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Meath County Council

Planning Report

To:	Lisa Carroll, A/Senior Executive Planner
From:	Nathan Cooney, Executive Planner
File Number:	26/60837
Applicant:	Dairy Tube Ltd
Development Address:	Oakley Park, Kells, County Meath A82 HT35
Application Type:	Retention Permission & Permission
Date of Site Inspection:	23/07/2026
Date of Report:	21/08/2026
Date Decision Due:	30/08/2026
Development Description:	The development will consist of; Retention Permission 1. Change of use of a 952 sq. m machinery storage and maintenance shed, as approved under Planning Ref KA450597, from agricultural use to light industrial use (Building 1), 2. Retention of the existing unauthorised single bay extension (GFA = 120 sq.m) to the existing shed (Building 1) and change of its use from agricultural use to light industrial use to light (Building 1A) 3. Retention of unauthorised agricultural shed (GFA = 354 sq.m) and its change of use to light industrial store (Building 2). Permission 1. Extension (GFA= 737sq.m) to Building 1 and Building 1A for use as a light industrial unit (Building 1C). 2. External entrance porch (GFA = 12 sq.m) to Building 1. 3. Internal renovations within part of Building 1 to provide offices and welfare facilities ancillary to the use of the building as a light industry unit (244sq.m). 4. New Wastewater Treatment Plant and associated percolation area. 5. New signage. 6. All associated Site Development Works

1.0 Site Location & Description

The subject site is located at Oakley Park, Kells, County Meath, and currently has some industrial activity onsite. There are two large industrial units on site, with hard surfacing, portacabins and a derelict dwelling on site. The site is surrounded by greenfields to the north, west, north east of the site, agricultural fields to the south and the R164 to the east. The stated site area is 1.530 ha.

The lands are zoned 'RA' –Rural Area in the Meath County Development Plan 2021 – 2027. The site is located in the Lowland landscape character area; the character area is noted as moderate value and moderate sensitivity to development changes.



Figure 1.0: Aerial image showing the location of the application site.



Figure 2.0: Images of the application site.

2.0 Proposed Development

The proposed development, as stated and as indicated on plans submitted would comprise:

Retention Permission

- i. Change of use of a 952 sq. m machinery storage and maintenance shed, as approved under Planning Ref KA450597, from agricultural use to light industrial use (Building 1),
- ii. Retention of the existing unauthorised single bay extension (GFA = 120 sq.m) to the existing shed (Building 1) and change of its use from agricultural use to light industrial use to light (Building 1A)
- iii. Retention of unauthorised agricultural shed (GFA = 354 sq.m) and its change of use to light industrial store (Building 2).

Permission

- iv. Extension (GFA= 737sq.m) to Building 1 and Building 1A for use as a light industrial unit (Building 1C).
- v. External entrance porch (GFA = 12 sq.m) to Building 1.
- vi. Internal renovations within part of Building 1 to provide offices and welfare facilities ancillary to the use of the building as a light industry unit (244sq.m).
- vii. New Wastewater Treatment Plant and associated percolation area.
- viii. New signage.
- ix. All associated Site Development Works.

3.0 Planning History

2560130 Application WITHDRAWN after FURTHER INFORMATION REQUEST for the removal of site of 4 no. portacabins, the demolition of an existing 120M2 bay, the construction of an 843M2 extension to an existing industrial unit, the construction of an entrance porch to the front of the existing building, internal renovations to one bay of the existing industrial unit comprising the construction of offices, reception and boardroom and all associated site works

KA50597 Permission GRANTED for a machinery storage and maintenance shed of internal floor area approximately 959 square metres. The shed will include toilet facilities and have an overall height of 10.646 metres. The development will include an 'Enviropak' effluent treatment system with percolation area and will utilise the existing entrance from the public road. All necessary siteworks associated with the foregoing are also deemed to be included.

Key condition:

2. The proposed storage building shall be used solely for the storage and the service of plant and machinery associated solely with agriculture and associated solely with the applicant's farming activities. It shall not be used for any industrial, commercial, trade or similar activity without a separate grant of planning permission having first been obtained.

Reason: In the interest of proper planning and development control.

4.0 Policy Context

- National Policy

Project Ireland 2040, The National Planning Framework (NPF) was formally adopted on 29/05/2018 (Circular FPS06/2018). The NPF sets out the national planning policy context.

- Regional Policy

The Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland (EMRA) for the period 2019-2031 came into force in June 2019 and is a strategic plan and investment framework to shape the future development of the Region to 2031 and beyond.

- Local Policy

The Meath County Development Plan 2021-2027 is the statutory development plan for the area. The Development Plan sets the local planning policy context including provisions for urban and rural development etc.

Chapter 4 of the Meath County Development Plan 2021-2027 sets out the Economy and Employment Strategy.

Section 4.11.1 refers specifically to the Rural Enterprise.

Chapter 11 of the Meath County Development Plan 2021-2027 sets out the Development Management Standards and Land Use Zoning Objectives.

Section 11.6.7 refers specifically to Industrial, Office, Warehousing and Business Development;

DM OBJ 61: Any planning application for industrial, office, warehousing and Business Park Development shall address the following development assessment criteria:

- To require innovative contemporary designs for new industrial, office, warehousing and business park developments.
- External finishes shall be suitable for the local/natural landscape
- That indicative site coverage for industrial/commercial development on greenfield sites is 50% coverage unless the design characteristics of the scheme, proposed uses and mobility management plan indicate support for higher site coverage.
- In town centre locations, in order to encourage and facilitate the development of a compact town centre, and to achieve desirable massing and heights of buildings, plot ratio and site coverage of 1.5 and 70% respectively will generally be the norm.
- To require that full details of the proposed use(s), including industrial processes involved are provided.
- To require that full details of the hours of operation be provided.

- To require that details of suitable access arrangements, internal roads layout including details of footpaths, turning areas, loading bays be provided.
- Boundaries which are visible from the public road should be of a high architectural quality. Palisade fencing to the front of any building line shall not be permitted.
- The use of retention ponds as an urban design feature within business parks will be encouraged to enhance the setting, subject to compliance with all relevant safety requirements.
- To require that proposals for and location of onsite areas for storage and disposal (if applicable) of waste be provided as part of any planning application. All external storage including bin storage, oil tanks, etc, shall be visually screened from public areas.
- To require that waste and recycling areas be covered, screened and enclosed from public view and wind, compliant with the Council's Waste Management Strategy.
- All overground oil, chemical storage tanks should be adequately bunded to protect against spillage.
- To require that a survey of any existing vegetation onsite and a suitable landscaping scheme prepared by an appropriately qualified professional, taking account of same, be submitted as part of any planning application to enhance the development.
- Open space shall be provided in suitable locations as part of the development in order to enhance the development and provide amenity and passive recreation for future employees.
- To require that all significant Industrial, Office, Warehousing and Business Park Development incorporate works of public art in the form of outdoor sculptures, special architectural and landscape features or other appropriate art work in the development.
- To require that all planning applications for Industrial, Office, Warehousing and Business Park Development on sites in excess of 0.5 hectares are accompanied by a Construction Environmental Management Plan (CEMP).
- To require that all new developments with over 100 employees shall have a Mobility Management Plan.
- To encourage the provision of supporting facilities for employees including childcare facilities, leisure uses and coffee shops in business parks.
- To encourage research and development activities as an ancillary part of all new and existing business parks in the County in conjunction with 3rd level Institutions.

4.2 Section 28 Guidelines

All other relevant Section 28 Planning Guidelines have been considered in this assessment of this application.

5.0 Submissions

None.

6.0 Representations

None.

7.0 Prescribed Bodies

None.

8.0 Internal Referrals

The application was referred to the following Internal Sections/Departments:

Transportation Department	Report Received; No objection subject to conditions.
Environment Department (Surface Water)	Report Received; Further Information Required.
Environment Department (Flooding)	Report Received; No objection.
Environment Department (Waste)	Report Received; No objection subject to conditions.

9.0 Pre-Application Consultation

Section 19 of the planning application form confirms that a pre-planning consultation was not undertaken in relation to the proposed development.

10.0 Planning Assessment

The main planning considerations in the determination of this application are:

- Principle of Development
- Impact on Amenities
- Traffic, Access and Transport
- Flooding
- Water Services
- Waste

10.1 Principle of Development

The subject development is located on lands zoned “RA” – ‘Rural Area’ in the Meath County Development Plan 2021-2027. The zoning objective for “RA” lands is *‘To protect and promote in a balanced way, the development of agriculture, forestry and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage’*.

Permission was granted for a machinery storage and maintenance shed under Reg. Ref. KA50597. It was conditioned under Condition No. 2, that this structure was to be used only for agricultural use. However, from conducting a site visit, and a review of the development description, it would appear that the applicant is using the structure as a commercial/ industrial use. Furthermore, there is uncertainty about the Planning status of the other industrial shed structure on the site. Therefore, it would appear that the applicant does not have permission for a number of structures on the site, and does not have permission for the activity that is occurring on the site.

The applicant had sought permission for the removal of site of 4 no. portacabins, the demolition of an existing 120M2 bay, the construction of an 843M2 extension to an existing industrial unit, the construction of an entrance porch to the front of the existing building, internal renovations to one bay of the existing industrial unit comprising the construction of offices, reception and boardroom and all associated site works under Reg. Ref. 2560130. The Planning Authority had sought further information in relation to this application. However, the

applicant did not return with the further information requested. The application was deemed to be withdrawn.

The current application is for;

Retention Permission

- i. Change of use of a 952 sq. m machinery storage and maintenance shed, as approved under Planning Ref KA450597, from agricultural use to light industrial use (Building 1),
- ii. Retention of the existing unauthorised single bay extension (GFA = 120 sq.m) to the existing shed (Building 1) and change of its use from agricultural use to light industrial use to light (Building 1A)
- iii. Retention of unauthorised agricultural shed (GFA = 354 sq.m) and its change of use to light industrial store (Building 2).

Permission

- iv. Extension (GFA= 737sq.m) to Building 1 and Building 1A for use as a light industrial unit (Building 1C).
- v. External entrance porch (GFA = 12 sq.m) to Building 1.
- vi. Internal renovations within part of Building 1 to provide offices and welfare facilities ancillary to the use of the building as a light industry unit (244sq.m).
- vii. New Wastewater Treatment Plant and associated percolation area.
- viii. New signage.
- ix. All associated Site Development Works.

The applicant is seeking to change the use of the site and associated previously approved structures from agricultural use to light industrial use.

It is noted that the use of the site as agriculture was conditioned as such under Condition 2 of Reg. Ref. KA50597. The applicant has sought retention permission for the change of use from agriculture to light industrial use. The applicant is also seeking permission for an extension to building 1 and building 1A, internal renovations to provide offices and welfare facilities, new wastewater treatment system and signage.

The subject site is located within a rural area and zoned as 'RA' with the relevant zoning matrix stating that light industrial use is not permitted or open for consideration.

With regard to the light industrial use it is proposed to both retain and seek permission for, the applicant has not submitted any documentation or particulars in order to provide a background on the use activities and / or nature of the development itself. Neither has the applicant submitted a justification for the change of use to light industrial within a rural area in which such a use is not supported by the Development Plan.

On the basis that the site is located in a Rural Area, with no details provided by the applicant on the nature of the use, or justification for proposed light industrial use, and the fact that the development would contravene condition no.2 of Reg. Ref. KA50597, it is therefore considered that the development would materially contravene the RA Rural Area zoning objective of the Meath County Development Plan 2021-2027 and should be refused.

10.2 Impact on Amenities

The proposed development consists of;

Retention Permission

- i. Change of use of a 952 sq. m machinery storage and maintenance shed, as approved under Planning Ref KA450597, from agricultural use to light industrial use (Building 1),
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Permission

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The Planning Officer notes that there are no protected views in the area and that the proposal will match the existing unit. It is however also noted that the site is partially located Blackwater Valley, River Corridor and Estuary Landscape Character Area (alongside the Navan Lowlands), which has a High Sensitivity to development and is categorised as being of Very High Value.

It is considered that the proposed development, in the absence of a bone fide justification for intensification by further construction on the site has the potential to impact upon the high value landscape and should be refused on this basis.

10.3 Traffic, Access and Transport

The Transportation Department have reviewed the submitted application, and have no objection subject to conditions.

10.4 Flooding

The Environment Department (Flooding) have reviewed the submitted application, and have no objection.

10.5 Water Services

Surface Water Drainage

Section 20 of the Application Form indicates the surface water is not applicable.

The Environment Department (Surface Water) have reviewed the submitted application, and have requested further information making the following comments;

“The applicant has proposed to discharge all surface water runoff from the existing buildings and proposed extension to a new soakaway system. No details were submitted for the drainage of the existing access road. Due to good site infiltration, the applicant shall maximum on site infiltration and explore suitable SuDS features to treat surface water runoff. It is noted that Dairytube Engineering Ltd are specialists in bending and rolling of stainless-steel tube and pipe. It is unclear whether any contaminated runoff will be generated during production activities and how it will be managed on-site. Meath County Council Environment Flooding-Surface Water Section recommends that Further Information be sought.”

The Planning Officer notes the above, however, it is considered that permission shall be refused.

Water Supply

The applicant has indicated in section 20 of the Application Form that water supply is existing via private well.

Wastewater Treatment

The applicant has indicated in section 20 of the Application Form that water supply is existing via conventional septic tank.

10.6 Waste

The Environment Department (Waste) have reviewed the submitted application, and have no objection subject to conditions.

11.0 Appropriate Assessment

Article 6(3) of Council Directive 92/43/EEC (the Habitats Directive) compels competent authorities to undertake an appropriate assessment of any plan or project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects.

‘Appropriate Assessment of Plans and Projects, Guidance for Planning Authorities’ (2009) provide advice to planning authorities on their obligations under the Habitats Directive. The document, “Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities”, states that where, from the nature, size and location of the development, it is unclear if the proposal will have a significant effect on a Natura 2000 site(s), a Natura Impact Statement will be required. The application site is not within or directly adjoining any designated Natura 2000 site. The following Natura 2000 sites are also located within 15km of the application site:

- River Boyne and River Blackwater SAC (Site Code: 002299)
- River Boyne and River Blackwater SPA (Site Code: 004232)

- Killyconny Bog (Cloghbally) SAC (Site Code: 000006)
- Girley (Drewstown) Bog SAC (Site Code: 002203)

The Planning Authority considered the nature, scale and location of the proposed development and other plans and projects (where there could be potential for cumulative or in-combination effects), the conservation objectives/ qualifying interests of European Sites within the vicinity of the site and the distance to European Sites, any protected habitats or species, the WFD catchment location, the underlying aquifer type and vulnerability and the excavation works, emissions, transportation requirements and duration of construction and operation and cumulative impacts associated with the proposal.

The Planning Authority's Screening for Appropriate Assessment has considered the potential effects including direct, indirect and in-combination effects of the proposed development, individually or in combination with the permitted developments and cumulatively with other plans or projects on European Sites. The Planning Authority concludes that the proposed development (entire project), by itself or in combination with other plans and developments in the vicinity, would not be likely to have a significant effect on European Site(s). In light of this, it is considered that a Stage 2 Appropriate Assessment (Natura Impact Statement) is not required in this instance.

12.0 Environmental Impact Assessment

Council Directive 85/337/EEC (as amended) on the assessment of the effects of certain public and private projects on the environment ('the EIA Directive') is designed to ensure that projects likely to have significant effects on the environment are subject to a comprehensive assessment of their environmental effects prior to development consent being given. The latest amendments to the EIA Directive are provided for under Directive 2014/52/EU and Circular letter PL 1/2017.

The proposed development consisting of an extension to an 'industrial unit' on a site of 1.530ha. The development does not exceed a threshold or represent a type of development listed under Part 1 or 2 of Schedule 5 of the Planning & Development Regulations (PDR) 2001-2026 that would require mandatory EIA nor is it considered that a sub-threshold EIAR is required having regard to the scale, nature and location of the proposed development and that the proposal would not be likely to result in significant environmental effects.

13.0 Conclusion

Having regard to the nature of the proposed development and development for retention, and the 'RA – Rural Area' zoning objective relevant to the subject site, it is considered that the proposed use of 'light industrial' is not acceptable to the Planning Authority, as, in addition to any lack of justification for such a use, the development would be a material contravention of the Meath County Development Plan 2021-2027. Further, the development has the potential to negatively impact upon on the landscape of the 'Blackwater Valley' which is identified as having a Very High Value and High Sensitivity under the Meath County Development Plan (HER POL 28).

14.0 Recommendation

It is therefore recommended that Permission and Retention permission be **REFUSED** for the for the following reason(s):

1. It is considered that the proposed development by virtue of its nature as a light industrial use proposed to be located in the rural area which is zoned RA 'Rural Area' in the Meath County Development Plan, would materially contravene the zoning objective for RA to *'protect and promote in a balanced way, the development of agriculture, forestry and sustainable rural-related enterprise, community facilities, biodiversity, the rural landscape, and the built and cultural heritage.'* Light Industry is not listed as a permitted use nor a use open for consideration under the RA Zoning Objective. The proposed development would therefore materially contravene a zoning objective outlined in the Meath County Development Plan 2021-2027 and would set an undesirable precedent for other similar developments, which would in themselves and cumulatively, not be in the interest of the proper planning and sustainable development of the area.
2. The subject site is partially located within the Blackwater Valley Landscape Character Area as defined under the Meath County Development Plan 2021-2027, which is categorised as being of Very High Value and having a High Sensitivity to development. It is a policy of the Development Plan to *"integrate in the development management process the protection and enhancement of biodiversity and landscape features wherever possible, by minimising adverse impacts on existing habitats (whether designated or not) and by including mitigation and/or compensation measures, as appropriate"*. The proposed construction of an additional 'light industrial' building on the subject site, located in a rural area, has the potential to negatively impact upon the landscape character of the Blackwater Valley (HER POL 28).

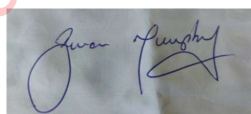


Nathan Cooney
Executive Planner
Date: 21/08/2026



Lisa Carroll
A/Senior Executive Planner
Date: 26/08/2026

REFUSAL



Brian Murphy
Senior Executive Officer
26/08/2026

RECOMMENDATION

ACCEPTED

27 August 2026

SIGNED: 

Gareth McMahon
Director of Services
27th August 2026