



An
Bord
Pleanála

Board Direction
PL17. 248899

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13th April, 2018.

The Board decided to make a split decision,

To refuse permission for the proposed 12 no. dwellings for the reasons marked (1) below and

To grant permission for the extension of Millbourne Avenue, subject to conditions, for the reasons and considerations marked (2), as set out below.

1.0 **Reasons (1)**

1.1 The proposed residential development on the subject site would, in the absence of conveniently located alternative public open space, result in a lack of any significant area of public open space within the permitted residential development (planning register reference number DA03/0422 and subsequent applications) which would seriously injure the residential amenities of existing and future residents of the area and would contravene the stated objectives in the 2013-2019 Meath County Development Plan which seek a minimum rate of public open space of 15% of total site area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area and if permitted would set an undesirable precedent for other similar-type development in the area.

2.0 Reasons and Considerations (2)

2.1. Having regard to the planning history of the site and national policy in relation to sustainable travel and the design of urban roads and streets, it is considered that, subject to compliance with conditions below, the development would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 18th May 2017, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) Omit all dwellings and associated infrastructure from the development.
 - (b) Pedestrian and cycle facilities shall be provided along the eastern and western edge of the proposed road link and connect into facilities on the adjoining access road to the south.
 - (c) The road design and construction details shall comply with the requirements of the planning authority for such road works.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of clarity and traffic safety.

3. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity

Board Member

Date: 13th April, 2018

Terry O'Niadh

Note

The Board did not consider that the application had overcome its previous reason for refusal under file reference PL17.2459994 and noted that the development of the Ashbourne Linear Park has not as yet progressed sufficiently to provide conveniently located alternative public open space and considered that phase 1 of this park, located more than 500 meters from the overall Millbourne housing development, would not adequately provide such alternative public open space to serve the overall area.