



Planning and Development Acts 2000 to 2018

Planning Authority: Meath County Council

Planning Register Reference Number: KA/180083

Appeal by Noeleen Tolan and Bernard McPhillips of Demailestown, Wilkinstown, Navan, County Meath against the decision made on the 26th day of June, 2018 by Meath County Council to grant subject to conditions a permission to Ronan O'Reilly, trading as Ornan Kitchens care of Michael Hetheron Architectural and Engineering Services Limited of Unit 3, Cavan Street, Oldcastle, County Meath in accordance with plans and particulars lodged with the said Council.

Proposed Development: (1) Retention of a mezzanine first floor, (2) retention of single storey office area to the side of existing showroom, (3) retention of amendments and alterations to plans and elevations of that previously granted under planning register reference number KA/141033. Permission is sought for: (1) Construction of a single storey material storage shed, (2) single storey shed for timber off cuts, (3) external fire escape stairway to existing mezzanine floor, (4) alteration of existing site boundaries and (5) all ancillary site and enabling works at Demailestown, Wilkinstown, Navan, County Meath. Further public notices were received by the planning authority on the 1st day of June, 2018.

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 scale, design, layout and purpose of the proposed development and the development for which retention is sought, the established industrial/commercial use of the site, and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development for which retention is sought would not seriously injure the visual or residential amenities of the area or of property in the vicinity and would not conflict with the provisions of the Meath County Development Plan 2013-2019. The proposed development and the development for which retention is sought 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 further plans and particulars submitted on the 9th day of May, 2018 and the 1st day of June, 2018, 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 proposed structures referred to as an offcuts storage shed and materials storage shed on the Site Layout and Location Map, Drawing Number A1_01, submitted with the planning application shall solely be used for storage purposes ancillary to the manufacturing process, and no manufacturing processes shall be undertaken within these structures.

Reason: In the interest of residential amenity.

3. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and 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 order to safeguard the residential amenities of property in the vicinity.

4. (a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest noise sensitive location shall not exceed:-
- (i) An Leq,1hour value of 55 dB(A) during the period 0800 to 2000 hours from Mondays to Fridays inclusive and during the period 0800 hours to 1400 hours on Saturdays.
 - (ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.
- (b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

Reason: To protect the residential amenities of property in the vicinity of the site.

5. 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.

6. 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 the 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.

Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2019.