



An
Bord
Pleanála

Board Direction
BD-009927-22
ABP-310874-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/02/2022.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the 'Community Infrastructure' and 'Existing Residential' zonings that apply to the site under the Meath County Development Plan 2021-2027, under which sheltered housing is an 'open for consideration' or 'permitted' use, together with the nature and scale of the proposed development and the pattern of development in the vicinity, the Board considered that, subject to compliance with the conditions below, the proposed development would represent an appropriate form of development and which would not seriously injure the amenities of the area or the amenities of residential property in the vicinity and would not result in a traffic hazard. The proposed development would therefore 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 submission of further information on 6th May 2021, 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. Prior to the commencement of development, the developer shall enter into an agreement with the Planning Authority under Section 47 of the Planning and Development Act, 2000, as amended, to restrict the proposed development to occupation as sheltered housing.

Reason: To ensure the proposed development is occupied as specified in the public notices, in the interests of the proper planning and sustainable development of the area.

3. Boundary treatments, which shall incorporate boundaries of maximum height 1.2m to the rear (north) of house Nos. 13-18 shall be agreed with the Planning Authority prior to the commencement of development.

Reason: In the interests of public safety and residential amenity.

4. The vehicular access to the site, internal carriageway and parking area shall comply with the Planning Authority's requirements and shall incorporate Design Manual for Streets place-making principles, details of which shall be agreed in writing prior to the commencement of development.

Reason: In the interests of public safety and residential amenity.

5. Details of proposed landscaping shall be agreed with the Planning Authority prior to the commencement of development.

Reason: In the interest of visual amenity and to protect residential amenity

6. Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing prior to the commencement of development.

Reason: In the interest of public health.

7. The developer shall enter into water and wastewater connection agreements with Irish Water, prior to commencement of this development.

Reason: In the interest of public health and orderly development.

8. Proposals for a naming and numbering scheme for the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Thereafter, all estate signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

9. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interests of orderly development and the visual amenities of the area.

10. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall include details of intended construction practice, noise/dust management measures, parking proposals for construction workers on the site and storage and management of materials and waste within the site.

Reason: In the interests of public safety and residential amenity.

11. Refuelling shall take place in a designated area at least 30m from the adjacent watercourse, details of which shall be contained within the Construction Management Plan.

Reason: In the interest of protecting the environment.

12. Proposals for the management and maintenance of public open spaces, roads, footpaths, communal areas and public lighting within the site shall be agreed with the Planning Authority prior to occupation of the development.

Reason: To ensure the development is adequately maintained in the interest of residential amenity.

13. 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.

14. Public lighting shall be provided in accordance with a scheme, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available by the developer for occupation of any house / unit within the relevant phase of the development.

Reason: In the interests of amenity and public safety.

15. Prior to commencement of development, the developer or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended unless an exemption certificate shall have been applied for and been granted under section 97 of the Act.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

16. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

17 The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Note: In deciding not to accept the Inspectors recommendation to omit House No 1 , the Board concurred with the analysis of the Planning Authority and was satisfied having regard to its height, orientation and design that the proposed house would not seriously injure the residential amenities of the existing apartment building to the north . Furthermore the Board considered that it would be an inappropriate location for public open space which in fact would injure the privacy and amenity of both existing and proposed occupiers.

Board Member

Paul Hyde

Date: 03/02/2022