



Planning and Development Acts 2000 to 2019

Planning Authority: Meath County Council

Planning Register Reference Number: LB/190254

Appeal by Stephen Early of Donore Road, Drogheda, County Meath against the decision made on the 12th day of July, 2019 by Meath County Council to grant subject to conditions a permission to Ruth and Andy Kiernan care of McKevitt King Architects of 50 North Road, Drogheda, County Louth in accordance with plans and particulars lodged with the said Council:

Proposed Development: Development consisting of demolition of an existing utility room to side of the existing dwelling, removal and replacement of roofs to existing dwelling, construction of two number new single storey extensions to the rear of the existing dwelling, including a two bedroom assisted-living family flat, construction of a first floor extension over existing single storey section of dwelling, construction of a new detached garage to the side of the existing dwelling, alterations and improvements to the existing site entrance, decommissioning of existing septic tank and provision of new proprietary wastewater treatment system and percolation area and all associated site works, all at Donore Road, Drogheda, County Meath. The proposed development was amended by the further public notices received by the planning authority on the 21st day of June, 2019.

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, the nature and scale of the proposed development and the suitability of the site for the safe disposal of domestic effluent and surface water drainage, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenity of neighbouring property. 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 further plans and particulars submitted on the 17th day of June, 2019, 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 family flat extension shall be used solely for that purpose, and shall revert to use as part of the main dwelling on the cessation of such use.

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

3. The garage shall be used solely for non-habitable uses ancillary to the main house and shall not be used for the carrying out of any trade or business or sold, let or otherwise transferred or conveyed save as part of the dwelling.

Reason: In the interest of clarity.

4. The external finishes of the proposed extensions shall be the same as those of the existing dwelling in respect of colour and texture.

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. The developer shall enter into a water connection agreement with Irish Water prior to the commencement of this development.

Reason: In the interest of public health.

7.
 - (a) The proposed septic tank drainage system shall be in accordance with the standards set out in the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009.
 - (b) The existing septic tank shall be decommissioned, emptied and made safe by a registered operator and the lands suitably reinstated.

- (c) Within three months of the decommissioning of the existing septic tank, and the installation of the proposed effluent treatment system and polishing filter, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the existing septic tank has been decommissioned and the proposed effluent treatment system and polishing filter has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the Environmental Protection Agency document.

- (d) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years from the installation of the proposed effluent treatment system and thereafter shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation.

Reason: In the interest of public health.

- 8. The landscaping scheme shown on Drawing Reference PP219 received by the planning authority on the 17th day of June, 2019 shall be carried out within the first planting season following substantial completion of external construction works. The existing trees along the western site boundary shall be retained.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season

with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

9. Site development and building works shall be carried out only 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 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.

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

Dated this day of 2019