

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

## Meath County

**Planning Register Reference Number: AA/151162**

An Bord Pleanála Reference Number: PL 17.247656

**APPEAL** by John and Elaine McCarthy care of [planning-appeals.ie](http://planning-appeals.ie) of Tirnaneil, Monaghan, County Monaghan against the decision made on the 4<sup>th</sup> day of November, 2016 by Meath County Council to grant subject to conditions a permission to Redbrook Developments Limited care of Sheridan Woods Architects and Urban Planners of 10 Adelaide Road, Dublin in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Demolition of two number detached single storey dwellings and associated outbuildings and construction of 20 number dwellings comprising three number three bedroom detached (two storey) dormer bungalows and 17 number two/three storey dwellings (12 number three/four bedroom semi-detached dwellings and five number four/five bedroom comprising three number detached and two number semi-detached dwellings) all with attic space, optional conversion of attic space to an additional bedroom, also optional ground floor rear kitchen extension to all of the two/three storey dwellings, roof lights and roof mounted solar panels, vehicular and pedestrian access directly to three number dwellings from Castle Street and new vehicular and pedestrian access road from Castle Street to 17 number dwellings within the site and all associated public open space, landscaping, lighting, boundary treatments, site and development works on site of 0.70 hectares at Castle Street, Killelland, Ashbourne, Count Meath fronting on and with access from Castle Street, located north of numbers 46-70 (even numbers only), Crestwood Road, west of 'Summer Haven' private dwelling, and facing to the north the River Broadmeadow Town Park, as amended by the further public notice received by the planning authority on the 12<sup>th</sup> day of October, 2016.

## 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 residential zoning objective for the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of form and layout, 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, as amended by the drawings received by the planning authority on 29th day of September, 2016, 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 the 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. Houses numbers 19 and 20 as indicated on the Site Plan drawing number PA-2000X received by the planning authority on the 29<sup>th</sup> day of September, 2016 shall be omitted from the proposed development and this portion of the site shall be incorporated into the adjoining area proposed as public open space to serve the proposed development. Details of the necessary revision to the proposed layout shall be submitted to, and agreed in writing with, the planning authority prior to the proposed development.

**Reason:** In order to provide an adequate area of public open space to serve the proposed development.

3. The open spaces shall be developed for, and devoted to, public use and shall be kept free of any development. When the development is being taken in charge, the roads and all public areas including open spaces that have been designated for taking in charge shall be vested in the planning authority, at no cost to the authority.

**Reason:** In order to ensure the proper development of the public open space areas, and their continued use for this purpose.

4. Details of the materials, colours and textures of all external finishes to the proposed houses shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Roofs shall be blue/black or slate grey in colour only including ridge tiles.

**Reason:** In the interest of visual amenity.

5. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

**Reason:** To ensure adequate servicing of the development, and to prevent pollution.

6. 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. All existing over ground cables shall be relocated underground as part of the site development works.

**Reason:** In the interests of visual and residential amenity.

7. The internal road network serving the proposed development including turning bays, junctions, parking areas, footpath, kerbs, traffic calming measures and footpath dishing shall comply with detailed standards of the planning authority for such works.

**Reason:** In the interest of amenity and traffic and pedestrian safety.

8. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces, 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 house.

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

9. Parking for the proposed development shall be provided in accordance with a detailed parking layout which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. All car parking spaces shall have minimum dimensions of 2.5 metres by 5 metres.

**Reason:** In the interest of orderly development.

10. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/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).

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

11. Site development and building works shall be carried out only between the hours of 0800 hours to 1900 hours Monday to Friday inclusive, between 0900 to 1300 hours on Saturday and not at all on Sundays or 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 the interests of residential amenity.

12. 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 noise management measures and off-site disposal of construction/demolition waste.

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

13. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which will be submitted to, and agreed in writing with the planning authority prior to the commencement of development. This plan shall be prepared in accordance with "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects" published by the Department of Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

14. Prior to commencement of development, the applicant 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, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

**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.

15. 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.

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 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 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.

**Reason:** To ensure the satisfactory completion and maintenance of the development until taken in charge.

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

**Dated this            day of            2017.**