in unobtrusively with its surroundings.

The main criteria against which the degree of visual impact will be considered include;

- The location of the site within the landscape, the position of the building within the site and its relationship with surrounding buildings. This will help determine whether the development will be a prominent feature in the landscape;
- The attributes of the site and its landscape surroundings and whether these provide sufficient enclosure for the new building. This includes the existence or otherwise of natural boundaries and/or a visual backdrop, and whether there is any intervening vegetation or natural features between the site and critical views; and
- The suitability of the design of the building for the site and its locality, including its form, scale and massing.

The assessment of integration will be judged from critical views along stretches of the public road network, shared private lane-ways serving existing or approved dwellings, public rights of way and other areas of general public access and assembly.

New buildings that would read as skyline development or occupy a top of slope/ridge location or otherwise be a prominent feature in the landscape will be unacceptable.

New buildings should be sited to take advantage of the opportunities afforded by existing mature planting, hills, slopes or other natural features to provide suitable enclosure. These features can provide a visual backdrop to development and equally where located in the foreground between the site and critical views can assist integration by filtering views of the new building. A group of existing buildings, such as a farm complex may also provide an opportunity to sensitively integrate a new building provided this does not adversely impact on rural character.

Where trees provide enclosure or a backdrop to a site they should be retained and where necessary augmented by new planting with native or other species characteristic of the area. This

will assist the integration of the new building and help promote biodiversity. Care should be taken to ensure that an appropriate distance is maintained between tree root systems and building foundations, so neither is compromised.

While new tree planting for integration purposes will be considered together with existing landscape features, new planting alone will not be sufficient. A building on an unacceptable site cannot be successfully integrated into the countryside by the use of landscaping. New planting will inevitably take a considerable length of time to mature and in the interim will not mitigate the impact of new development. Similarly a new building that relies on significant earth works, such as mounding or cut and fill for integration will be generally unacceptable.

Due to the widespread views generally available in flat landscapes or exposed hill areas, it is all the more important to ensure that new buildings integrate well with their surroundings. In such areas, poor siting and design carries with it a greater potential for adverse impact on visual amenity and rural character. Particular care is therefore required in site selection so that new buildings will integrate into these landscapes.

#### ~~10.7.1~~ 9.6.1 Access and Other Ancillary Works

New accesses are often a visible feature of development in the countryside and on occasion can be more obtrusive than the building itself, particularly if they include ornate walls, gates and fencing.

All new access drives and services, such as electricity and telephone lines, should be run unobtrusively alongside existing hedgerows or wall lines and should be accompanied by appropriate landscaping measures. Access driveways should respect site contours and cross them gently, thus integrating the building with its entrance and site. Sweeping driveways which create a suburban emphasis and access arrangements, will not be acceptable.

While adequate visibility at the road access is necessary in the interests of road safety, access driveways surfaced in tarmac and with concrete kerbing can look out of place in the countryside and less formal solutions should be sought.

The traditional field pattern should be preserved and roadside and field boundary hedges and stone walls retained or reinstated following any access works. Retention or reinstatement of boundaries, hedges and walls and the provision of gates and piers in keeping with the character of the area is an important element in mitigating the impact of new development and where necessary will be controlled by condition.

The provision of external lighting to serve dwellings requires careful consideration in order to meet the functional requirements of residents while remaining in character with the rural area. Floodlighting can result in light pollution and may have adverse impacts on the fauna of an area while ornate, suburban style garden lighting may also be inappropriate in a rural context. Where considered necessary, the Planning Authority may attach conditions to grants of permission stipulating what type of lighting should be provided.

#### ~~10.7~~ 9.7 Agriculture

County Meath's rich pasturelands support a wide variety of farming types. Agriculture has traditionally been the most important contributor to the rural economy of County Meath. While it may now provide less employment, it still remains important as a significant source of income and employment in rural areas. Furthermore, it is recognised that the agriculture sector plays an important role in environmental management and landscape protection and can play a central role in maintaining and enhancing the quality of the rural countryside.

~~EU Common Agricultural Policy (CAP) is being reviewed and will inform the future output and production activities of the sector. In order to meet this challenge farms will need to become more viable entities, adaptable to change and subject to more environmentally sustainable practices.~~

**10.8.1 9.7.1 Employment in Agriculture**

According to the Meath County Development Board 'Meath Working Together 2009-2012 - A Review of 'Le Cheile - An Integrated Strategy For Meath to 2012' and 'Meath in Transition 2005-2008', the number of people working in Agriculture, Forestry and Fishing (AFF) in County Meath has reduced significantly since 1991. In 1991 there were 5,823 working in the industry, this figure has reduced to 3,674 in 2006. 73% of the AFF workforce is employed within the county and 7% are commuting to surrounding counties.

To sustain rural communities, farm diversification and new employment opportunities will be required. In recent years there has been significant growth in the demand for fresh local produce and the development of allotments. Further development in horticulture and in value added food and agricultural enterprises are sectors with opportunities for growth. Specialist beef production and Intensive dairying are the most common types of farming. Meath is the country's second most important centre for the bloodstock industry, after County Kildare. The equine industry is important both economically and culturally. According to the 'Directory of the Turf' there are 54 stud farms in Meath. Fairyhouse Racecourse, Navan Racecourse and Tattersalls Bloodstock Auctioneers are highly prominent enterprises in the area. Race meetings are also held in Bellewstown and Laytown. Bloodstock and sport-horse enterprises generate employment directly and also through other associated enterprises and sectors such as tourism.

Agriculture will continue to be an important component of the economy. The agricultural sector must adapt to the challenges posed by modernisation, restructuring, market development and the increasing importance of environmental issues. An economically efficient agricultural and food sector, together with forestry, sensitive exploitation of natural resources and diversification into alternative on-farm and off-farm activities, are essential components of the development of the rural economy.

**Goal**

To maintain a vibrant and healthy agricultural sector based on the principles of sustainable development whilst at the same time finding alternative employment in or close to rural areas to sustain rural communities.

**Policies**

It is the policy of Meath County Council:

RD POL 10	To encourage and facilitate agricultural diversification into agri-businesses such as organic foods, rural tourism and small to medium sized enterprises subject to the retention of the holding for primarily agricultural use and the proper planning and sustainable development of the area.
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RD POL 11	To protect the economic and social benefits of local country markets devoted to the sale of local agricultural and craft produce and to support their role as visitor attractions.
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RD POL 12	To facilitate the development of agriculture while ensuring that natural waters, wildlife habitats and conservation areas are protected from pollution.
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RD POL 13	To protect agricultural or agri-business uses from unplanned and/or incompatible urban development.
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## 10.8 9.8 Agricultural Development

### 10.9.1 9.8.1 Agricultural Buildings

The provision of well located structures and facilities necessary for good and environmentally sound agricultural practice shall be supported by the Planning Authority. The suitability of a given proposal will be determined by the following factors:

- The provision of buildings to a design, materials specification and appearance and at locations which would be compatible with the protection of rural amenities. Particular attention should be paid to developments therefore in sensitive landscapes as identified in the Landscape Character Assessment (Refer to Appendix 5 7);
- The availability of an effective means of farm waste management to ensure nutrient balancing between application of farm wastes to land and its balanced uptake by agricultural use of land;
- Whilst the Planning Authority recognises the primacy in land use terms of agriculture in rural areas and that the presence of individual housing should not impinge unduly on legitimate and necessary rural activity, regard should also be had to the unnecessary location of major new farm complexes proximate to existing residential development.

### 10.9.2 9.8.2 Intensive Agriculture

The requirements of the preceding section will be applied to intensive agri-business proposals in the pig and poultry sectors. Whilst the Planning Authority recognises the role of this sector to contribute towards national economic targets and the economic well being of the county in general, it is vital that the environmental qualities of the county are recognised in such proposals and protected accordingly. The scale and intensity of such activities within a limited area and the appropriateness of the activity in relation to the quantum of waste generated and its effect on the area is an important consideration in assessing development proposals for intensive agriculture. This applies in particular where the management of nutrients would be located in areas identified as major aquifers and which would be vulnerable to contamination of ground water.

### 10.9.3 9.8.3 Alternative Agri-Enterprise

The Planning Authority shall support proposals for agri-tourism developments such as farmhouse guest accommodation, equestrian centres, outdoor pursuit centres and other similar activities including small-scale craft activities where normal development criteria in relation to satisfactory access, appropriate location and design and waste management are observed.

Whilst the Planning Authority would encourage and endeavour to facilitate the expansion and diversification of agriculture, some agri-business activities may be more appropriately located within serviced settlement centres on lands identified for such uses in the Local Area Plans, where piped wastewater disposal facilities are available. Detailed policies on economic development within rural areas are included in Chapter 4 Economic Development.

### 10.9.4 9.8.4 The Informal Horticulture Sector

Allotments are becoming increasingly popular and play an important function in serving communities. Private landowners have a role in providing this resource and service which promotes sustainable living. Allotments shall be located such that they do not have an adverse impact on the safety and capacity of the surrounding road network, and shall be designed and sited to have a minimal impact on the surrounding landscape. (For further information on Allotments refer to Section 11.7.6)

#### Policy

It is the policy of Meath County Council:

RD POL 14	To support the development of appropriately located allotment development, in areas which have good access to and are proximate to built up and residential areas.
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## 10.9 9.9 Forestry

Forests and woodlands play an important role within the Greater Dublin Area in terms of supporting rural employment and rural diversity, climate change management and carbon sequestration, biodiversity and as a source of renewable/alternative energy sources. Forests and woodlands have a significant recreational and amenity value. ~~County Meath has one of the lowest ratios of planted area in the state. In 2007, c. 9,710 ha of the county was in forest cover which accounts for only 4.1% of the county<sup>3</sup>. The Forest Service published an Indicative Forest Strategy in 2008 which provides information on how much land is potentially available for afforestation, where it is, how productive it is, how it is currently being used and what type of forestry might be suitable there. It contains a map which gives an overview of all the opportunities and constraints which exist for forestry in Ireland, at a national level. Further growth in forestry plantation will need to take into account potential impacts on water quality and biodiversity.~~

The introduction of large scale forestry areas can have negative impacts on an area if they are not in harmony with the surrounding environment. Forestry activities must be appropriate in terms of nature and scale to the surrounding area, so they are not visually obtrusive on the landscape or cause damage to important habitats or the ecology of the area. The use of native species or broadleaf/conifer mixture and age class diversity can enhance the visual impact and biodiversity of forests. In order to facilitate guidance on areas which contain opportunities for the creation of new woodland and areas which might be sensitive to new forestry proposals, the Landscape Characterisation Assessment of the county should be consulted (Appendix 5 7). There are several areas of commercial forestry in County Meath but it is not currently a widespread land use. There are already some young plantations in parts of the County which are a likely result of farm diversification. Coniferous plantations are significant and long-term landscape features which should be located sensitively. If located in prominent or highly visible locations they will change the traditional farmed appearance of the landscape and may attract attention from long distances. They have the potential to adversely affect scenic value, biodiversity and archaeological features.

At all times, the recommendations of the Department of Agriculture, Food and the Marine and the Department of **Housing, Local Government and Heritage** ~~Arts, Heritage and the Gaeltacht~~ guidelines on forestry and fisheries, archaeology and landscape, will be adhered to. In addition, the Planning Authority will encourage the provision of public access to new forests through walking and bridle paths, recreational areas and other similar facilities. The appropriateness of a given site will also be determined by reference to any effects upon established housing which might be enveloped and the proposed manner of transporting harvested timber and the adequacy of transport routes for haulage.

### Goal

To develop forestry to a scale and in a manner which maximises its contribution to the economic and social well being of the County on a sustainable basis and which is compatible with the protection of the environment.

### Policies

It is the policy of Meath County Council:

RD POL 15	To encourage sustainable forestry development, which is planted, managed and harvested in accordance with the Forest Service Guidelines for Landscape, Forest Harvesting and Environmental, Archaeology, Biodiversity and Water Quality.
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RD POL 16	To promote forestry development of appropriate scale and character whilst ensuring that the development does not have a negative visual impact on the countryside or cause pollution or degradation to wildlife habitats, natural waters or areas of ecological importance.
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<sup>3</sup> National Forest Inventory, Forest Service (2007)

RD POL 17	To encourage the provision of public access to new forests through walking and bridle paths, recreational areas and other similar facilities.
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RD POL 18	To promote the avoidance of deforestation or commercial afforestation within Natura 2000 sites unless directly relating to the management of the site for its qualifying interests.
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### Objectives

It is an objective of Meath County Council:

RDOBJ16	To co-operate with the Forest Service of the Department of Agriculture, Food and the Marine to encourage and promote the preparation and implementation of an Indicative Forest Strategy for the County.
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RDOBJ17	To continue to involve the Local Authority in the NeighbourWood Scheme and to identify areas at local level that are suitable for such schemes.
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### ~~10.10~~ 9.10 Tree Preservation

Throughout the county, series of trees or groupings of trees have been identified as being of particular importance or value to the area. As a means of protecting these areas of planting, Tree Preservation Orders (TPOs) have been made for a number of sites (Map 9.3 ~~10-2~~). In 2011, Meath County Council in conjunction with the Heritage Council commissioned the County Meath Tree, Woodland and Hedgerow Survey. During the course of field surveys of woodlands and parklands, a number of trees were surveyed including the trees and groups of trees protected under TPOs. The survey details the location of notable trees in County Meath classified according to the nature of their heritage value and recommends that these trees be afforded protection by Meath County Council under TPOs.

Notwithstanding the existence of TPOs, it is recognised that in some instances tree felling will be unavoidable over the life of the Plan. Where felling of trees is unavoidable, new planting will be required and the planting of native species will be encouraged. The Planning Authority will consult with the Department of Agriculture, Food and the Marine advisors regarding its recommendations on Tree Felling Licence applications.

### Objective

It is an objective of Meath County Council:

RDOBJ18	To review and update the current list of TPOs and explore the option of making additions having regard to the recommendations set down in the <i>County Meath Tree, Woodland and Hedgerow Survey (2011)</i> and having due regard to the Council's policies and objectives elsewhere in this County Development Plan.
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### Policies

It is the policy of Meath County Council:

RD POL 19	To consider the preservation of any tree, trees or groups of trees or woodland of special amenity or environmental value by use of Tree Preservation Orders.
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RD POL 20	To require the submission of landscape plans where appropriate to accompany planning applications for rural development prepared by competent professionals and to promote the use of native trees for boundary treatment and shelter belts.
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## 10.11 9.11 Extractive Industry and Building Materials Production

Meath County Council acknowledges the need for extractive industries in terms of supply of aggregate materials for the construction sector, delivering transport infrastructure projects, and for the export market. However, the potential for conflict in the operation of these industries with wider environmental issues needs careful consideration. By their nature, aggregates can only be worked where they occur. The cost of haulage affects economic competitiveness in this sector. This inevitably leads to conflicts and environmental concerns. Extractive industries by their nature can give rise to detrimental environmental and residential amenity effects including traffic generation, vibration, dust, noise, water pollution, visual intrusion and loss of ground water supplies. The impact on the road network of the County is significant.

Meath contains a variety of natural resources such as building raw materials in the form of sand, gravel, stone reserves including high purity limestones and shale used in cement and magnesia manufacture and base metal deposits. The potential of these resources to underpin construction output and provide employment and economic growth in the local and regional economy is recognised as is the need to exploit such resources in an environmentally sound and sustainable manner.

The RPGs require development plans to map key natural aggregate resources. The wide distribution of resources is recognised and particular known deposits and sites have been mapped by Geological Survey of Ireland (GSI) in 2004. The GSI Aggregate Potential Mapping illustrates potential crushed rock and sand and gravel deposits and assesses the interactions between the development of these resources and future land uses. These maps are acknowledged as not being exhaustive and additional reserves may adjoin those shown on Map 9.5 10.3 and 9.6 10.4. Guidelines for Planning Authorities on Quarries and Ancillary Activities were published by the DoEHLG in 2004. A number of other guidelines relating to quarrying have been produced by various bodies for example 'Geological Heritage Guidelines for the Extractive Industry' (GSI), 'Institute of Geologists of Ireland Environmental Impact Statements Guide' and 'Wildlife, Habitats and the Extractive Industry' (Notice Nature).

Meath County Council has undertaken an examination of quarries within its administrative area in accordance with section 261A of the Planning and Development Act 2000 as amended 2000-2012 to determine whether development was carried out which would have required Environmental Impact Assessment (EIA) or Appropriate Assessment (AA) having regard to the Environmental Impact Assessment Directive and the Habitats Directive. The Department of Environment, Community and Local Government published Guidelines for Planning Authorities on Section 261A of the Planning and Development Act, 2000 and related provisions in January 2012.

### Goal

To facilitate adequate supplies of aggregate resources to meet the future growth needs of the County and the wider region while addressing key environmental, traffic and social impacts and details of rehabilitation.

### Policies

It is the policy of Meath County Council:

RD POL 21	To ensure that projects associated with the extractive industry carry out screening for Appropriate Assessment in accordance with Article 6(3) of the E.C. Habitats Directive, where required.
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RD POL 22	To facilitate the exploitation of the county's natural resources and to exercise appropriate control over the types of development taking place in areas containing proven deposits, whilst also ensuring that such developments are carried out in a
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	manner which would not unduly impinge on the visual amenity or environmental quality in the area.
RD POL 23	To support the extractive industry where it would not unduly compromise the environmental quality of the county and where detailed rehabilitation proposals are provided.
RD POL 24	To seek to ensure that the extraction of minerals and aggregates minimise the detracting from the visual quality of the landscape and do not adversely affect the environment or adjoining existing land uses.
RD POL 25	To ensure that the extractive industry and associated development minimises adverse impacts on the road network in the area and that the full cost of road improvements, including during operations and at time of closure, which are necessary to facilitate those industries are borne by the industry itself.
RD POL 26	To ensure that all existing workings shall be rehabilitated to suitable land uses and that all future extraction activities will allow for the rehabilitation of pits and proper land use management. The biodiversity value of the site should be considered in the first instance when preparing restoration plans. Where landfilling is proposed, inert material is the preferred method. Each planning application shall be considered on a case by case basis and where relevant will be dealt with under the relevant regional Waste Management Plan.
RD POL 27	To ensure that development for aggregates / mineral extraction, processing and associated processes does not significantly impact in the following areas: <ul style="list-style-type: none"> <li>i. Existing &amp; Proposed Special Areas of Conservation (SACs);</li> <li>ii. Special Protection Areas (SPAs);</li> <li>iii. Natural Heritage Areas and Proposed Natural Heritage Areas;</li> <li>iv. Other areas of importance for the conservation of flora and fauna;</li> <li>v. Areas of significant archaeological potential;</li> <li>vi. In the vicinity of a recorded monument, and;</li> <li>vii. Sensitive landscapes.</li> <li>viii. World Heritage Sites.</li> </ul>

## ~~10.12~~ 9.12 The Meath Gaeltachts/Gaeltachtaí na Midhe

County Meath contains two separate Gaeltachts that have been officially designated by the Department of Community, Rural, and Gaeltacht Affairs namely (a) Rathcairn, three miles south east of Athboy and (b) Baile Ghib, six miles east of Kells (Map 9.4 ~~10.5~~). ~~The Gaeltacht area had a combined population of 1,670 persons in 2006, representing an increase of 4.9% since the 2002 Census.~~

There is a requirement on Planning Authorities to include objectives in the development plan for:

*"the protection of the linguistic and cultural heritage of the Gaeltacht including the promotion of Irish as the community language, where there is a Gaeltacht area in the area of the development plan."*

The two key elements therefore are protection and promotion.

It has been a long standing objective of successive Governments to maintain Irish as the language of the community and of the home in the Gaeltachts and the Planning Authority fully supports this objective. The normal requirements to demonstrate that an applicant(s) is an intrinsic member of

the rural Gaeltacht community will apply to all applications for individual applications within the defined areas of the Gaeltachts. This would accord with both national and regional planning guidance. Nonetheless, special consideration will be given to Irish applicants or those who would ensure the stabilisation and the promotion of Irish as a community language.

In addition to the Development Plan, Meath County Council in performance of its duties pursuant to the Official Languages Act 2003 has drafted its own plan towards providing:

- A clear policy towards bi-lingual signage;
- Attending the needs of the public and providing services in Irish;
- Attend the needs of the Gaeltacht completely in Irish, and;
- Assign persons with Irish to provide services through Irish, as required

The Language Scheme/Plan is monitored to ensure that its provisions are clearly met in an efficient and effective manner and in accordance with the Official Languages Act 2003.

The Local Area Plans provide detailed objectives for the promotion of development in the two Meath Gaeltachts in a manner that protects and enhances their cultural distinctiveness.

#### Goal

To ensure the continued survival and development of the Gaeltachts as an area distinct in the linguistic and cultural life of the county, whilst seeking to realise their economic and development potential in a balanced and sustainable manner over the lifetime of the Plan.

#### Policies

It is the policy of Meath County Council:

RD POL 28	To ensure that all new development in the Gaeltachts have a positive impact upon the use of Irish in the area and the cultural heritage of the area, whilst seeking to realise their economic and development potential in a balanced and sustainable manner over the lifetime of the Plan.
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RD POL 29	To require all applications for rural houses within the Gaeltachts to comply with the 'Meath Rural Design Guide'.
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#### Objectives

It is an objective of Meath County Council:

RDOBJ19	To require that a "Linguistic Impact Study" be carried out before any application for housing (for single and multiple housing developments) is considered within the Gaeltacht Area. Such a study, by reference to the linguistic background of intended users or occupants, or identification of its relationship with linguistic or cultural development objectives of groups associated or charged with the development of Gaeltacht areas will need to prove that a given proposal will have a positive impact upon the promotion and use of Irish as the language of the
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RDOBJ20	To promote the provision of signage in Irish in the Gaeltachts regarding: <ol style="list-style-type: none"> <li>a) entry and exit points with explanatory details of the cultural significance of the areas to visitors;</li> <li>b) the provision of all commercial signage in Irish, and;</li> <li>c) in association with the relevant professional and vocational groups, that auctioneers and other temporary signs are in Irish.</li> </ol>
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~~10.13.1~~ **9.12.1 Development Assessment Criteria**

Special consideration shall be given to Irish speaking applicants or those who qualify under the rural housing policy i.e. to persons that are an intrinsic part of the rural community, and that demonstrate compliance with the local housing need criteria as set out in Section ~~9.4~~ ~~10.4~~.

To assist in assessing the impact of new residential development upon the use of Irish in the Gaeltachts, all planning applications for residential development, both single and multiple house developments, will be referred to the ~~Department of Arts, Heritage and the Gaeltacht~~ **Department of Housing, Local Government and Heritage and the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media** and Údarás na Gaeltachta Management for comment.

~~10.13~~ **9.13 Integrated Rural Tourism Complexes**

Rural tourism can play a strong role in stimulating rural economies. The location of the county largely in the hinterland of the largest metropolitan area in the state has generated considerable demand for golf course and leisure estate type developments over the past decade. The Development Plan acknowledges this regional amenity and tourism role for the county while recognising the importance of ensuring tourist development does not have a negative impact on the overall character of the area. Policies and guidance in relation to tourist accommodation, hotels, holiday homes, caravan and camping sites, tourist signage, festivals and walking and cycle routes is set down in chapter 4 of this Development Plan.

~~10.14~~ **9.14 Vernacular Rural Buildings and Replacement Dwellings**

A key component of the rural landscape of Co. Meath is the built legacy of traditional dwellings and buildings, many of which have been neglected in preference for new dwellings, or because traditional buildings have become unsuitable as farming practices changed. In the majority of cases in recent times, most vernacular 'Parnellite' cottages are being replaced with larger contemporary and in particular suburban style dwellings that in many instances, are out of keeping with the rural character of the area. Thatched cottages, which were once commonplace, have been and continue to be in decline, and every effort will be made by the Council to encourage and facilitate the survival of the remaining examples. Detailed policy in relation to refurbishment and reuse of existing vacant structures within the UNESCO World Heritage Site of Brú na Bóinne are contained within the Heritage Chapter, section ~~8.6.1~~ ~~9.6.7~~.

**Policies**

It is the policy of Meath County Council:

RD POL 30	To promote the viable re-use of vernacular dwellings without losing their character and to support applications for the sensitive restoration of disused vernacular or traditional dwellings.
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RD POL 31	To encourage and facilitate the appropriate refurbishment of existing housing stock in rural areas and in certain limited cases the replacement of existing dwellings subject to development assessment criteria outlined below.
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RD POL 32	To oppose the demolition and replacement of traditional or vernacular rural houses in order to protect the varied types of housing stock in rural areas of the County and to preserve the rural built heritage.
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RD POL 33	To consider the limited conversion of outhouses and other structures attached to large country houses or other heritage structures where acceptable conservation practice is observed in line with the other policies and objectives of this plan and where acceptable site suitability has been established in terms of access, car
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parking, open space, wastewater disposal and maintaining the setting and amenities of the main structure.

RD POL 34 To respect the sensitive restoration and conversion to residential use of disused vernacular or traditional dwellings or traditional farm buildings, including those which are Protected Structures, such proposals shall not be subject to the Rural Housing Policy (i.e. local need) that applies to new dwellings.

RD POL 35 To actively promote the retention and restoration of thatched dwellings as a key component of the built heritage of Co. Meath.

### Objective

It is an objective of Meath County Council:

RDOBJ21 To update the survey of surviving thatched structures in Meath and to promote available grant schemes to assist owners with their retention and repair.

#### ~~10.15.1~~ 9.14.1 Development Assessment Criteria

The Planning Authority shall assess applications for refurbishment and/or replacement of existing housing stock in rural areas, having regard to the criteria outlined hereunder:

- That in the case of refurbishment and extension proposals, that the scale and architectural treatment of proposed works are sympathetic to the character of the original structure and the surrounding area including adjoining or nearby development;
- That in the case of replacement dwellings, to require that the original structure was last used as a dwelling and that its roof, internal and external walls are generally intact;
- That replacement dwellings are provided at locations where safe access and acceptable wastewater disposal arrangements can be put in place and where specific development objectives or other policies of the Planning Authority are not compromised, and;
- That the replacement dwelling shall be designed to be of a size and scale appropriate to the site, and;
- The design of replacement dwellings in rural areas shall comply with the 'Meath Rural Design Guide'.
- In the assessment of whether a house which it is proposed to replaced is habitable or not, the Planning Authority will rely on the definition contained in Section 2 (Interpretation) of the Planning & Development Act 2000 **as amended-2012**.

A "Habitable House" means a house which

- (a) is used as a dwelling;
- (b) is not in use but when last used was used, disregarding any unauthorised use, as a dwelling and is not derelict, or;
- (c) was provided for use as a dwelling but has not been occupied.

#### ~~10.15~~ 9.15. Restricting Access to Certain Categories of Roads

##### ~~10.16.1~~ 9.15.1 National Primary and National Secondary Routes

National policy in relation to development involving access to national roads and development along such roads is set out in the Spatial Planning and National Roads Guidelines published by the Department of Environment, Community and Local Government in January 2012. The Guidelines state, 'The policy of the planning authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60kmh apply. This provision applies to all

categories of development, including individual houses in rural areas, regardless of the housing circumstances of the applicant’.

Under Part 4, Article 28 of the Planning and Development Regulations 2001 - 2012, notification of planning applications which involve a new access or material widening of an access to an existing or planned national road, or where the development might give rise to a significant increase in the volume of traffic using a national road, must be sent to **Transport Infrastructure Ireland** the ~~National Roads Authority~~. The Authority may make submissions or observations on such planning applications in accordance with Article 29 of the Regulations. National policy in relation to access to national routes has been outlined previously in Chapter **5 Movement Strategy 6**.

### Policies

It is the policy of Meath County Council:

RD POL 36	To develop and maximise the opportunities of the county’s national primary and secondary roads as key strategic infrastructure vital to the county’s continued economic development and to protect this strategically important infrastructure from unplanned ribbon development or random one-off housing development.
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RD POL 37	To ensure that future development affecting national primary or secondary roads, shall be assessed in accordance with the guidance given in the document ‘Spatial Planning and National Roads - Guidelines for Planning Authorities’.
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### ~~10.16.2~~ **9.15.2** Regional and County Roads (Refer Map **9.2 10.6**)

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.

### Policies

It is the policy of Meath County Council:

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.
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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.
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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 <b>9.2. 10.6</b> ) through the creation of excessive levels of individual entrances and to secure the investment in non-national roads.
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### ~~10.16.3~~ **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 ~~10.6~~. 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.

### ~~10.16~~ 9.16 Roadside Boundaries

Roadside boundaries, whether hedgerows, sod and stone bank, stone wall or other boundaries, provide important features that are elements of both the landscape and ecology of rural areas. The retention of such boundary treatments assists in absorbing new rural housing into its surroundings and should generally be encouraged.

Occasionally, the removal of substantial lengths of roadside boundaries is proposed as part of an element of improving visibility at the junction of a new entrance onto a road. Where an alternative site is available and otherwise suitable, applicants and Planning Authorities should consider a location that avoids the necessity for widespread boundary removal.

#### Policy

It is the policy of Meath County Council:

RD POL 41	To avoid the removal of existing roadside boundaries where they are more than 3 m from the road edge (edge of carriageway), except to the extent that this is needed for a new entrance, and where required for traffic safety reasons. (Please refer to policies contained in Section 8.9.7 <del>9.7.8</del> Woodlands, Hedgerows and Trees in this
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### ~~10.17~~ 9.17 Roads Served by Unmanned Railway Crossings

Under the National Development Plan, a rail investment and safety programme has yielded substantial route renewal and service upgrades that will deliver, over time, more frequent and faster rail passenger services over the rail network. In some areas, laneways accessed via unmanned level crossings that were originally designed to provide access to agricultural lands are the subject of significant residential development. In certain circumstances, the provision of substantial additional development that is completely dependent for access using unmanned and unprotected level crossings may increase the risk of a safety incident unacceptably or to the degree that alternative crossing arrangements are necessary. The provision of such arrangements needs to be carefully considered given the likely costs involved and the availability of resources.

#### Policy

It is the policy of Meath County Council:

RD POL 42	To refer proposals for new housing development requiring access via unmanned and unprotected level crossings to Iarnród Éireann and to carefully consider the subsequent views of Iarnród Eireann such that due and proper consideration has been made for the safety of road users and rail safety.
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## ~~10.18~~ 9.18 Technical Requirements

### ~~10.19.1~~ 9.18.1 One Off Houses: Sight Distances and Stopping Sight

#### Distances Policy

It is the policy of Meath County Council:

RD POL 43	To ensure that the required standards for sight distances and stopping sight distances are in compliance with current road geometry standards as outlined in the NRA document Design Manual for Roads and Bridges (DMRB) specifically Section TD 41-42/09 when assessing individual planning applications for individual houses in the countryside.
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### ~~10.19.2~~ 9.18.2 Groundwater Protection and the Planning System

Ensuring that the country's water resources are of the highest quality is a prerequisite for a healthy environment, a healthy economy and is a key part of Government policy. The planning system at national, regional and local level has a key role in ensuring that development proceeds in a manner that ensures Ireland's water resources continue to be of the highest quality.

Circular Letter SP 5/03 issued on July 31<sup>st</sup> 2003 covers three main issues in relation to the role of the planning system in ensuring that development proceeds in a manner that offers the best possible environmental protection, including protection of groundwater quality. S.I. 9 of 2010 European Communities Environmental Objectives (Groundwater) Regulations 2010 also places duties on the Local Authority's to protect groundwaters.

#### (1) Groundwater Protection and the Development Plan

Identifying groundwater resources and protecting them in a way that integrates environmental protection and the operation of the planning system requires that effective linkage be created between any groundwater protection scheme which has been put in place. This includes:

- identifying key aquifers and groundwater resources, assessing their vulnerability to contamination, incorporating protection schemes for specific sources of public water supplies;
- the development plan made under the Planning and Development Act 2000, and;
- the operation of the development management system as it relates in particular to the assessment of proposals involving on-site disposal of wastewater, agri-wastes and any other development activity that potentially may affect groundwater quality.

Meath County Council has prepared groundwater protection schemes and it is imperative that these are linked in a variety of different ways to the new County Development Plan. As progress is made with putting these groundwater protection schemes in place, they will be accompanied by appropriate supporting policies.

#### Policies

It is the policy of Meath County Council:

RD POL 44	To ensure that new development meets the highest standards in terms of environmental protection.
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RD POL 45	To utilise a “Groundwater Protection Response Matrix” to assist in deciding the appropriateness of various categories of development to areas that have different levels of vulnerability in terms of groundwater contamination. This approach will support the proper input of information into planning decision-making processes.
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By consulting this matrix, prospective applicants as well as the Planning Authority will be able to get an indication of the likelihood of a proposed development being acceptable on a given site, or whether further investigations or adjustments to the proposals are necessary. For the Planning Authority, this matrix will also be of assistance in determining the nature of any planning and monitoring conditions to be attached to planning permissions.

### (2) Groundwater Quality and Decisions on Planning Applications

Under Section 34(2)(a) of the Planning Act, when making its decision in relation to an application, Planning Authorities are restricted to considering the proper planning and sustainable development of the area, regard being had to the provisions of the development plan as well as other provisions. These other provisions include, where relevant, the policy of the Government, the Minister for the Environment, Heritage and Local Government, **Housing, Local Government and Heritage** or any other Minister of the Government.

Good siting and design of necessary development in rural areas is vitally important. In this regard, the current standard for domestic effluent treatment and disposal from single dwelling houses is set out in the **EPA Code of Practice Domestic Waste Water Treatment Systems 2021**. ~~‘Code of Practice – Waste Water Treatment and Disposal Systems Serving Single Houses (p.e. <10)’, (2009)~~. It includes an assessment methodology to determine site suitability, a methodology to select suitable waste water treatment systems, information on the design and installation of septic tanks and treatment systems and maintenance requirements. As an alternative to recommending a minimum site size, the EPA Code of Practice makes recommendations about matters such as separation distances from water courses and wells, site boundaries, etc.

The assessment of site conditions is critical to ensuring that new development does not adversely affect water quality generally and groundwater quality specifically. The Planning Authority propose to use a standard site characterisation form along the lines of the model included at **Annex A-Site Characterisation Form in the EPA Code of Practice Domestic Waste Water Treatment Systems 2021** ~~in the EPA ‘Code of Practice Waste Water Treatment and Disposal Systems Serving Single Houses (p.e. <10)’, (2009)~~ and insist upon the use of such qualified personnel in carrying out site assessments.

It is also very important that on site systems - both conventional septic tank systems and innovative effluent treatment systems - are installed in accordance with the manufacturers or supplier’s specifications and instructions and the terms and conditions of planning permissions. Innovative effluent treatment systems should be certified by the NSAI Irish Agreement Board (IAB) or by the Agreement Board (or equivalent) of an EEA Member State;-where the latter certificate ensures in use an equivalent level of safety and suitability. It is important that any installation instructions incorporated in the relevant Agreement Certificate (or equivalent) should also be strictly followed. The process of installation should proceed under the supervision of a competent person and be certified by that person. Evaluation of site suitability will be undermined if the system is not installed as designed. The Planning Authority will ensure that conditions attaching to a grant of permission provide for the above as well as a suitable means of confirming that the installation process has been adequately supervised by a competent person.

### (3) Monitoring and Enforcement of Planning Requirements

The primary responsibility for ensuring compliance with the terms of a planning permission rests with the person carrying out the development pursuant to a planning permission. In the normal course of carrying out developments, there will also be parallel requirements to comply with other codes such as the national Building Regulations made under the Building Control Act 1990 or water pollution legislation, to mention two examples.



The Department of Environment, Community and Local Government has published the Water Services 2007 (Amendment) Act 2012 to regulate waste water discharges from all homes that are not connected to the public sewer network. It provides for registration and inspection arrangements for on-site septic tank systems or domestic waste water treatment systems.

### ~~10.19.3~~ 9.18.3 Wastewater Disposal

Wastewater from housing developments in unserved areas is normally dispersed underground. Individual wastewater treatment facilities in rural areas should therefore, be located, constructed and maintained to the highest standards to ensure minimal impacts on water quality and particularly groundwater quality.

#### Policy

It is the policy of Meath County Council:

RD POL 46	To ensure that new development is guided towards sites where acceptable wastewater treatment and disposal facilities can be provided, avoiding sites where it is inherently difficult to provide and maintain such facilities. Sites prone to extremely high water tables and flooding or where groundwater is particularly vulnerable to contamination shall be avoided.
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In order to ensure both public health and environmental protection, it is essential that any new dwelling is served by drainage arrangements that meet the Council's requirements and standards.

#### Policies

It is the policy of Meath County Council:

RD POL 47	To ensure that the site area is large enough to adequately accommodate an on-site treatment plant and percolation area.
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RD POL 48	To ensure all septic tank/proprietary treatment plants and polishing filter/percolation areas satisfy the criteria set out in the EPA ' <i>Code of Practice Waste Water Treatment and Disposal Systems Serving Single Houses (p.e. &lt;10)</i> ', (2009 <del>21</del> ) (or any other updated code of practice guidelines) in order to safeguard individual and group water schemes.
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RD POL 49	To require a site characterisation report to be furnished by a suitably qualified competent person. Notwithstanding this, the Planning Authority may require additional tests to be carried out under its supervision.
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RD POL 50	To ensure a maintenance agreement or other satisfactory management arrangements are entered into by the applicant to inspect and service the system as required. A copy of this must be submitted to the Planning Authority.
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RD POL 51	To ensure that direct discharge of effluent from on site waste water disposal systems to surface water is not permitted.
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RD POL 52	To ensure wastewater treatment plants discharging into the Boyne catchment or to coastal Natura 2000 sites are suitably maintained and upgraded in advance of any additional loadings beyond their capacity in order to protect water quality, as required.
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RD POL 53	To promote good practice with regard to the siting and design of septic tanks and the maintenance of existing tanks. A high level of scrutiny will be placed on applications within 2km of watercourses in the Boyne catchment. Proposals in this area shall not have an adverse impact on local water quality that could affect the qualifying interests of the cSAC and SPA.
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## **APPENDIX 2**



*Attn: Seán Clarke, Senior Executive Officer,*  
Meath County Council Planning Dept.,  
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Navan  
Co Meath

Please quote our ref. on all  
correspondence:

**Our Ref: M45774/RGM/LDY**  
**Your Ref:**

Email: [sclarke@meathcoco.ie](mailto:sclarke@meathcoco.ie)

16<sup>th</sup> September 2021

**Re: Special Planning Meeting to consider Chief Executive's Report on Submissions to the propose Material Alterations to the draft Development Plan 2021 - 2027**

Dear Seán,

I refer to our discussions earlier today with regard to the procedures to be adopted at the forthcoming special Planning Meeting of the Elected Members to consider the Chief Executive's Reports on submissions to the proposed Material Alterations. As advised, the member's deliberations have to be conducted within the constraints of Section 12(10) of the Planning Act under which the following options are open to the Members namely:

- (i) Make the Plan with the Material Alteration.
- (ii) Make the Plan without the Material Alterations and where it is decided not to proceed with a Material Alteration the relevant provision in the Plan reverts to that in the draft Plan.
- (iii) Make the Plan with a modified version of the Material Alteration **PROVIDED** the modification **"is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site /does not result in the area of land zoned for any purpose/or an addition or deletion from the record of Protected Structures."**

The options open to the Members do **not** include revisiting a provision in the draft Plan which was not the subject of a Material Alteration and seeking to vary it. That said I do not believe there is a prohibition to correcting errata in the draft Plan or as requested by the Office of the Planning Regulator (OPR) replacing references to outdated National Policies with their current policies.

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ACCREDITED MEDIATORS

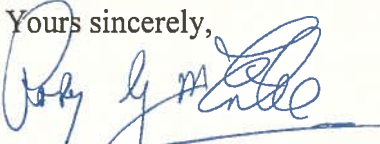
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In the context of the above constraints, I am concerned that an element of the recommendation entitled **MA Recommendation 3 – Rural Housing** contained on page 38 of Volume 1 of the Chief Executive's Report, whereby a material amendment is proposed to a provision in the draft Plan, is not an option open to the Members.. The only matters now open for consideration are the material amendments which went on public display. These are either accepted or rejected by the Members. Save that, if accepting the material amendment, it is open to them to make minor modifications to that material amendment, i.e. the stark choice is between the draft Development Plan as published or the material amendment (with or without minor modifications).

I trust that the foregoing clarification is of assistance.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Rory G McEntee', written over a horizontal line.

Rory G McEntee

**Regan McEntee and Partners**

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