



An
Bord
Pleanála

Board Direction
BD-016451-24
ABP-314938-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 31/05/2024.

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 Meath County Development Plan 2021-2027, to the zoning objective of the site, to the design and scale of the proposed development, to the backland nature of the site in an established residential area, and to the pattern of development in the area, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or property in the vicinity, would represent an appropriate residential density having regard to the sites' configuration, would be acceptable in terms of traffic safety, and would not endanger public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Note

The Board noted the view of the Inspector that the design treatment of the L-shaped semi-detached dwelling labelled 'House B' was a new issue. The Board also noted the grounds of appeal set out by the appellant in relation to the 10 large first floor windows directly overlooking along the entire length of their property clearly raised the issue of orientation of the proposed dwellings with respect to the public road. The Board was therefore satisfied this did not constitute a new issue and agreed with the Inspector that the matter could be addressed by way of pre-development condition.

Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the planning application on the 5th day of August 2022 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Prior to commencement of development the developer shall submit a revised site layout plan to the planning authority for written agreement in relation to the following;</p> <p>a) As indicated in drawing number 22016-PL-1.05, the proposed 3 bed front facing house located to the north of the "neighbouring property", shall be omitted and replaced with a 3-Bed house. The front elevation of the replacement house shall face southwest in the direction of the public road, with the gable wall positioned on the southeast facing elevation.</p>

	<p>b) As indicated in drawing number 22016-PL-1.05, the road facing elevation of the proposed 3 bed semi-detached block dwelling identified as House B shall be amended to provide a dual frontage elevation to address the public road to the southwest.</p> <p>c) As indicated in drawing number 22016-PL-1.05, the window at first floor level serving bedroom no. 1 on the southeast facing elevation of 3 bed semi-detached block dwelling identified as House B shall be omitted and relocated to the southwest elevation, fronting onto Summerhill Road.</p> <p>Reason: In the interest of the protection of residential amenities and the visual amenities of the area.</p>
3.	<p>Details of the materials, colors and textures of all the external finishes to the proposed dwellings shall be as submitted with the planning application, unless otherwise agreed in writing with the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
4.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
5.	<p>Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.</p> <p>Reason: In the interest of public health.</p>
6.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.</p> <p>Reason: In the interests of visual and residential amenity.</p>
7.	<p>Proposals for a naming and numbering scheme and associate signage shall be submitted to, and agreed in writing with the planning authority, prior to commencement of development. Thereafter, all estate / street</p>

	<p>signs, and house 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. No advertisement / marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.</p>
8.	<p>All landscaping works shall be completed within the first planting season following commencement of development in accordance with the landscaping plan submitted to the planning authority. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: in the interest of biodiversity and the visual and residential amenity of the area.</p>
9.	<p>Public lighting shall be provided in accordance with the scheme, details of 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 for occupation of any residential unit.</p> <p>Reason: In the interest of amenity and public safety.</p>
10.	<p>The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and curbs, shall comply with the detailed standards of the planning authority for such road works, and shall comply, in all respects, with the standards set out in the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of the Environment, Community and Local Government in March 2019, as amended.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>

11.	<p>Prior to commencement of development, the developer shall submit the following for the written agreement of the planning authority:</p> <p>a) The zebra crossings shall be omitted from the proposed road layout.</p> <p>b) Tactile paving shall be provided at the pedestrian crossing at the public road.</p> <p>c) The road markings proposed on the raised speed tables shall comply with the requirements of the planning authority.</p> <p>Reason: In the interest of pedestrian and traffic safety.</p>
12.	<p>Prior to the commencement of development, a Resource Waste Management Plan (RWMP), as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p>Reason: In the interest of proper planning and sustainable development.</p>
13.	<p>A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, waste shall be managed in accordance with the agreed plan.</p> <p>Reason: To provide for the appropriate management of waste in the interest of protecting the environment.</p>
14.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>Deviation from these times will only be allowed in exceptional</p>

	<p>circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
15.	<p>All boundaries between each of the proposed dwellings and all rear garden boundaries shall be a minimum of 1.8 metres high and shall be constructed as capped, rendered concrete block or brick walls on both sides, to the written satisfaction of the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
16.	<p>The development hereby permitted shall be carried out and completed at least to the construction standards set out in the planning authority's Taking in Charge. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.</p> <p>Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.</p>
17.	<p>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 provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; (b) Location of areas for construction site offices and staff facilities; (c) Details of site security fencing and hoardings; (d) Details of on-site car parking facilities for site workers during the course of construction; (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;

	<p>(f) Measures to obviate queuing of construction traffic on the adjoining road network;</p> <p>(g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</p> <p>(h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;</p> <p>(i) Provision of parking for existing properties at during the construction period;</p> <p>(j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</p> <p>(k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;</p> <p>(l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>(m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.</p> <p>Reason: In the interests of public health and safety and residential amenity.</p>
18.	<p>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 and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering</p>

	<p>the local authority to apply such security or part thereof to the satisfactory completion or maintenance 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.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>
19.	<p>Prior to the commencement of any house in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house), pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all houses permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and / or by those eligible for the occupation of social and / or affordable housing, including cost rental housing.</p> <p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>
20.	<p>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 the 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. The application of any indexation required by this condition 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.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the</p>

Development Contribution Scheme made under Section 48 of the Act be applied to the permission.

Board Member

Eamonn James Kelly
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Date: 31/05/2024