

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Meath County

Planning Register Reference Number: RA/160894

An Bord Pleanála Reference Number: PL 17.247499

APPEAL by Paul and Susan Clegg and Niall and Kate Newman care of Horan Architectural Design Limited care of 1 Ringwood Centre, Damastown Close, Dublin against the decision made on the 7th day of October, 2016 by Meath County Council to grant subject to conditions a permission to John and Irene Carroll care of Fergus Flanagan Architects Limited of Crescent Quay, Wexford in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Subdivision of existing site and construction of a new fully serviced single storey dwellinghouse, new connection to public mains sewer and all associated site works at Glebe Lane, Ratoath, County Meath.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the height, design and location of the proposed dwelling, to the "A1- Existing Residential" Zoning Objective on the site and to the pattern of residential development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the relevant provisions of the Meath County Development Plan 2013-2019 and the Ratoath Local Area Plan 2009-2015, would not seriously injure the amenities of the Glebe Lane neighbourhood or of the property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. 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, 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 developer shall increase the height of the proposed post and rail fence along Boundary E, as indicated on drawing number 15-101-S-02.4, submitted to the planning authority on the 16th day of August, 2016, to 1.8 metres in height. Details in this regard shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of residential amenity and to ensure a proper standard of development.

3. (a) 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.
- (b) Surface water drainage shall comply strictly with provisions as detailed in the Site Runoff Assessment and Infiltration Report submitted to the planning authority on the 16th day of August, 2016.

Reason: In the interest of public health and to ensure a proper standard of development.

4. (a) Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) The external finish of new work shall be consistent with that of the existing dwellings in the area, and as of plans and particulars submitted to the planning authority on the 16th day of August, 2016.

Reason: In the interest of visual amenity.

5. 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:
- hours of working,
 - noise management measures,
 - provision of adequate off carriageway parking facilities for all traffic associated with the proposed development,
 - measures to prevent and mitigate the spillage or deposit of debris, soil or other material on the adjoining public road network, and
 - off-site disposal of construction/demolition waste.

The developer shall comply with the requirements set out in the Code of Practice.

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

6. All waste generated during construction, including surplus excavation material to be taken off-site, shall be only recovered or disposed of at an authorised site which has a current Waste Licence or Waste Permit in accordance with the Waste Management Acts, 1996 to 2008. This shall not apply to the reuse of excavated material within the applicants site boundary.

Reason: In the interest of sustainable waste management and orderly development.

7. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

8. (a) The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:
- (i) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
 - (ii) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation in-situ or by record, and protection of any archaeological remains that may exist within the site.

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 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017.