



An
Bord
Pleanála

Board Order
PL 17.249229

Planning and Development Acts 2000 to 2017

Planning Authority: Meath County Council

Planning Register Reference Number: AA/170810

Appeal by G.T. Horticultural Limited care of PDC Architectural of Churchfields, Kentstown, Navan, County Meath against the decision made on the 22nd day of August, 2017 by Meath County Council in relation to an application by the said G.T. Horticultural Limited for permission for one number one and a half storey three bedroom gate lodge type dwelling, three number detached, four bedroom houses, half storeys in height together with upgraded service roads, 14 number detached domestic garages (circa 40-50 square metres), connections to existing drainage works including sewage treatment system, landscaping and such additional ancillary works as is necessary to complete the scheme, all works to be carried out at existing development known as “An Páirc Wotton”, Wotton and New Commons, The Ward, Ashbourne, County Meath in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for 10 number detached domestic garages to existing dwellings and to refuse permission for one number one and a half storey three bedroom gate lodge type dwelling, three number detached, four bedroom houses, half storeys in height and associated domestic garages).

Decision

GRANT permission for the 10 number detached domestic garages to existing dwellings in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for the one number three bedroom gate lodge type dwelling, three number four bedroom dwellings (all with garages) together with upgraded service roads based on the reasons and considerations marked (2) under.

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 (1)

Having regard to the planning history on the site and the size of the rear gardens and the design, it is considered that, subject compliance with the conditions set out below, the inclusion of the garages would not have a negative impact on the existing dwellings and the surround area and 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 out in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The external finishes of the garages, including roof tiles/slates, shall be the same as those of the existing dwellings in respect of colour and texture.

Reason: In the interest of visual amenity.

3. 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:
 - (a) 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
 - (b) 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.

Reasons and Considerations (2)

1. Having regard to the location of the site within an Area Under Strong Urban Influence as identified in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005 and in an area where housing is restricted to persons demonstrating local need in accordance with Policy RD POL 1 and Section 10.4 of the current Meath County Development Plan, it is considered that there is insufficient information submitted to demonstrate compliance with the housing need criteria as set out in the Guidelines or the Development Plan for houses at this location. The proposed development, in the absence of any identified locally based need for the houses, would contribute, in conjunction with the existing development of the area, to the encroachment of additional rural development in the area and would constitute an excessive density of suburban-style development which militates against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the insufficient information submitted on the increase in capacity of the on-site treatment system, it is considered that, taken in conjunction with existing development in the vicinity, the area of the site is inadequate for the satisfactory disposal of septic tank effluent. The proposed development would, therefore, be prejudicial to public health. It is also considered that the inadequate treatment of effluent would have a detrimental impact on the fish species of the adjoining River Ward due to water pollution and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018