

An
Coimisiún
Pleanála

Direction
CD-020358-25
ABP-322327-25

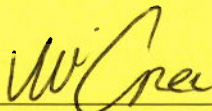
The submissions on this file and the Inspector's report were considered at a meeting held on 25/07/2025.

The Commission decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Planning

Commissioner:

Date: 29/07/2025



Liam McGree

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the nature and character of the proposed development, the applicants compliance with Policy RD POL1 of the Meath County Development Plan 2021-2027, which seeks to ensure that individual house developments in rural areas satisfy the housing requirements of persons who are an intrinsic part of the rural community in which they are proposed, subject to compliance with normal planning criteria, it is considered that the proposed development would be in accordance with the policies and objectives of Meath County Development Plan 2021-2027 and would, subject to compliance with the conditions set out below, not negatively impact on the visual or residential amenities of the area and would to be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Commission considered that, subject to standard conditions in relation to setting back of the roadside boundary and recessing of the vehicular entrance to the subject site, adequate sightlines could be achieved having regard to the nature of the cul-de-sac which would provide access to the subject site. The commission noted the set back of the boundaries that already exists to the houses on either side of the subject site, the sightlines as illustrated by the applicant and the acceptance by the local authority's Transportation Department of the proposed vehicular access arrangements.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. (a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter [unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant]. Prior to commencement of development, the applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.

(b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.

This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

Reason: To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted [to meeting essential local need] in the interest of the proper planning and sustainable development of the area.

3. (a) The applicant shall provide and maintain unobstructed sightlines of 90 metres to the nearside edge of the road from a setback of 2.4 metres, in accordance with TII document DN-GEO-03060, from the entrance. The nearside road edge shall be visible over the entire sight distance.

(b) Remove the entire roadside boundary hedge and set it back at least 3 metres from the existing road edge. A grass verge, at least 3 metres in width, shall be provided and maintained free of any obstruction, between the edge of the road and the new site boundary.

(c) The entrance layout shall comply with the Meath Rural Design Guide - the face of the entrance piers shall be at least 3 metres from the edge of the road

and the entrance gate shall be recessed at least 7 metres from the edge of the road.

(d) Road drainage shall be provided in compliance with the Department of Transport “Guidelines for Road Drainage - 2nd Edition, 2022”. Any drainage pipe installed shall be at least 300mm in diameter and in any case be no less than the nearest downstream pipe diameter.

Reason: In the interest of traffic safety and orderly development

4. **(a)** The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on 2nd February 2025 and shall be in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) ” – Environmental Protection Agency, 2021.

(b) Treated effluent from the septic tank/ wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.

(c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

6. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) A plan to scale of not less than [1:500] showing the species, variety, number, size and locations of all proposed trees and shrubs, which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder, and
- (b) A timescale for implementation

All planting shall be adequately protected from damage until established. 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.

Reason: In the interest of residential and visual amenity.

7. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1300 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

8. 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.