



Planning and Development Acts 2000 to 2019

Planning Authority: Meath County Council

Planning Register Reference Number: KA/190060

Appeal by Darren and Claire Bryan of 6 Highfield, Athboy, County Meath against the decision made on the 20th day of August, 2019 by Meath County Council to grant subject to conditions a permission to Mary Davis care of Michael McKenna Architectural Services of High Street, Trim, County Meath in accordance with plans and particulars lodged with the said Council.

Proposed Development: Erection of a two-storey dwelling with habitable attic space, new domestic entrance, connection to all mains services and all associated site works at Meadowlands, Athboy, County Meath. Further public notices were received by the planning authority on the 2nd day of August, 2019 which included the following: revised site plan, revised floor plans and all associated elevational changes and a structural engineer's retaining wall report.

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 residential land use zoning of the site and to the pattern of development in the area, and having regard to the size of the site and the layout and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining property and would represent appropriate residential infill. 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 12th day of July, 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 removal of trees/hedging along the boundaries of the site and the construction of the retaining wall and all initial and associated groundworks shall be supervised by a suitably qualified engineer with professional indemnity insurance. The engineer shall monitor and ensure that the works do not impact on the site stability of adjoining sites and the structural integrity of dwellings on these sites. Upon completion of the work, the engineer shall submit to the planning authority a certificate to that effect.

Reason: In the interests of safety and residential amenity.

3. All of the external finishes of the proposed dwelling, including roof tiles, shall be the same, in colour and in texture, as those of the dwelling on the adjoining site to the side/south-west.

Reason: In the interest of visual amenity.

4. The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to commencement of development.

Reason: In the interest of public health.

5. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development.

6. 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 and off-site disposal of construction/demolition waste.

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

7. All public service cables to the proposed development, including electrical, telephone cables and associated equipment shall be located underground throughout the entire site.

Reason: In the interest of visual amenity.

8. Site development and building works shall be carried out between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 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 order to safeguard the residential amenities of property in the vicinity.

9. 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.

Philip Jones

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2020.