



Planning and Development Acts 2000 to 2018

Planning Authority: Meath County Council

Planning Register Reference Number: AA/171418

Appeal by Fergus Carey of Littlewood Lodge, Kilbrew, Curragha, Ashbourne, County Meath against the decision made on the 6th day of February, 2018 by Meath County Council to grant subject to conditions a permission to Ashbourne Visitor Centre Limited care of Malone O'Regan of 2B Richview Office Park, Clonskeagh, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: The development will supersede part of previously granted application AA160769, namely construction of 960 square metres Lofting Aviary Structure at this location will not take place. The development will consist of the demolition of existing hay shed and stable, construction of new storage shed incorporating small personnel office and toilets. The shed will be used for storage of souvenirs, sundries and non-perishable supplies, will be ancillary to the adjoining Tayto Park complex and have a gross floor area of 1,502 square metres and a maximum height of 7.8 metres, together with all associated development and site works, all at Tayto Park Visitor Centre, Kilbrew, Ashbourne, 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 provisions of the Meath County Development Plan 2013 - 2019, including in particular policy ED POL 37, to the general character and pattern of development in the area, to the nature, scale and extent of the proposed development, to the resultant traffic which would be generated within the Tayto Park facility and to the landscape and screening proposals presented with the application, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would not generate any unacceptable noise emissions or light pollution and would be acceptable in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and 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 land and buildings to which this permission relates shall be utilised for storage purposes associated with Tayto Park visitor attraction only, unless a further grant of permission has been applied for and granted.

Reason: To define the use permitted by this permission.

3. Detailed specification for all proposed external materials and finishes (including trade names) shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. External cladding shall be dark green in colour.

Reason: In the interest of visual amenity.

4. 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.

Reason: In the interest of public health.

5. All planting/landscaping required to comply with the specification of the landscaping scheme (Drawing Number 109 – Proposed Planting Plan) submitted to the planning authority shall be maintained, and if any tree or plant dies or is otherwise lost within a period of five years, it shall be replaced by a plant of the same species, variety and size within the planting season following such loss.

Reason: In the interest of visual amenity.

6. A revised site layout plan shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development showing the closure of the existing agricultural access onto the L50161 local road within one month of the occupation of the proposed development. When operational, the proposed vehicular access arrangement to the site shall be from within the Tayto Park facility only.

Reason: In the interest of traffic safety.

7. HGV delivery traffic associated with the storage development shall be limited to two movements per day over 5.5 days per week.

Reason: In the interest of traffic safety.

8. (a) The developer shall engage the services of a suitably qualified archaeologist (licensed under the National Monuments Acts 1930 - 2004) to monitor all groundworks associated with the development.

- (b) Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Department of Culture, Heritage and the Gaeltacht with regard to any necessary mitigating action (for example, preservation in situ, or excavation) and should facilitate the archaeologist in recording any material found.
- (c) The planning authority and the Department of Culture, Heritage and the Gaeltacht shall be furnished with a report describing the results of the monitoring.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

- 9. 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, traffic management measures and off-site disposal of construction and demolition waste.

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

10. Site development and building works shall be carried out between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In the interest of residential amenity during the construction phase.

11. 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.

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

Dated this day of 2018.