

Teach Buvinda, Bóthar Átha Cliath, An Uaimh, Contae na Mí. C15 Y291
Buvinda House, Dublin Rd., Navan, Co.Meath. C15 Y291

Planning & Development Act 2000 – 2023
NOTIFICATION OF DECISION

TO: Marie Hanratty & Kevin Kieran
Michael Hetherton
Cogan Street
Oldcastle
Co Meath
A82VP65

REFUSAL

PLANNING REGISTER NUMBER: 26/61000
APPLICATION RECEIPT DATE: 07/08/2026
FURTHER INFORMATION DATE:

In pursuance of the powers conferred upon them by the above-mentioned Act, Meath County Council has by Order dated 29/09/2026 decided to **REFUSE PERMISSION** to the above named for development of land in accordance with the documents submitted namely: the development will consist of the following: 1) to demolish a habitable dwelling house and domestic sheds, 2) to construct a replacement single storied dwelling house and a detached domestic garage, 3) to close up and decommission an existing septic tank and soakaway and to install a proprietary wastewater treatment unit and percolation area, 4) to close up an existing site entrance and to construct new entrance gates, wing walls and piers along with a new front boundary consisting of a timber fence and native hedging, 5) all ancillary site works - at Carrickleck, Kingscourt, CO. MEATH, for the 4 reasons set out in the Schedule hereto.

DATE: 29/09/2026



On behalf of Meath County Council

The Planning Authority in deciding this application in accordance with Section 34(3) of the Planning and Development Act 2000-2023, has regard to submissions or observations received in accordance with the Planning and Development Regulations 2001-2025, as amended.

NOTE:

1. Any appeal against a decision of a Planning Authority under Section 34 of the Planning and Development Act, of 2000-2023 may be made to An Coimisiún Pleanála. Any person may appeal WITHIN FOUR WEEKS beginning on the date of the decision.
2. Appeals should be addressed to An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. **In the case of a third party appeal, the acknowledgement from the Planning Authority of receipt of the submission or observation made by the person to the Planning Authority at application stage should be submitted and the name of the person, particulars of the proposed development and the date of the decision of the Planning Authority should be stated.**

*Personal Data/ Information – If you have submitted personal data relating to your application, this will be destroyed after 1 month of this Notification. If you wish to collect your Personal Data / Information please arrange to collect within 1 month of the date of this Notification. Photographic ID (Passport / Driving Licence) will be required and the Planning Authority must be satisfied with same.

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Guide to Fees payable to the Board

- a. Appeal against a decision of a planning authority on a planning application relating to commercial development¹ made by the person by whom the planning application was made, where the application included the retention of development is € 4,500 or € 9,000 if EIA R / NIS involved².
- b. Appeal against a decision of a planning authority on a planning application relating to commercial development¹, made by the person by whom the planning application was made, other than an appeal mentioned at (a) is € 1,500 or € 3,000 if EIA (R) / NIS involved².
- c. Appeal against a decision of a planning authority on a planning application made by the person by whom the planning application was made, where the application included the retention of development, other than an appeal mentioned at (a) or (b) is € 660.
- d. Appeal other than an appeal mentioned at (a), (b), (c) or (f)³ is € 220
- e. Application for leave to appeal is € 110.
- f. Appeal following a grant of leave to appeal € 110.
- g. Any first party appeal solely against contribution conditions under section 48 or 49 of the 2000 Acts 2000 - 2023, attracts a fee of €220 irrespective of the nature of the application

An appeal will be invalid unless accompanied by the appropriate fee and evidence of payment of submission fee to the Planning Authority.

Submissions or observations to An Coimisiún Pleanála by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be submitted within four weeks of receipt of the appeal by An Coimisiún Pleanála and must be accompanied by a fee of € 50.

Footnote

¹ Commercial development includes 2 or more dwellings. See Board's order determining fees and its appeal guide.

² The higher fee applies where an Environmental Impact Assessment Report Statement (EIA R) or Natura Impact Statement (NIS) was submitted to the planning authority under section 172(1) and / or 177T of the 2000 – 2023 Planning Act or article 103(1) of the 2001-2026 Planning Regulations, as amended except where the appeal relates solely to a section 48 / 49 development / supplementary development contribution scheme and/or a special financial contribution. (refer to (g) above).

³ Applies to:- (i) All third party appeals except where the appeal follows a grant of leave to appeal; (ii) First party normal planning appeals (section 37) not involving commercial or unauthorised development, or an EIA R; (iii) All other appeals (non-section 37).

While every care has been taken to ensure the accuracy and completeness of this information, it is the responsibility of any person / body making an appeal to ensure that their appeal is accompanied by the correct fee.

For more information on Appeals you can contact An Coimisiún Pleanála at:

Tel: 01 - 8588100 or LoCall: 1890 275 175

Fax: 01 – 8722684

Email: appeals@pleanala.ie

Web: www.pleanala.ie

Reasons for Refusal

1. It is a policy (HER POL 21) of the Meath County Development Plan 2021-2027, *“To encourage the retention, sympathetic maintenance and sustainable re-use of historic buildings, including vernacular dwellings or farm buildings and the retention of historic streetscape character, fabric, detail and features.”*

The proposed development would involve the demolition of an existing traditional vernacular dwelling. The Planning Authority considers that the existing structure makes a positive contribution to the rural historic character of the area and has not been demonstrated to be incapable of retention, repair, refurbishment or sensitive adaptation for continued use. The proposed development would, therefore, result in the loss of a traditional vernacular structure, contrary to the aforementioned policy provisions of the Meath County Development Plan 2021 – 2027 and be contrary to the proper planning and sustainable development of the area.

2. It is an objective (HER OBJ 35) of the Meath County Development Plan 2021 – 2027, *“To ensure that development does not have a significant adverse impact, incapable of satisfactory avoidance or mitigation, on plant, animal or bird species protected by law”.*

The Planning Authority is of the view that the existing residential structures on the site have a likelihood of containing roosting bats, nesting birds and rare, protected or invasive species. It is considered that development on the subject lands, more particularly that relating to demolition of the existing structures, requires a brief EcIA. The applicant has not submitted a EcIA with the application. The proposed development would therefore be contrary to the aforementioned objective of the Meath County Development Plan 2021 – 2027 and therefore be contrary to the proper planning and sustainable development of the area.

3. It is a policy (HER POL 37) of the Meath County Development Plan 2021 – 2027, *“To encourage the retention of hedgerows and other distinctive boundary treatments in rural areas and prevent loss and fragmentation, where practically possible. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, mitigation by provision of the same type of boundary will be required.”*

The Planning Authority is not satisfied that the proposed removal of the existing hedgerow and ditch along the site frontage is necessary to achieve the required sightlines. The proposed removal would therefore be contrary to the aforementioned policy provisions of the Meath County Development Plan 2021 – 2027 and be contrary to the proper planning and sustainable development of the area.

4. It is a policy (RD POL 48) of the Meath County Development Plan 2021 – 2027, *“To ensure all septic tank/proprietary treatment plants and polishing filter/percolation areas satisfy the criteria set out in the Environmental Protection Agency ‘Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent ≤10)’ (2021) (or any other updated code of practice guidelines) in order to safeguard individual and group water schemes”.*

The submitted Site Characterisation Report (SCR) does not accurately reflect the number of bedrooms proposed and consequently does not demonstrate that the percolation area has been

appropriately calculated for the proposed development. On the basis of the failure of the subject application to demonstrate that the development meets the minimum standards as set out in '2021 Environmental Protection Agency Code of Practice'. The Planning Authority is not satisfied that the subject site can cater for the safe and effective treatment and disposal of effluent in accordance with the necessary standards and therefore would be prejudicial to public health.

Meath County Council - Viewing Purposes Only!