

**An
Coimisiún
Pleanála**

**Direction
CD-020870-25
ABP-322756-25**

The submissions on this file and the Inspector's report were considered at a meeting held on 02/10/2025.

The Commission decided, by a majority of 2:1, to make a split decision, generally in accordance with the Inspector's recommendation, to

- (1) grant permission, subject to conditions, for the construction of a new single storey cottage, and associated new wastewater treatment system, and alterations to the existing site entrances including upgrading the existing gateway on the west end and the provision of a new avenue, together with all associated landscaping and site works

for the reasons and considerations marked (1) under and subject to the conditions set out below, and

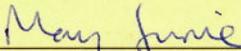
- (2) refuse permission for alterations to the roof and facades of the existing single/two storey rear annex to the north-west side of the house, new two-storey extensions to the north-east and south-west sides of the house, new conservatory at the north-east side including all related internal and external alterations to the house and demolition of existing shed to the west of the dwelling and associated ancillary works

for the reasons and considerations marked (2) under.

Planning

Commissioner:

Date: 06/10/2025



Mary Gurrie

DRAFT WORDING FOR ORDER

Reasons and Considerations (1)

Having regard to the policy and objectives set out in the Meath County Development Plan 2021-2027 in respect of rural residential development, the nature, scale and design of the proposed single storey cottage, and to the pattern of existing and permitted development in the area it is considered that, subject to compliance with the conditions set out below, this element of the proposed development would not seriously injure the visual amenities of the area or of property in the vicinity, would respect the existing visual character of the area and would be acceptable in terms of residential amenity for future residents, traffic safety and public health. This element of the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions (1)

1. This element of 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. The vehicular access, including visibility splays, 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 interests of traffic and road safety.

4. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

5. (a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation

report submitted with this application 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 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 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

6. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.
- (b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent pollution.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interests of visual and residential amenity.

8. 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. 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.

9. 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 Coimisiún 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.

Reasons and Considerations (2)

1. Having regard to objective DM OBJ 50 of the Meath County Development Plan 2021-2027 which requires that all house extension applications be of “high quality design which respects, harmonises and integrates with the existing dwelling in terms of height, scale, materials used, finishes, window proportions etc”, and to objective HER OBJ 23 of the development plan which aims to ensure that extensions of traditional buildings are sensitively designed and do not detract from the character of the historic building, the Commission was not satisfied that by reason of the specific design and the resultant scale, massing,

and bulk in relation to the existing dwelling, that this element of the proposed development would successfully integrate with the existing dwelling and would not detract from the character of the vernacular building. Accordingly, the Commission considered that this element of the proposed development would contravene objectives DM OBJ 50 and HER OBJ 23 of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

The Commission noted the Inspector's recommended Condition 2 in relation to the floor area of the proposed cottage however the Commission considered that the floor area substantially complied with the specifications set out in the Design Manual for Quality Housing for a 2 bedroom house and did not consider the inclusion of the condition necessary.