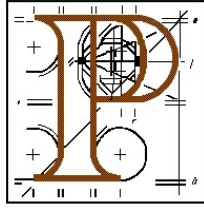


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

## Meath County

**Planning Register Reference Number: AA/170958**

An Bord Pleanála Reference Number: ABP-300097-17

**APPEAL** by Quarrycross Limited care of Vincent J.P. Farry and Company Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 6<sup>th</sup> day of October, 2017 by Meath County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Construction of a housing development of six number two-storey, four bedroom, semi-detached houses, open space provision, extension of the estate road, all associated services, service connections, landscape, boundary treatment and site development works, all at Tudor Grove, Ashbourne, County Meath.

## DECISION

**REFUSE permission for the above proposed development based on the reasons and considerations 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

1. It is considered that the proposed construction of six houses on the appeal site would contravene materially condition number 3 attached to the permission for development granted under planning register reference number 94/1258, (An Bord Pleanála appeal reference number PL 17.096766), which required that, prior to the occupation of the first dwellinghouse, the subject site (and adjoining lands) was to be provided as open space and finished to the satisfaction of the planning authority. The granting of planning permission for the proposed six houses would result in a permanent loss of lands for 'open space' and a consequential permanent loss of recreational amenity for the wider Tudor Grove and Tudor Heights development which the open space was intended to serve. It is considered that permitting the development would reduce the recreational amenities for the area to an unacceptable level and would also set an undesirable precedent in terms of non-compliance with key planning conditions. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development comprising six houses on a site which was indicated for use as 'open space' in planning register reference number 94/1258 (An Bord Pleanála appeal reference number PL 17.096766) would be contrary to the provisions of the Meath County Development Plan 2013 – 2019, as set out in Policy SOC POL 39, which seeks 'to resist the loss of existing public open space, unless alternative recreational facilities are provided in a suitable location' and in Policy SOC POL 42 which seeks 'to maintain free from development lands that are subject of a deed of dedication or identified in a planning permission as open space to ensure the availability of community and recreational facilities for the residents of the area'. These policies are considered to be reasonable. The proposed development would result in the loss of this area of open space and would, therefore, seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.

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

**Dated this                      day of                      2018.**